



MISC 2010085064



SEP 17 2010 15:15 P 99

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Received - DIANE L. BATTIATO
 Register of Deeds, Douglas County, NE
 9/17/2010 15:15:21.72



2010085064

THIS PAGE INCLUDED FOR INDEXING
 PAGE DOWN FOR BALANCE OF INSTRUMENT

Return To: Attn: David Craft
Mission Park HOA
P.O. Box 45608
Omaha, NE 68145

Check Number
1764

**FIRST AMENDMENT
 TO
 DECLARATION OF COVENANTS, CONDITIONS,
 RESTRICTIONS AND EASEMENTS
 FOR
 MISSION PARK 2ND ADDITION, A SUBDIVISION
 IN DOUGLAS COUNTY, NEBRASKA**

This Amendment to Declaration is made the ___ day of _____, 2009, by the Owners of more than Seventy-Five Percent (75%) of the Lots in Mission Park 2nd Addition, hereinafter referred to as the "Owners."

PRELIMINARY STATEMENT

By Declaration of Covenants, Conditions, Restrictions and Easements for Mission Park 2nd Addition, a Subdivision in Douglas County, Nebraska, dated July 28, 1997, and recorded in the Douglas County Register of Deeds' Office in Book 1217 at Page 476 (herein, the "Declaration"), Torco Development, Inc. (the "Declarant") imposed covenants, conditions, restrictions and easements on LOTS 2 THROUGH 151, INCLUSIVE, IN MISSION PARK 2ND ADDITION, A SUBDIVISION, AS SURVEYED, PLATTED AND RECORDED IN DOUGLAS COUNTY, NEBRASKA.

Article II, Section I. of the Declaration currently provides as follows:

I. No primary flat or mansard roof shall be permitted or any residential structure. All residential structures shall be roofed with wood cedar shakes or wood shingles. Hardboard, bonded wood, pressed wood, imitation wooden shakes, or the like may be permitted with the express written approval of Declarant. Asphalt shingles will not be approved by the Declarant for coverage of any roof.

Article VI, Section B. of the Declaration currently provides as follows:

B. The covenants and restrictions of this Declaration shall run with and bind the land for a term of twenty-five (25) years from the date this Declaration is recorded. This Declaration may be amended by the Declarant, or

After recording please return to:
 Dan Carnahan
 McGrath, North, Mullin & Kratz, PC LLO
 First National Tower, Suite 3700
 1601 Dodge Street
 Omaha, NE 68102
 Tele: (402) 341-3070

any person, firm, corporation, partnership, or entity designated in writing by the Declarant, in any manner it shall determine in its full and absolute discretion for a period of eight (8) years from the date hereof. Thereafter this Declaration may be amended by an instrument signed by the Owners of not less than seventy-five percent (75%) of the lots in the Properties.

The Owners desire to Amend the Declaration.

WHEREFORE, the Owners hereby amend the Declaration as follows:

1. Article II, Section I. of the Declaration is deleted in its entirety and the following is hereby substituted:

I. No primary flat or mansard roof shall be permitted on any residential structure. All residential structures shall be roofed with wood cedar shakes, wood shingles or asphalt shingles of 50-year guarantee or greater quality of weathered wood color (examples including, but not limited to, CertainTeed 50 year shingles, Tamko 50 year shingles, and Owens-Corning 50 year shingles). Upon express written approval of the Mission Park Homeowners Association Board (the "Board") or any authority designated by the Board, a residential structure may be roofed with alternative roofing materials of equal or greater quality as those permitted herein (including, but not limited to, hardboard, bonded wood, pressed wood, and imitation wooden shakes), but any such alternative roofing material must be either weathered wood or similarly earth-toned color.

Except as amended herein, the Declaration shall remain in full force and effect as previously recorded.

IN WITNESS WHEREOF, the Owners have caused this Amendment to Declaration to be executed on the date and year first written above.

OWNERS:

Name: _____

Lot Number: _____


STATE OF _____)

) ss.

COUNTY OF _____)

The foregoing instrument was acknowledged before me this ____ day of _____,
20__ by _____.

