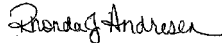


Rhonda J Andresen  
ASSESSOR/REGISTER OF DEEDS  
SAUNDERS COUNTY NE  
2022 February 14 AM 10:07  
BOOK GEN 575  
PAGE 1333 TO 1339  
INST# 2022-02-184  
  
Electronically Recorded

After recording, return to:  
Bob Dailey  
McGrath North Mullin & Kratz, PC LLO  
1601 Dodge Street, #3700  
Omaha, NE 68102

**AMENDMENT TO DECLARATION OF  
COVENANTS, CONDITIONS, AND RESTRICTIONS**

THIS AMENDMENT (this "Amendment") is made February 11, 2022 (the "Effective Date") by DENNIS M. THOMAS and SUSAN K. THOMAS, husband and wife and DENNIS M. THOMAS, TRUSTEE OF THE THOMAS FAMILY TRUST (hereinafter collectively called "Thomas") to that certain Declaration of Covenants, Conditions, and Restrictions of Replat of Thomas Lakes First Addition, Thomas Lakes Second Addition, A Portion of Thomas Lakes Third Addition, and Lake Allure Addition (the "Declaration") recorded with the Saunders County, Nebraska Register of Deeds on February 23, 2012 at Book 416, Page 833 of Gen. Inst. #343. The Declaration was recorded against that real estate located in Saunders County, Nebraska described in Exhibit A attached hereto and incorporated by reference herein.

**WITNESSETH**

1. All terms used herein shall have the same meaning as ascribed to them in the Declaration. Where the terms of this Amendment may conflict with the terms of the Declaration, the terms of this Amendment shall control.

2. Amendment to Section 6.13 of the Declaration. Section 6.13 of the Declaration is hereby revised in its entirety to read as follows:

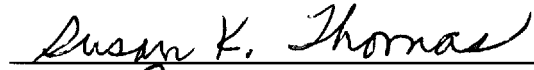
"All fences must be approved by Thomas. Fences are allowed only on side yards from the front dwelling line to no nearer than forty (40) feet from rear lot line. Fences shall be constructed of wrought iron, and shall not exceed four (4) feet in height. An exception will be made for Lots 14-23, Thomas Lakes Third Addition, where they will be allowed to place the same specified fence on the rear dwelling side with the approval of Thomas. This does not apply to silt fences that may be temporarily used for erosion control; provided, however, a permanent retainer or retaining wall, with the prior approval of Thomas, shall be placed on lots with sand to prevent sand from washing on to a neighbor's property."

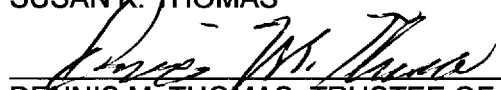
3. Amendment to Section 7.01(z) of the Declaration. Section 7.01(z) of the Declaration is hereby revised in its entirety to read as follows:

"The central fresh water system shall only be used for normal household consumption, including drinking water and water for sinks, toilets and showers. The central fresh water system shall not be used for watering lawns or to facilitate the operation of a heat pump. Lots 14-23, Thomas Lakes Third Addition may use the central fresh water system for watering lawns with the approval of Association at a cost of \$25 per month (but only for up to 4,000 sq/ft of sod) during the watering season, which will be billed to the Owner during the spring and summer quarters. This cost may be adjusted if deemed necessary."

IN WITNESS WHEREOF, Thomas has executed this Amendment as of the date of the respective signatory's hereto acknowledgement.

  
DENNIS M. THOMAS

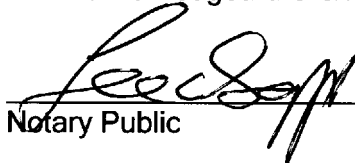
  
SUSAN K. THOMAS

  
DENNIS M. THOMAS, TRUSTEE OF  
THE THOMAS FAMILY TRUST

STATE OF NEBRASKA     )  
  ) ss.  
COUNTY OF Seward     )

On this 11 day of February, 2022, before me a Notary Public in and for said county and state, personally appeared DENNIS M. THOMAS, known to me to be the identical person who subscribed his name to the foregoing and acknowledged the execution thereof to be his voluntary act and deed.

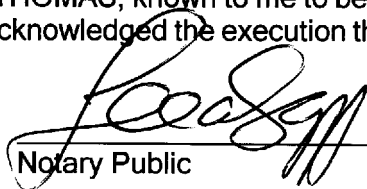
LEE A. SAPP  
General Notary - State of Nebraska  
My Commission Expires Jun 14, 2022

  
Notary Public

STATE OF NEBRASKA     )  
  ) ss.  
COUNTY OF Seward     )

On this 11 day of February, 2022, before me a Notary Public in and for said county and state, personally appeared SUSAN K. THOMAS, known to me to be the identical person who subscribed her name to the foregoing and acknowledged the execution thereof to be her voluntary act and deed.

