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Received - DIANE L. BATTIATO
Register of Deeds, Douglas County, NE
2/25/2008 13:08:07.72



2008017760

**FIRST ADMENDMENT TO
DECLARATION OF CONDOMINIUM**

BEEBE & RUNYAN CONDOMINIUM

105 S. Ninth Street, Omaha, Nebraska

RETURN: Corey Spader
105 S. 9th Unit 509
Omaha, NE 68102

**FIRST AMENDMENT TO
DECLARATION OF CONDOMINIUM
BEEBE & RUNYAN CONDOMINIUM
105 S. Ninth Street, Omaha, Nebraska**

THIS FIRST AMENDMENT TO DECLARATION OF CONDOMINIUM is made this 22nd day of February, 2008, by **BOCA DEVELOPMENT, LLC**, a Nebraska limited liability company (the "**Declarant**").

Recitals of Fact

A. On March 16, 2006, Declarant, as the owner and holder of all of the Units in the Beebe & Runyan Condominium, a condominium in Omaha, Douglas County, Nebraska, signed a Declaration of Condominium for the Beebe & Runyan Condominium (the "**Declaration**"), which was filed on March 16, 2006 as Document No. 2006029801 in the Office of the Douglas County Register of Deeds in Omaha, Nebraska.

B. In Section 14.14(a) of the Declaration, the Declarant reserved the right to make amendments to the Declaration, prior to the conveyance of the Common Elements (as defined therein) to the Condominium Association (as defined therein), to clarify and further explain the terms of the Declaration. The conveyance of the Common Elements has not yet taken place, and Declarant wishes to make an amendment to the Declaration to clarify and further explain the definition of one particular unit boundary and to clarify and explain the common element percentage applicable to that particular unit.

C. This amendment relates to the establishment of the precise boundaries of Unit 801, Beebe & Runyan Condominiums, which were unknown and therefore unclear at the time the original Declaration was signed and filed, and the determination of the precise percentage of common element interests which apply to Unit 801, which was unknown and therefore unclear at the time the original Declaration was signed and filed.

Amendment

NOW, THEREFORE, Declarant hereby amends the Declaration as follows:

1. The Declaration is hereby amended to clarify and explain that Unit 801 of the Beebe & Runyan Condominiums consists of 1,845 square feet. The exact square footage of Unit 801 was unknown as of the filing of the original Declaration.

2. The new common element percentages applicable to the Units of the Beebe & Runyan Condominiums, given the precise determination of the square footage of Unit 801, are set forth on **Exhibit "B"** (Common Element Interest and Common Element Liability) attached hereto and incorporated herein by this reference. This Exhibit "B" shall supercede and replace the Exhibit "B" attached to the original Declaration. Declarant states that the purpose of this change to Exhibit "B" is not to make any substantive amendment to the percentage of common element interests, but rather to clarify and explain such percentages in light of facts now known (*i.e.* the exact

square footage of Unit 801) which were not known at the time the Declaration was signed and filed.

INTENDING to be fully bound, the Declarant has executed this First Amendment to Declaration of Condominium the day and year above written.

BOCA DEVELOPMENT, LLC, a
Nebraska limited liability company

By: CL
Print Name: Corey Spader
Print Title: Partner

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

On this 22nd day of February 2008, before me personally appeared Corey Spader, to me personally known, who being by me duly sworn did say that he/she is a limited partner of BOCA Development, LLC, a Nebraska limited liability company, that said instrument was signed and delivered in behalf of said limited liability company, and acknowledged to me that he/she executed the same as the free act and deed of said limited liability company.

In Testimony Whereof, I have hereunto set my hand and affixed my official seal the day and year first above written.

Audrey A. Guill
NOTARY PUBLIC

My Commission Expires:

June 8, 2011

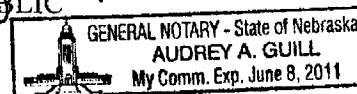


EXHIBIT "A" TO DECLARATION**PROPERTY LEGAL DESCRIPTION**

Lots 1, 2, 3 and 4, Block E, Original City of Omaha in Douglas County, Nebraska.

