

Turtle Creek Homeowners Association
C/O Rod Halstead
6719 S. 93rd St. Omaha NE 68127

AMENDMENT
OF DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR TURTLE CREEK
LOTS 234 through 359, INCLUSIVE

This Amendment, effective on the date hereinafter set forth by at least ninety percent (90%) of the owners of Lots 234 through 359, inclusive, in Turtle Creek (the "Owners").

WITNESSETH:

WHEREAS, the undersigned Owners of the following described real property:

the Lots 234 through 359, inclusive, in Turtle Creek a Subdivision, as surveyed, platted and recorded in Douglas County, Nebraska,

(collectively referred to as "the Lots" and individually as "Lot") desire to amend the Declaration of Covenants, Conditions and Restrictions for Turtle Creek Lots 234 through 359, inclusive, as recorded in the office of the Douglas County Register of Deeds in the Miscellaneous Records at Book 657 Pages 585-592 ("Restrictive Covenants") in accordance with the provisions of the Restrictive Covenants.

NOW, THEREFORE, the Owners hereby amend the Restrictive Covenants as set forth below and declare that each and all of the Lots described above shall be held, sold, and conveyed subject to this Amendment which is for the purpose of enhancing and protecting the value, desirability and attractiveness of said Lots. This amendment shall run with said real property, and shall be binding upon all parties having or acquiring any right, title or interest in the above described Lots, or any part thereof, and they shall inure to the benefit of each owner thereof.

AMENDMENT

Paragraph A-16 of the current Restrictive Covenants ("Old Restrictive Covenants") is hereby deleted from the Restrictive Covenants.

The following paragraph shall hereafter be Paragraph A-16 of the new Restrictive Covenants ("Amended Restrictive Covenants"):

No building, outbuilding, fence, wall, driveway, patio, patio enclosure, rock garden, swimming pool, doghouse, tree house, flag pole, fence, antenna, satellite receiving stations or "disc", solar heating or cooling device, toolshed, windmill or other external improvement above or below the surface of the ground ("Improvement") shall be erected, placed, altered, or permitted to remain on any building plot, nor shall any grading, excavation, or tree removal be commenced, until the construction plans and specifications, a site grading plan and a plot plan showing the location of the structure or improvement and a landscaping plan have been approved in writing by The Turtle Creek Homeowner's Association Covenant's Committee (the "Committee") or its successor, as follows:

A. An owner desiring to erect an Improvement shall deliver two sets of construction plans, landscaping plans and plot plans to the committee (collectively referred to as "plans"). Such plans shall include a description type, quality, color and use of materials proposed for the exterior of such Improvement. Concurrent with submission of the plans, Owner shall notify the Committee of the Owner's mailing address.

B. The Committee shall review such plans in relation to the type and exterior of improvements constructed, or approved for construction, on neighboring Lots, and in the surrounding area and any general scheme or plan within Turtle Creek. In this regard, the Owners intend that the Lots shall constitute a residential community with homes made of high quality materials. The decision to approve or refuse approval of a proposed Improvement shall be exercised by the Committee to promote development of the Lots and to protect the values, character and residential quality of all Lots. If the Committee determines that the proposed Improvement will not protect and enhance the integrity and character of all Lots and neighboring Lots as a quality residential community, the Committee may refuse approval of the proposed Improvement.

C. Written Notice of any refusal to approve a proposed Improvement shall be mailed to the owner at the address specified by the owner upon submission of the plans. Such notice shall be mailed, if at all, within thirty (30) days after the date of submission of the plans. If notice of refusal is not mailed within such period, the proposed Improvement shall be deemed approved by the Committee.

D. No Lot owner, or combination of Lot owners, or other person or persons shall have any right to any action by the Committee, or to control, direct, or influence the acts of the Committee with respect to any proposed Improvement. No responsibility, liability or obligation shall be assumed by or imposed upon the Committee by virtue of the authority granted to the Committee in this Section, or as a result of any act or failure to act by the Committee with respect to any proposed Improvement.

In all other respects the Amended Restrictive Covenants shall remain the same as the Old Restrictive Covenants.

