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Regency Townhomes Association

TAB 11A

AMENDMENT OF DECLARATION AND SUPPLEMENTARY DECLARATIONS

<u>Item</u>		<u>Page</u>
Paragraph 1:	[Covenant Addition]	3

5514 <sup>H</sup> cash 51-32693  
 51-32694  
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 FEE 78.50 52.423 FB 51-32696  
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 GEORGE J. ...  
 REGISTERED  
 DOUGLAS

Return: Maenner Real Estate  
 10535 Pacific St.  
 Omaha, NE 68114  
 Attn: Deb Koseluk

Amendment and Extension

of

DECLARATION AND SUPPLEMENTARY DECLARATIONS

Lots 155-A1 and A2, Lots 155-B1 through B6, and  
Lots 155-C1 through C16, REGENCY TOWNHOMES 1st ADDITION;  
Lots 155-A3 and A4, Lots 155-G1 through G14, and Lots 155-H1 through H15,\*  
Lot 155-A5, Lots 155-D1 through D6, Lots 155-E1 through E10; and  
Lots 155-F1 through F4, REGENCY TOWNHOMES 3rd ADDITION; and  
Lot 155-A6 and Lots 155-J1 through J20, REGENCY TOWNHOMES 4th ADDITION.

\*REGENCY TOWNHOMES 2nd ADDITION

This AMENDMENT of DECLARATION AND SUPPLEMENTARY DECLARATIONS  
made April 26, 1995 by

REGENCY TOWNHOMES ASSOCIATION, a Nebraska non-profit corporation with its  
registered offices in Omaha, Douglas County, Nebraska, hereafter called  
"Declarant,"

WITNESSETH: THAT,

Whereas, Regency, Inc., a Nebraska business corporation wholly owned by United  
of Omaha Life Insurance Company (formerly named "United Benefit Life Insurance  
Company"), a Nebraska insurance corporation with its registered office in  
Omaha, Douglas County, Nebraska, hereafter called "United", and others then  
owning all of certain parts of Sections 20 and 21, Township 15 North, Range 12  
East of the Sixth Principal Meridian in Douglas County, Nebraska, have  
heretofore agreed, pursuant to an unrecorded Indenture executed May 19, 1968,  
that so much thereof as comprises Lots 155-A1 and A2, Lots 155-B1 through B6,  
and Lots 155-C1 through C16, Regency Townhomes 1st Addition, Lot 155-A3, Lot  
155-A4 exclusive of the first westerly .030 acre thereof, the second westerly  
.030 acre thereof, the third westerly .001 acre thereof, the fourth  
northwesterly .007 acre thereof, and the fifth northwesterly .027 acre thereof

and inclusive of the first westerly .033 acre of Lot 155-G7 and the second northerly .001 acre of Lot 155-G8. Lots 155-G1 and G2, Lot 155-G3 inclusive of the first westerly .030 acre of Lot 155-A4, Lot 155-G4 inclusive of the second westerly .030 acre of Lot 155-A4, Lots 155-G5 and G6, Lot 155-G7 exclusive of the first westerly .033 acre thereof and inclusive of the second westerly .001 acre of Lot 155-A4, Lot 155-G8 exclusive of the second northerly .001 acre thereof and inclusive of the fourth northwesterly .007 acre and of the fifth northwesterly .027 acre of Lot 155-A4, Lots 155-G9 through G14, and Lots 155-H1 through H15, Regency Townhomes 2nd Addition, Lot 155-A5, Lots 155-D1 through D6, Lots 155-E1 through E10, and Lots 155-F1 through F4, Regency Townhomes 3rd Addition, and Lot 155-A6 and Lots 155-J1 through J20, Regency Townhomes 4th Addition, formerly subdivision in and now additions to City of Omaha, Douglas County, Nebraska, as surveyed, platted, and recorded, hereafter called, respectively, "Regency Townhomes 1", "Regency Townhomes 2", "Regency Townhomes 3", and "Regency Townhomes 4", would be subject to conditions and other terms appropriate, convenient or necessary to preserve and promote its clustered private residential character in conformity to and coordination with the general scheme of development and use expressed in said unrecorded Indenture throughout the period to be ended after December 31, 1998, or such later date as might be fixed through formal corporate action of Declarant;

Whereas, said Regency, Inc., has heretofore provided, pursuant to said unrecorded Indenture and pursuant to a certain Declaration executed July 30th, 1971, and recorded at Pages 7 through 21 of Book 502 of the Miscellaneous Records of the Register of Deeds of Douglas County, Nebraska, as to Regency Townhomes I for the creation and imposition thereon of certain conditions and other terms set out in said Declaration and for the extension of such conditions and other terms to additional real property;

