

MISC 2014014932



FEB 28 2014 09:27 P 7

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FB: 23-19084  
COMP: AH

Received - DIANE L. BATTIATO  
Register of Deeds, Douglas County, NE  
02/28/2014 09:27:01.00



2014014932

Return to:  
Anna L. Stehlik  
P.O. Box 609  
Hastings, NE 68902-0609  
Fifth Amendment to Declaration of Condominium for jLofts Condominium

**FIFTH AMENDMENT TO DECLARATION OF  
CONDOMINIUM FOR JLOFTS CONDOMINIUM**

**RECITALS**

- A. The Declaration of Condominium for jLofts Condominium was recorded with the Register of Deeds of Douglas County, Nebraska on June 9, 2008 as Instrument No. 2008056896 and was amended by (i) First Amendment to Declaration of Condominium recorded with the Register of Deeds of Douglas County, Nebraska on August 5, 2009 as Instrument No. 2009085704, (ii) Second Amendment to Declaration of Condominium recorded with the Register of Deeds of Douglas County, Nebraska on November 25, 2009 as Instrument No. 2009126763, (iii) Third Amendment to Declaration of Condominium recorded with the Register of Deeds of Douglas County, Nebraska on December 17, 2010 as Instrument No. 2010120694, and (iv) Fourth Amendment to Declaration of Condominium recorded with the Register of Deeds of Douglas County, Nebraska on August 14, 2013 as Instrument No. 2013082917, collectively referred to hereafter as the "Declarations".
- B. The following described property is subject to the Declarations (the "Property"):  
  
  - Lots 301, 302, 303, 305, 307-317, 401, 402, 403, 405, 407-417, 501, 503-505, 507-512, 514, 516, 517, 601, 603, 605, 608, 610, 612, 614, 614-b and parking lots 101-112, 114-118, 120-132, and 201-261 of jLofts Condominium, a Condominium regime organized under the laws of the State of Nebraska in the City of Omaha, Douglas County, Nebraska, pursuant to Condominium Declaration filed June 9, 2008 as instrument number 2008056896 of the records of Douglas County, Nebraska, and any amendments thereto.

C. Unit owners representing no less than Sixty-seven Percent (67%) of the votes of all voting members by percentage ownership in the common elements of jLofts Condominium desire to further amend the Declarations as provided herein

#### AMENDMENT

Paragraph 7.01(e) of the Declarations is hereby amended in its entirety to provide as follows:

“7.01 (e) No animals, reptiles, livestock or poultry of any kind shall be raised, bred or kept in any Unit or the Common Elements, except that each Unit Owner of a Residential Unit shall be entitled to keep domesticated pets in any Residential Unit (or any two or more adjoining Residential Units used together) that are not kept or bred for any commercial purpose, are not of a dangerous or violent nature, are not allowed to run loose on the Property, are kept in strict accordance with such other rules and regulations relating to household pets as may be from time to time adopted or approved by the Board (which rules and regulations may prohibit certain types or species of pets and may provide for limits on the size and the weight of permitted pets), and do not, in the judgment of the Board, constitute a nuisance to others.

No more than two (2) domesticated pets may be kept in any Residential Unit (or any two or more adjoining Residential Units used together) which is/totals 3500 square feet or less in size. No more than three (3) domesticated pets may be kept in any Residential Unit (or two or more adjoining Residential Units used together) which is/total more than 3500 square feet in size.

Each Unit Owner and each Occupant shall be responsible for picking up after any animal kept in such Unit Owner's or Occupant's respective Residential Unit, including, without limitation, removing any waste deposited by such animal anywhere on the Common Elements or anywhere on the Property.”

#### CERTIFICATION

The undersigned President of the Board of Directors of the jLofts Condominium Association, Inc. hereby certifies that this Fifth Amendment was approved in compliance with the Declarations at a special meeting called for that purpose on January 6, 2014.

Except as modified herein, all terms and conditions of the Declarations remain unchanged.

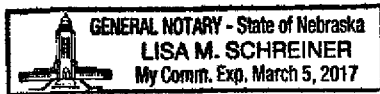
In witness whereof, the undersigned have caused this Fifth Amendment to Declaration of Condominium for jLofts Condominium to be executed this 6<sup>th</sup> day of January, 2014.

jLofts Condominium Association, Inc.

By: Scott Kummer  
Scott Kummer, President

STATE OF NEBRASKA    )  
  )  
COUNTY OF ADAMS    )

The foregoing instrument was acknowledged before me this 6<sup>th</sup> day of January, 2014 by Scott Kummer, President of the jLofts Condominium Association, Inc.



Lisa M. Schreiner  
Notary Public

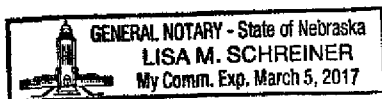
Owner of Condominium Units 302, 303, 307, 310, 312, 317, 401, 403, 405, 408, 410, 417, 501, 503, 504, 505, 507, 508, 510, 511, 514, 516, 517, 601, 603, 605, 610, 612, and Parking Spaces 101-118 (both inclusive), 120, 123-132 (both inclusive), 203-205 (both inclusive), 213-220 (both inclusive), 226, 230, 235, 236, 241, 242, 253, 254, 255, constituting 57.5396% ownership in the common elements of jLofts Condominium

OLD MARKET DEVELOPERS, LLC  
By: Morrison Enterprises, LLC, Sole Member

By: Susan M. Roberts  
Susan M. Roberts, Manager and President


STATE OF NEBRASKA    )  
  )  
COUNTY OF ADAMS    )

The foregoing instrument was acknowledged before me this 6<sup>th</sup> day of January, 2014 by Susan M. Roberts, Manager and President of Morrison Enterprises, LLC, Sole Member of Old Market Developers, LLC.

