

FILED SARPY CO. NE.

INSTRUMENT NUMBER

2003 18131

2003 APR -7 P 4:21 P

[Signature]

REGISTER OF DEEDS

Counter *[Signature]*

Verify *[Signature]*

D.E. *[Signature]*

Proof *[Signature]*

Fee \$ 71.00

Ck Cash Chg

949

RESOLUTION

At its regular meeting held on April 29, 2003, the Board of Directors of Drella II, Inc., a Nebraska Corporation, adopted the following Resolution in its capacity as General Partner of Ballena Limited Partnership, a Nebraska Limited Partnership:

"BE IT RESOLVED, that inasmuch as Drella II, Inc. is the General Partner of Ballena Limited Partnership, that Ballena Limited Partnership is the owner and developer of the Ballena Development (sometimes known as Tiburon South) located in Sanitary and Improvement District Number 192, lots 1 through 122 in Ballena, a subdivision as surveyed, platted, and recorded in Sarpy County, Nebraska, and that Ballena Limited Partnership is charged with the responsibility of creating and amending certain Covenants governing the improvements constructed within the boundaries of S.I.D. 192, the Board of Directors of Drella II, Inc. finds that it is necessary to amend said Covenants as set forth below:

BE IT FURTHER RESOLVED, that inasmuch as Article V, General Provisions, Section B, "This Declaration may be amended by the Declarant, or any person, firm, corporation, partnership, or entity designated in writing by the Declarant, in any manner it shall determine in its full and absolute discretion for a period of five (5) years from the date hereof." , the Declarant approves the amendment to the Covenants set forth below:

THEREFORE, BE IT FURTHER RESOLVED, that Article III, Restrictions for Residential Units, Section G., Subsection 3., is hereby amended by removing the wording, "side wall" from the sentence "Provided however, if said non-wood-burning or direct vent fireplace is constructed is such a manner so as to protrude beyond the outer perimeter of a front or side wall of the dwelling on a Lot Not Adjoining Golf Course or beyond the outer perimeter of any wall of the dwelling on a Lot Adjoining Golf Course, the protrusion for the fireplace shall be finished with clay-fired brick or stone".

Adopted this 29th day of April, 2003.

[Signature]

Drella II, Inc.
General Partner, Ballena Limited Partnership
By its Authorized Representative

RAK
EAT GOLLEHON
6037 OAK CREST PLAZA
OMAHA, NE. 68137

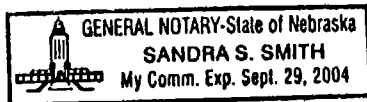
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2003-18131A

STATE OF NEBRASKA
COUNTY OF DOUGLAS

On this 7 day of April, 2003, came before me Eric B. Waddington, the authorized representative of Drella II, Inc., a Nebraska Corporation, and acknowledged the foregoing instrument in my presence.

Witness my hand and notarial seal at Omaha, Nebraska.



A handwritten signature in cursive script, appearing to read "Sandra S. Smith".