Exhibit "B"

Common Element Interest and Common Element Liability

Unit Number	Square Footage	Common Element Interest
301	1,517	1.39%
302	1,070	0.98%
303	1,277	1.17%
304	1,554	1.42%
305	1,260	1.15%
306	1,084	0.99%
307	1,208	1.10%
308	1,120	1.02%
401	1,513	1.38%
402	1,071	0.98%
403	1,274	1.16%
404	1,559	1.42%
405	1,246	1.14%
406	1,084	0.99%
407	1,201	1.10%
408	1,109	1.01%
409	1,293	1.18%
410	1,269	1.16%
411	1,248	1.14%
412	1,268	1.16%
413	1,043	0.95%
414	1,008	0.92%
415	1,309	1.20%
416	1,119	1.02%
501	1,517	1.39%
502	1,059	0.97%
503	1,274	1.16%
504	1,550	1.42%
505	1,261	1.15%
506	1,076	0.98%
507	1,205	1.10%
508	1,106	1.01%
509	1,295	1.18%
510	1,257	1.15%
511	1,259	1.15%

512	1,255	1.15%
513	1,062	0.97%
514	996	0.91%
515	1,343	1.23%
516	1,128	1.03%
601	1,556	1.42%
602	1,062	0.97%
603	1,269	1.16%
604	1,553	1.42%
605	1,260	1.15%
606	1,083	0.99%
607	1,212	1.11%
608	1,116	1.02%
609	1,318	1.20%
610	1,271	1.16%
611	1,251	1.14%
612	1,280	1.17%
613	1,084	0.99%
614	1,012	0.92%
615	1,366	1.25%
616	1,144	1.05%
701	1,556	1.42%
702	1,062	0.97%
703	1,269	1.16%
704	1,553	1.42%
705	1,260	1.15%
706	1,083	0.99%
707	1,212	1.11%
708	1,116	1.02%
709	1,310	1.20%
710	1,274	1.16%
711	1,264	1.15%
712	1,277	1.17%
713	1,063	0.97%
714	1,016	0.93%
715	1,381	1.26%
716	1,146	1.05%
801	1,845	1.69%
802	2,705	2.47%
803	2,121	1.94%
804	2,500	2.28%
805	2,406	2.20%
806	2,232	2.04%

807	2,195	2.01%
808	2,730	2.49%
809	1,686	1.54%
Totals	109,446	100%

I HEREBY CERTIFY THAT THIS DRAWING WAS MADE UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF NEBRASKA.