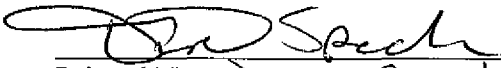


Lisa M. Schreiner  
Notary Public

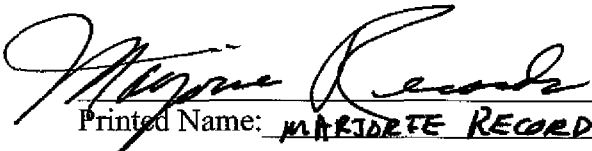
Owner of Condominium Unit 315 and Parking Unit 201 + 207, constituting 1.5888 % ownership in the common elements of jLofts Condominium

  
Printed Name: KYLE P. MEYER

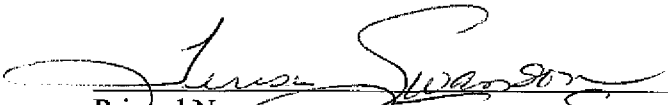
Owner of Condominium Unit 314 and Parking Unit 250 + 251, constituting 1.6732 % ownership in the common elements of jLofts Condominium

  
Printed Name: DIANE SPECK

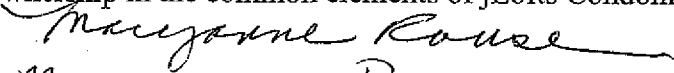
Owner of Condominium Unit 313 and Parking Unit 206, constituting 1.4000 % ownership in the common elements of jLofts Condominium

  
Printed Name: MARTORTE RECORDS

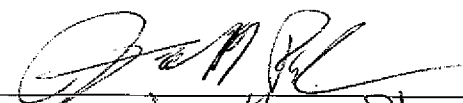
Owner of Condominium Unit 108 and Parking Unit 207 + 208, constituting 2.8962 % ownership in the common elements of jLofts Condominium

  
Printed Name: KASEE SPANSON

Owner of Condominium Unit 411 and Parking Unit 252 + 253, constituting 1.7104 % ownership in the common elements of jLofts Condominium

  
Printed Name: MARYANNE ROUSE

Owner of Condominium Unit 414 and Parking Unit 248 + 249, constituting 1.6732 % ownership in the common elements of jLofts Condominium

  
Printed Name: JONATHAN PLEZSEK

STATE OF NEBRASKA )  
 )ss.  
COUNTY OF Douglas )

The foregoing instrument was acknowledged before me this 6<sup>th</sup> day of January, 2014 by Kyle P. Meyer.



Anna L. Stehlik  
Notary Public

STATE OF NEBRASKA )  
 )ss.  
COUNTY OF Douglas )

The foregoing instrument was acknowledged before me this 6<sup>th</sup> day of January, 2014 by Diane Speck.



Anna L. Stehlik  
Notary Public

STATE OF NEBRASKA )  
 )ss.  
COUNTY OF Douglas )

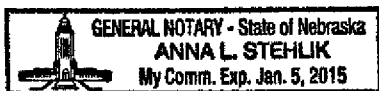
The foregoing instrument was acknowledged before me this 6<sup>th</sup> day of January, 2014 by Margorie Records.



Anna L. Stehlik  
Notary Public

STATE OF NEBRASKA )  
 )ss.  
COUNTY OF Douglas )

The foregoing instrument was acknowledged before me this 6<sup>th</sup> day of January, 2014 by Terese Swanson.



Anna L. Stehlik  
Notary Public

STATE OF NEBRASKA    )  
  )ss.  
COUNTY OF Douglas    )

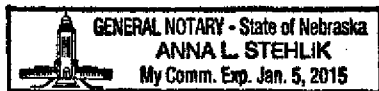
The foregoing instrument was acknowledged before me this 6<sup>th</sup> day of January, 2014 by Maryanne Rouse.



Anna L. Stehlik  
Notary Public

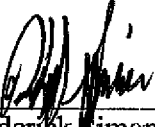
STATE OF NEBRASKA    )  
  )ss.  
COUNTY OF Douglas    )

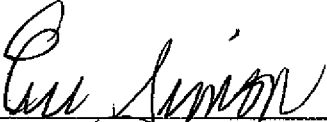
The foregoing instrument was acknowledged before me this 6<sup>th</sup> day of January, 2014 by Jonathan Placzek.



Anna L. Stehlik  
Notary Public

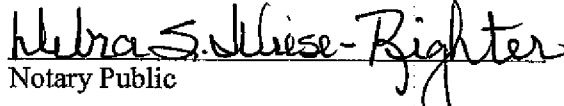
Owner of Condominium Units 614 and 614-b and Parking Units 231, 232, 233, and 234,  
constituting 6.5654% ownership in the common elements of jLofts Condominium

  
\_\_\_\_\_  
Frederick Simon

  
\_\_\_\_\_  
Eve Simon

STATE OF NEBRASKA    )  
  )ss.  
COUNTY OF Douglas )

The foregoing instrument was acknowledged before me this 6<sup>th</sup> day of January,  
2014 by Frederick Simon and Eve Simon, husband and wife.

  
\_\_\_\_\_  
Notary Public

