



MISC Inst. # 2019096825, Pg: 1 of 8 Rec Date: 11/07/2019 09:13:52.743

Fee Received: \$52.00 By: DE

Douglas County, NE Assessor/Register of Deeds DIANE L. BATTIATO

M

Please Record and Return To:  
FARNHAM & GRIFFIN, PC, LLO  
220 N. 89<sup>th</sup> Street, Suite 201  
Omaha, NE 68114

**SPRING GREEN TOWNHOME ASSOCIATION, INC.  
FOURTH AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS,  
RESTRICTIONS AND EASEMENTS**

THIS FOURTH AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS ("Fourth Amendment") is executed by Owners of not less than 65% 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 the Declaration of Covenants, Conditions, Restrictions and Easements dated August 27, 1984 and recorded in the Office of the Douglas County Register of Deeds on September 6, 1984 at Book 718, Page 54, as amended by the Amendment to Declaration of Covenants, Conditions, Restrictions and Easements recorded in the Office of the Douglas County Register of Deeds on March 9, 2004 at Instrument No 2004030489, and as further amended by an Amendment to Declaration of Covenants, Conditions, Restrictions and Easements recorded in the Office of the Douglas County Register of Deeds on November 15, 2007 at Instrument No. 2007128155, and as further amended by an Amendment to Declaration of Covenants, Conditions, Restrictions and Easements recorded in the Office of the Douglas County on October 19, 2009 at Instrument No. 2009112502 (all collectively referred to as the "Covenants").
- C. The Owners hereby amend the Covenants to delete and eliminate Section 1(a) of Article V – ARCHITECTURAL CONTROL, and only that section, in its entirety, and replace that section as follows:

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(a) The exterior material of the Townhomes, including foundations, shall consist of brick and wood and shall conform generally to the materials indicated and model presented to the City of Omaha Planning Department in conjunction with submittal of the P.U.D. to that department and the elevations similarly submitted. Garage doors may be constructed of metal or wood and shall be the same color and style as the Townhome to which it is attached. Approved roofing materials shall include only wood shingles or approved composite shingles made by Da Vinci Roofscapes, specifically either Tahoe-VariBlend, Multi-Width, or Weathered Gray-VariBlend, Multi-Width. Roofs of adjoining Townhomes sharing a party wall shall be of the same color. Street lighting and landscaping shall be in conformance with the P.U.D. Unusual structures and other improvements not consistent with these standards shall be prohibited. All chimneys shall be brick. Every building, fence, wall or other structure commenced, erected or maintained upon the Property shall conform to all guidelines and restrictions set forth in these Covenants, including but not limited to the specific provisions of this Article V, Section 1(a).

- D. The remainder of Article V and all other provisions contained in the Covenants not modified by this Fourth Amendment shall remain unchanged and in full force and effect.
- E. This Fourth Amendment shall run with the land and shall be binding upon all present and future owners of the property described in this Fourth Amendment.
- F. Invalidation of this Fourth Amendment by final order of any court of competent jurisdiction shall not affect the validity and enforceability of any provisions continued 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.

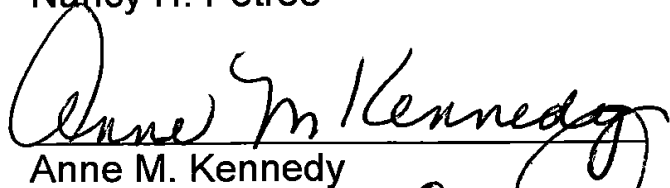
Street Address of Owned Residence:      Signature:

Date Executed:

8905 Farnam Court

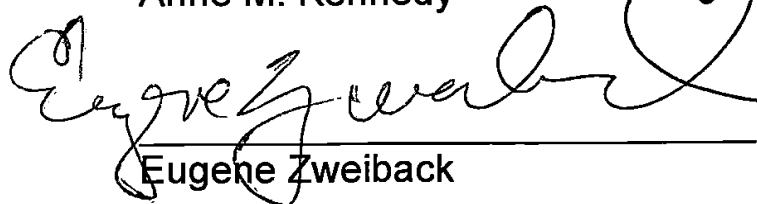
\_\_\_\_\_  
Nancy H. Petree

8906 Farnam Court

  
\_\_\_\_\_  
Anne M. Kennedy

\_\_\_\_\_  
10/17/19

8907 Farnam Court

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

\_\_\_\_\_  
10/17/19

Deborah Zweiback 10/17/19  
Debbie Zweiback

8910 Farnam Court

\_\_\_\_\_  
Thompson H. Rogers

8911 Farnam Court

Craig Hergott 10/17/19  
Craig Hergott

8912 Farnam Court

\_\_\_\_\_  
Sally A. Nordlund

8914 Farnam Court

Judy G. Zweiback 10/17/2019  
Judy G. Zweiback, Trustee

8918 Farnam Court

107 Properties, LLC

John M. Bekins 10/17/19  
John Bekins

8920 Farnam Court

Sharon A. McGill 10/17/19  
Sharon A. McGill

8903 Douglas Court

Michael T. DeFreece 10/17/19  
Michael T. DeFreece

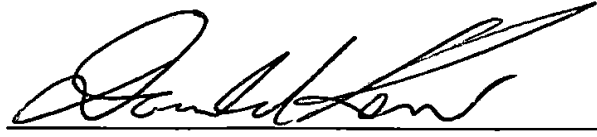
\_\_\_\_\_  
Marcia A. DeFreece

8905 Douglas Court

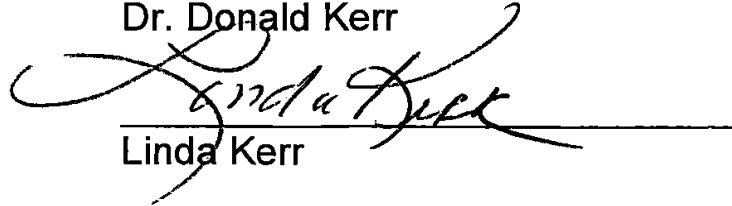
Michael D. Lippincott 10/17/19  
Michael D. Lippincott

Teresa H. Lippincott 10/17/19  
Teresa H. Lippincott

8906 Douglas Court



Dr. Donald Kerr



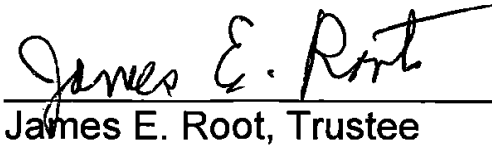
Linda Kerr

8907 Douglas Court

Chelsea Real Estate, Inc.

Norman W. Waitt

8909 Douglas Court



James E. Root, Trustee

10-17-19

8910 Douglas Court



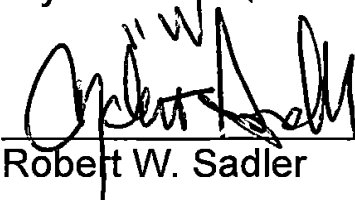
Judith M. Bates

10-17-19

8912 Douglas Court

Clyde R. Bell

8914 Douglas Court



Robert W. Sadler

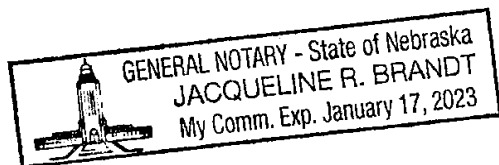
STATE OF NEBRASKA )  
  )SS.  
COUNTY OF DOUGLAS )

The foregoing instrument was acknowledged before me, a Notary Public, this \_\_\_\_ day of \_\_\_\_\_, 2019 by Nancy H. Petree.

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

STATE OF NEBRASKA )  
 )SS.  
COUNTY OF DOUGLAS )

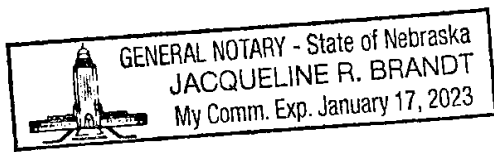
The foregoing instrument was acknowledged before me, a Notary Public, this 17 day of October, 2019 by Anne M. Kennedy.



Jacqueline R Brandt  
Notary Public

STATE OF NEBRASKA )  
 )SS.  
COUNTY OF DOUGLAS )

The foregoing instrument was acknowledged before me, a Notary Public, this 17 day of October, 2019 by Eugene Zweiback and Debbie Zweiback, husband and wife.



Jacqueline R Brandt  
Notary Public

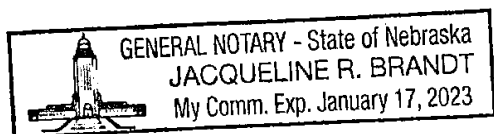
STATE OF NEBRASKA )  
 )SS.  
COUNTY OF DOUGLAS )

The foregoing instrument was acknowledged before me, a Notary Public, this \_\_\_ day of \_\_\_\_\_, 2019 by Thompson H. Rogers.

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

STATE OF NEBRASKA )  
 )SS.  
COUNTY OF DOUGLAS )

The foregoing instrument was acknowledged before me, a Notary Public, this 17 day of October, 2019 by Craig Hergott.



Jacqueline R Brandt  
Notary Public

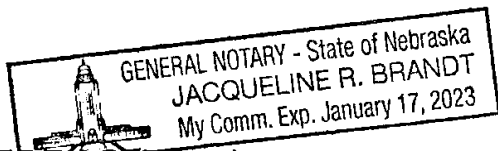
STATE OF NEBRASKA )  
 )SS.  
COUNTY OF DOUGLAS )

The foregoing instrument was acknowledged before me, a Notary Public, this \_\_\_\_ day of \_\_\_\_\_, 2019 by Sally A. Nordlund.

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

STATE OF NEBRASKA )  
 )SS.  
COUNTY OF DOUGLAS )

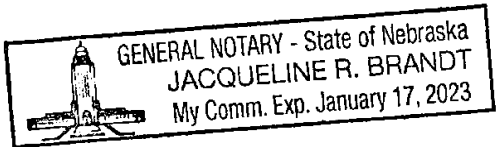
The foregoing instrument was acknowledged before me, a Notary Public, this 17 day of October, 2019 by Judy G. Zweiback, Trustee.