This Amendment shall be effective upon execution by the Owners and when filed with the Douglas County Register of Deeds. This Amendment shall be executed in one or more counterparts which need not be signed by each Owner so long as each Owner signs a counterpart, whereupon all counterparts together shall be deemed to constitute one in the same instrument and this Amendment shall become binding and enforceable.

IN WITNESS WHEREOF, the Owners have caused this Amendment to Paragraph A-16 to be executed.

Owner, Lot # 234

Sue Korgie
Thomas & Sue Korgie
9218 Monroe Street
Omaha, NE 68127

Owner, Lot # 235

Brenda Rotella
Albert & Brenda Rotella
9224 Monroe Street
Omaha, NE 68127

Owner, Lot # 236

Dan & Pauline Wilcox
Dan & Pauline Wilcox
9306 Monroe Street
Omaha, NE 68127

Owner, Lot # 237

Mark & Lori Abboud
Mark & Lori Abboud
9312 Monroe Street
Omaha, NE 68127

Owner, Lot # 238

Charles & Rose Marie Fortina
Charles & Rose Marie Fortina
9316 Monroe Street
Omaha, NE 68127

Owner, Lot # 239

Terry & Suzy Shannon
Terry & Suzy Shannon
9322 Monroe Street
Omaha, NE 68127

Owner, Lot # 240

Gary & Mrs. Gary Kubat
Mr. & Mrs. Gary Kubat
9328 Monroe Street
Omaha, NE 68127

Owner, Lot # 241

Frank & Helen Ayers
Frank & Helen Ayers
9334 Monroe Street
Omaha, NE 68127

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Owner, Lot # 242

Rodney & LaVonna Pigg
Rodney & LaVonna Pigg
9340 Monroe Street
Omaha, NE 68127

Owner, Lot # 243

Larry & Rose Mary Robb
Larry & Rose Mary Robb
9346 Monroe Street
Omaha, NE 68127

Owner, Lot # 244

Claude & Marylou Bell
Claude & Marylou Bell
9323 Adams Street
Omaha, NE 68127

Owner, Lot # 245

Susan Polivka
Susan Polivka
9317 Adams Street
Omaha, NE 68127

Owner, Lot # 246

Robert & Ronda Torczon
Robert & Ronda Torczon
6357 S. 94th Street
Omaha, NE 68127

Owner, Lot # 247

Eugene & Mary Ann Sliva
Eugene & Mary Ann Sliva
6347 S. 94th Street
Omaha, NE 68127

4-10 N-4 A

IN WITNESS WHEREOF, the Owners have caused this Amendment to Paragraph A-16 to be executed.

Owner, Lot # 248

Tom Kawa
Debra Kawa
6341 S. 94th Street
Omaha, NE 68127

Owner, Lot # 249

Sue Maliszewski
John & Sue Maliszewski
6335 S. 94th Street
Omaha, NE 68127

Owner, Lot # 250

Helen M. Shramek
Carl & Helen Shramek
6329 S. 94th Street
Omaha, NE 68127

Owner, Lot # 251

Linda Murphy
Mr. & Mrs. Robert Murphy
6323 S. 94th Street
Omaha, NE 68127

Owner, Lot # 252

Ross & Madeline Stebbins
Ross & Madeline Stebbins
6317 S. 94th Street
Omaha, NE 68127

Owner, Lot # 253

Mary Passmore
Douglas & Mary Passmore
6312 S. 94th Street
Omaha, NE 68127

Owner, Lot # 254

Steven & Susan Pivovar
Steven & Susan Pivovar
6318 S. 94th Street
Omaha, NE 68127

Owner, Lot # 255

Steven & Carmen Campisi
Steven & Carmen Campisi
6324 S. 94th Street
Omaha, NE 68127

Owner, Lot # 256

Ronald W. Schuette
Donald & Ellen Schuette
6330 S. 94th Street
Omaha, NE 68127

Owner, Lot # 257

Janet Anderson
Robert & Janet Anderson
6336 S. 94th Street
Omaha, NE 68127

Owner, Lot # 258

Jill Packer
Jon & Jill Packer
6342 S. 94th Street
Omaha, NE 68127

Owner, Lot # 259

Diane R. Johnson
Keith & Diane Johnson
6348 S. 94th Street
Omaha, NE 68127

Owner, Lot # 260

Jeffrey & Dee Hofer
Jeffrey & Dee Hofer
6354 S. 94th Street
Omaha, NE 68127

Owner, Lot # 261


Michael & Susan Sullivan
Mr. & Mrs. Michael Sullivan
6358 S. 94th Street
Omaha, NE 68127

