Inst # 2010015385 Fri Apr 16 16:15:44 CDT 2010 Filing Fee: \$33.00 Lancaster County, NE Assessor/Register of Deeds Office Pages 4

Fia7 Fia8

AMENDMENT TO DECLARATION OF COVENANTS AND RESTRICTIONS

THIS AMENDMENT TO DECLARATION OF COVENANTS AND RESTRICTIONS ("Amendment") is made this 7th day of March 2010.

RECITALS

WHEREAS, a Declaration of Covenants and Restrictions dated April 22, 2008, was recorded in the office of the Register of Deeds of Lancaster County, Nebraska as Instrument No. 2008-018540 (the "Declaration") with respect to the real property legally described on Exhibit "A" attached hereto and incorporated herein by this reference; and

WHEREAS, the undersigned, constituting the holders of two-thirds of the total of voting rights pursuant to Section 30 of the Declaration, desire to amend the Declaration, subject to the terms and provisions set forth herein.

NOW THEREFORE, for and in consideration of the recitals set forth above and the mutual representations, warranties and covenants set forth in the Declaration, and other good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, and intending to be legally bound, the undersigned hereby agree to amend the Declaration as follows:

- 1. <u>Setbacks</u>. Section 4(b) of the Declaration is hereby amended to provide that the front yard setback of houses in the Class B Properties from the property line shall be thirty feet (30').
- 2. <u>Full Force and Effect</u>. Except as modified by this Amendment, each of the conditions, covenants, restrictions and reservations set forth in the Declaration shall continue and be binding upon the parties hereto and upon their successors and assigns and upon each of them and all parties and all persons claiming under them.

IN WITNESS WHEREOF, the undersigned have executed this Amendment on the day and year first above written.

FT Development Company, Inc.

Mark A. Wible President

	DMR Development, Inc.
	By: Mary Redkmeyer, President RMTTR#1, Inc.
	By: Denise Tewes, President
	Doonbeg Road Property Acquisition Group, Inc.
	By: John Rallis, President
STATE OF NEBRASKA)) ss.	
COUNTY OF LANCASTER)	
The foregoing instrument was acknowledged before me on March 7 2000, by Mark Wible, President of FT Development Company, Inc., a Nebraska corporation, on behalf of the corporation.	
	Notary Public
STATE OF NEBRASKA)	A GENERAL NOTARY-State of Nebraska
COUNTY OF LANCASTER) ss.	JONI K. JOHANNESEN My Comm. Expires JULY 30, 2011
The foregoing instrument was acknowledged before me on MARCH 7 2000, by Mary Reckmeyer, President of DMR Development, Inc., a Nebraska corporation, on behalf of the corporation. Notary Public	
STATE OF NEBRASKA)	GENERAL NOTARY - State of Nebraska TODD J. STARK My Comm. Exp. Dec. 19, 2012
) ss. COUNTY OF LANCASTER)	13, CUIE

The foregoing instrument was acknowledged before me on MARCH 7 2009, by Denise Tewes, President of RMTTR#1, Inc., a Nebraska corporation, on behalf of the corporation.

STATE OF NEBRASKA

SS.

COUNTY OF LANCASTER)

GENERAL NOTARY - State of Nebraska TODD J. STARK My Comm. Exp. Dec. 19, 2012

The foregoing instrument was acknowledged before me on MARCH 7, 2009, by John Rallis, President of Doonbeg Road Property Acquisition Group, Inc., a Nebraska corporation, on behalf of the corporation.

Notary Public

GENERAL NOTARY - State of Nebraska
TODD J. STARK
My Cornm. Exp. Dec. 19, 2012

EXHIBIT "A"

Legal Description of Property

Lots 1 – 20, inclusive, Block 1, and Outlot "B", Firethorn 27th Addition, Lincoln, Lancaster County, Nebraska; and

Outlot "A", Firethorn 28th Addition, Lincoln, Lancaster County, Nebraska; and

Outlot "D", Firethorn 27th Addition, Lincoln, Lancaster County, Nebraska and Outlot "B", Firethorn 28th Addition, Lincoln, Lancaster County, Nebraska; and

Outlot "C" and Outlot "E", Firethorn 27th Addition, Lincoln, Lancaster County, Nebraska.