

FILED SARPY CO. NE.
INSTRUMENT NUMBER
2004-31985

2004 AUG 18 P 2:01 PM

Sharon J. Dowling
REGISTER OF DEEDS

COUNTER LM C.E. SM
VERIFY [Signature] D.E. [Signature]
PROOF _____
FEES \$ 109.00
CHECK# 31774
CHG _____ CASH _____
REFUND _____ CREDIT _____
SHORT _____ NCR _____

AMENDMENT TO AND RESTATEMENT OF DECLARATION
OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS FOR
TREGARON IN SARPY COUNTY, NEBRASKA

THIS AMENDMENT TO PROTECTIVE COVENANTS, is made the date hereinafter set forth by Boyer Young Development Company, a Nebraska corporation, successor-in-interest to the Declarant. R.S. Land, Inc. and Tregaron Limited Partnership.

RECITALS

A. On May 23, 1996, a document entitled Declaration of Covenants, Conditions, Restrictions and Easements for Tregaron in Sarpy County, Nebraska (hereinafter the "Declaration") for Lots 1 through 108, 110 through 148, 184 through 186 and 197 through 244, inclusive, in Tregaron, a subdivision as surveyed, platted and recorded in Sarpy County, Nebraska, were recorded by Declarant, in the office of the Register of Deeds of Sarpy County, Nebraska at Instrument No. 96-09901.

B. Paragraph 2 of Article VI of the Declaration provides that for a period of ten (10) years following May 22, 1996, the Declarant shall have the sole, absolute and exclusive right to amend, modify or supplement all or any portion of the Declaration. On or about July 3, 2001, Tregaron Limited Partnership became the Declarant under the Declaration by virtue of an assignment of Declarant rights received from R.S. Land, Inc. On or about October 23, 2001, Boyer Young Development Company received an assignment of the Declarant rights arising by virtue of the Declaration from Tregaron Limited Partnership and is thereby the Declarant under the Declaration.

NOW, THEREFORE, Declarant hereby declares that the Declaration recorded May 23, 1996 at Instrument No. 96-09901 in the office of the Register of Deeds of Sarpy County, Nebraska as amended by Amendment to and Restatement of Declaration dated October 26, 2001 and filed in the office of the Register of Deeds of Sarpy County, Nebraska at Instrument No. 2001-35459A should be and hereby is amended and restated in the following manner by deleting the period at the end of the first sentence of Article VI Paragraph 2. and adding thereto at that point the following:

“, after which time they shall be automatically extended for successive periods of ten (10) years.”

All other terms and conditions of the foregoing Declaration shall remain in full force and effect.

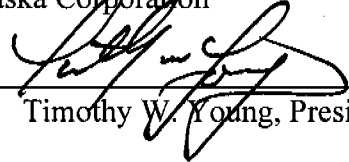
DaR
FULLENKAMP, DOYLE & JOBEUN
11440 WEST CENTER ROAD
OMAHA, NEBRASKA 68144-4482

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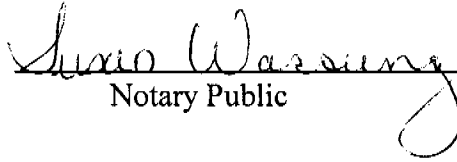
IN WITNESS WHEREOF, the Declarant has caused these presents to be executed this ___ day of July, 2004.

BOYER YOUNG DEVELOPMENT COMPANY, A
Nebraska Corporation

By: 
Timothy W. Young, President

STATE OF NEBRASKA)
) ss.
COUNTY OF Douglas)

The foregoing instrument was acknowledged before me this 7th day of July, 2004, by Timothy W. Young, President of Boyer Young Development Company, a Nebraska corporation, a person known to me who acknowledged the same to e his voluntary act and deed on behalf of said corporation.


Notary Public

