

FILED SARPY COUNTY NEBRASKA  
INSTRUMENT NUMBER

2014-17868

08/14/2014 12 23 55 PM

*Floyd J. Douding*

REGISTER OF DEEDS



COUNTER P C.E. P  
VERIFY P D.E. P  
PROOF P a P  
FEES \$ 70.00  
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REFUND \_\_\_\_\_ CREDIT \_\_\_\_\_  
SHORT \_\_\_\_\_ NCR \_\_\_\_\_

# FOURTH AMENDMENT TO CONDOMINIUM DECLARATION

**Silverthorne Condominium  
1910 Thurston Avenue  
Bellevue, Nebraska 68005**

*RHL* Record and Return to: James E. Lang, 11718 Nicholas Street, Suite 101, Omaha, NE 68154

**FOURTH AMENDMENT TO  
CONDOMINIUM DECLARATION  
Silverthorne Condominium  
1910 Thurston Avenue  
Bellevue, Nebraska 68005**

This Fourth Amendment (the "Fourth Amendment") to the Condominium Declaration, Silverthorne Condominium, 1910 Thurston Avenue, Bellevue, Nebraska 68005, a Condominium Regime dated June 12, 2007, and recorded on June 14, 2007, as Instrument No. 2007-17557 of the records of the Registrar of Deeds of Sarpy County, Nebraska (the "Condominium Declaration"), as amended by the First Amendment ("First Amendment") to the Condominium Declaration executed on October 10, 2008 and dated October 13, 2008 and recorded on October 23, 2008 as Instrument No. 2008-29308 of the records of the Registrar of Deeds of Sarpy County, Nebraska, as amended by the Second Amendment ("Second Amendment") to the Condominium Declaration executed on December 15, 2008 and recorded on December 17, 2008 as Instrument No. 2008-33151 of the records of the Registrar of Deeds of Sarpy County, Nebraska, and as amended by the Third Amendment ("Third Amendment") to the Condominium Declaration dated on October 11, 2013 and recorded on October 21, 2013 as Instrument No. 2013-32668 of the records of the Registrar of Deeds of Sarpy County, Nebraska, is made this \_\_\_\_\_ day of August, 2014, by Silverthorne Partners, LLC, a Nebraska limited liability company who is the Declarant ("Declarant") under the Condominium Declaration.

WHEREAS, by the recording of the Condominium Declaration on June 14, 2007, the Declarant created Silverthorne Condominium whose address is 1910 Thurston Avenue, Bellevue, Nebraska; and

WHEREAS, attached to the Condominium Declaration as Exhibit "A", the First Amendment as Exhibit "A", the Second Amendment as Exhibit "A", the Third Amendment as Exhibit "A", and this Fourth Amendment as Exhibit "A", is the legal description of the Property against which the Condominium Declaration is recorded; attached to the Condominium Declaration as Exhibit "A-1", to the First Amendment as Exhibit "A-1", to the Second Amendment as Exhibit "A-1", to the Third Amendment as Exhibit "A-1", and to this Fourth Amendment as Exhibit "A-1", is the As-Built Survey and Plans which sets forth the location and dimensions of the improvements, together with the other information required by the Condominium Act; and attached to the Condominium Declaration as Exhibit "B", to the First Amendment as Exhibit "B", to the Second Amendment as Exhibit "B", to the Third Amendment as Exhibit "B", and to this Fourth Amendment as Exhibit "B", is the Unit Number and Percentage Interest of each Unit; and

WHEREAS, the Declarant desires by this Fourth Amendment to amend the Condominium Declaration, as amended, to include Unit Nos. 1901T-1 through 1901T-9, which are within Lot 2, Hillcrest Replat IV, a subdivision in Sarpy County, Nebraska, as authorized pursuant to Article 5.1 of the Condominium Declaration, as amended.

NOW THEREFORE, the Declarant hereby amends the Condominium Declaration, as amended, as follows:

B

1. Article 9.12 of the Condominium Declaration is hereby amended to include 9 additional existing Dwelling Units, all of which include an attached garage which is appurtenant to and part of the Dwelling Units as shown on Exhibit "A-1" attached hereto within the Development Area. As a result of the inclusion of the additional units and their attached garages, the Unit Number Percentage Interest of each Unit is amended as set forth in Exhibit "B" of this Declaration.