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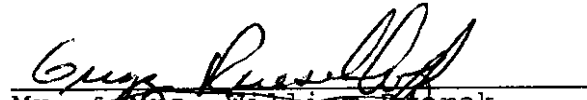
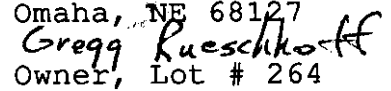
9.14 N. A


IN WITNESS WHEREOF, the Owners have caused this Amendment to Paragraph A-16 to be executed.

Owner, Lot # 262

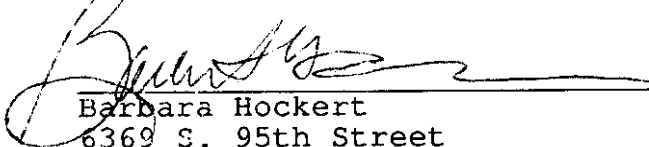

Robert & Darlene Wilken
6362 S. 94th Street
Omaha, NE 68127

Owner, Lot # 263

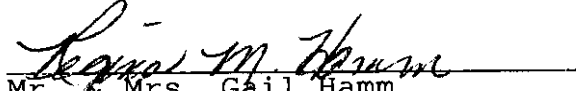

Mr. & Mrs. William Dvorak
6385 S. 95th Street
Omaha, NE 68127

Gregg Rueschhoff
Owner, Lot # 264


George & Paula Katusin
6379 S. 95th Street
Omaha, NE 68127


Owner, Lot # 265


Barbara Hockert
6369 S. 95th Street
Omaha, NE 68127


Owner, Lot # 266


Mr. & Mrs. Gail Hamm
6365 S. 95th Street
Omaha, NE 68127

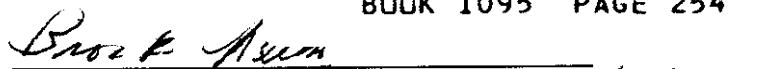
Owner, Lot # 267


Kenneth & Nelda Drost
6359 S. 95th Street
Omaha, NE 68127

Owner, Lot # 268

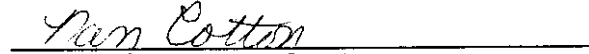

Dr. & Mrs. Charles Cox
6353 S. 95th Street
Omaha, NE 68127

Owner, Lot # 269

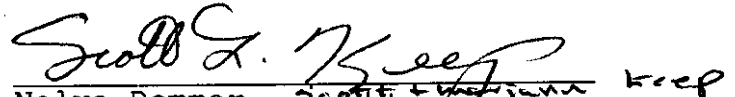

Brook & Ann
Mr. & Mrs. David Wilson
6347 S. 95th Street
Omaha, NE 68127

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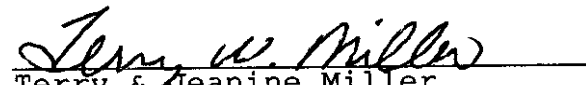
Owner, Lot # 270


Kenneth & Nan Cotton
6341 S. 95th Street
Omaha, NE 68127


Owner, Lot # 271


Nelva Demmer
6335 S. 95th Street
Omaha, NE 68127


Owner, Lot # 272


Terry & Jeanine Miller
6329 S. 95th Street
Omaha, NE 68127

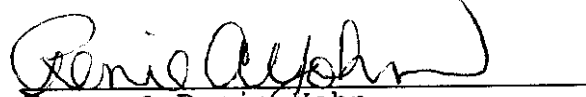
Owner, Lot # 273


Michael & Cindy McLaughlin
6323 S. 95th Street
Omaha, NE 68127

Owner, Lot # 274


Dr. & Gladys Bathke
6317 S. 95th Street
Omaha, NE 68127

Owner, Lot # 275


Renie & Renie Yohn
6311 S. 95th Street
Omaha, NE 68127

IN WITNESS WHEREOF, the Owners have caused this Amendment to Paragraph A-16 to be executed.