JANUARY 14, 2008

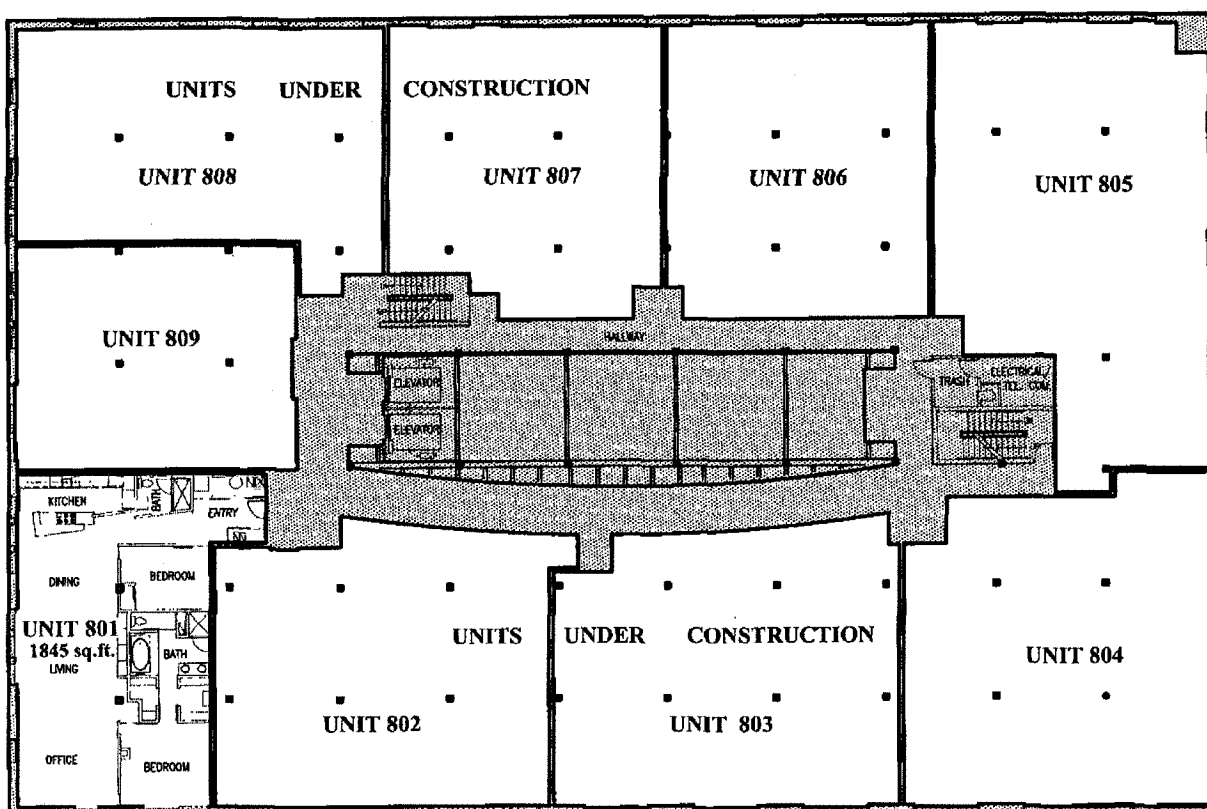
DATE

MICHAEL J. SMITH
NEBRASKA R.L.S. 565



COMMON ELEMENT

SCALE; 1" = 30'



