



After recording return to:  
Seacrest & Kalkowski, PC, LLO  
1128 Lincoln Mall, Suite 105  
Lincoln, NE 68508

**AMENDMENT TO THE  
DECLARATION OF COVENANTS AND RESTRICTIONS**

THIS AMENDMENT TO THE DECLARATION OF COVENANTS AND RESTRICTIONS ("Amendment") is effective this 23 day of September, 2019.

RECITALS

WHEREAS, a Declaration of Covenants and Restrictions dated March 21, 2008, was recorded in the office of the Register of Deeds of Lancaster County, Nebraska as Instrument No. 2008018541 (the "Declaration"), with respect to the real property legally described on Exhibit "A", attached hereto and incorporated herein by this reference, and for the benefit of the real property legally described as Exhibit "B", attached hereto and incorporated herein by this reference.

WHEREAS, the undersigned desire to amend the Declaration as set forth below.

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:

A. Paragraph 3. Maintenance Agreement is hereby amended and restated as follows:

3. Maintenance Agreement. Declarant agrees not to amend, terminate or otherwise alter that certain Maintenance Agreement dated November 17, 2006, by and between Firethorn Development Corp. and FGC recorded in the Office of the Register of Deeds of Lancaster County on November 28, 2006 as Instrument No. 2006058821, as amended by the Amendment to Maintenance Agreement dated April 27, 2007 recorded in the Office of the Register of Deeds of Lancaster County on April 30, 2007 as Instrument No. 2007020634, the Second Amendment to Maintenance Agreement dated September 12,

2008 recorded in the Office of the Register of Deeds of Lancaster County on October 21, 2008 as Instrument No. 2008048491, and the Third Amendment to Maintenance Agreement dated March 22, 2016 recorded in the Office of the Register of Deeds of Lancaster County on March 29, 2016 as Instrument No. 2016011171, in any manner that increases the responsibility allocated to the Firethorn Residential Development in Section 3 above 25% without the written consent of The Reserve and Terraces at Firethorn Homeowners' Association, a Nebraska nonprofit corporation, which consent shall not be unreasonably withheld or delayed.

B. Except as modified by the Amendment, each of the conditions, covenants, restrictions and reservations set forth in the Declaration shall continue and be binding upon the parties thereto 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 Declaration of Covenants and Restrictions as of the 23 day of September 2019.

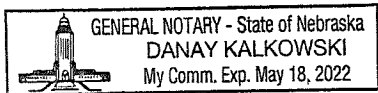
**FIRETHORN GOLF COMPANY, LLC**, a Nebraska limited liability company

By: Mark A. Wible  
Mark A. Wible, Manager

STATE OF NEBRASKA )  
 ) ss.  
COUNTY OF LANCASTER )

The foregoing instrument was acknowledged before me this 23 day of September 2019 by Mark A. Wible, Manager of **FIRETHORN GOLF COMPANY, LLC**, a Nebraska limited liability company, on behalf of the limited liability company.

Danay Kalkowski  
Notary Public

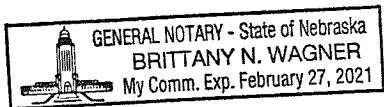


**THE RESERVE AND TERRACES AT  
FIRETHORN HOMEOWNERS'  
ASSOCIATION**, a Nebraska nonprofit corporation

By: *Anthony Sibert*  
Anthony Sibert, President

STATE OF NEBRASKA            )  
  ) ss.  
COUNTY OF LANCASTER        )

The foregoing instrument was acknowledged before me this 14<sup>th</sup> day of August, 2019 by Anthony Sibert, President of **THE RESERVE AND TERRACES AT FIRETHORN HOMEOWNERS' ASSOCIATION**, a Nebraska nonprofit corporation, on behalf of the nonprofit corporation.



*Brittany N. Wagner*  
Notary Public

EXHIBIT "A"

Legal Description of Golf Course

Outlot B, Firethorn 29<sup>th</sup> Addition, Outlot A, Firethorn 35<sup>th</sup> Addition, and Outlot B, Firethorn 41<sup>st</sup> Addition, Lincoln, Lancaster County, Nebraska

FI 29  
FI 35  
FI 41  
No 1

EXHIBIT "B"

Benefitted Property

Lots 1-10 and 12-20, Block 1, Firethorn 27<sup>th</sup> Addition;  
Lot 1, Firethorn 35<sup>th</sup> Addition;

Lots 1-16 Block 1, and Lots 1-3 and 6-18, Block 2, Firethorn 32<sup>nd</sup> Addition;  
Lots 1 and 2, Firethorn 39<sup>th</sup> Addition;

Lots 1-5, Block 1, Lots 1-4 Block 2, and Lots 1-29, Block 3, Firethorn 44<sup>th</sup> Addition,

FI 27  
FI 35

FI 32  
FI 39

FI 44