



MISC 2007034961



MAR 29 2007 14:28 P 4

Received - DIANE L. BATTIATO
Register of Deeds, Douglas County, NE
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2007034961

**FIFTH AMENDMENT TO
DECLARATION AND MASTER DEED
OF VILLAGE AT FALCON RIDGE
CONDOMINIUM PROPERTY REGIME**

This Third Amendment to Declaration and Master Deed of Village at Falcon Ridge Condominium Property Regime (this "Amendment") is made this 21 day of March, 2007, by Triton Homes, L.C., an Iowa limited liability company, doing business in Nebraska as Triton Homes, LLC, hereinafter referred to as the "Declarant", also being sole owner of the real estate subject to the Declaration and Master Deed of Village at Falcon Ridge Condominium Property Regime, dated the 11th day of April, 2006 and filed with the Register of Deeds of Douglas County, Nebraska on April 11, 2006, instrument number 2006040472, as amended by Second Amendment to Declaration and Master Deed of Village at Falcon Ridge Condominium Property Regime dated August 11, 2006 and filed with the Register of Deeds of Douglas County, Nebraska on August 23, 2006, instrument number 2006096949, as further amended by Amendment to Declaration and Master Deed of Village at Falcon Ridge Condominium Property Regime dated August 11, 2006 and filed with the Register of Deeds of Douglas County, Nebraska on August 24, 2006, instrument number 2006097486, as further amended by Third Amendment to Declaration and Master Deed of Village at Falcon Ridge Condominium Property Regime dated December 18, 2006 and filed with the Register of Deeds of Douglas County, Nebraska on December 20, 2006, instrument number 2006143686, as further amended by Fourth Amended to Declaration and Master Deed of Village at Falcon Ridge Condominium Property Regime dated February 14, 2007 and filed with the Register of Deeds of Douglas County, Nebraska on February 27, 2007, instrument number 2007022521 (the "Declaration").

PRELIMINARY STATEMENT

WHEREAS, the Declarant is the sole owner of the real estate subject to the Declaration, and is the Declarant under the Declaration;

WHEREAS, the Declarant, pursuant to Section 2.1 of the Declaration is granted the right and power to add additional units to the Village at Falcon Ridge Condominium Property Regime (the "Condominium");

WHEREAS, the Declarant wishes to subject to the Declaration phases 6 and 8, as legally described and pictorially identified in the Plans attached to the Declaration as Exhibit "B"; and

RETURN:

Mark LaPuzza
10250 Regency Circle, ste 300
Omaha, NE 68114 ✓ 1507

misc
FEE 5600 FB OC-40313
BKP _____ C/O _____ COMP. BW
72 DEL _____ SCAN _____ FV _____

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WHEREAS, the Declarant desires to amend Exhibit "C" to the Declaration to reflect the addition of such phases 6 and 8;


NOW, THEREFORE, the Declarant, pursuant to the rights granted to it under Section 2.1 of the Declaration, hereby amends the Declaration in the following particulars:

- 1. Exhibit "C" of the Declaration is hereby replaced in its entirety by the attached Allocations, identified as Exhibit "C" hereto and incorporated herein by reference.
- 2. The addition of phases 6 and 8 and the Units contained therein, are, by this Amendment, authorized for creation and addition to the Declaration, and the Owners of the Units in such phases are hereby granted rights as Unit Owners in the Condominium and members of the Village at Falcon Ridge Condominium Association, a Nebraska not-for-profit corporation.
- 3. Except as expressly amended herein, the terms and conditions of the Declaration shall continue in full force and effect.

Dated this 21 day of March, 2007.

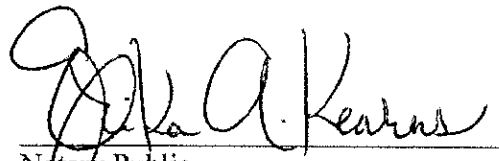
DECLARANT:

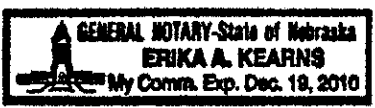
TRITON HOMES, L.C., an Iowa limited liability company, doing business in Nebraska as TRITON HOMES, LLC


Chad Schwarting

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledge before me this 21 day of March, 2007 by Chad Schwarting on behalf of the company.


Notary Public



**EXHIBIT C
ALLOCATIONS**

Unit Number	Percentage
1	1.3888%
2	1.3888%
3	1.3888%
4	1.3888%
5	1.3888%
6	1.3888%
7	1.3888%
8	1.3888%
9	1.3888%
10	1.3888%
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115	1.3888%
116	1.3888%

Pursuant to Section 2.1 of the Declaration and Master Deed of Village at Falcon Ridge Condominium Property Regime, the above allocations are subject to recalculation upon the creation of any additional Units, the reallocation of the boundaries of any Units, the conversation of Units into Common Elements or the conversation of Common Elements to Units.