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SUBMITTED	NEBRASKA TITLE COMPANY - O

FILED SARPY CO. NE.  
INSTRUMENT NUMBER

**2013-30389**

2013 Sep 25 03:45:43 PM

*Sheryl J. Doucine*

REGISTER OF DEEDS



**AMENDMENT TO DECLARATION  
OF COVENANTS, CONDITIONS, RESTRICTIONS AND  
EASEMENTS OF HIGHWAY CROSSING,  
A SUBDIVISION IN SARPY COUNTY, NEBRASKA**

This Amendment to Declaration of Covenants, Conditions and Restrictions of Highway Crossing, a subdivision in Sarpy County, Nebraska (“Amendment”) is made effective this 20<sup>th</sup> day of August, 2013, by B.H.I. Investment Company, a Nebraska corporation, as the Declarant, and as the Owner of Lots 1, 2, 9, 10, 11, 12, 14, 15, 21, 25, 26, 27, 28, 31 and 32, all in Highway Crossing, and the Owners of Lots 3, 4, 8, 13, 16, 17, 18, 19, 20, 22, 23, 24, 29 and 30, Highway Crossing and Lots 1 and 2, Highway Crossing Replat 1 (formerly described as Lots 5 through 7, Highway Crossing), subdivisions as surveyed, platted and recorded in Sarpy County, Nebraska, which represent more than seventy-five percent (75%) of the Lots set forth in the Declaration described below.

PRELIMINARY STATEMENT

WHEREAS, by that certain Declaration of Covenants, Conditions, Restrictions and Easements of Highway Crossing, Sarpy County, Nebraska dated January 15, 2002, and recorded January 17, 2002, as Instrument No. 2002-02319 in the office of the Register of Deeds of Sarpy County, Nebraska (the “Declaration”), the Declarant imposed covenants, conditions, restrictions and easements on Lots 1 through 32, Highway Crossing, a subdivision, as surveyed, platted and recorded in Sarpy County, Nebraska; and

WHEREAS, the provisions of Article XVI of the Declaration provide that the Declaration “may be amended by an instrument signed by the Owners of not less than seventy-five percent (75%) of the Lots covered by the Declaration”; and

WHEREAS, the undersigned Owners now desire to amend Article VII of the Declaration.

After recording, return to:  
John Q. Bachman  
PANSING HOGAN ERNST & BACHMAN LLP  
10250 Regency Circle, Suite 300  
Omaha, NE 68114

NOW, THEREFORE, pursuant to the provisions for amendment contained in Article XVI of the Declaration, the undersigned hereby agree as follows:

1. Article VII of the Declaration entitled *Outside Storage*, shall be amended by the addition of the following sentence at the end of said Article:

Notwithstanding any of the provisions of this Article VII, with the Declarant's express written consent, Declarant may waive any or all provisions of Article VII, in Declarant's sole discretion.

2. Except as specifically amended herein, the Declaration shall remain in full force and effect as originally executed, acknowledged and recorded. Capitalized terms not specifically defined herein shall have the meanings set forth in the Declaration.

IN WITNESS WHEREOF, the undersigned, as Declarant and the Owners of more than seventy-five percent (75%) of the Lots, have executed this Amendment to be effective as of the date first set forth above.

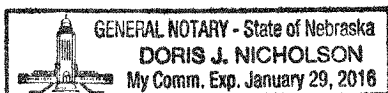
B.H.I. INVESTMENT COMPANY, a Nebraska corporation

By *Gerald L. Torczon*  
Gerald L. Torczon, President

**Declarant and Owner of Lots 1, 2, 9, 10, 11, 12, 14, 15, 21, 25, 26, 27, 28, 31 and 32, Highway Crossing**

STATE OF NEBRASKA     )  
  )    ss.  
COUNTY OF SARPY     )

The foregoing instrument was acknowledged before me this 19 day of August, 2013, by GERALD L. TORCZON, President of B.H.I. INVESTMENT COMPANY, a Nebraska corporation, on behalf of the corporation.



*Doris J. Nicholson*  
Notary Public

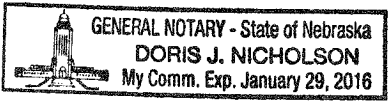
J&B NORTH ENTERPRISES, LLC

By Jacob North  
Name: Jacob North  
Title: Owner

Owner of Lot 3, Highway Crossing

STATE OF Nebraska )  
                                  ) ss.  
COUNTY OF Sarpy )

The foregoing instrument was acknowledged before me this 16 day of August, 2013, by Jacob North, Manager of J&B NORTH ENTERPRISES, LLC, on behalf of the limited liability company.