EIGHT FLOOR

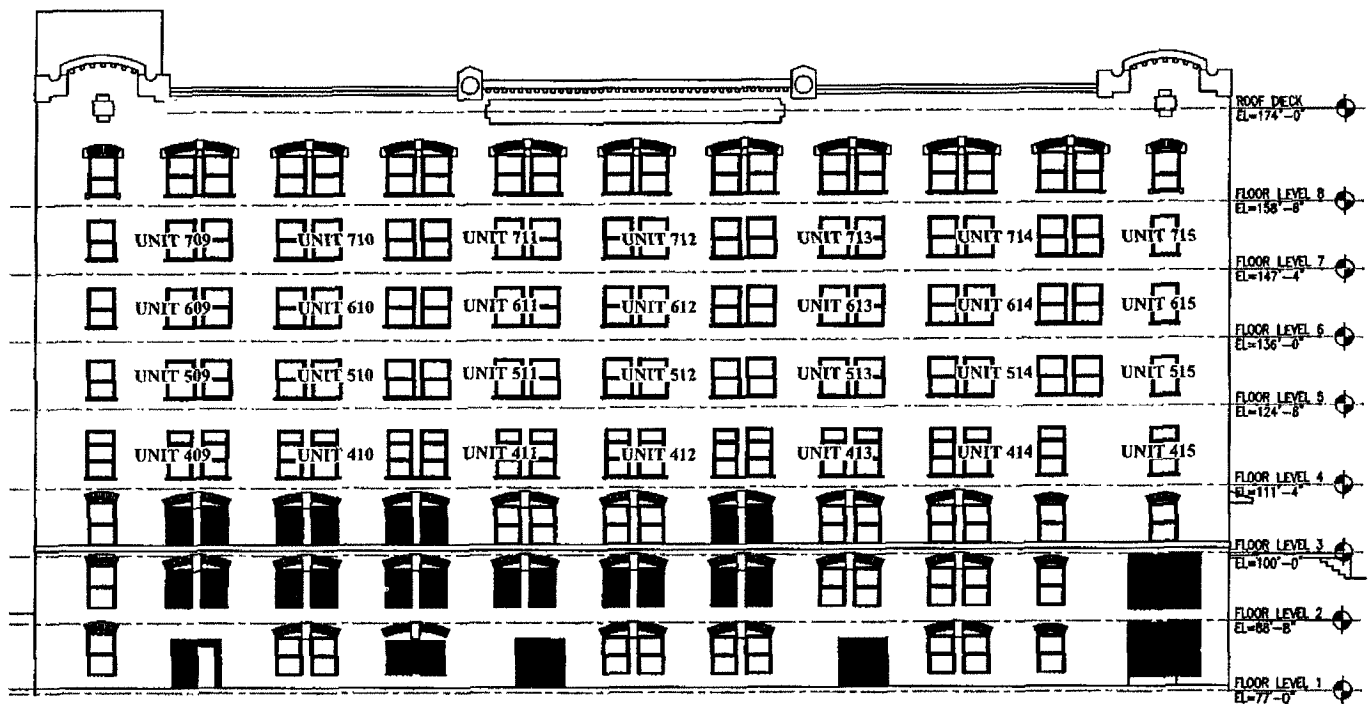
SHEET 1 OF 5

BEEBE RUNYAN CONDOMINIUMS

TD2 JOB NUMBER: 1215-110-1

TACKETT COMPANIES

THOMPSON, DREESSEN & DORNER, INC., 10836 OLD MILL ROAD, OMAHA, NEBRASKA 68154, 402-330-8860



NORTH ELEVATION

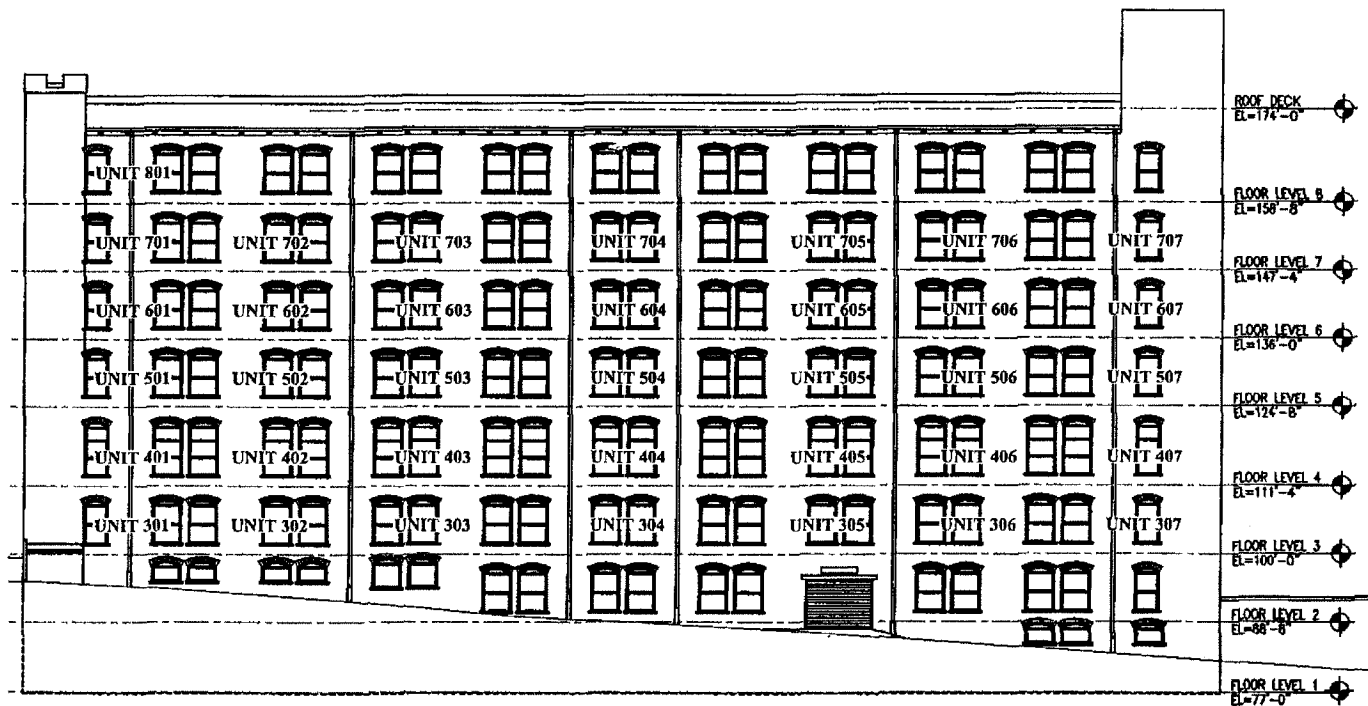
SHEET 2 OF 5

BEEBE RUNYAN CONDOMINIUMS

TD2 JOB NUMBER: 1215-110-1

TACKETT COMPANIES

THOMPSON, DREESSEN & DORNER, INC., 10836 OLD MILL ROAD, OMAHA, NEBRASKA 68154, 402-330-8860



SOUTH ELEVATION

SHEET 3 OF 5

BEEBE RUNYAN CONDOMINIUMS

TD2 JOB NUMBER: 1215-110-1