Notary Public

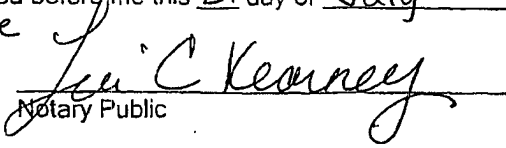
OWNERS: 

Name: Jeff Moore & Deb Moore
Lot Number: 80

STATE OF Nebraska)
COUNTY OF Douglas) ss.

The foregoing instrument was acknowledged before me this 29 day of July, 2010 by Jeff Moore and Deb. Moore

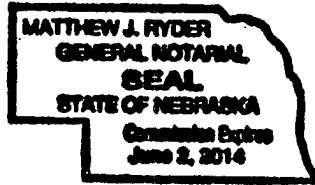



Notary Public

CKH
1764
2nd Add

OWNERS:

Dan & Lynda Coday
Name: Dan Coday Lynda Coday
Lot Number: 101



STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this 20 day of JUNE, 2010 by Dan & Lynda Coday.

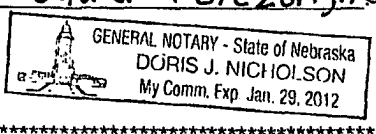
Notary Public [Signature] 6-20-10
CKH
1764
2nd ADD

OWNERS:

~~TORCO DEVELOPMENT~~
Name: ~~Smith Group~~
Lot Number: 47 Mission Park 2nd Addition

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this 25 day of AUGUST,
2010 by Gerald Torczon, Pres Torco Dev

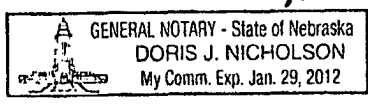


Doris J. Nicholson
Notary Public

~~TORCO DEVELOPMENT~~
Name: ~~Smith Group~~
Lot Number: 52 Mission Park 2nd Addition

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this 25 day of AUGUST,
2010 by Gerald Torczon, Pres Torco Dev

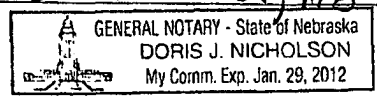


Doris J. Nicholson
Notary Public

~~TORCO DEVELOPMENT~~
Name: ~~Smith Group~~
Lot Number: 53 Mission Park 2nd Addition

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this 25 day of AUGUST,
2010 by Gerald Torczon, Pres Torco Dev



Doris J. Nicholson
Notary Public

OWNERS:

TORCO DEVELOPMENT

Name: *Donald Long*

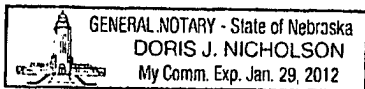
Lot Number: 55 Mission Park 2nd Addition

STATE OF NEBRASKA)

) SS.

COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this 25 day of AUGUST, 2010 by Gerald Torzon, Pres Torco Dev



Doris J Nicholson
Notary Public

TORCO DEVELOPMENT

Name: *Donald Long*

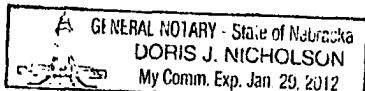
Lot Number: 58 Mission Park 2nd Addition

STATE OF NEBRASKA)

) SS.

COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this 25 day of AUGUST, 2010 by Gerald Torzon, Pres Torco Dev



Doris J Nicholson
Notary Public

TORCO DEVELOPMENT

Name: *Donald Long*

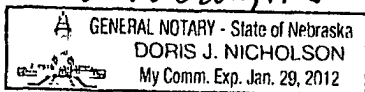
Lot Number: 59 Mission Park 2nd Addition

STATE OF NEBRASKA)

) SS.

COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this 25 day of AUGUST, 2010 by Gerald Torzon, Pres Torco Dev



Doris J Nicholson
Notary Public

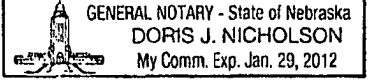
OWNERS:

~~TORCO DEVELOPMENT~~

Name: Gerald J. Toranzo
Lot Number: 61 Mission Park 2nd Addition

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this 25 day of AUGUST 2010 by Gerald Toranzo, Pres. Torco Dev



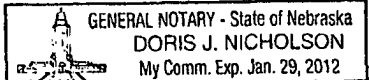
Doris J. Nicholson
Notary Public

~~TORCO DEVELOPMENT~~

Name: Gerald J. Toranzo
Lot Number: 62 Mission Park 2nd Addition

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this 25 day of AUGUST 2010 by Gerald Toranzo, Pres. Torco Dev



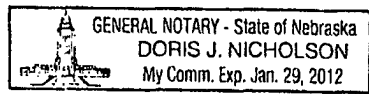
Doris J. Nicholson
Notary Public

~~TORCO DEVELOPMENT~~

Name: Gerald J. Toranzo
Lot Number: 81 Mission Park 2nd Addition

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this 25 day of AUGUST 2010 by Gerald Toranzo, Pres. Torco Dev



Doris J. Nicholson
Notary Public

OWNERS:

~~TORCO DEVELOPMENT~~

Name: ~~Shirley Wray~~

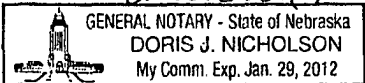
Lot Number: 86 Mission Park 2nd Addition

STATE OF NEBRASKA)

) ss.

COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this 25 day of AUGUST, 2010 by Gerald Torco, Pres. Torco Dev



Doris J Nicholson
Notary Public

~~TORCO DEVELOPMENT~~

Name: ~~Shirley Wray~~

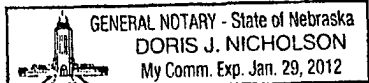
Lot Number: 108 Mission Park 2nd Addition

STATE OF NEBRASKA)

) ss.

COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this 25 day of AUGUST, 2010 by Gerald Torco, Pres. Torco Dev



Doris J Nicholson
Notary Public

~~TORCO DEVELOPMENT~~

Name: ~~Shirley Wray~~

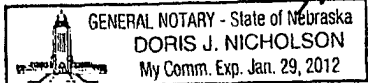
Lot Number: 109 Mission Park 2nd Addition

STATE OF NEBRASKA)

) ss.

COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this 25 day of AUGUST, 2010 by Gerald Torco, Pres. Torco Dev



Doris J Nicholson
Notary Public

OWNERS:

TORCO DEVELOPMENT

Name: *David & Louisa*

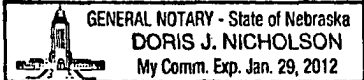
Lot Number: 119 Mission Park 2nd Addition

STATE OF NEBRASKA)

) ss.

COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this 25 day of AUGUST, 2010 by *Gerald Torzon, Pres. Torco Dev*



Doris J Nicholson
Notary Public

TORCO DEVELOPMENT

Name: *David & Louisa*

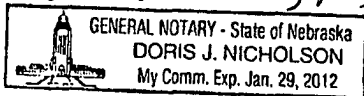
Lot Number: 121 Mission Park 2nd Addition

STATE OF NEBRASKA)

) ss.

COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this 25 day of AUGUST, 2010 by *Gerald Torzon, Pres. Torco Dev*



Doris J Nicholson
Notary Public

TORCO DEVELOPMENT

Name: *David & Louisa*

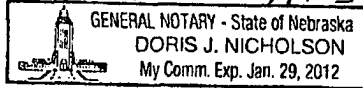
Lot Number: 122 Mission Park 2nd Addition

STATE OF NEBRASKA)

) ss.

COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this 25 day of AUGUST, 2010 by *Gerald Torzon, Pres. Torco Dev*



Doris J Nicholson
Notary Public

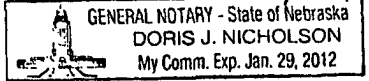
OWNERS:

~~TORCO DEVELOPMENT~~

Name: ~~Ronald Torco~~
Lot Number: 123 Mission Park 2nd Addition

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this 25 day of AUGUST,
2010 by Gerald Torco, Pres Torco Dev



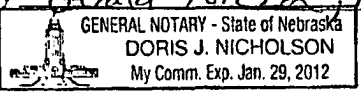
Doris J Nicholson
Notary Public

~~TORCO DEVELOPMENT~~

Name: ~~Ronald Torco~~
Lot Number: 124 Mission Park 2nd Addition

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this 25 day of AUGUST,
2010 by Gerald Torco, Pres Torco Dev



