



MISC 2014072435



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Received - DIANE L. BATTIATO
 Register of Deeds, Douglas County, NE
 09/15/2014 16:06:26.00



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RETURN TO:
DRI Title & Escrow
13057 W. Center Rd., Ste #1
Omaha, NE 68144

**SUPPLEMENT TO DECLARATION OF RECIPROCAL EASEMENTS AND
 RESTRICTIVE COVENANTS**

THIS SUPPLEMENT TO DECLARATION OF RECIPROCAL EASEMENTS AND RESTRICTIVE COVENANTS (the "Supplement") is made by Menard, Inc., a Wisconsin corporation ("Menard").

WHEREAS, Menard executed that certain Declaration of Reciprocal Easements and Restrictive Covenants filed April 9, 2008 in the Office of the Douglas County, Nebraska Register of Deeds as Instrument No. 2008034360 (the "Declaration").

WHEREAS, Menard is the fee owner of those certain parcels of land located in the City of Omaha, Douglas County, Nebraska, legally described on Exhibit "A" attached hereto and made a part hereof.

WHEREAS, Menard desires to modify certain terms, restrictions, and conditions of the Declaration in order to effectuate the common use and operation of the parcels described herein, as more particularly set forth herein.

NOW, THEREFORE, Menard, for itself and its successors and assigns, in consideration of the foregoing, hereby covenants as follows:

1. The first sentence of Article I, Section F of the Declaration should be stated as follows:

"The term "Detention Pond" shall refer to and mean the detention pond located on Outlot A, generally as depicted on Exhibit A."

The reference to "Exhibit B" in the original text of Article I, Section F is a scrivener's error. The Declaration was not intended to and does not contain an Exhibit B.

2. Insofar as the terms and provisions of this Supplement purport to amend or modify or are in conflict with the terms, provisions, and exhibits of the Declaration, the terms and provisions of this Supplement shall govern and control; in all other respects, the terms,

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provisions and exhibits of the Declaration shall remain unmodified and in full force and effect. This Supplement is incorporated into and made part of the Declaration, and any and all references to the Declaration shall hereafter mean the Declaration as amended by this Supplement. All capitalized terms that are used but are not defined in this Supplement shall have the respective meanings given to such terms in the Declaration.

3. This Supplement shall be effective and binding as of the date of execution hereof.

[REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, the parties hereto have executed this instrument.

EXECUTED ON:

Menard, Inc., a Wisconsin corporation

This 11 day of September, 2014

By: 

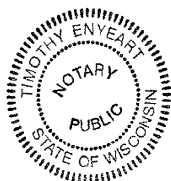
Theron J. Berg
Real Estate Manager

STATE OF WISCONSIN)

)ss.

COUNTY OF EAU CLAIRE)

On this 11 day of September, 2014, before me a Notary Public within and for said County and State, personally appeared Theron J. Berg, to me personally known, who being by me duly sworn did say that he is the Real Estate Manager of Menard, Inc., the corporation named in the foregoing instrument, and that the instrument was signed on behalf of the corporation by authority of its Board of Directors and Theron J. Berg acknowledged the instrument to be the free act and deed of the corporation.





Notary Public, Eau Claire County
My Commission is permanent.

EXHIBIT "A"
Legal Descriptions

Lots 1, 2, 3, 4, 5, 7, and 10, and Outlot "B", Menards Subdivision, an addition to the City of Omaha, Douglas County, Nebraska. (0C-25165)

AND

Lot 1 and Outlot "A", Menards Subdivision Replat 1, an addition to the City of Omaha, Douglas County, Nebraska. (0C-25166)

AND

Lot 2, Menards Subdivision Replat 2, an addition to the City of Omaha, Douglas County, Nebraska. (0C-25167)

AND

Lot 2, Menards Subdivision Replat 3, an addition to the City of Omaha, Douglas County, Nebraska. (77-25168)