2. The following Definitions set forth in Paragraph 3 of the Declaration shall be amended as follows:

"Development Area" means the real estate legally described as Lot 1, Hillcrest Replat 3, Lot 39A, Hillcrest, Lots 2 and 4, Hillcrest Replat IV, additions to the City of Bellevue, as surveyed, platted and recorded, in Sarpy County, Nebraska, and any additional area which the Declarant adds pursuant to Section 5.1 of this Declaration. None of the covenants, conditions, restrictions or easements contained herein shall burden any portion of the Development Area, unless and until such portion is made a part of the Condominium.

"Land" means the real property described in Exhibit "A" attached hereto, exclusive of the Buildings, and all easements and rights appurtenant thereto.

3. Paragraph 4 of the Declaration entitled "Buildings" shall amended to read as follows:

Buildings. The location and dimensions of the Buildings and the sixty-nine (69) parking spaces on the Land are shown on the Condominium Plat attached to the Declaration as Exhibit "A-1" and attached hereto as Exhibit "A-1".


4. Paragraph 5.1 of the Declaration entitled "Unit Number and Percentage Interest" shall be amended to state that the Condominium currently includes 42 Dwelling Units, all of which include an attached garage which is appurtenant to and part of the Dwelling Unit.

5. All of the terms and conditions of the Condominium Declaration shall bind and run to the benefit of Units 1901T-1 through 1901T-9 as set forth in the Condominium Declaration as amended previously and herein.

6. That except as otherwise amended herein, all of the other terms, conditions and restrictions of the Condominium Declaration, as amended, shall remain in full force and effect as stated.

IN WITNESS WHEREOF, the Declarant has executed and acknowledged this Fourth Amendment to the Declaration on and as of the date first above written.

SILVERTHORNE PARTNERS, LLC,  
a Nebraska limited liability company

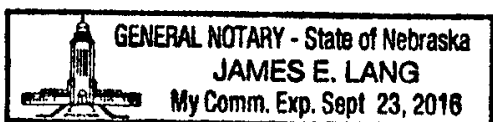
By   
Title: manager

C

STATE OF NEBRASKA     )  
  ) ss.  
COUNTY OF DOUGLAS    )

The foregoing instrument was acknowledged before me this 13<sup>th</sup> day of August, 2014, by Kirk Estee, a Manager of Silverthorne Partners, LLC, a Nebraska limited liability company, on behalf of the company.

[SEAL]



*[Handwritten Signature]*  
\_\_\_\_\_  
Notary Public

D

CONSENT TO AND RATIFICATION OF FOURTH AMENDMENT  
TO THE CONDOMINIUM DECLARATION

Enterprise Bank, a state chartered bank ("Lender"), hereby consents to the foregoing Fourth Amendment to Condominium Declaration; agrees that the Property identified in said Condominium Declaration on which it has a lien shall be owned, held, transferred, sold, leased, conveyed, developed, used, occupied, operated, improved, mortgaged or otherwise encumbered subject to the provisions of said Condominium Declaration, as amended by the Fourth Amendment; agrees that said Condominium Declaration, as amended herein, and all of its provisions shall be and are covenants running with the Property, and shall be binding upon Lender and its successors and assigns; and Lender hereby ratifies and approves the recordation of the Fourth Amendment to Condominium Declaration in the office of the Registrar of Deeds of Sarpy County, Nebraska.

LENDER:

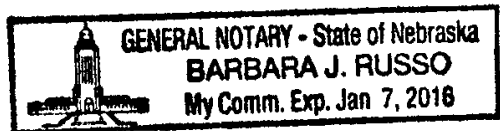
ENTERPRISE BANK, a state chartered bank

By: David Olson  
David Olson, Vice President

STATE OF NEBRASKA    )  
                                  ) ss.  
COUNTY OF DOUGLAS    )

The foregoing instrument was acknowledged before me this 13<sup>th</sup> day of August, 2014, by David Olson, the Vice President of Enterprise Bank, a state chartered bank, on behalf of such bank.