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Owner, Lot # 276

Bruce Wold
Mr. & Mrs. Bruce Wold
6312 S. 95th Street
Omaha, NE 68127

Owner, Lot # 277

Dan Zimmerman
Daniel & Cathy Zimmerman
6318 S. 95th Street
Omaha, NE 68127

Owner, Lot # 278

Josephine Piccolo
Anthony & Josephine Piccolo
6324 S. 95th Street
Omaha, NE 68127

Owner, Lot # 279

Stanley Bullard
Mr. & Mrs. Stanley Bullard
6330 S. 95th Street
Omaha, NE 68127

Owner, Lot # 280

Sheila Smith
Jeffrey & Sheila Smith
6336 S. 95th Street
Omaha, NE 68127

Owner, Lot # 281

Debbie Strack
Harry & Debbie Strack
6342 S. 95th Street
Omaha, NE 68127

Owner, Lot # 282

Dale & Jamie Zabrocki
Dale & Jamie Zabrocki
6348 S. 95th Street
Omaha, NE 68128

Owner, Lot # 283

Richard & Pearl Bojanski
Richard & Pearl Bojanski
6356 S. 95th Street
Omaha, NE 68127

Owner, Lot # 284

George Lorincz
Mr. & Mrs. George Lorincz
3305 S. 44th Avenue 6360 S. 95th
Omaha, NE 68105

Owner, Lot # 285

Judy Rowe
Ms. Judy Rowe
6364 S. 95th Street
Omaha, NE 68127

Owner, Lot # 286

Eugene & Mary Moneke
Eugene & Mary Moneke
6368 S. 95th Street
Omaha, NE 68127

Owner, Lot # 287

Ruth E Douglas
Leland Marquis & Ruth Douglas
6372 S. 95th Street
Omaha, NE 68127

Owner, Lot # 288

Jerome Paulsen
Jerome Paulsen
6376 S. 95th Street
Omaha, NE 68127

Owner, Lot # 289

Joseph & Mary Dingwerth
Joseph & Mary Dingwerth
6380 S. 95th Street
Omaha, NE 68127

IN WITNESS WHEREOF, the Owners have caused this Amendment to Paragraph A-16 to be executed.

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Owner, Lot # 290

Norman Neuerburg
Mr. & Mrs. Norman Neuerburg
6386 S. 95th Street
Omaha, NE 68127

Owner, Lot # 298

Jane Neppel
Orville & Jane Neppel
6436 S. 95th Street
Omaha, NE 68114

Owner, Lot # 291 & 292

Donald Kleine
Donald Kleine
9506 Adams Street
Omaha, NE 68127

Owner, Lot # 299

Victor & Rosetta Rasmussen
Victor & Rosetta Rasmussen
9343 Polk Street 90%
Omaha, NE 68127

Owner, Lot # 293

Douglas & Kris Barlow
Douglas & Kris Barlow
6406 S. 95th Street
Omaha, NE 68127

Owner, Lot # 300

Archie & Nettie Petrocchi
Archie & Nettie Petrocchi
9339 Polk Street
Omaha, NE 68127

Owner, Lot # 294

John & Melinda Bohrer
John & Melinda Bohrer
6412 S. 95th Street
Omaha, NE 68127

Owner, Lot # 301

William Novak
William Novak
9335 Polk Street
Omaha, NE 68127

Owner, Lot # 295

William & Nancy Ponca
William & Nancy Ponca
6418 S. 95th Street
Omaha, NE 68127

Owner, Lot # 302

Denny & Jan Lockmon
Denny & Jan Lockmon
9331 Polk Street
Omaha, NE 68127

Owner, Lot # 296

Richard & Vicki Keierleber
Richard & Vicki Keierleber
6424 S. 95th Street
Omaha, NE 68127

Owner, Lot # 303

Charles A. Graham
Mr. & Mrs. Charles Graham
~~7525 Woodriver Drive~~ 9327 Polk
Omaha, NE 68157 68127

Owner, Lot # 297

Charles & Betty Pattavina
Charles & Betty Pattavina
6430 S. 95th Street
Omaha, NE 68127

Owner, Lot # 304

Michael & Pam Root
Michael & Pam Root
9321 Polk Street
Omaha, NE 68127

IN WITNESS WHEREOF, the Owners have caused this Amendment to Paragraph A-16 to be executed.

