

FILED SARPY CO. NE
INSTRUMENT NUMBER
2008-13284

2008 MY -9 PM 1:55

Slusky Law, LLC
REGISTER OF DEEDS

COUNTER a C.E. ab
VERIFY Alan D.E. P
PROOF TMP
FEES \$ 21.00
CHECK # 46568
CHG _____ CASH _____
REFUND _____ CREDIT _____
SHORT _____ NYC _____

RECORDED NOTE: INDEXED AGAINST LOTS 1 thru 6, and lots 8 and outlots A, B, C Sugar Creek Neighborhood Center and LOTS 1 + 2 SUGAR CREEK NEIGHBORHOOD CENTER REPEAT 1 LAL 5-9-08

After recording, return to: Jennifer J. Taylor, Slusky Law, LLC, Suite 300, 17445 Arbor Street, Omaha, NE 68130

**FIRST AMENDMENT TO
DECLARATION OF EASEMENTS WITH COVENANTS AND RESTRICTIONS
FOR LOTS 1 THROUGH 9 INCLUSIVE AND OUTLOTS A THROUGH C, INCLUSIVE,
SUGAR CREEK NEIGHBORHOOD CENTER**

THIS FIRST AMENDMENT TO DECLARATION OF EASEMENTS WITH COVENANTS AND RESTRICTIONS FOR LOTS 1 THROUGH 9 INCLUSIVE AND OUTLOTS A THROUGH C, INCLUSIVE, SUGAR CREEK NEIGHBORHOOD CENTER (herein " Amendment"), amends the above described Declaration of Easements, Covenants and Restrictions dated April 26, 2006 and recorded on May 1, 2006 in the office of the Register of Deeds, Sarpy County, Nebraska as Instrument Number 2006-14188 (the "Declaration") is made effective as of _____, 2008, by HOICH 192nd LLC, a Nebraska limited liability company ("Hoich"), SIXTH GENERATION PROPERTIES – LAND COMPANY, LLC, a Nebraska limited Liability company ("Sixth Generation"), and HARRISON 192, LLC, a Nebraska limited liability company ("Harrison"). Individually Hoich, Sixth Generation and Harrison as a Grantor or Declarant herein, and jointly or collectively as Grantors or Declarants.

RECITALS:

WHEREAS, Declarant Hoich conveyed to Harrison title to Lot 8, Sugar Creek Neighborhood Center, a Subdivision, in Sarpy county ("Lot 8"); and

WHEREAS, Harrison requested certain revisions to the Declaration be made as a condition of closing on the purchase of Lot 8; and

WHEREAS, Declarants are each willing to grant the revisions requested.

NOW, THEREFORE, in exchange for the mutual promises contained herein and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged be each party, the Declarants hereby amend the Declaration as follows:

1. Section 7.8, paragraph 2, is hereby deleted in its entirety, and the following inserted in its place: "Prior to the sale or development of all Lots, the pro rata share of fees and expenses shall be the percentage determined by taking the land area of an Owner's Lot or Lots divided by the total land area of all Lots within the Development."
2. The following sentence shall be added to end of Section 6.1(c), "Each Owner shall provide adequate employee parking on such Owner's Lot, and shall make reasonable efforts to ensure that employees of Owner or Owner's tenants do not park on other Lots."

A

3. To the extent that this Amendment is inconsistent with a provision in the Declaration, the terms of this Amendment shall control. Except as amended herein, all other provisions of the Declaration are hereby ratified and confirmed and shall remain in full force and effect against all Lots and be and shall remain enforceable in accordance with its terms.

4. If any term, provision or covenant of this Amendment shall to any extent be deemed invalid and unenforceable by judgment or court order, the remainder of this Amendment shall not be affected thereby and such other terms, provisions and covenants of this Amendment shall be valid and shall be enforced to the extent permitted by law.

IN WITNESS WHEREOF, the undersigned has caused these presents to be effective on the day and year set forth above.

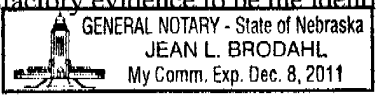
DECLARANTS:

HOICH 192nd LLC, a Nebraska limited liability company

By: John Lee Hoich
Its: John Lee Hoich

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this 10 day of April 2008, by JOHN L. HOICH, the Manager of Hoich 192nd LLC, who is either personally known to me or was identified to me through satisfactory evidence to be the identical person executing this instrument above.



Jean L Brodahl
Notary Public

SIXTH GENERATION PROPERTIES – LAND COMPANY, LLC, a Nebraska limited liability company

By: Henri Jung
Henri Jung, Manager

STATE OF NEBRASKA)
) ss.
COUNTY OF Douglas)

The foregoing instrument was acknowledged before me this 6th day of March 2008, by HENRI JUNG, the Manager of SIXTH GENERATION PROPERTIES – LAND COMPANY, LLC, who is either personally known to me or was identified to me through satisfactory evidence to be the identical person executing this instrument above.



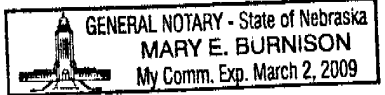
Cheryln J. Humburg
Notary Public

HARRISON 192, LLC, a Nebraska limited liability company

By: Marjorie Emma Sothman
Its: Member

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this 14th day of March 2008, by Marjorie Emma Sothman the Member of Harrison 192, LLC, who is either personally known to me or was identified to me through satisfactory evidence to be the identical person executing this instrument above.



Mary E. Burnison
Notary Public