[SEAL]



Barbara J. Russo  
Notary Public

E

**EXHIBIT "A"**

Legal Description of the Land  
Silverthorne Condominium

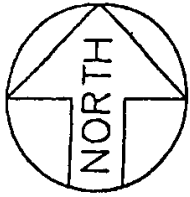
Lot 1, Hillcrest Replat 3, Lot 39A, Hillcrest and Lots 2 and 4, Hillcrest Replat IV, additions to the City of Bellevue, as surveyed, platted and recorded, in Sarpy County, Nebraska.

# SILVER THORNE CONDOMINIUM PROPERTY REGIME #2

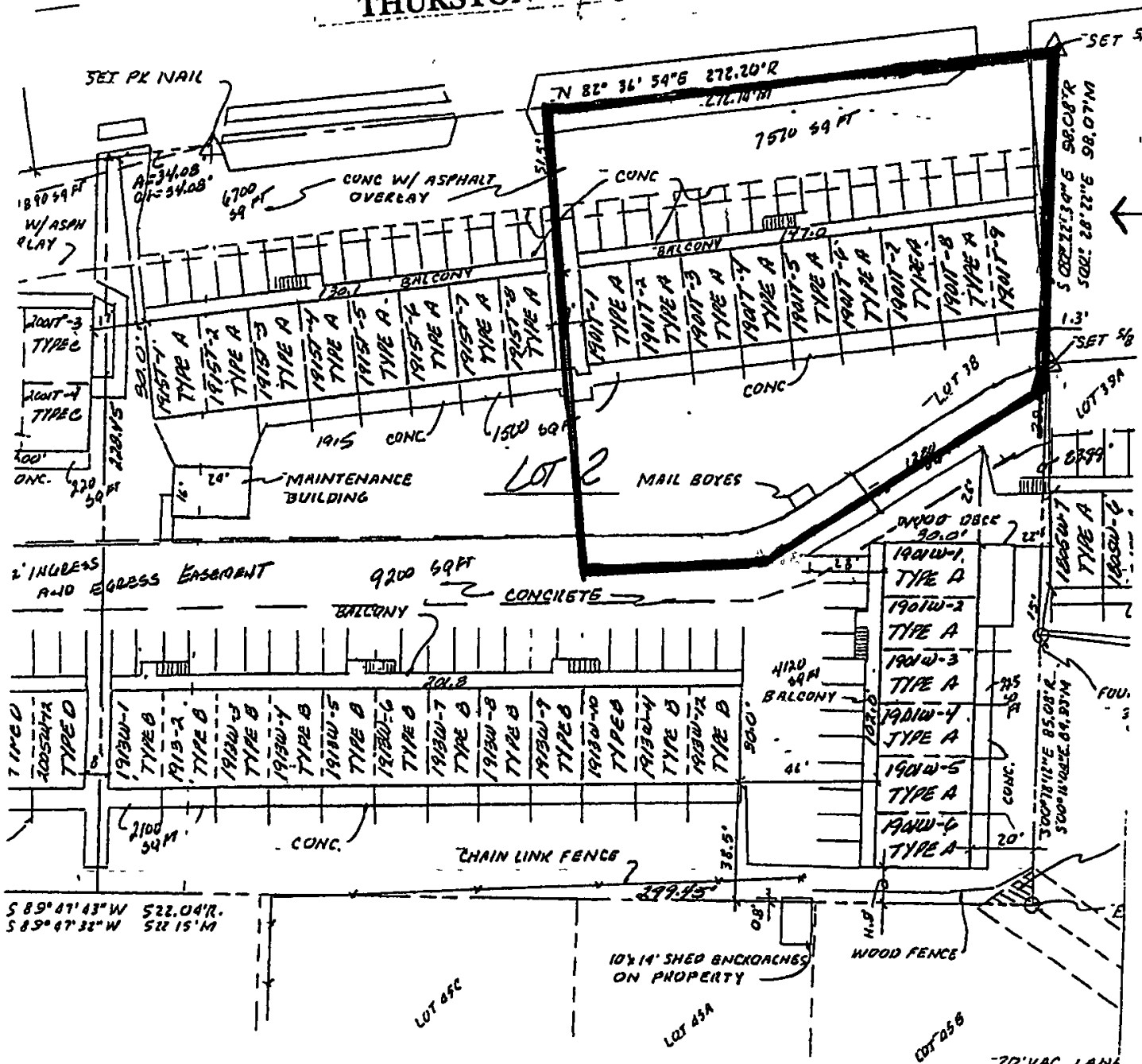
F

## BELLEVUE, NEBRASKA

LOT 2, HILLCREST REPLAT WAS SURVEYED, PLATTED AND  
RECORDED IN SARP COUNTY, NEBRASKA.