TACKETT COMPANIES

THOMPSON, DREESSEN & DORNER, INC., 10836 OLD MILL ROAD, OMAHA, NEBRASKA 68154, 402-330-8860



EAST ELEVATION

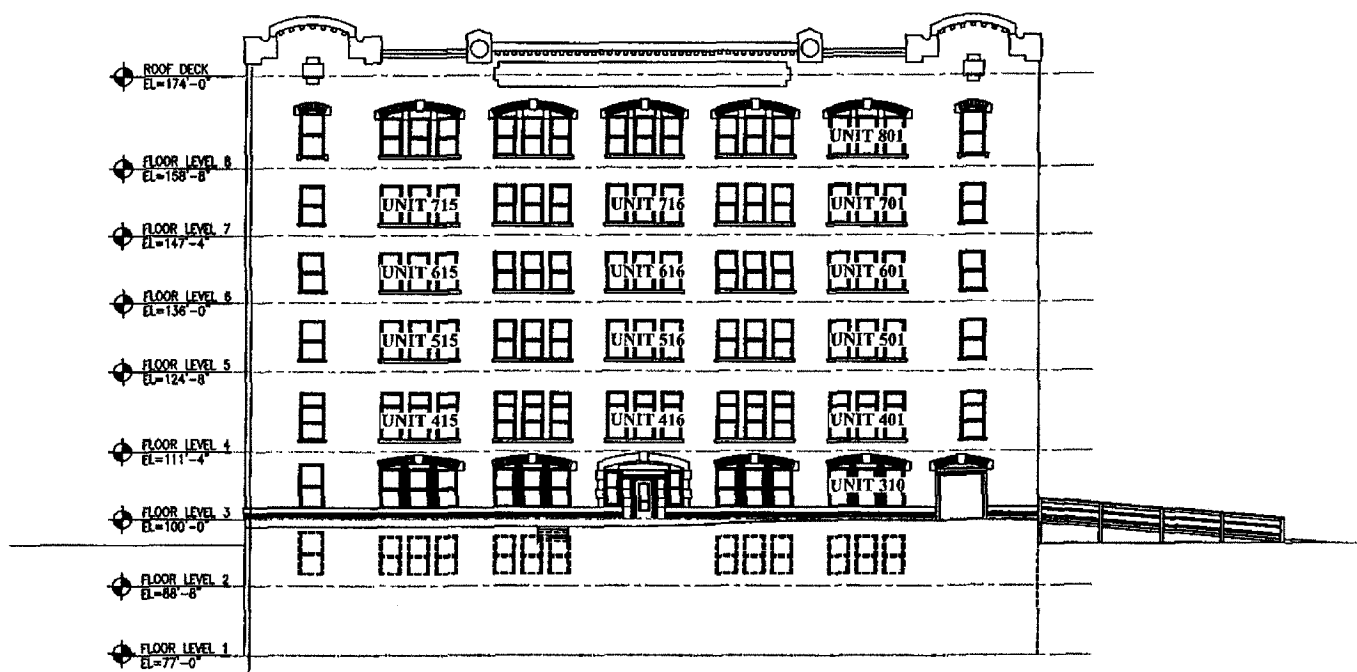
SHEET 4 OF 5

BEEBE RUNYAN CONDOMINIUMS

TD2 JOB NUMBER: 1215-110-1

TACKETT COMPANIES

THOMPSON, DREESSEN & DORNER, INC., 10836 OLD MILL ROAD, OMAHA, NEBRASKA 68154, 402-330-8860



WEST ELEVATION

SHEET 5 OF 5

BEEBE RUNYAN CONDOMINIUMS

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THOMPSON, DREESSEN & DORNER, INC., 10836 OLD MILL ROAD, OMAHA, NEBRASKA 68154, 402-330-8860