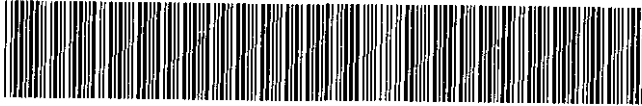




MISC 2004030489



MAR 09 2004 13:45 P 15

Received - RICHARD TAKECHI  
Register of Deeds, Douglas County, NE  
3/9/2004 1:46:00 PM



2004030489

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

This Amendment to Declaration of Covenants, Conditions, Restrictions and Easements is executed by the owners of not less than 70% of the townhomes located at Spring Green evidenced by the signatures below.

A. The owners have ownership interests in certain real property and improvements located within Spring Green Subdivision, legally described as Lots 1-8, 12 and 13, Spring Green, Lots 1 and 2, Spring Green III, Lots 1 and 2, Spring Green IV, Lots 1 and 2, Spring Green V, a cluster subdivision platted in Douglas County, Nebraska encompassing the planned townhome development consisting of approximately 17 townhomes (P.U.D. and all submittals) entitled Spring Green.

B. The owners desire to amend to amend the Declaration of Covenants, Conditions, Restrictions and Easements executed August 24, 1984 and recorded in the Douglas County Register of Deeds' office on September 3, 1984 at Book 718, Page 54 (the "Covenants").

1. The owners hereby amend the Covenants to delete and eliminate in its entirety Article VII, Section 2(a), and replace that section with the following:

(a) Section 2. Insurance. Prior to July 1 of each year, the Board of Directors shall determine whether the Association will procure and maintain property insurance for all real property included in membership or for each group thereof sharing any one or more common structural elements for the benefit of all of the contract purchasers or owners thereof and all of the mortgagees thereof according to their respective interests therein insuring against the perils of fire, lightning, malicious mischief, and vandalism with extended coverage in amounts equivalent to full replacement cost less deductible, if any, of any damage or destruction caused by any such peril; and all members shall be entitled to procure and maintain any additional insurance with the same or additional coverage. In the event that the Board of Directors, in its sole discretion, determines that the Association shall not procure and maintain fire and extended coverage insurance, then the owners shall be responsible to procure and maintain such fire and extended coverage insurance, insuring each owner's own respective property and improvements against the perils of fire, lightning, malicious mischief, and vandalism with extended coverage in amounts equivalent to full replacement cost less deductible, if any, of any damage or destruction caused by any such peril. The Board of Directors shall provide written notice of its decision to all owners each year by mail on or before July 10, and indicate the date by which the owners must procure such insurance and provide evidence of compliance to the Board of Directors. All owners must provide the Board of Directors with a certificate of

**LIAKOS EPSTEIN & MATYJEWICZ**  
8701 West Dodge Road,  
Omaha, NE 68114-3000

51-36715- Green V  
51-36710 1-8, 12, 13  
51-36713 - Green III  
FB 51-36714 - Green 10  
15 misc FEE 83.00  
16 BKP C/O COMPB  
DEL SCAN FV  
✓17154

insurance evidencing compliance with this provision on or before the deadline established by the Board of Directors in its notice.

2. All other provisions contained in the Covenants shall remain in full force and effect.
3. This Amendment shall run with the land and shall be binding upon all present and future owners of the property described in this Amendment.
4. Invalidation of this Amendment by final order of any court of competent jurisdiction shall not affect the validity and enforceability of any provisions contained in the Covenants.

IN WITNESS WHEREOF, the undersigned owners of Spring Green townhomes have executed this Amendment on the dates shown opposite our signatures below.

Street Address of Owned Residence	Legal Signature	Date Executed
8910 Douglas Court	<u>Robert Bates</u>	
	<u>Judith Bates</u>	
8906 Farnam Court	<u><i>J. Morgan</i> Personal Rep. Estate of Bill Chapman</u> <u>Carol Chapman</u>	
8914 Douglas Court	<u><i>Robert Sadler</i></u> <u>Robert Sadler</u>	1-11-2003
8911 Farnam Court	<u>Craig Hergott</u>	
8905 Farnam Court	<u>John Hoffmaster</u>	
	<u>Margaret Hoffmaster</u>	
8906 Douglas Court	<u>Dr. Donald Kerr</u>	
	<u>Linda Kerr</u>	
8909 Douglas Court	<u><i>J. Emmet Root</i></u> <u>J. Emmet Root</u>	1-11-03
	<u><i>Mary Frances Root</i></u> <u>Fran Root</u>	1-11-03
8910 Farnam Court	<u><i>Graham Lusk</i></u> <u>Graham Lusk</u>	1/11/03
	<u><i>Sally Lusk</i></u> <u>Sally Lusk</u>	1/11/03

