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Register of Deeds, Douglas County, NE
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2014052125

FIFTH AMENDMENT TO CONDOMINIUM DECLARATION

Aspen Condominiums
8941 Miami Street
Omaha, Nebraska 68134

This Fifth Amendment to the Condominium Declaration ("Fifth Amendment") is made this ____ day of July, 2014 by the Aspen Condominium Association, Inc.

A. The Aspen Condominium Association, Inc. consists of the owners of the real property and improvements known as Aspen Condominiums located at 8941 Miami Street in Omaha, Douglas County, Nebraska, more particularly described as follows:

DWELLING UNITS 1 THROUGH 34, INCLUSIVE, AND GARAGE UNITS 1 THROUGH 16, INCLUSIVE, IN ASPEN CONDOMINIUMS, A CONDOMINIUM PROPERTY REGIME ORGANIZED UNDER THE LAWS OF THE STATE OF NEBRASKA, PURSUANT TO CONDOMINIUM DECLARATION DATED MAY 21, 2007, AND FILED JUNE 5, 2007, AS INSTRUMENT NUMBER 2007063196 OF THE RECORDS OF THE REGISTER OF DEEDS OF DOUGLAS COUNTY, NEBRASKA,

AS AMENDED BY FIRST AMENDMENT TO CONDOMINIUM DECLARATION DATED JUNE 12, 2007 AND FILED JUNE 14, 2007, AS INSTRUMENT NUMBER 2007067032 OF THE RECORDS OF THE REGISTER OF DEEDS OF DOUGLAS COUNTY, NEBRASKA, and,

AS AMENDED BY SECOND AMENDMENT TO CONDOMINIUM DECLARATION DATED JUNE 3, 2008, AND RECORDED ON JUNE 6, 2008, AS INSTRUMENT NO. 2008056158 OF THE RECORDS OF THE REGISTER OF DEEDS OF DOUGLAS COUNTY, NEBRASKA, and,

AS AMENDED BY THIRD AMENDMENT TO CONDOMINIUM DECLARATION DATED AUGUST 4, 2008 AND RECORDED ON OCTOBER 8, 2008, AS INSTRUMENT NO. 2008098403 OF THE RECORDS OF THE REGISTER OF DEEDS OF DOUGLAS COUNTY, NEBRASKA, and,

AS AMENDED BY FOURTH AMENDMENT TO CONDOMINIUM DECLARATION DATED OCTOBER 30, 2008 AND RECORDED ON OCTOBER 30, 2008, AS INSTRUMENT NO. 2008105882 OF THE RECORDS OF THE REGISTER OF DEEDS OF DOUGLAS COUNTY, NEBRASKA, ALL COLLECTIVELY REFERRED TO AS THE "DECLARATION":

B. The Association desires to amend the Condominium Declaration, Aspen Condominiums, 8941 Miami Street, Omaha, Nebraska, dated May 21, 2007, and recorded on June 5, 2007, as Instrument No. 2007063196 of the records of the Register of Deeds of Douglas County, Nebraska, as amended by the First Amendment to Condominium Declaration dated June 12, 2007 and recorded on June 14, 2007, as Instrument No. 2007067032 of the records of the Register of Deeds of Douglas County, Nebraska, and, as amended by Second Amendment to Condominium Declaration dated June 3, 2008 and recorded on June 6, 2008, as Instrument No. 2008056158 of the records of the Register of Deeds of Douglas County, Nebraska, and, as amended by the Third Amendment to Condominium Declaration dated August 4, 2008 and recorded on October 8, 2008, as Instrument No. 2008098403 of the records of the Register of Deeds of Douglas County, Nebraska, and, as amended by the Fourth Amendment to Condominium Declaration dated October 30, 2008, and recorded on October 30, 2008, as Instrument No. 2008105882 of the records of the Register of Deeds of Douglas County, Nebraska, collectively referred to as the "Declaration":

C. Section 9.1 of the Declaration is hereby amended to strike the following language:

"No 'for sale' or 'for rent' signs may be displayed by any Person on the Property except as specifically authorized in writing by the Association to reasonably facilitate the sale or lease of a Unit."

D. Section 9.3 of the Declaration is hereby amended to insert the following language after "satellite disc" on line 3 of the section:

"larger than 18" round or 36" x 22" oval sizes."