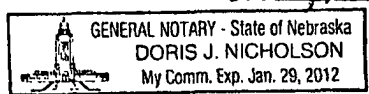
Doris J Nicholson
Notary Public

~~TORCO DEVELOPMENT~~

Name: ~~Ronald Torco~~
Lot Number: 125 Mission Park 2nd Addition

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this 25 day of AUGUST,
2010 by Gerald Torco, Pres Torco Dev



Doris J Nicholson
Notary Public

OWNERS:

TORCO DEVELOPMENT

Name: ~~Smith & Sons~~

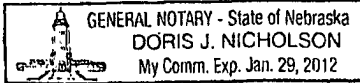
Lot Number: 129 Mission Park 2nd Addition

STATE OF NEBRASKA)

) ss.

COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this 25 day of AUGUST, 2010 by Gerald Tarzon, Pres. Torco Dev



Doris J. Nicholson
Notary Public

TORCO DEVELOPMENT

Name: ~~Smith & Sons~~

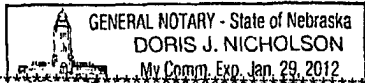
Lot Number: 130 Mission Park 2nd Addition

STATE OF NEBRASKA)

) ss.

COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this 25 day of AUGUST, 2010 by Gerald Tarzon, Pres. Torco Dev



Doris J. Nicholson
Notary Public

TORCO DEVELOPMENT

Name: ~~Smith & Sons~~

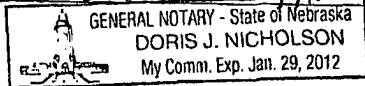
Lot Number: 143 Mission Park 2nd Addition

STATE OF NEBRASKA)

) ss.

COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this 25 day of AUGUST, 2010 by Gerald Tarzon, Pres. Torco Dev



Doris J. Nicholson
Notary Public

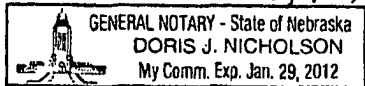
OWNERS:

~~TORCO DEVELOPMENT~~

Name: ~~Suzette Lange~~
Lot Number: 145 Mission Park 2nd Addition

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this 25 day of AUGUST
2010 by Gerald Torzon, Pres. Torco Dev



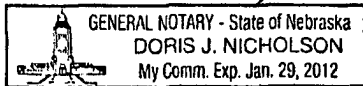
Doris J. Nicholson
Notary Public

~~TORCO DEVELOPMENT~~

Name: ~~Suzette Lange~~
Lot Number: 146 Mission Park 2nd Addition

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this 25 day of AUGUST
2010 by Gerald Torzon, Pres. Torco Dev



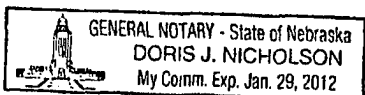
Doris J. Nicholson
Notary Public

~~TORCO DEVELOPMENT~~

Name: ~~Suzette Lange~~
Lot Number: 147 Mission Park 2nd Addition

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this 25 day of AUGUST
2010 by Gerald Torzon, Pres. Torco Dev



Doris J. Nicholson
Notary Public

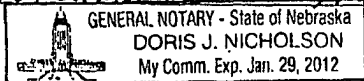
OWNERS:

TORCO DEVELOPMENT

Name: Sheldahl Tractor
Lot Number: 148 Mission Park 2nd Addition

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this 25 day of AUGUST, 2010 by Gerald Towner, Pres. Torco Dev



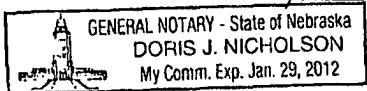
Doris J. Nicholson
Notary Public

TORCO DEVELOPMENT

Name: Sheldahl Tractor
Lot Number: 149 Mission Park 2nd Addition

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this 25 day of AUGUST, 2010 by Gerald Towner, Pres. Torco Dev



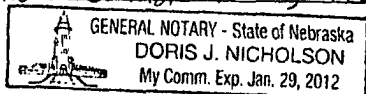
Doris J. Nicholson
Notary Public

TORCO DEVELOPMENT

Name: Sheldahl Tractor
Lot Number: 151 Mission Park 2nd Addition

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this 25 day of AUGUST, 2010 by Gerald Towner, Pres. Torco Dev



Doris J. Nicholson
Notary Public

OWNERS:

Keith Taylor
Name: Keith Taylor
Lot Number: 2

STATE OF Nebraska)
COUNTY OF Douglas) ss.