8903 Douglas Court

~~Robert Bates~~ Diane Duren Knutson

~~Robert Bates~~

8918 Farnam Court

*Bill Bures*  
Bill Bures 1-11-03

*Jerry Pabst*  
Jerry Pabst 1-21-03

8905 Douglas Court

*Toshimichi Shinohara*  
Toshimichi Shinohara 1/11/03

8912 Farnam Court

*Larry Stoney*  
Larry Stoney 1/11/03

*Janice Stoney*  
Janice Stoney 1/11/03

8912 Douglas Court

Duane Swanson

8920 Farnam Court

*Robert Williamson*  
Robert Williamson 1-11-03

*Alice Williamson*  
Alice Williamson 1/11/03

8907 Farnam Court

*Eugene Zweiback*  
Eugene Zweiback 8/12/03

8914 Farnam Court

*Judy Zweiback*  
Judy Zweiback 8/12/03

8907 Douglas Court

Norm Waitt

8912 Farnam Court

Sally Nordlund

STATE OF NEBRASKA )  
                                  )  
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me, a Notary Public, this \_\_\_\_ day of September, 2002, by Robert Bates.

\_\_\_\_\_  
Notary Public

*Insurence*

8903 Douglas Court

\_\_\_\_\_  
Paul Nager

\_\_\_\_\_  
Debbie Nager

8918 Farnam Court

\_\_\_\_\_  
Bill Bures

\_\_\_\_\_  
Jerry Pabst

8905 Douglas Court

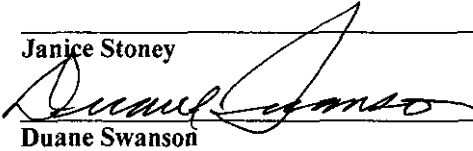
\_\_\_\_\_  
Toshimichi Shinohara

8912 Farnam Court

\_\_\_\_\_  
Larry Stoney

\_\_\_\_\_  
Janice Stoney

8912 Douglas Court

  
\_\_\_\_\_  
Duane Swanson

8-19-03

8920 Farnam Court

\_\_\_\_\_  
Robert Williamson

\_\_\_\_\_  
Alice Williamson

8907 Farnam Court

\_\_\_\_\_  
Eugene Zweiback

8914 Farnam Court

\_\_\_\_\_  
Judy Zweiback

8907 Douglas Court

\_\_\_\_\_  
Norm Waitt

STATE OF NEBRASKA )  
                                  )  
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me, a Notary Public, this \_\_\_\_ day of September, 2002, by **Robert Bates**.

\_\_\_\_\_  
Notary Public

insurance evidencing compliance with this provision on or before the deadline established by the Board of Directors in its notice.

2. All other provisions contained in the Covenants shall remain in full force and effect.
3. This Amendment shall run with the land and shall be binding upon all present and future owners of the property described in this Amendment.
4. Invalidation of this Amendment by final order of any court of competent jurisdiction shall not affect the validity and enforceability of any provisions contained in the Covenants.

IN WITNESS WHEREOF, the undersigned owners of Spring Green townhomes have executed this Amendment on the dates shown opposite our signatures below.

Street Address of Owned Residence	Legal Signature	Date Executed
8910 Douglas Court	Robert Bates	
	Judith Bates	
8906 Farnam Court	Carol Chapman	
8914 Douglas Court	Robert Sadler	
8911 Farnam Court	<i>Craig Hergott</i> Craig Hergott	1-11-03
8905 Farnam Court	John Hoffmaster	
	Margaret Hoffmaster	
8906 Douglas Court	Dr. Donald Kerr	
	Linda Kerr	
8909 Douglas Court	J. Emmet Root	
	Fran Root	
8910 Farnam Court	Graham Lusk	
	Sally Lusk	

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- 2. All other provisions contained in the Covenants shall remain in full force and effect.
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IN WITNESS WHEREOF, the undersigned owners of Spring Green townhomes have executed this Amendment on the dates shown opposite our signatures below.