Owner, Lot # 305

Frederick Puetz
Fredrick & Rose Puetz
9315 Polk Street
Omaha, NE 68127

Owner, Lot # 306

~~X~~ Jerry & Elizabeth Powell
9309 Polk Street
Omaha, NE 68127

Owner, Lot # 307

Linda McGuire
E. Michael & Linda McGuire
9305 Polk Street
Omaha, NE 68127

Owner, Lot # 308

James Drawbaugh
James & Nancy Drawbaugh
6723 S. 93rd Street
Omaha, NE 68127

Owner, Lot # 309

Rodney Halstead
Rodney & Kimberly Halstead
6719 S. 93rd Street
Omaha, NE 68127

Owner, Lot # 310

William Dropinski
William & Gladis Dropinski
6711 S. 93rd Street
Omaha, NE 68127

Owner, Lot # 311

Earl & Evelyn Hinzie
Earl & Evelyn Hinzie
6705 S. 93rd Street
Omaha, NE 68127

Owner, Lot # 312

Kathie Menck
Ms. Kathie Menck
6627 S. 93rd Street
Omaha, NE 68127

Owner, Lot # 313

James & Alice Wichita
James & Alice Wichita
6621 S. 93rd Street
Omaha, NE 68127

Owner, Lot # 314

Gary Kushinsky & Ron Houser
Gary Kushinsky & Ron Houser
6615 S. 93rd Street
Omaha, NE 68127

Owner, Lot # 315

Jeffrey & Barb Monahan
Jeffrey & Barb Monahan
9217 Monroe Street
Omaha, NE 68127

Owner, Lot # 316

Joe & Susan Perina
Joe & Susan Perina
9211 Monroe Street
Omaha, NE 68127

Owner, Lot # 317

Joyce Frisella
Joyce Frisella
9305 Monroe Street
Omaha, NE 68127


Owner, Lot # 318

John & Linda Palinski
John & Linda Palinski
9311 Monroe Street
Omaha, NE 68127

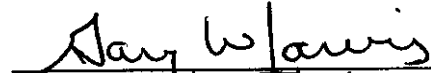
BOOK 1095 PAGE 257

IN WITNESS WHEREOF, the Owners have caused this Amendment to Paragraph A-16 to be executed.