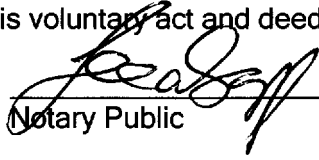
LEE A. SAPP  
General Notary - State of Nebraska  
My Commission Expires Jun 14, 2022

  
Notary Public

STATE OF NEBRASKA     )  
  ) ss.  
COUNTY OF Sandoz     )

On this 11 day of February, 2022, before me a Notary Public in and for said county and state, personally appeared DENNIS M. THOMAS, TRUSTEE OF THE THOMAS FAMILY TRUST, known to me to be the identical person who subscribed his name to the foregoing and acknowledged the execution thereof to be his voluntary act and deed.

LEE A. SAPP  
General Notary - State of Nebraska  
My Commission Expires Jun 14, 2022

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

184-3

EXHIBIT A

PART OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 12 AND PART OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 13 NORTH, RANGE 9 EAST OF THE SIXTH PRINCIPAL MERIDIAN, SAUNDERS COUNTY, NEBRASKA; TOGETHER WITH PART OF THE SOUTH HALF AND GOVERNMENT LOT 5 OF SECTION 7 AND THE NORTH HALF NORTHWEST QUARTER AND PART OF GOVERNMENT LOT 1 OF SECTION 18, TOWNSHIP 13 NORTH, RANGE 10 EAST OF THE SIXTH PRINCIPAL MERIDIAN, SAUNDERS COUNTY, NEBRASKA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER NORTHWEST QUARTER OF SECTION 18, THENCE S88°34'26"E (ASSUMED BEARING), ON THE SOUTH LINE OF THE NORTHWEST QUARTER NORTHWEST QUARTER OF SAID SECTION 18, A DISTANCE OF 1021.41 FEET TO THE SOUTHERLY EXTENSION OF THE SOUTH RIGHT-OF-WAY OF MELROSE DRIVE, THOMAS LAKES THIRD ADDITION, A SUBDIVISION AS SURVEYED, PLATTED AND RECORDED IN SAUNDERS COUNTY, NEBRASKA; THENCE N00°31'55"E, ON SAID SOUTH RIGHT-OF-WAY, A DISTANCE OF 143.24 FEET; THENCE NORTHEASTERLY ON SAID SOUTH RIGHT-OF-WAY, ON A 85.00 FOOT RADIUS CURVE TO THE RIGHT, AN ARC DISTANCE OF 112.74 FEET TO THE POINT OF TANGENCY, THE CHORD OF SAID CURVE BEARS N38°31'39"E 104.65 FEET; THENCE N76°31'24"E, ON SAID SOUTH RIGHT-OF-WAY, A DISTANCE OF 43.80 FEET; THENCE NORTHEASTERLY, ON SAID SOUTH RIGHT-OF-WAY, ON A 125.00 FOOT RADIUS CURVE TO THE LEFT, AN ARC DISTANCE OF 111.37 FEET TO THE POINT OF TANGENCY, THE CHORD OF SAID CURVE BEARS N50°59'53"E 107.73 FEET; THENCE N25°28'23"E, ON SAID SOUTH RIGHT-OF-WAY, A DISTANCE OF 100.30 FEET; THENCE NORTHEASTERLY ON SAID SOUTH RIGHT-OF-WAY, ON A 175.00 FOOT RADIUS CURVE TO THE RIGHT, AN ARC DISTANCE OF 158.76 FEET TO THE POINT OF TANGENCY, THE CHORD OF SAID CURVE BEARS N51°27'46"E 153.37 FEET; THENCE N77°27'08"E, ON SAID SOUTH RIGHT-OF-WAY, A DISTANCE OF 353.21 FEET; THENCE SOUTHEASTERLY ON SAID SOUTH RIGHT-OF-WAY, ON A 125.00 FOOT RADIUS CURVE TO THE RIGHT, AN ARC DISTANCE OF 81.77 FEET, THE CHORD OF SAID CURVE BEARS S83°48'30"E 80.32 FEET TO ITS INTERSECTION WITH THE SOUTHERLY EXTENSION OF THE EAST RIGHT-OF-WAY OF DRIFTWOOD LANE, THOMAS LAKES THIRD ADDITION; THENCE N13°23'38"E ON SAID EAST RIGHT-OF-WAY, A DISTANCE OF 63.99 FEET; THENCE NORTHEASTERLY ON SAID EAST RIGHT-OF-WAY, ON A 175.00 FOOT RADIUS CURVE TO THE LEFT, AN ARC DISTANCE OF 12.36 FEET, THE CHORD OF SAID CURVE BEARS N11°22'15"E 12.35 FEET, THENCE N82°46'16"E, A DISTANCE OF 149.89 FEET; THENCE NORTHEASTERLY ON A