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	Judith Bates	
8906 Farnam Court	Carol Chapman	
8914 Douglas Court	Robert Sadler	
8911 Farnam Court	Craig Hergott	
8905 Farnam Court	John Hoffmaster	8/19/03
	Margaret Hoffmaster	8/19/03
8906 Douglas Court	Dr. Donald Kerr	
	Linda Kerr	
8909 Douglas Court	J. Emmet Root	
	Fran Root	
8910 Farnam Court	Graham Lusk	
	Sally Lusk	

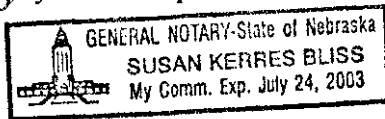
STATE OF NEBRASKA )  
 )  
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me, a Notary Public, this \_\_\_\_ day of September, 2002, by **Judith Bates**.

\_\_\_\_\_  
Notary Public

STATE OF NEBRASKA )  
 )  
COUNTY OF DOUGLAS)

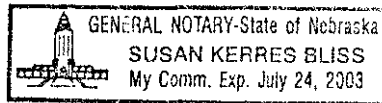
The foregoing instrument was acknowledged before me, a Notary Public, this 27 day of ~~September~~ March 2003, by **Carol Chapman**.



*Susan Kerres Bliss*  
\_\_\_\_\_  
Notary Public

STATE OF NEBRASKA )  
 )  
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me, a Notary Public, this 11 day of ~~September~~ January 2003, by **Robert Sadler**.



*Susan Kerres Bliss*  
\_\_\_\_\_  
Notary Public

STATE OF NEBRASKA )  
 )  
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me, a Notary Public, this \_\_\_\_ day of September 2002, by **Craig Hergott**.

\_\_\_\_\_  
Notary Public

STATE OF NEBRASKA )  
 )  
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me, a Notary Public, this \_\_\_\_ day of September 2002, by **John Hoffmaster**.

\_\_\_\_\_  
Notary Public

STATE OF NEBRASKA )  
 )  
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me, a Notary Public, this \_\_\_\_ day of September 2002, by **Jerry Pabst**.

\_\_\_\_\_  
Notary Public

STATE OF NEBRASKA )  
 )  
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me, a Notary Public, this \_\_\_\_ day of September 2002, by **Toshimichi Shinohara**.

\_\_\_\_\_  
Notary Public

STATE OF NEBRASKA )  
 )  
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me, a Notary Public, this \_\_\_\_ day of September 2002, by **Larry Stoney**.

\_\_\_\_\_  
Notary Public

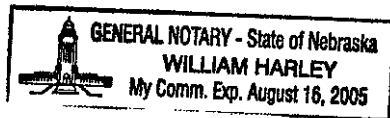
STATE OF NEBRASKA )  
 )  
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me, a Notary Public, this \_\_\_\_ day of September 2002, by **Janice Stoney**.

\_\_\_\_\_  
Notary Public

STATE OF NEBRASKA )  
 )  
COUNTY OF DOUGLAS)

✓  
The foregoing instrument was acknowledged before me, a Notary Public, this 19<sup>th</sup> day of ~~September~~ August 2003, by **Duane Swanson**.



*William Harley*  
\_\_\_\_\_  
Notary Public



STATE OF NEBRASKA )  
 )  
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me, a Notary Public, this \_\_\_\_ day of September, 2002, by **Judith Bates**.

\_\_\_\_\_  
Notary Public

STATE OF NEBRASKA )  
 )  
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me, a Notary Public, this \_\_\_\_ day of September 2002, by **Carol Chapman**.

\_\_\_\_\_  
Notary Public

STATE OF NEBRASKA )  
 )  
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me, a Notary Public, this \_\_\_\_ day of September 2002, by **Robert Sadler**.

\_\_\_\_\_  
Notary Public

STATE OF NEBRASKA )  
 )  
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me, a Notary Public, this \_\_\_\_ day of September 2002, by **Craig Hergott**.

\_\_\_\_\_  
Notary Public

STATE OF NEBRASKA )  
 )  
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me, a Notary Public, this 19 day of September 2002, by **John Hoffmaster**.



\_\_\_\_\_  
Notary Public

A handwritten signature in black ink, appearing to read "Gary Fellman", written over a horizontal line.