Whereas, said United has heretofore provided, pursuant to said unrecorded Indenture, to said Declaration, and to a certain Supplementary Declaration executed May 22, 1972, and recorded at Pages 209 through 215 of Book 510 of the Miscellaneous Records of the register of Deeds of Douglas County, Nebraska, as modified by a certain Amendment to Supplementary Declaration executed May 24, 1976, by Declarant, accepted by said Homes Associations and also accepted by a certain Adoption and Ratification of Amendment to

Supplementary Declaration executed May 28, 1976, by said United and recorded, respectively, at Pages 365 through 369 and at Pages 729 and 730 of Book 565 of the Miscellaneous Records of the Register of Deeds of Douglas County, Nebraska, as to Regency Townhomes 2 for creation and imposition and extension thereto of certain conditions and other terms set out in said Declaration and in said Supplementary Declaration;

Whereas, said United has heretofore provided, pursuant to said unrecorded Indenture, to said Declaration, and to a certain Supplementary Declaration executed October 1, 1975, and recorded at Pages 333 through 339 of Book 556 of the Miscellaneous Records of Douglas County, Nebraska, as to Regency Townhomes 3, for the creation and imposition thereon and extension thereto of certain conditions and other terms set out in said Declaration and in said Supplementary Declaration;

Whereas, said United has heretofore provided, pursuant to said unrecorded Indenture, to said Declaration and to a certain Supplementary Declaration executed June 13, 1977, and recorded at Pages 353 through 360 of Book 583 of the Miscellaneous Records of the Register of Deeds of Douglas County, Nebraska, as to Regency Townhomes 4 for the creation and imposition thereon and extension thereto of certain conditions and other terms set out in said Declaration and in said Supplementary Declaration; and

Whereas, Declarant has heretofore provided upon due exercise of its corporate authority and power in the manner set out in its Articles of Incorporation and its By-Laws, as amended, pursuant to respective Paragraphs 7a of said Declaration and of each said Supplementary Declaration executed May 22, 1972, said Supplementary Declaration executed October 1, 1975, and said Supplementary Declaration executed June 13, 1977, and pursuant to Paragraph 1 of a certain Amendment and Extension of Declaration and Supplementary Declaration executed June 13, 1977 and pursuant to Paragraph 1 of a certain Amendment and Extension of Declaration and Supplementary Declarations executed September 29, 1988 and recorded at Pages 102 through 106 of Book 864 of the Miscellaneous Records of the Register of Deeds of Douglas County, Nebraska, for extension throughout the period ended on or after December 31, 2028, of applicability of said conditions and other terms set out in said Declaration and in said Supplementary Declarations;

Now, Therefore, in consideration of the matters herein recited and upon due exercise of its corporate authority and power in the manner set out in its Articles of Incorporation and its By-Laws, as amended, Declarant does hereby

AMEND and EXTEND said Declaration and Supplementary Declarations as follows, to-wit:

Respective Paragraphs 2 of each of said Declaration executed July 30, 1971, as to Regency Townhomes 1, said Supplementary Declaration executed May 22, 1972, as so modified and accepted, as to Regency Townhomes 2, said Supplementary Declaration executed October 1, 1975, as to Regency Townhomes 3, and said Supplementary Declaration executed June 13, 1977, as to Regency Townhomes 4, all as so amended and extended, are and will be amended forthwith by addition thereto and inclusion therein of the following new subparagraph 2p immediately after present subparagraph 2o:

"p. No lessee, renter, tenant, or other person providing consideration for such occupancy or use will be permitted hereafter to occupy or use will be permitted hereafter to occupy or use for commercial, residential, or any other purpose or purposes all or any part or parts of any townhome lot not so presently occupied or used; and no such person will be permitted, from and after the transfer of any presently so occupied or used townhome lot from its present contract purchaser or purchasers or owner or owners to any immediate successor contract purchaser or purchasers or owner or owners, thereafter so to occupy or use for any such purpose or purposes all or any part or parts of any such townhome lot."

IN WITNESS WHEREOF, Declarant has executed this Amendment and Extension of Declaration and Supplementary Declarations at Omaha, Douglas County, Nebraska.

REGENCY TOWNHOMES ASSOCIATION

BY *Bryce Crawford, III*  
Bryce Crawford, III  
Its President

Attest:

*R.D. Shreve*  
Robert D. Shreve  
Its Secretary

STATE OF NEBRASKA )  
                                  ) SS.  
COUNTY OF DOUGLAS )

Before me, a Notary Public qualified for said County, personally appeared Bryce Crawford, III President of Regency Townhomes Association, a Nebraska non-profit corporation, known to me to be the President and identical person who executed the foregoing instrument, acknowledged the execution thereof to be his voluntary act and deed as such officer and the voluntary act and deed of said corporation, and declared the execution and delivery thereof to be duly authorized and its corporate seal to be thereto affixed by its authority.

WITNESS my hand and Notarial Seal on April 26, 1995.



*Debra S. Kosellik*  
Notary Public

NOTARIAL SEAL AFFIXED  
REGISTER OF DEEDS