The foregoing instrument was acknowledged before me this 9 day of August, 2010 by Keith Taylor

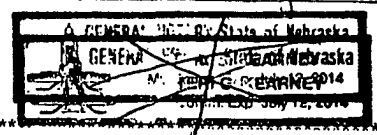


Teri C. Kearney
Notary Public

Janet Taylor
Name: Janet Taylor
Lot Number: 2

STATE OF Nebraska)
COUNTY OF Douglas) ss.

The foregoing instrument was acknowledged before me this 9 day of August, 2010 by Janet Taylor



Teri C. Kearney
Notary Public

Name: _____
Lot Number: _____
STATE OF _____)
COUNTY OF _____) ss.



The foregoing instrument was acknowledged before me this ___ day of _____, 20__ by _____

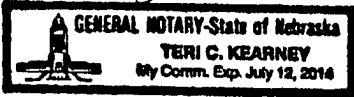
Notary Public

OWNERS:

Doug Halbur
Name: Doug Halbur
Lot Number: 3

STATE OF Nebraska)
COUNTY OF Douglas) ss.

The foregoing instrument was acknowledged before me this 9 day of August, 2010 by Doug Halbur.



Teri C. Kearney
Notary Public

Lisa Halbur
Name: Lisa Halbur
Lot Number: 3

STATE OF Nebraska)
COUNTY OF Douglas) ss.

The foregoing instrument was acknowledged before me this 9 day of August, 2010 by Lisa Halbur.



Teri C. Kearney
Notary Public

Name: _____
Lot Number: _____
STATE OF _____)
COUNTY OF _____) ss.

The foregoing instrument was acknowledged before me this ____ day of _____, 20__ by _____.

Notary Public

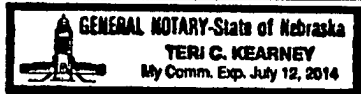
OWNERS: David Keil

David ^{DK} ~~Mechele~~ Keil

Name: _____
Lot Number: 4

STATE OF Nebraska)
COUNTY OF Douglas) ss.

The foregoing instrument was acknowledged before me this 3 day of August, 2010 by David Keil



Teri C. Kearney
Notary Public

Mechele Keil

Name: Mechele Keil
Lot Number: _____

STATE OF Nebraska)
COUNTY OF Douglas) ss.

The foregoing instrument was acknowledged before me this 3 day of August, 2010 by Mechele Keil



Teri C. Kearney
Notary Public

Name: _____
Lot Number: _____

STATE OF _____)
COUNTY OF _____) ss.

The foregoing instrument was acknowledged before me this ___ day of _____, 20__ by _____

Notary Public

OWNERS:

Barbara E. Kelleher
Name: Barbara E. Kelleher
Lot Number: 5

STATE OF Nebraska)
COUNTY OF Douglas) ss.

The foregoing instrument was acknowledged before me this 1 day of August, 2010 by Barbara E. Kelleher

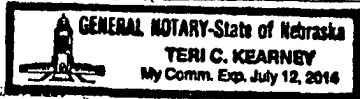


Teri C. Kearney
Notary Public

Michael Kelleher
Name: MICHAEL KELLEHER
Lot Number: 5

STATE OF Nebraska)
COUNTY OF Douglas) ss.

The foregoing instrument was acknowledged before me this 1 day of August, 2010 by Michael Kelleher



Teri C. Kearney
Notary Public

Name: _____
Lot Number: _____

STATE OF _____)
COUNTY OF _____) ss.

The foregoing instrument was acknowledged before me this ____ day of _____, 20__ by _____.

Notary Public

OWNERS:

Kelly Dethlefs
Name: Kelly Dethlefs
Lot Number: 6

STATE OF Nebraska)
COUNTY OF Douglas) ss.