STATE OF NEBRASKA )  
 )  
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me, a Notary Public, this 19 day of September 2002, by **Margaret Hoffmaster**.



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

STATE OF NEBRASKA )  
 )  
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me, a Notary Public, this \_\_\_\_ day of September 2002, by **Dr. Donald Kerr**.

\_\_\_\_\_  
Notary Public

STATE OF NEBRASKA )  
 )  
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me, a Notary Public, this \_\_\_\_ day of September 2002, by **Linda Kerr**.

\_\_\_\_\_  
Notary Public

STATE OF NEBRASKA )  
 )  
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me, a Notary Public, this \_\_\_\_ day of September 2002, by **J. Emmet Root**.

\_\_\_\_\_  
Notary Public

STATE OF NEBRASKA )  
 )  
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me, a Notary Public, this \_\_\_\_ day of September 2002, by **Fran Root**.

\_\_\_\_\_  
Notary Public

STATE OF NEBRASKA )  
 )  
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me, a Notary Public, this \_\_\_\_ day of September 2002, by **Margaret Hoffmaster**.

\_\_\_\_\_  
Notary Public

STATE OF NEBRASKA )  
 )  
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me, a Notary Public, this \_\_\_\_ day of September 2002, by **Dr. Donald Kerr**.

\_\_\_\_\_  
Notary Public

STATE OF NEBRASKA )  
 )  
COUNTY OF DOUGLAS)

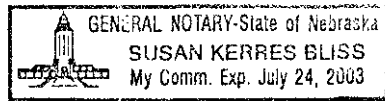
The foregoing instrument was acknowledged before me, a Notary Public, this \_\_\_\_ day of September 2002, by **Linda Kerr**.

\_\_\_\_\_  
Notary Public

STATE OF NEBRASKA )  
 )  
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me, a Notary Public, this 11 day of ~~September 2002~~, by **J. Emmet Root**.

*January*

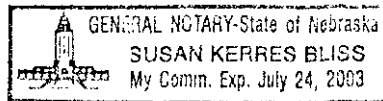


*Susan Kerres Bliss*  
Notary Public

STATE OF NEBRASKA )  
 )  
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me, a Notary Public, this 11 day of ~~September 2002~~, by **Fran Root**.

*January*



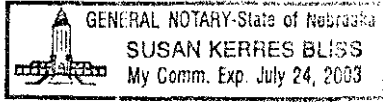
*Susan Kerres Bliss*  
Notary Public

*J. Emmet Root*

STATE OF NEBRASKA )  
 )  
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me, a Notary Public, this 11 day of ~~September 2002~~ by **Graham Lusk**

*January*

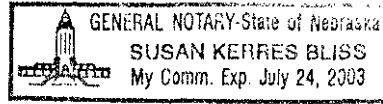


*Susan Kerres Bliss*  
Notary Public

STATE OF NEBRASKA )  
 )  
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me, a Notary Public, this 11 day of ~~September 2002~~ by **Sally Lusk**.

*January*



*Susan Kerres Bliss*  
Notary Public

STATE OF NEBRASKA )  
 )  
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me, a Notary Public, this \_\_\_ day of September 2002, by ~~Paul Nager~~ Diane Duren Knutson.

\_\_\_\_\_  
Notary Public

~~STATE OF NEBRASKA )  
 )  
COUNTY OF DOUGLAS)~~

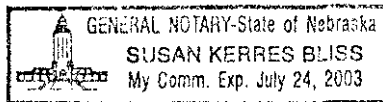
~~The foregoing instrument was acknowledged before me, a Notary Public, this \_\_\_\_\_ day of September 2002, by **Debbie Nager**.~~

\_\_\_\_\_  
Notary Public

STATE OF NEBRASKA )  
 )  
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me, a Notary Public, this 11 day of ~~September 2002~~ by **Bill Bures**.

*January*

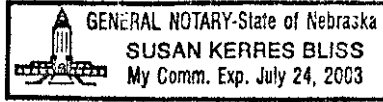


*Susan Kerres Bliss*  
Notary Public

STATE OF NEBRASKA )  
 )  
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me, a Notary Public, this 21 day of ~~September 2002~~, by **Jerry Pabst**.

