



MISC 2014002647



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 FEE 2200 FB See attached
 BKP _____ C/O _____ COMP CC
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 Register of Deeds, Douglas County, NE
 1/13/2014 11:45:10.06



2014002647

AFTER FILING, PLEASE RETURN TO:
 Ronald L. Comes
 McGRATH, NORTH, MULLIN & KRATZ, P.C.
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 1601 Dodge Street
 Omaha, Nebraska 68102

FIFTH AMENDMENT TO
 DECLARATION OF COVENANTS,
 CONDITIONS, RESTRICTIONS AND EASEMENTS
 OF A PART OF
 RIDGEWOOD, A SUBDIVISION
 IN DOUGLAS COUNTY, NEBRASKA

This Fifth Amendment is made to the Declaration of Covenants, Conditions, Restrictions and Easements of a part of Ridgewood, a Subdivision in Douglas County, Nebraska, dated March 5, 2007 and recorded with the Douglas County Register of Deeds on March 7, 2007, as Instrument No. 2007025645, Miscellaneous Records, as amended and modified by the First Amendment to Declaration of Covenants, Conditions, Restrictions and Easements of a Part of Ridgewood, a Subdivision in Douglas County, Nebraska, dated March 3, 2008, and recorded with the Douglas County Register of Deeds on March 6, 2008, as Instrument No. 2008022052, the Second Amendment to Declaration of Covenants, Conditions, Restrictions and Easements of a Part of Ridgewood, a Subdivision in Douglas County, Nebraska, dated December 4, 2008, and recorded with the Douglas County Register of Deeds on December 8, 2008, as Instrument No. 2008116189, the Third Amendment to Declaration of Covenants, Conditions, Restrictions and Easements of a Part of Ridgewood, a Subdivision in Douglas County, Nebraska, dated June 6, 2012, and recorded with the Douglas County Register of Deeds on June 13, 2012, as Instrument No. 2012057304 and the Fourth Amendment to Declaration of Covenants, Conditions, Restrictions and Easements of a Part of Ridgewood, a Subdivision in Douglas County, Nebraska, dated August 6, 2012, and recorded with the Douglas County Register of Deeds on August 10, 2012, as Instrument No. 2012078881 (as amended the "Declaration"), by Ridgewood Holdings, L.L.C., a Nebraska limited liability (the "Successor Declarant" and hereafter the "Declarant").

Preliminary Statement

The Declaration was initially made by Dial Ridgewood, L.L.C., a Nebraska limited liability company (the "Original Declarant") in connection with the development of real estate legally described as follows:

✓ 1062231

Lots 1 through 123, inclusive, in Ridgewood, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska (referred to collectively as the "Lots" and individually as each "Lot"); OS - 329162

and

Lots 124 through 138, inclusive, and Lots 140 through 143, inclusive, in Ridgewood, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska, and Lot 139, now known as Lots 1 and 2, Ridgewood Replat 3, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska (collectively, the "Duplex Lots"); OS - 329162 OS - 329183

and

Lots 1, 2 and 3, Ridgewood Replat 1, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska (collectively the "Senior Housing Lots"); OS - 329181

and

Outlots A, B, C, D and E, inclusive, in Ridgewood, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska (collectively the "Outlots"). OS - 329162

Successor Declarant has succeeded to the interest of the Original Declarant in the following:

Lots 1-4, 6-24, 27-67, 69, 71, 73, 74, 76-81, 83-88, 90-100, 102-104, 108-118, 120-138, 140-143, in Ridgewood, a subdivision as surveyed, platted and recorded in Douglas County, Nebraska, AND Lots 2 and 3, Ridgewood Replat 1, a replat of Lots 144 and 146, Ridgewood, located in the Southeast ¼ of Section 11, Township 16 North, Range 11 East of the 6th P.M., Douglas County, Nebraska.

Successor Declarant is the owner of not less than sixty percent (60%) of the voting interests of the Lots, Duplex Lots and Senior Housing Lots for purposes of amending the Declaration pursuant to Article IV, Section 2 thereof.

NOW, THEREFORE, pursuant to the authority granted in Article IV, Section 2 of the Declaration, Successor Declarant hereby amends and supplements the Declaration as follows:

1. Article III, Section 6, is supplemented by the addition of the following:

"Notwithstanding the termination, transfer or assignment of the rights and/or status of Successor Declarant as Declarant under the Declaration, neither Lot 2 nor Lot 3, Ridgewood Replat 1, a replat of Lots 144 and 146, Ridgewood, located in the Southeast ¼ of Section 11, Township 16 North, Range 11 East of the 6th P.M., Douglas County, Nebraska, nor any part thereof, which remains in the ownership of Successor Declarant shall be subject to imposition of dues, assessments or Association Liens."


2. The last sentence of Article IV, Section 2, is hereby deleted and the following is substituted in lieu thereof:

"Hereafter this Declaration may be amended by an instrument signed by Declarant or its successors or assigns in the status of Declarant as long as Declarant or any successor or assign to such status owns any Lot, Duplex Lot or Senior Housing Lot."

3. Except as amended and modified herein the Declaration shall remain in full force and effect according to its terms.

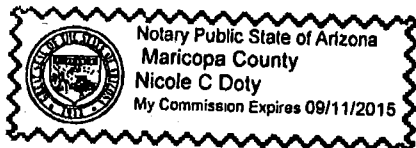
IN WITNESS WHEREOF, Successor Declarant has executed this Fifth Amendment as of the 3RD day of January, 2014.


RIDGEWOOD HOLDINGS, L.L.C., a
Nebraska limited liability company

By: 
Eric A. Sheldahl, Manager

STATE OF ARIZONA)
) ss.
COUNTY OF MARICOPA)

The foregoing instrument was acknowledged before me this 3RD day of January, 2014, by Eric A. Sheldahl, Manager of Ridgewood Holdings, L.L.C., a Nebraska limited liability company, on behalf of the company.




Notary Public