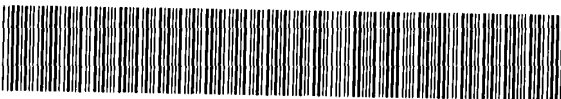


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 AFTER RECORDING, RETURN TO: Daniel B. Kinnamon, Erickson & Sederstrom, P.C., 10330 Regency Parkway Drive, Omaha, NE 68114

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

**THIS FIRST AMENDMENT TO DECLARATION**, made on the date hereinafter set forth is made by Dave Paik Builders, Inc., a Nebraska corporation, (herein "Declarant").

**PRELIMINARY STATEMENT**

Declarant is the owner of certain real property in The Residences at West Dodge Station, a Subdivision in Douglas County, Nebraska and as owner thereof executed and filed of record on February 26, 2007 in the Douglas County Register of Deeds Office, as Instrument No. 2007021485 a Declaration of Covenants, Conditions, Restrictions and Easements (herein "Declaration"). On the date the Declaration was first recorded with the Douglas County Register of Deeds Office, the Declaration affected the following described real property:

Lots 252 through 308, inclusive, The Residences at West Dodge Station, a subdivision as surveyed, platted and recorded in Douglas County, Nebraska;

Lots 1 through 22, inclusive, The Residences at West Dodge Station Replat Two, a subdivision as surveyed, platted and recorded in Douglas County, Nebraska;

Lots 1 through 16, inclusive, The Residences at West Dodge Station Replat One, a subdivision as surveyed, platted and recorded in Douglas County, Nebraska;

Since the recording of the Declaration the real property has been replatted and the legal description of the real property subject to the Declaration and this First Amendment to Declaration is as described on Exhibit "A" attached hereto and made a part hereof.

Pursuant to the provisions of Article VII, Section 4 of the Declaration, the Declarant reserved the right under the Declaration to amend the Declaration in any manner which it may determine in its full and absolute discretion for a period of seven (7) years from the date of the recordation of the Declaration. Accordingly, the Declarant is exercising its right to amend the Declaration as granted to it by the provisions of Article VII, Section 4 of the Declaration.

This First Amendment to Declaration shall be recorded against the real property legally described above.

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NOW, THEREFORE, the Declaration is hereby amended as follows:

1. Section 3 of Article II of the Declaration shall be deleted in its entirety and substituted in lieu thereof shall be the following Section 3 of Article II:

**Section 3.** The Association shall have two classes of voting membership:

**Class A.** The Class A members shall be all Owners, with the exception of the Declarant, and shall be entitled to one (1) vote for each Unit or Lot owned. When more than one person holds an interest in any Unit or Lot, all such persons shall be members. The vote for such Unit or Lot shall be exercised as they determine, but in no event shall more than one (1) vote be cast with respect to any Unit or Lot.

**Class B.** The Class B member shall be the Declarant and it shall be entitled to four (4) votes for each Lot or Unit owned. The Class B membership shall cease and be converted to Class A membership on the happening of any of the following events, whichever occurs earlier:

- (a) When the total votes outstanding in the Class A membership equal the total votes outstanding in the Class B membership: or
- (b) On March 15, 2017: or
- (c) The written direction of Declarant

IN WITNESS WHEREOF, the Declarant has caused this First Amendment to Declaration to be executed on the 20 day of March, 2012.

**DECLARANT:**

**DAVE PAIK BUILDERS, Inc., a  
Nebraska Corporation**

By:   
**David Paik, President**

STATE OF NEBRASKA    )  
                                   ) SS.  
 COUNTY OF DOUGLAS    )

The foregoing instrument was acknowledged before me this 20 day of March, 2012, by David Paik, President of Dave Paik Builders, Inc., on behalf of the corporation.



*Jeanine B Milne*  
 \_\_\_\_\_  
 Notary Public

EXHIBIT "A"

LEGAL DESCRIPTIONS

Lots 252 through 308, inclusive, in THE RESIDENCES AT WEST DODGE STATION, a Subdivision, as surveyed, platted and recorded, in Douglas County, Nebraska; OC-32826

And,

Lots 1 through 3, inclusive, and Lots 7 through 16, inclusive, in THE RESIDENCES AT WEST DODGE STATION REPLAT ONE, a Subdivision, as surveyed, platted and recorded, in Douglas County, Nebraska; OC-32827,

And,

Lots 1 through 12, inclusive, Lots 15 and 16, and Lots 19 through 22, inclusive, in THE RESIDENCES AT WEST DODGE STATION REPLAT TWO, a Subdivision, as surveyed, platted and recorded, in Douglas County, Nebraska; OC-32828

And,

Lots 1 and 2, in THE RESIDENCES AT WEST DODGE STATION REPLAT 4, a Subdivision, as surveyed, platted and recorded, in Douglas County, Nebraska; OC-32830

And,

Lots 1 and 2, in THE RESIDENCES AT WEST DODGE STATION REPLAT 5, a Subdivision, as surveyed, platted and recorded, in Douglas County, Nebraska; OC-32831

And,

Lots 1, 2 and 3, in THE RESIDENCES AT WEST DODGE STATION REPLAT 6, a Subdivision, as surveyed, platted and recorded, in Douglas County, Nebraska. OC-32832