182.83 FOOT RADIUS CURVE TO THE LEFT, AN ARC DISTANCE OF 116.02 FEET TO THE POINT OF TANGENCY, THE CHORD OF SAID CURVE BEARS N64°35'30"E 114.08 FEET; THENCE N46°26'25"E, A DISTANCE OF 148.83 FEET; THENCE NORTHEASTERLY ON A 861.04 FOOT RADIUS CURVE TO THE RIGHT, AN ARC DISTANCE OF 168.06 FEET TO THE POINT OF TANGENCY, THE CHORD OF SAID CURVE BEARS N52°01'54"E 167.79 FEET; THENCE N57°37'23"E, A DISTANCE OF 466.39 FEET; THENCE NORTHEASTERLY ON A 399.53 FOOT RADIUS CURVE TO THE LEFT, AN ARC DISTANCE OF 63.23 FEET, THE CHORD OF SAID CURVE BEARS N53°05'23"E 63.16 FEET; THENCE NORTHEASTERLY ON A 368.30 FOOT RADIUS CURVE TO THE RIGHT, AN ARC DISTANCE OF 57.80 FEET TO THE POINT OF TANGENCY, THE CHORD OF SAID CURVE BEARS N53°03'08"E 57.74 FEET; THENCE N57°32'53"E, A DISTANCE OF 448.69 FEET; THENCE NORTHEASTERLY ON A 339.90 FOOT RADIUS CURVE TO THE RIGHT, AN ARC DISTANCE OF 112.78 FEET TO THE POINT OF TANGENCY, THE CHORD OF SAID CURVE BEARS N67°08'34"E 112.26 FEET; THENCE N76°38'53"E, A DISTANCE OF 12.88 FEET; THENCE NORTHEASTERLY ON A 277.88 FOOT RADIUS CURVE TO THE LEFT, AN ARC DISTANCE OF 98.89 FEET TO THE POINT OF TANGENCY, SAID POINT BEING ON THE SOUTHEASTERLY RIGHT-OF-WAY OF LAKESHORE DRIVE, THOMAS LAKES THIRD ADDITION, THE CHORD OF SAID CURVE BEARS N66°27'11"E 98.37 FEET; THENCE N56°15'30"E, ON SAID SOUTHEASTERLY RIGHT-OF-WAY, A DISTANCE OF 19.69 FEET; THENCE N49°54'21"E, ON SAID SOUTHEASTERLY RIGHT-OF-WAY, A DISTANCE OF 271.38 FEET; THENCE N44°48'11"E, ON SAID SOUTHEASTERLY RIGHT-OF-WAY, A DISTANCE OF 70.76 FEET; THENCE N36°17'15"W, A DISTANCE OF 50.76 FEET TO THE MOST SOUTHERLY CORNER OF LOT 46, THOMAS LAKES THIRD ADDITION; THENCE N44°49'14"E ON THE SOUTHEASTERLY LINE OF SAID LOT 46, A DISTANCE OF 645.34 FEET; THENCE NORTHEASTERLY ON THE SOUTHEASTERLY LINE OF SAID LOT 46, ON A 175.00 FOOT RADIUS CURVE TO THE LEFT, AN ARC DISTANCE OF 134.14 FEET TO THE POINT OF TANGENCY, SAID POINT BEING THE NORTHEASTERLY CORNER OF SAID LOT 46, THE CHORD OF SAID CURVE BEARS N22°51'40"E 130.88 FEET; THENCE N00°54'07"E, A DISTANCE OF 50.00 FEET TO A POINT ON THE SOUTH LINE OF LOT 44, THOMAS LAKES THIRD ADDITION; THENCE S89°05'53"E, ON THE SOUTH LINE OF SAID LOT 44, A DISTANCE OF 175.51 FEET; THENCE NORTHEASTERLY ON THE SOUTH LINE OF SAID LOT 44, ON A 175.00 FOOT RADIUS CURVE TO THE LEFT, AN ARC DISTANCE OF 124.63 FEET, THE CHORD OF SAID CURVE BEARS N70°29'55"E 122.02 FEET; THENCE NORTHEASTERLY ON THE SOUTH LINE OF SAID LOT 44, ON A 55.00 FOOT RADIUS CURVE TO THE LEFT, AN ARC DISTANCE OF 53.90 FEET, THE CHORD OF SAID CURVE BEARS N22°01'22"E 51.76 FEET; THENCE NORTHEASTERLY ON THE SOUTH LINE OF SAID LOT 44, ON A 55.00

