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GEORGE J. BUGLEWICZ
REGISTER OF DEEDS
DOUGLAS COUNTY, NE

**FIRST AMENDMENT TO DECLARATION
OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS
OF HAWTHORNE, A SUBDIVISION
IN DOUGLAS COUNTY, NEBRASKA**

This First Amendment is made to the Declaration of Covenants, Conditions, Restrictions and Easements of Hawthorne, a subdivision in Douglas county, Nebraska, dated April 3, 1995, and recorded with the Douglas County Register of Deeds on May 1, 1995, in Book 1145 at Page 678, Miscellaneous Records (the "Declaration"), by Hawthorne Development Co., a Nebraska corporation (the "Declarant").

PRELIMINARY STATEMENT

The Declaration was made by the Declarant in connection with the development of residential lots legally described as follows:

Lots 1 through 81, inclusive, Lots 83 through 120, inclusive, and Lots 159 through 271, inclusive, in Hawthorne, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska.

Such lots are herein referred to collectively as the "Lots" and individually as each "Lot." The Lots are part of Hawthorne, a subdivision in Douglas County, Nebraska ("Hawthorne"). Townhome residential lots which are contiguous to the Lots are being developed as part of Hawthorne and Declarant desires to amend the Declaration to permit the inclusion of additional lots in the Hawthorne Home-owners Association.

Article IV, Section 2 of the Declaration allows the Declarant to amend the Declaration in any manner which it may determine in its full and absolute discretion for a period of five (5) years from the date of the Declaration. Declarant has investigated the effect which including additional lots in the Association would have on the Lots and has determined that inclusion of additional lots would further the preservation of Hawthorne, would further the maintenance of the character and residential integrity of Hawthorne, and would further the intent, purpose and protection afforded to the Lots by the Declaration.

NOW, THEREFORE, pursuant to the authority granted to the Declarant in Article IV, Section 2 of the Declaration, Declarant hereby amends and supplements the Declaration as follows:

1. A new Article II, Section 16 shall be adopted as part of the Declaration, as follows:

16. Additional Lots. From time to time, without the consent or approval of the Owners or Members, the Association may be expanded to include additional residential lots in any subdivision which is contiguous to any of the Lots. Such expansions may be

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