The foregoing instrument was acknowledged before me this 10 day of August, 2010 by Kelly Dethlefs.



Teri C. Kearney
Notary Public

John A. Dethlefs
Name: John A. Dethlefs
Lot Number: 6

STATE OF Nebraska)
COUNTY OF Douglas) ss.

The foregoing instrument was acknowledged before me this 10 day of August, 2010 by John A. Dethlefs.



Teri C. Kearney
Notary Public

Name: _____
Lot Number: _____

STATE OF _____)
COUNTY OF _____) ss.

The foregoing instrument was acknowledged before me this ___ day of _____, 20__ by _____.

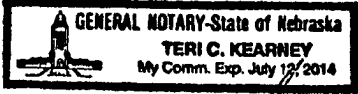
Notary Public

OWNERS:

Mich Ann
 Name: Vicki Anderson
 Lot Number: 7

STATE OF Nebraska)
) ss.
 COUNTY OF Douglas)

The foregoing instrument was acknowledged before me this 6 day of August,
 2010 by Vicki Anderson



Teri C Kearney
 Notary Public

Chris Anderson
 Name: Chris Anderson
 Lot Number: 7

STATE OF Nebraska)
) ss.
 COUNTY OF Douglas)

The foregoing instrument was acknowledged before me this 6 day of August,
 2010 by Chris Anderson

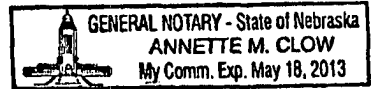


Teri C Kearney
 Notary Public

 Name: _____
 Lot Number: _____
 STATE OF _____)
) ss.
 COUNTY OF _____)

The foregoing instrument was acknowledged before me this ___ day of _____,
 20__ by _____

 Notary Public



MAC

FIRST AMENDMENT
TO
DECLARATION OF COVENANTS, CONDITIONS,
RESTRICTIONS AND EASEMENTS
FOR
MISSION PARK 2ND ADDITION, A SUBDIVISION
IN DOUGLAS COUNTY, NEBRASKA

This Amendment to Declaration is made the ___ day of _____, 2009, by the Owners of more than Seventy-Five Percent (75%) of the Lots in Mission Park 2nd Addition, hereinafter referred to as the "Owners."

PRELIMINARY STATEMENT

By Declaration of Covenants, Conditions, Restrictions and Easements for Mission Park 2nd Addition, a Subdivision in Douglas County, Nebraska, dated July 28, 1997, and recorded in the Douglas County Register of Deeds' Office in Book 1217 at Page 476 (herein, the "Declaration"), Torco Development, Inc. (the "Declarant") imposed covenants, conditions, restrictions and easements on LOTS 2 THROUGH 151, INCLUSIVE, IN MISSION PARK 2ND ADDITION, A SUBDIVISION, AS SURVEYED, PLATTED AND RECORDED IN DOUGLAS COUNTY, NEBRASKA.

Article II, Section I. of the Declaration currently provides as follows:

I. No primary flat or mansard roof shall be permitted on any residential structure. All residential structures shall be roofed with wood cedar shakes or wood shingles. Hardboard, bonded wood, pressed wood, imitation wooden shakes, or the like may be permitted with the express written approval of Declarant. Asphalt shingles will not be approved by the Declarant for coverage of any roof.

Article VI, Section B. of the Declaration currently provides as follows:

B. The covenants and restrictions of this Declaration shall run with and bind the land for a term of twenty-five (25) years from the date this Declaration is recorded. This Declaration may be amended by the Declarant, or

We vote Yes

Jane Hyatt 6/18/10
Jane Hyatt 6/18/10

Lot #9
Mission Park

Page 2 of 32
Description of Document Amendment

Acknowledgement

State of Nebraska

s.s.

County of Douglas

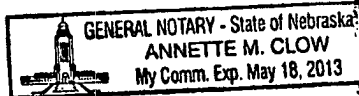
The foregoing instrument was acknowledged before me this

18th day of June, 20 10
(month)

by Jennifer and Joseph Nuzzolillo
(printed name of person acknowledged)

Annette M. CLOW
Notary Public

† Afix Official Notary seal here †



Lot #9 Mission Park