THURSTON AVENUE



Units 1901T-1 through 1901T-9

LOT 39A

I certify that this plat, map, survey or report was made by me or under my direct personal supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Nebraska.

*Clarence Garrell*  
Signature of Land Surveyor  
Date 5/14/07 Reg. No. 306



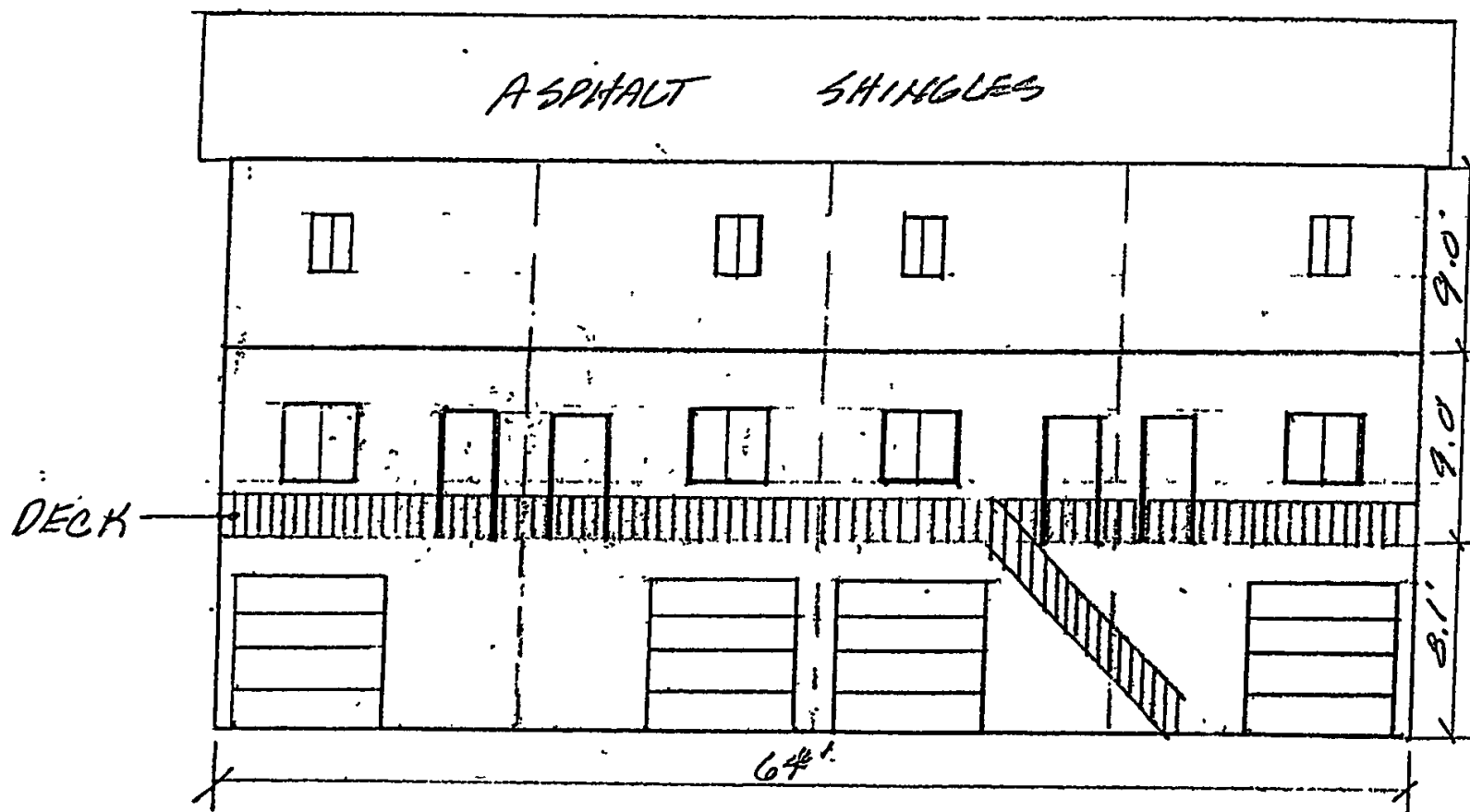
- GENERAL NOTES:
- 1. ALL BUILDINGS ARE TWO STORY MASONRY CONST.
  - 2. ~~THURSTON IS 9 UNITS.~~
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Exhibit "A-1"  
(Page 1 of 3)