Doris J. Nicholson  
Notary Public





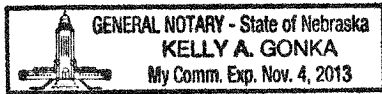
LFT LLC

By [Signature]  
Name: Lee Pankowski  
Title: owner / president

Owner of Lot 13, Highway Crossing

STATE OF Nebraska )  
                                  ) ss.  
COUNTY OF Douglas )

The foregoing instrument was acknowledged before me this 26 day of July 2013, 2013, by Lee Pankowski of LFT LLC, on behalf of the limited liability company.



[Signature]  
Notary Public

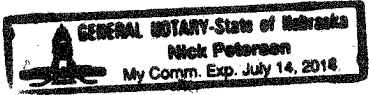
R & S HOLLENDIECK INVESTMENTS, L.L.C.

By Rick Hollendieck  
Name: RICK HOLLENDIECK  
Title: PRESIDENT

Owner of Lot 16, Highway Crossing

STATE OF Nebraska )  
  ) ss.  
COUNTY OF Sarpy )

The foregoing instrument was acknowledged before me this 5 day of August, 2013, by Rick Hollendieck, President of R & S HOLLENDIECK INVESTMENTS, L.L.C., on behalf of the limited liability company.



Nick Petersen  
Notary Public

WALMAR LEASING, LLC

By \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

**Owner of Lot 17, Highway Crossing**

STATE OF \_\_\_\_\_ )  
  ) ss.  
COUNTY OF \_\_\_\_\_ )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2013, by \_\_\_\_\_, \_\_\_\_\_ of WALMAR LEASING, LLC, on behalf of the limited liability company.

\_\_\_\_\_  
Notary Public









\_\_\_\_\_  
RONALD J. PAULSEN

\_\_\_\_\_  
TERESA A. PAULSEN

**Owners of Lot 22, Highway Crossing**

STATE OF \_\_\_\_\_ )  
  ) ss.  
COUNTY OF \_\_\_\_\_ )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_,  
2013, by RONALD J. PAULSEN.

\_\_\_\_\_  
Notary Public

STATE OF \_\_\_\_\_ )  
  ) ss.  
COUNTY OF \_\_\_\_\_ )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_,  
2013, by TERESA A. PAULSEN.

\_\_\_\_\_  
Notary Public

NOVAK PROPERTIES, LLC

By Thomas S. Novak  
Name: THOMAS C NOVAK  
Title: President

Owner of Lot 23, Highway Crossing

STATE OF Nebraska )  
  ) ss.  
COUNTY OF Sarpy )

The foregoing instrument was acknowledged before me this 30 day of July, 2013, by Thomas Novak, President of NOVAK PROPERTIES, LLC, on behalf of the limited liability company.

GENERAL NOTARY - State of Nebraska  
DORIS J. NICHOLSON  
My Comm. Exp. January 29, 2016

Doris J. Nicholson  
Notary Public

GENERAL NOTARY - State of Nebraska  
DORIS J. NICHOLSON  
My Comm. Exp. January 29, 2016

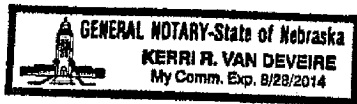
DFB INVESTMENTS, LLC

By *[Signature]*  
Name: David Niembes  
Title: Owner

Owner of Lot 24, Highway Crossing

STATE OF Nebraska )  
 ) ss.  
COUNTY OF Sarpy )

The foregoing instrument was acknowledged before me this 30<sup>th</sup> day of July, 2013, by DFB INVESTMENTS, LLC, on behalf of the limited liability company.



*Kerri R. VanDeWeire*  
Notary Public

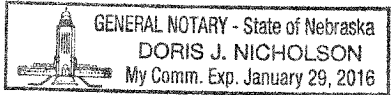
Charles R. Biffar  
CHARLES R. BIFFAR

Mary E. Biffar  
MARY E. BIFFAR

**Owners of Lot 29, Highway Crossing**

STATE OF Nebraska )  
 ) ss.  
COUNTY OF Sarpy )

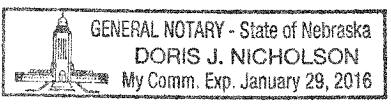
The foregoing instrument was acknowledged before me this 6<sup>th</sup> day of August, 2013, by CHARLES R. BIFFAR.



Doris J. Nicholson  
Notary Public

STATE OF Nebraska )  
 ) ss.  
COUNTY OF Sarpy )

The foregoing instrument was acknowledged before me this 6<sup>th</sup> day of August, 2013, by MARY E. BIFFAR.



Doris J. Nicholson  
Notary Public







