

AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS
AND RESTRICTIONS FOR ROGERS RIDGE, LOTS
36 THROUGH 45, INCLUSIVE

THIS AMENDMENT made on the date hereinafter set forth, by Recic Homes, Inc., a Nebraska Corporation, hereinafter referred to as "Developer".

WHEREAS, the Developer is the owner of the following described real property ("Lots"):

Lots Thirty-Six (36) through Forty-Five (45) both inclusive, in Rogers Ridge, a subdivision in Douglas County, Nebraska

and,

WHEREAS, on May 7, 1991, Developer filed the "Declaration of Covenants, Conditions and Restrictions for Rogers Ridge, Lots 36 through 45, Inclusive" ("Declaration") at Book 962, Page 374 of the miscellaneous records of the Register of Deeds of Douglas County, Nebraska, and

WHEREAS, Article IV, subparagraph B, of the Declaration provides that the Developer may amend the Declaration for a period of five years from and after May 7, 1991.

THEREFORE, the Developer hereby amends the Declaration as follows:

I.

Subparagraph H of Article I shall be deleted and the following substituted therefore:

H. The ground floor finished and enclosed living area of main residential structures, exclusive of open porches, open breezeways, basements and garages, shall be not less than the following minimum sizes:

- 1) For one-story dwellings: 1700 square feet, provided that if a one-story dwelling has an attached three car garage and the length of the garage entrance is at least 33 feet, and is located on the side of the dwelling which fronts the street, then the minimum square footage shall be sixteen hundred square feet.
- 2) For a 1-1/2 story dwelling: 1600 square feet.
- 3) For a two-story dwelling: 1200 square feet, provided that such dwelling has a minimum of 1200 square feet of finished and enclosed living area in the second story.

For purposes of computing "ground floor" area in connection with the foregoing requirements, the following additional definitions shall apply:

- 1) For a one-story dwelling, "ground floor" area shall mean and include only finished and enclosed living areas located aboveground level, but excluding from such computation any such area which is located below any other finished area, e.g., walk-out basement would be excluded from computation.
- 2) For a 1-1/2-story or 2-story dwelling "ground floor" area shall mean and include the first floor of such dwellings located above ground level.

II.

The remainder of the Declaration, not hereinabove amended shall remain in full force and effect.

IN WITNESS WHEREOF, the undersigned, being the owner of all of said real estate, and being the Developer under the original Declaration, has caused this Amendment to be duly executed this 12th day of December, 1991.

RECEIVED

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REC'D IN DEEDS
DOUGLAS COUNTY, NE

RECIC HOMES, INC., A Nebraska Corporation, Developer

BY:

President

BR 989 N C/O FEE 1500

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OF Map COMP 9 F/B CC-33990

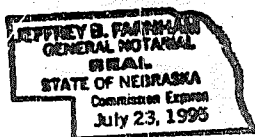
STATE OF NEBRASKA)

SS.

COUNTY OF DOUGLAS)

On this 12th day of December, 1991, before me, the undersigned a Notary Public in and for said County, personally came Wayne P. Recic, President of Recic Homes, Inc., to me personally known to be the President and the identical person whose name is affixed to the above Amendment to Declaration of Covenants, Conditions and Restrictions for Rogers Ridge, Lots 36 through 45, inclusive and acknowledged the execution thereof to be his voluntary act and deed as such officer and the voluntary act and deed of said corporation.

WITNESS my hand and Notarial Seal at Omaha in said County on the day and year last-above written.



Jeffrey B. Fairbank
Notary Public

Miss 260824