**GARRELL**  
& ASSOCIATES, INC.  
LAND SURVEYORS & CONSULTANTS  
604 South 110th Street Omaha, NE 68137 402-331-2323 / FAX 402-331-8077

G

FRONT ELEVATION  
4=PLEX  
TYPICAL ELEVATION  
FOR  
1805, 1901, 1913 AND 2005 WINNIE DRIVE,  
1901 AND 1915 THURSTON AVENUE



FRONT ELEVATION  
4 UNIT

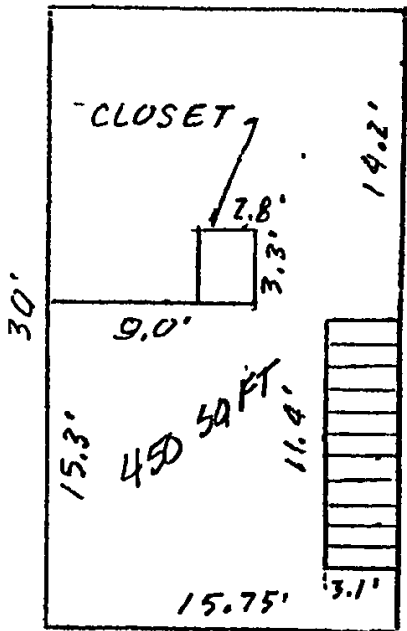
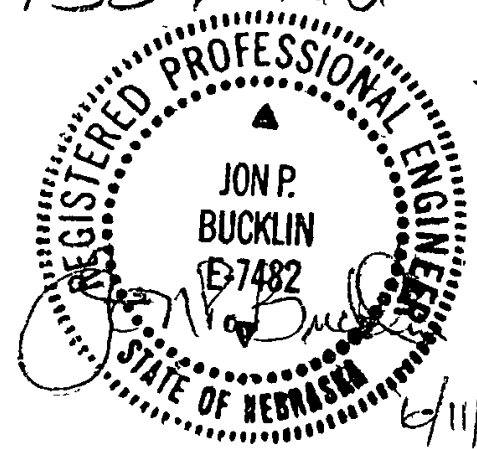
EXHIBIT "A-1"  
(Page 2 of 3)



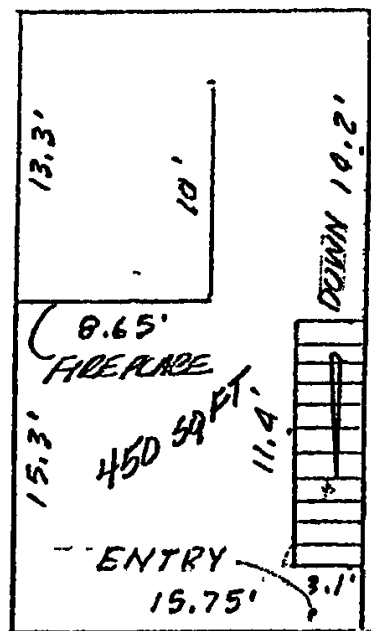
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H