*January*

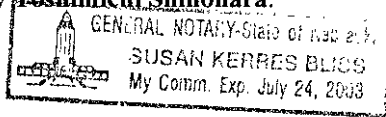


*Susan Kerres Bliss*  
Notary Public

STATE OF NEBRASKA )  
 )  
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me, a Notary Public, this 11 day of ~~September 2002~~, by **Toshimichi Shinohara**.

*January*

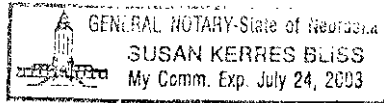


*Susan Kerres Bliss*  
Notary Public

STATE OF NEBRASKA )  
 )  
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me, a Notary Public, this 11 day of ~~September 2002~~, by **Larry Stoney**.

*January*

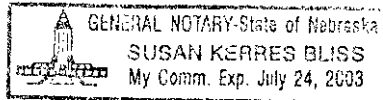


*Susan Kerres Bliss*  
Notary Public

STATE OF NEBRASKA )  
 )  
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me, a Notary Public, this 11 day of ~~September 2002~~, by **Janice Stoney**.

*January*



*Susan Kerres Bliss*  
Notary Public

STATE OF NEBRASKA )  
 )  
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me, a Notary Public, this \_\_\_ day of September 2002, by **Duane Swanson**.

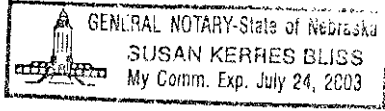
\_\_\_\_\_  
Notary Public

*Duane Swanson*

STATE OF NEBRASKA )  
 )  
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me, a Notary Public, this 11 day of ~~September 2002~~, by **Robert Williamson**.

*January*

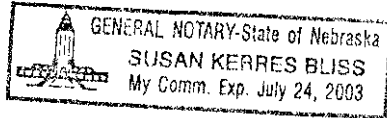


*Susan Kerres Bliss*  
Notary Public

STATE OF NEBRASKA )  
 )  
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me, a Notary Public, this 11 day of ~~September 2002~~, by **Alice Williamson**.

*January*



*Susan Kerres Bliss*  
Notary Public

STATE OF NEBRASKA )  
 )  
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me, a Notary Public, this 12 day of ~~September 2002~~, by **Eugene Zweiback**.

*August*

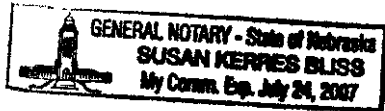


*Susan Kerres Bliss*  
Notary Public

STATE OF NEBRASKA )  
 )  
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me, a Notary Public, this 12 day of ~~September 2002~~, by **Judy Zweiback**.

*August*



*Susan Kerres Bliss*  
Notary Public

STATE OF NEBRASKA )  
 )  
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me, a Notary Public, this \_\_\_ day of September 2002, by **Norm Waitt**.

\_\_\_\_\_  
Notary Public

STATE OF NEBRASKA )  
 )  
COUNTY OF DOUGLAS )

The foregoing instrument was acknowledged before me, a Notary Public, this \_\_\_ day of \_\_\_\_\_, 2003, by **Sally Nordlund**.

*Susan Kerres Bliss*

\_\_\_\_\_  
Notary Public

STATE OF NEBRASKA )  
 )  
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me, a Notary Public, this \_\_\_\_ day of September, 2002, by **Judith Bates**.

\_\_\_\_\_  
Notary Public

STATE OF NEBRASKA )  
 )  
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me, a Notary Public, this \_\_\_\_ day of September 2002, by **Carol Chapman**.

\_\_\_\_\_  
Notary Public

STATE OF NEBRASKA )  
 )  
COUNTY OF DOUGLAS)

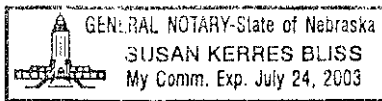
The foregoing instrument was acknowledged before me, a Notary Public, this \_\_\_\_ day of September 2002, by **Robert Sadler**.

\_\_\_\_\_  
Notary Public

STATE OF NEBRASKA )  
 )  
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me, a Notary Public, this 11 day of ~~September 2002~~, by **Craig Hergott**.

*January*



*Susan Kerres Bliss*  
\_\_\_\_\_  
Notary Public

STATE OF NEBRASKA )  
 )  
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me, a Notary Public, this \_\_\_\_ day of September 2002, by **John Hoffmaster**.

\_\_\_\_\_  
Notary Public