E. Section 9.10(a) of the Declaration is hereby amended to insert the following language after line four:

"The Unit Owner is responsible for the maintenance, repair or replacement of the Unit's doors, windows, decks and garage doors."

F. Section 9.10(b) of the Declaration is hereby amended to insert the following language at the end of the section:

"The Association is not responsible for the maintenance, repair or replacement of the Unit's doors, windows, decks or garage doors."

G. Section 9.12 of the Declaration is hereby stricken in its entirety.

H. All other provisions contained in the Declaration, as amended, shall remain in full force and effect.

I. All provisions of this Fifth Amendment shall run with the land and shall be binding upon all present and future owners of the property described in this Fifth Amendment.

J. Invalidation of this Fifth Amendment by final order of any court of competent jurisdiction shall not affect the validity and enforceability of any provisions contained in the Declaration, or any previous amendments thereto.

ASPEN CONDOMINIUM ASSOCIATION, INC.

By: Louis Jackson
President

7/8/14
Date

CERTIFICATION

I, Louis Jackson, the duly elected Secretary of the Aspen Condominium Association, Inc., certify that the foregoing Fifth Amendment to Condominium Declaration, consisting of three (3) pages, was approved by at least sixty-seven percent (67%) of the Voting Members as required, and the same shall be recorded on behalf of the Aspen Condominium Association, Inc.

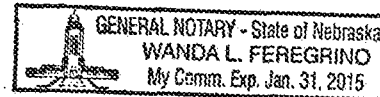
Louis Jackson
SECRETARY
FOR ASPEN CONDOMINIUM ASSOCIATION, INC.

Be it known that this ___ day of July, 2014, before me personally appeared Louis Jackson, Secretary for Aspen Condominium Association, Inc., who acknowledged and affirmed that his or her signature hereon is the act and doing of Aspen Condominium Association, Inc. and that he or she has full power and authority to sign on behalf of said entity.

In testimony whereof, I have hereunto subscribed my name and affixed my official seal, the day and year last above written, in Douglas County, Nebraska.

Wanda L. Feregrino
NOTARY PUBLIC

4849-2719-4642, v. 1



THIS FIFTH AMENDMENT TO CONDOMINIUM DECLARATION OF ASPEN
 CONDOMINIUMS IS HEREBY APPROVED by the
 following Lot Owners, representing sixty-seven percent (67%) of the Lot Owners.

LOT	NAME	SIGNATURE	DATE
1.	<u>H&S Partnership, LLP</u>		
2.	<u>Carolyn Sheets</u>	<i>Carolyn S Sheets</i>	7/5/14
3.	<u>Jacqueline Petersen</u>	<i>Jacqueline Petersen</i>	7-4-14
4.	<u>Estate of Gary Brewer</u>	<i>Stephanie Grossman</i>	7-7-14
5.	<u>Madeline Freemole</u>	<i>M. Freemole</i>	7/3/14
6.	<u>Michael Waisanen</u>	<i>Michael Waisanen</i>	7/8/2014
7.	<u>Julie Chilton</u>	<i>Julie Chilton</i>	7/4/2014
8.	<u>Mark Langenegger</u>	<i>Mark Langenegger</i>	7/9/14
9.	<u>Dallas Underwood Jr.</u>	<i>Dallas Underwood</i>	7/5/14
10.	<u>Stanley Wilder</u>	<i>Stanley Wilder</i>	7-4-14
11.	<u>Dominique Pouhe</u>		
12.	<u>Louis Jackson</u>	<i>Louis Jackson</i>	7/3/14
13.	<u>Michelle King</u>		
14.	<u>Francis Sillau</u>	<i>Francis Sillau</i>	7-3-14
15.	<u>Russell Rohlf</u>		
16.	<u>Charles Billesbach</u>	<i>Charles Billesbach</i>	7-3-14
17.	<u>Justin Prohaska</u>	<i>Justin Prohaska</i>	7-3-14
18.	<u>Jeffrey Heldridge</u>	<i>Jeffrey Heldridge</i>	7-5-14
19.	<u>Christopher Barondeau</u>		
20.	<u>Gloria Hall</u>		