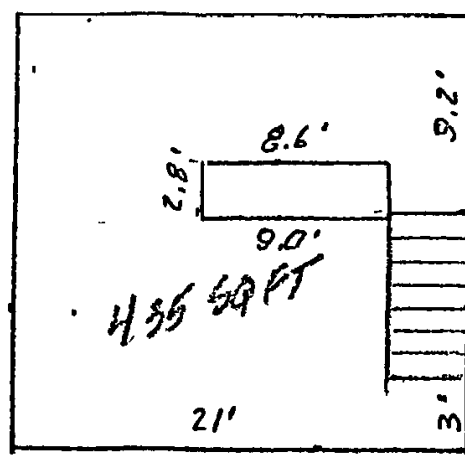
# TYPICAL BUILDING LAYOUT (INTERIOR)



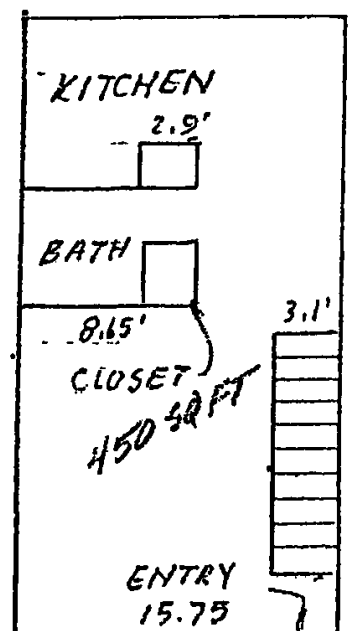
MAIN FLOOR TYPE A



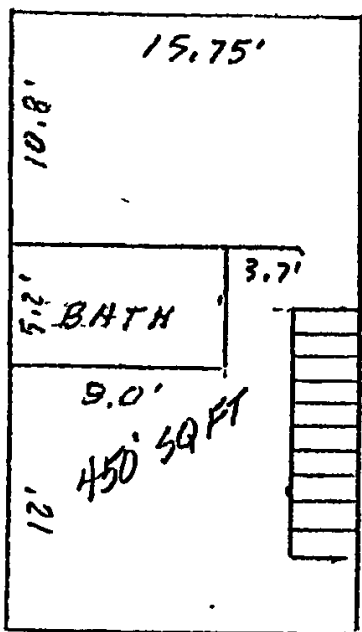
MAIN FLOOR TYPE B



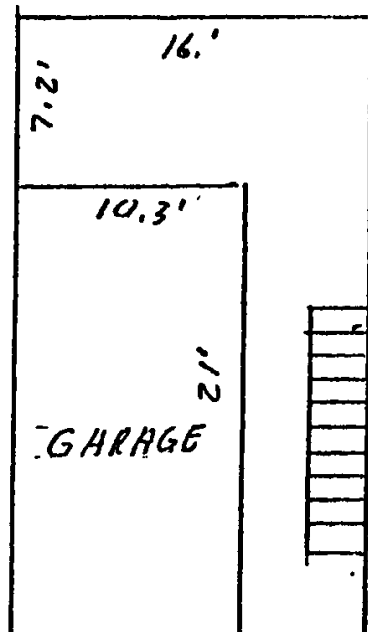
MAIN FLOOR TYPE C



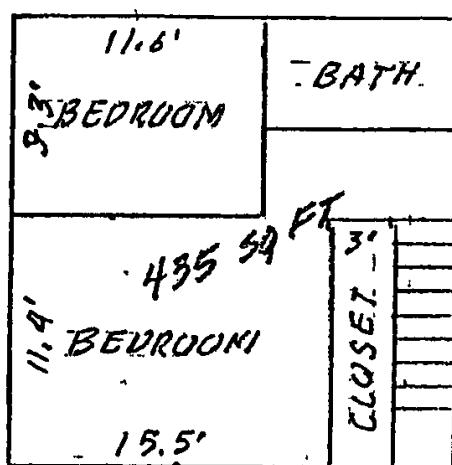
MAIN FLOOR TYPE D



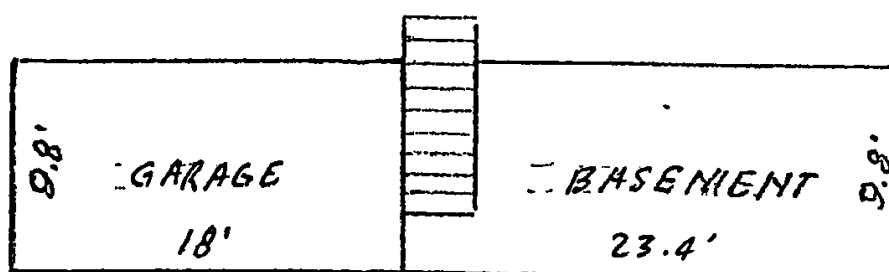
SECOND FLOOR TYPE A, B, D



BASEMENT TYPE A, B, D



SECOND FLOOR TYPE C



BASEMENT TYPE C

I

# Silverthorne Public Offering Statement

Exhibit B

## Estimated Per Unit Monthly Assessment

Total Estimated Annual Budget	\$55,440 00
Total Estimated Monthly Budget	\$4,620 00
Total Square Footage of All Units	56,146 6 sq ft

Unit	Unit Sq. Ft of Main Floor and Second Floor	Sq. Ft of Garage and Basement Floor	Total Unit Sq. Ft	Percentage Interest	Est. Monthly Unit Assessment
<b>Dwelling Units</b>					
2001T-1	870	405 72	1,275 72	2 381%	\$110 00
2001T-2	870	405 72	1,275 72	2 381%	\$110 00
2001T-3	870	405 72	1,275 72	2 381%	\$110 00
2001T-4	870	405 72	1,275 72	2 381%	\$110 00
2005T-1	870	405 72	1,275 72	2 381%	\$110 00
2005T-2	870	405 72	1,275 72	2 381%	\$110 00
2005T-3	870	405 72	1,275 72	2 381%	\$110 00
2005T-4	870	405 72	1,275 72	2 381%	\$110 00
2005W-1	900	451 2	1,351 20	2 381%	\$110 00
2005W-2	900	451 2	1,351 20	2 381%	\$110 00
2005W-3	900	451 2	1,351 20	2 381%	\$110 00
