



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

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

THIS FOURTH AMENDMENT TO THE DECLARATION OF COVENANTS AND RESTRICTIONS ("Fourth 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. 2008018540, together with an Amendment to Declaration of Covenants and Restrictions dated March 7, 2010, and recorded in the office of the Register of Deeds of Lancaster County, Nebraska as Instrument No. 2010015385, a Second Amendment and Addition to Declaration of Covenants and Restrictions dated September 26, 2011, and recorded in the office of the Register of Deeds of Lancaster County, Nebraska as Instrument No. 2011045973, and a Third Amendment and Addition to Declaration of Covenants and Restrictions dated September 23, 2019, and recorded in the office of the Register of Deeds of Lancaster County, Nebraska as Instrument No. 2019037145 (collectively, the "Covenants"), with respect to the real property legally described on Exhibit "A" attached hereto and incorporated herein by this reference (the "Properties"), and

WHEREAS, pursuant to Paragraph 28 of the Covenants, FUSC desires to exercise its right to add Contiguous Property to the Class A Properties governed by the Covenants.

NOW THEREFORE, for and in consideration of the recitals set forth above and the mutual representations, warranties and covenants set forth in the Covenants, 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 Covenants as follows:

1. Contiguous Property. FUSC hereby exercises its right to add Lots 1, 2 and 3, Firethorn 46<sup>th</sup> Addition, Lincoln, Lancaster County, Nebraska ("Wenta Lots"), to the "Class A Properties" as that term is defined in the Covenants, and the Wenta Lots are hereby made subject to the Covenants.

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**EXHIBIT "A"**

**Properties**

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;

All located in Lincoln, Lancaster County, Nebraska

FI 27  
FI 32  
FI 39  
FI 44