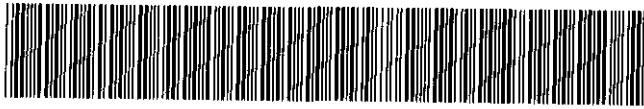




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 Register of Deeds, Douglas County, NE
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**AMENDMENT OF CONCORD SQUARE
 DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS**

Lots 2 through 45, Concord Square, an addition to the City of Omaha, as surveyed, platted and recorded in Douglas County, Nebraska

After filing return to:
 James R. Thele, HCD Manager
 Omaha Planning Department
 Omaha/Douglas Civic Center, Suite 1111
 Omaha, NE 68183-1100

**AMENDMENT OF CONCORD SQUARE
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS**

This Amendment of the Declaration of Covenants, Conditions and Restrictions is made as of December 30, 2004, by the NEW COMMUNITY DEVELOPMENT CORPORATION, a Nebraska Non-Profit Corporation (“Declarant”).

RECITALS

- a. The Fair Housing Act, as amended, 42 U.S.C. s 3601 et seq. requires that all persons can live where they want and can afford without regard to their race, color, national origin, sex, religion or because of their disability or have children in the family.
- b. A federal court order in *Hawkins v. Department of Housing and Urban Development, et al*, Case No. 8:90CV95 requires that certain numbers of additional low-income housing be provided in the City of Omaha.
- c. The Omaha Housing Authority, or its affiliate, plans to construct two single-family rental houses. The houses will become eligible for homeownership after completion of the replacement units required by *Hawkins* with the approval of the Department of Housing and Urban Development and upon the maturity of the federal tax credit financing.
- d. Declarant desires to amend the Declaration of Covenants, Conditions and Restrictions for Concord Square (hereinafter “Covenants”) which were entered into on July 31, 2001.
- e. The Declarant desires to amend Article III, Section V. of the previously adopted Covenants.
- f. The previously adopted Covenants applied to Concord Square, Lots 2-45.

g. That the Covenants entered into on July 31, 2001, provide that they may be amended by the Declarant in its full and absolute discretion for a period of five (5) years. (Article VI.B).

NOW, THEREFORE, Declarant hereby amends the Covenants which amendment shall run with the equitable legal title to the land and shall be for the benefit or burden, as the case may be, of the owners of any portion of the premises, their respective heirs, legal representatives, successors and assigns, and any mortgagees.

1. That as to Lots 38 and 41 of Concord Square, the restriction in Article III, Section V. which includes the following language, "The property shall not be leased for the duration of this Declaration." shall be waived and removed as a restriction to Lots 38 and 41 of Concord Square only, so long as said lots are owned by the Omaha Housing Authority or its affiliate.

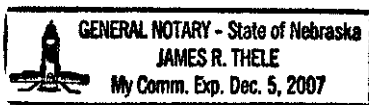
IN WITNESS WHEREOF, Declarant has caused this instrument to be executed as of the day and year first above written.

NEW COMMUNITY DEVELOPMENT CORPORATION INC., A Nebraska Non-Profit Corporation,

By Michael Maroney 12/30/04
Michael Maroney, President Date

STATE OF NEBRASKA)
)ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before this 30th day of December, 2004, by Michael Maroney, President of New Community Development, Inc., A Nebraska Non-Profit Corporation.



James R. Thele
Notary Public, State of Nebraska

My commission expires: 12/5/07