2005W-4	900	451 2	1,351 20	2 381%	\$110 00
2005W-5	900	451 2	1,351 20	2 381%	\$110 00
2005W-6	900	451 2	1,351 20	2 381%	\$110 00
2005W-7	900	451 2	1,351 20	2 381%	\$110 00
2005W-8	900	451 2	1,351 20	2 381%	\$110 00
2005W-9	900	451 2	1,351 20	2 381%	\$110 00
2005W-10	900	451 2	1,351 20	2 381%	\$110 00
2005W-11	900	451 2	1,351 20	2 381%	\$110 00
2005W-12	900	451 2	1,351 20	2 381%	\$110 00
1805W-1	900	451 2	1,351 20	2 381%	\$110 00
1805W-2	900	451 2	1,351 20	2 381%	\$110 00
1805W-3	900	451 2	1,351 20	2 381%	\$110 00
1805W-4	900	451 2	1,351 20	2 381%	\$110 00
1805W-5	900	451 2	1,351 20	2 381%	\$110 00
1805W-6	900	451 2	1,351 20	2 381%	\$110 00
1805W-7	900	451 2	1,351 20	2 381%	\$110 00
1901W-1	900	451 2	1,351 20	2 381%	\$110 00
1901W-2	900	451 2	1,351 20	2 381%	\$110 00
1901W-3	900	451 2	1,351 20	2 381%	\$110 00
1901W-4	900	451 2	1,351 20	2 381%	\$110 00
1901W-5	900	451 2	1,351 20	2 381%	\$110 00
1901W-6	900	451 2	1,351 20	2 381%	\$110 00
1901T-1	900	451 2	1,351 20	2 381%	\$110 00
1901T-2	900	451 2	1,351 20	2 381%	\$110 00

2014-17868J

1901T-3	900	451 2	1,351 20	2 381%	\$110 00
1901T-4	900	451 2	1,351 20	2 381%	\$110 00
1901T-5	900	451 2	1,351 20	2 381%	\$110 00
1901T-6	900	451 2	1,351 20	2 381%	\$110 00
1901T-7	900	451 2	1,351 20	2 381%	\$110 00
1901T-8	900	451 2	1,351 20	2 381%	\$110 00
1901T-9	900	451 2	1,351 20	2 381%	\$110 00
		Total	56,146 60		\$4,620 00