FOOT RADIUS CURVE TO THE RIGHT, AN ARC DISTANCE OF 92.12 FEET TO THE POINT OF TANGENCY, THE CHORD OF SAID CURVE BEARS N41°55'55"E 81.72 FEET; THENCE N89°54'50"E, ON THE SOUTH LINE OF SAID LOT 44, A DISTANCE OF 255.69 FEET TO THE SOUTHEAST CORNER OF SAID LOT 44; THENCE N00°05'10"W ON THE EAST LINE OF SAID LOT 44, A DISTANCE OF 50.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 44, SAID POINT BEING ON THE NORTH LINE OF A PARCEL OF LAND CONVEYED BY QUIET TITLE ACTION CASE NO. C106-37 IN THE DISTRICT COURT OF SAUNDERS COUNTY ON THE 8TH DAY OF MAY 2006, RECORDED IN DEED BOOK 341, PAGE 1048; THENCE S89°54'50"W, ON THE NORTH LINE OF SAID PARCEL, A DISTANCE OF 1530.82 FEET; THENCE S89°54'40"W, ON THE NORTH LINE OF SAID PARCEL, A DISTANCE OF 2193.90 FEET TO THE NORTHWEST CORNER OF SAID PARCEL; THENCE S00°26'05"W, ON THE WEST LINE OF SAID PARCEL, A DISTANCE OF 1.14 FEET TO A POINT ON THE NORTH LINE OF THE SOUTHWEST QUARTER SOUTHWEST QUARTER OF SECTION 7; THENCE N89°03'20"W, ON THE NORTH LINE OF THE SOUTHWEST QUARTER SOUTHWEST QUARTER OF SECTION 7, A DISTANCE OF 996.87 FEET TO THE NORTHEAST CORNER OF THE SOUTH HALF SOUTHEAST QUARTER OF SECTION 12; THENCE N89°31'26"W, ON THE NORTH LINE OF THE SOUTH HALF SOUTHEAST QUARTER OF SECTION 12, A DISTANCE OF 1861.23 FEET TO THE EAST RIGHT-OF-WAY OF THE BURLINGTON NORTHERN & SANTA FE RAILROAD; THENCE S00°07'44"W, ON SAID EAST RIGHT-OF-WAY, A DISTANCE OF 2642.44 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH HALF NORTHEAST QUARTER OF SECTION 13; THENCE S89°33'51"E, ON SAID SOUTH LINE, A DISTANCE OF 1831.86 FEET TO THE POINT OF BEGINNING; CONTAINING A COMPUTED AREA OF 283.79 ACRES, MORE OR LESS, SUBJECT TO EASEMENTS OF RECORD FOR ROAD-WAY PURPOSES.

hereinafter referred to as "Lake Allure", within which are the following platted subdivisions, or portions thereof, to wit:

- (a) Replat of Thomas Lakes First Addition, a subdivision as surveyed and platted in a part of Sections 7 and 18, Township 13, Range 10, Saunders County, Nebraska, consisting of Lots 1 through 6, inclusive, the Plat thereof having been filed in the office of the Saunders County Register of Deeds on or about February 1, 1985, and indexed in Book 3, at Page 411, in the Book of Plats of said office; and,
- (b) Thomas Lakes Second Addition, a subdivision as surveyed and platted in a part of Sections 7 and 18, Township 13, Range 10, Saunders County, Nebraska, consisting of Lots 1 through 6, inclusive, the Plat thereof having been filed in the office of the Saunders County Register of Deeds on or about September 5,

1985, and indexed in Book 3, at Page 415, in the Book of Plats of said office; and,

- (c) A portion of Thomas Lakes Third Addition, a subdivision as surveyed and platted in a part of Sections 7 and 18, Township 13, Range 10, Saunders County, Nebraska, consisting of Lots 1 through 23, inclusive, and Lots 29 through 38, inclusive, and Lots 44 through 46, inclusive, the Plat thereof having been filed in the office of the Saunders County Register of Deeds on or about March 20, 2002, and indexed in Book 4, at Page 261, in the Book of Plats of said office, and,
- (d) Lots 1 through and including Lot 57 inclusive Lake Allure Addition, the Plat thereof having been filed in the office of the Saunders County Register of Deeds on or about November 28, 2012 and indexed in Plat Book 6 at Page 33;
- (e) Lots 58 through and including Lot 145 inclusive and Outlot C Lake Allure First Addition, the Plat thereof having been filed in the office of the Saunders County Register of Deeds on or about November 30, 2016 and indexed in Plat Book 6 at Page 246; and
- (f) Lot 146 and Outlot D Lake Allure Second Addition, the Plat thereof having been filed in the office of the Saunders County Register of Deeds on or about March 28, 2017 and indexed in Plat Book 6 at Page 290.