

FILED SARPY CO. NE.
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2005-31852

2005 AUG 31 P 2:47³

Lloyd J. Dowding
REGISTER OF DEEDS

COUNTER JS C.E. JS
VERIFY MA D.E. P
PROOF 045 P
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INFORMATION.**

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NEXT PAGE.**

LLOYD J. DOWDING

SARPY COUNTY REGISTER OF DEEDS
1210 GOLDEN GATE DRIVE, STE 1109
PAPILLION, NE 68046-2895
402-593-5773

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AMENDMENT TO COVENANTS

THIS AMENDMENT TO COVENANTS is made the date hereinafter set forth by 156th Street, L.L.C., a Nebraska limited liability company.

RECITALS

A. On February 26, 2003, a document entitled Declaration of Covenants, Conditions, Restrictions and Easements of Giles Ridge Subdivision in Sarpy County, Nebraska (hereinafter the "Declaration") for Lots One (1) through One Fifty-Eight (158), inclusive, in GILES RIDGE, a subdivision as surveyed, platted and recorded in Sarpy County, Nebraska, was recorded by 156th Street, L.L.C., as Declarant, in the office of the Register of Deeds of Sarpy County, Nebraska as Instrument No. 2003-10046. Lots 19 - 36, inclusive, in GILES RIDGE are now known as Sublots 1 through 36, inclusive, of Lot 1 of GILES RIDGE REPLAT ONE.

B. Article IV, Section 3 of the Declaration provides that for a period of ten years, the Declarant as Developer shall have the right to amend the Declaration.

NOW, THEREFORE, Declarant as Developer hereby declares that the Declaration recorded of record in the office of the Register of Deeds of Sarpy County, Nebraska as Instrument No. 2003-10046 should be and hereby are amended in the following manner:

I. by deleting Paragraph 1 of Article I of the Declaration in its entirety and adding in its place and stead the following:

Lots One (1) through One Hundred Fifty-eight (158), inclusive, all in GILES RIDGE, shall be used exclusively for single-family residential purposes; except that Lots Nineteen (19) through Thirty-six (36), inclusive, in GILES RIDGE (n/k/a Sublots 1 through 36, inclusive, of Lot 1, of GILES RIDGE REPLAT ONE) shall be used solely for detached or attached villa or townhome use, and except for such Lots or parts thereof as may hereafter be conveyed or dedicated by Declarant, or its successors and assigns, for use in connection with a Common Facility, or as a church, school, park or for other non-profit use.

II. by deleting Paragraph 3 of Article I of the Declaration in its entirety and adding in its place and stead the following:

Except for Lots Nineteen (19) through Thirty-six (36), inclusive, in GILES RIDGE (n/k/a Sublots 1 through 36, inclusive, of Lot 1, of GILES RIDGE REPLAT ONE) shall be used solely for detached or attached villa or townhome use, no single family residence shall be created, altered, placed or permitted to remain on any of Lots One (1) through One Hundred Fifty-eight (158), inclusive, in GILES RIDGE, other than one detached single family dwelling, with an attached two- or three-car garage, which does not exceed two stories in height. Such dwellings on any Lot shall conform to the surrounding dwellings of similar regime and any general scheme or plans formulated by Declarant. All Improvements on any Lot shall comply with all side yard and set back requirements of the Zoning Code of Sarpy County, Nebraska and any other applicable laws of any governing authority. Except for Lots Nineteen (19) through Thirty-six (36), inclusive, in GILES RIDGE (n/k/a Sublots 1 through 36, inclusive, of Lot 1, of GILES RIDGE REPLAT ONE) shall be used solely for detached or attached villa or townhome use, at a minimum, all ranch style homes shall have 1,500 finished square feet on the main level; all two story style homes shall have at least 2,000 finished square feet, 1,000 of which shall be on the main level; and all story and one-half style homes shall have at least 1,800 finished square feet, 1,000 of

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**FULLENKAMP, DOYLE & JOBEUN
11440 WEST CENTER ROAD
OMAHA, NEBRASKA 68144-4482**

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which shall be on the main level. All minimums set in this paragraph shall be exclusive of garages, basements, breeze-ways, patios, etc.

III. by deleting Paragraph 21 of Article I of the Declaration in its entirety and adding in its place and stead the following:

Except for Lots Nineteen (19) through Thirty-six (36), inclusive, in GILES RIDGE (n/k/a Sublots 1 through 36, inclusive, of Lot 1, of GILES RIDGE REPLAT ONE) which shall be used solely for detached or attached villa or townhome use, no residence shall be constructed on any Lot unless the entire Lot as originally platted is owned by one owner of such Lot, except if parts of two or more platted Lots have been combined into one Lot which is at least as wide as the narrowest Lot on the original plat, and is as large in area as the largest Lot in the original plat.

All other provisions of the Declaration shall remain in full force and effect.

IN WITNESS WHEREOF, the Declarant has caused these presents to be executed this 30th day of August 2005.

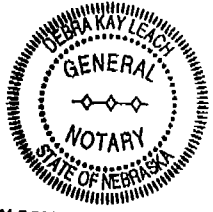
156TH STREET, L.L.C., Declarant,

By: James Preston
James Preston, Member

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

On this 30th day of August 2005, the foregoing instrument was acknowledged before me, a Notary Public, by James Preston as Member of 156th Street, L.L.C., a Nebraska limited liability company, who acknowledged the execution of said instrument to be his voluntary act and deed on behalf of said entity.

[Signature]
Notary Public



MY COMMISSION EXPIRES:
May 28, 2006