

FILED SARPY CO. NE.

INSTRUMENT NUMBER

99-027512

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*Glenn J. Dowling*

REGISTER OF DEEDS

99-27512

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**AMENDMENT TO PROTECTIVE COVENANTS**

THIS AMENDMENT TO PROTECTIVE COVENANTS is made the date hereinafter set forth by Hidden Valley Ranches, Inc., a Nebraska corporation.

**RECITALS**

A. On November 6, 1996, a document entitled Declaration of Covenants, Conditions, Restrictions and Easements of Hidden Valley Ranches, a Subdivision in Sarpy County, Nebraska (hereinafter the "Declaration") for Lots One (1) through Twenty-six (26), inclusive, in Hidden Valley Ranches, a subdivision as surveyed, platted and recorded in Sarpy County, Nebraska, was recorded by Hidden Valley Ranches, Inc., a Nebraska corporation, Declarant, in the office of the Register of Deeds of Sarpy County, Nebraska as Instrument No. 96-022962.

B. Article IV. Paragraph 2. of the Declaration provide that the covenants and restrictions of the Declaration may be amended by the Declarant, or any person, firm, corporation, partnership, or entity designated in writing by Declarant, in any manner which it may determine in its full and absolute discretion for a period of five (5) years following November 6, 1996.

NOW, THEREFORE, Declarant hereby declares that the Protective Covenants recorded on November 8, 1996 as Instrument No. 96-022962 in the office of the Register of Deeds of Sarpy County, Nebraska should be and hereby are amended in the following manner:

- 1. By deleting therefrom the heading "Article II HIDDEN VALLEY RANCHES HOMEOWNERS' ASSOCIATION" and adding in its place and stead the following:

**ARTICLE II**  
**HIDDEN VALLEY RANCHES HOMEOWNERS ASSOCIATIONS**

- 2. By deleting therefrom Paragraph 1 of Article II and adding in its place and stead the following:

1. The Associations. Declarant has caused or will cause the incorporation of three (3) Hidden Valley Ranches Homeowners Associations identified by Lot numbers, as Nebraska non-profit corporations. All of the provisions contained within Article II and Article III of this Declaration shall apply individually to each of the Hidden Valley Ranches Homeowners Associations which shall individually have the following purposes and powers, duties and responsibilities enumerated herein (hereinafter referred to collectively as the "Association"). The Association has as its purpose the promotion of the health, safety, recreation, welfare and enjoyment of the residents of the specific lots in Hidden Valley Ranches which it was formed to benefit and Hidden Valley Ranches subdivision as a whole, including:

A. The acquisition, construction, landscaping, improvement, equipment, maintenance, operation, repair, upkeep and replacement of Common Facilities may include recreational facilities such as swimming pools, tennis courts, health facilities, playgrounds and parks; dedicated and nondedicated roads, paths, ways, linear trails, outlots and green areas; signs and entrances for Hidden Valley Ranches. Common Facilities may be situated on property owned

RCV +  
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or leased by the Association, on public property, or on private property subject to an easement in favor of the Association.

B. The promulgation, enactment, amendment and enforcement of rules and regulations relating to the use and enjoyment of any Common Facilities, provided always that such rules are uniformly applicable to all Members. The rules and regulations may permit or restrict use of the Common Facilities by Members. The rules and regulations may permit or restrict use of the Common Facilities by Members, their families, their guests, and/or by other persons, who may be required to pay a fee or other charge in connection with the use or enjoyment of the Common Facility.

C. The exercise, promotion, enhancement and protection of the privileges and interests of the residents of Hidden Valley Ranches; and the protection and maintenance of the residential character of Hidden Valley Ranches.

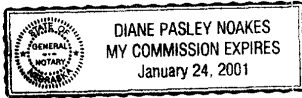
3. By deleting therefrom paragraph 2 of Article II and adding in its place and stead the following:

Lot as used within Article II shall mean and refer to each lot which falls within the jurisdiction of the Association as defined in the Articles of Incorporation and By-Laws of the Association. The "Owner" of each Lot shall be a Member of the Association. For purposes of this Declaration, the term "Owner" of a Lot means and refers to the record owner, whether one or more persons or entities, of fee simple title to a Lot, but excluding however those parties having any interest in any of such Lot merely as security for the performance of an obligation (such as a contract seller, the trustee or beneficiary of a deed of trust, or a mortgagee). The purchaser of a Lot under a land contract or similar instrument shall be considered to be the "Owner" of the Lot for purposes of this Declaration. Membership shall be appurtenant to ownership of each Lot, and may not be separated from ownership of each Lot. It is understood that the Owner of each respective Lot created as a result of a lot split shall be each entitled to one (1) vote.

The Owner of each Lot, whether one or more persons and entities, shall be entitled to one (1) vote on each matter properly coming before the Members of the Association.

All other terms of said Declaration shall remain in full force and effect.

Dated this 25 day of August 1999.



HIDDEN VALLEY RANCHES, INC, a Nebraska corporation, Declarant,

By Timothy W. Young  
TIMOTHY W. YOUNG, President

99-27512B

STATE OF NEBRASKA )  
 ) ss.  
COUNTY OF DOUGLAS )

On this 25 day of August 1999, the foregoing instrument was acknowledged before me, a Notary Public, by Timothy W. Young, President of Hidden Valley Ranches, Inc., a Nebraska corporation, known to me to be said person who acknowledged the execution hereof to be his voluntary act and deed on behalf of said corporation.

*Diane Pesley Noakes*  
Notary Public