Jacqueline R Brandt  
Notary Public

STATE OF NEBRASKA )  
 )SS.  
COUNTY OF DOUGLAS )

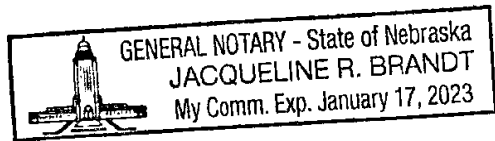
The foregoing instrument was acknowledged before me, a Notary Public, this 17 day of October, 2019 by John Bekins, \_\_\_\_\_ of 107 Properties, LLC, a Nebraska limited liability company, for and on behalf of the limited liability company.



Jacqueline R Brandt  
Notary Public

STATE OF NEBRASKA )  
 )SS.  
COUNTY OF DOUGLAS )

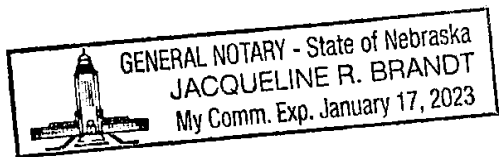
The foregoing instrument was acknowledged before me, a Notary Public, this 17 day of October, 2019 by Sharon A. McGill.



Jacqueline R Brandt  
Notary Public

STATE OF NEBRASKA )  
 )SS.  
COUNTY OF DOUGLAS )

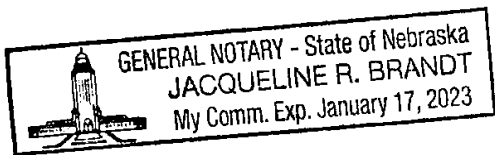
The foregoing instrument was acknowledged before me, a Notary Public, this 17 day of October, 2019 by Michael T. DeFreece and ~~Marcia A. DeFreece~~, husband and wife.



Jacqueline R Brandt  
Notary Public

STATE OF NEBRASKA )  
 )SS.  
COUNTY OF DOUGLAS )

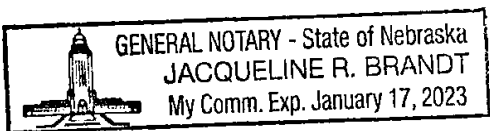
The foregoing instrument was acknowledged before me, a Notary Public, this 17 day of October, 2019 by Michael D. Lippincott and Teresa H. Lippincott.



Jacqueline R Brandt  
Notary Public

STATE OF NEBRASKA )  
 )SS.  
COUNTY OF DOUGLAS )

The foregoing instrument was acknowledged before me, a Notary Public, this 17 day of October, 2019 by Donald Kerr and Linda Kerr, husband and wife.



Jacqueline R Brandt  
Notary Public

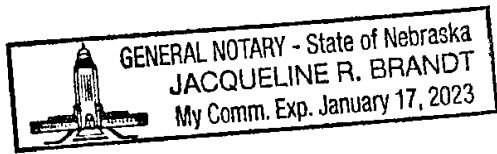
STATE OF NEBRASKA )  
 )SS.  
COUNTY OF DOUGLAS )

The foregoing instrument was acknowledged before me, a Notary Public, this \_\_\_ day of \_\_\_\_\_, 2019 by Norman W. Waitt, \_\_\_\_\_ of Chelsea Real Estate, Inc., a Nebraska corporation, for and on behalf of the corporation.

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

STATE OF NEBRASKA )  
 )SS.  
COUNTY OF DOUGLAS )

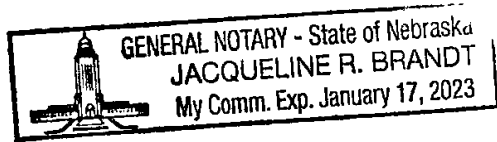
The foregoing instrument was acknowledged before me, a Notary Public, this 17 day of October, 2019 by James E. Root, Trustee.



Jacqueline R Brandt  
Notary Public

STATE OF NEBRASKA )  
 )SS.  
COUNTY OF DOUGLAS )

The foregoing instrument was acknowledged before me, a Notary Public, this 17 day of October, 2019 by Judith M. Bates.



Jacqueline R Brandt  
Notary Public

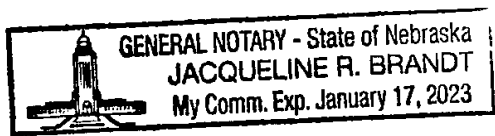
STATE OF NEBRASKA )  
 )SS.  
COUNTY OF DOUGLAS )

The foregoing instrument was acknowledged before me, a Notary Public, this \_\_\_ day of \_\_\_\_\_, 2019 by Clyde R. Bell.

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

STATE OF NEBRASKA )  
 )SS.  
COUNTY OF DOUGLAS )

The foregoing instrument was acknowledged before me, a Notary Public, this 17 day of October, 2019 by Robert W. Sadler.



Jacqueline R Brandt  
Notary Public