Owner, Lot # 319


Jay & Ryon DeLozier
9517 Monroe Street
Omaha, NE 68127

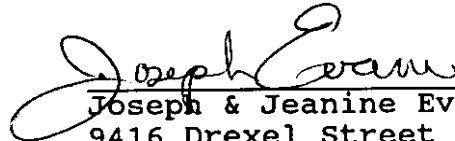
Owner, Lot # 326


Gary & Carol Jarvis
9423 Adams Street
Omaha, NE 68127

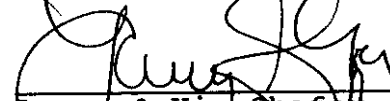
Owner, Lot # 320


Mr. & Mrs. Gregg Clark
9323 Monroe Street
Omaha, NE 68127


Owner, Lot # 327


Joseph & Jeanine Evans
9416 Drexel Street
Omaha, NE 68127


Owner, Lot # 321


Larry & Kim Shafer
9329 Monroe Street
Omaha, NE 68127

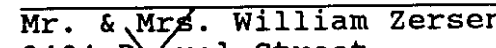
Owner, Lot # 328


Steven & Kristie Bastron
9410 Drexel Street
Omaha, NE 68127


Owner, Lot # 322


Gregory & Kathy Bojanski
9335 Monroe Street
Omaha, NE 68127

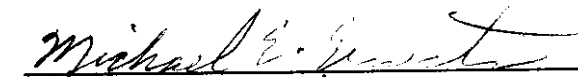
Owner, Lot # 329


Mr. & Mrs. William Zersen
9404 Drexel Street
Omaha, NE 68127


Owner, Lot # 323


Victor & Helen Steg
9341 Monroe Street
Omaha, NE 68127

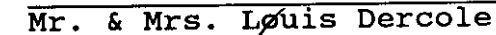
Owner, Lot # 330


Michael Ernesti ERNESTI
9322 Drexel Street
Omaha, NE 68127

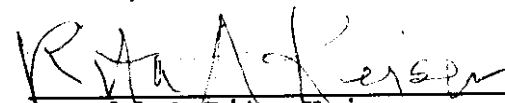
Owner, Lot # 324


John & Karen Ira
9347 Monroe Street
Omaha, NE 68127


Owner, Lot # 331


Mr. & Mrs. Louis Dercole
9316 Drexel Street
Omaha, NE 68127

Owner, Lot # 325


Ronald & Rita Keiser
9353 Monroe Street
Omaha, NE 68127

Owner, Lot # 332


George & Betty Winters
9310 Drexel Street
Omaha, NE 68127

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IN WITNESS WHEREOF, the Owners have caused this Amendment to Paragraph A-16 to be executed.

Owner, Lot # 333

Timothy & Diane Young
9304 Drexel Street
Omaha, NE 68127

Owner, Lot # 334

Michael & Barb Siedschlag
9305 Drexel Street
Omaha, NE 68127

Owner, Lot # 335

Daniel & Sue Polito
6712 S. 93rd Street
Omaha, NE 68127

Owner, Lot # 336

Steven & Paula Lathrop
6718 S. 93rd Street
Omaha, NE 68127

Owner, Lot # 337

Charles & Lynn Gibbons
9308 Polk Street
Omaha, NE 68127

Owner, Lot # 338

Leo & Rose Peterson
9314 Polk Street
Omaha, NE 68127

Owner, Lot # 339

Robert & Carol Fritz
9322 Polk Street
Omaha, NE 68127

Owner, Lot # 340

Frank & Kathy Batko
9328 Polk Street
Omaha, NE 68127

Owner, Lot # 341

Kent & Lori Fehr
9338 Polk Street
Omaha, NE 68127

Owner, Lot # 342

Mr. & Mrs. Ernest Wiig
6435 S. 95th Street
Omaha, NE 68127

Owner, Lot # 343

Kenneth & Jean Brady
6427 S. 95th Street
Omaha, NE 68127

Owner, Lot # 344

William & Mary Zagozda
6421 S. 95th Street
Omaha, NE 68127

Owner, Lot # 345

Darrell & Phyllis Karr
6415 S. 95th Street
Omaha, NE 68127

Owner, Lot # 346

Curtis & Vernetta Passmore
6411 S. 95th Street
Omaha, NE 68127

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IN WITNESS WHEREOF, the Owners have caused this Amendment to Paragraph A-16 to be executed.

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Owner, Lot # 347

[Signature]
Mr. & Mrs. Victor Stannish
6405 S. 95th Street
Omaha, NE 68127

Owner, Lot # 354

[Signature]
Mr. & Mrs. B. Dale Kinney
6724 S. 94th Circle
Omaha, NE 68127

Owner, Lot # 348

[Signature]
Gregg & Janet Ruesshoff
9423 Drexel Street Charles Ahrens
Omaha, NE 68127

Owner, Lot # 355

[Signature]
Thomas & Muriel Kuhl
6723 S. 94th Circle
Omaha, NE 68127

Owner, Lot # 349

[Signature]
James Slattery
9417 Drexel Street
Omaha, NE 68127

Owner, Lot # 356

[Signature]
Mr. & Mrs. Roger Craver
6719 S. 94th Circle
Omaha, NE 68127

Owner, Lot # 350

[Signature]
Duane & Kathren Polonda
9411 Drexel Street
Omaha, NE 68127

Owner, Lot # 357

[Signature]
Mr. & Mrs. Charles Murphy
6715 S. 94th Circle
Omaha, NE 68127

Owner, Lot # 351

[Signature]
Roland & Shirley Huxtable
9405 Drexel Street
Omaha, NE 68127

Owner, Lot # 358

[Signature]
Judy Startzer
9321 Drexel Street
Omaha, NE 68127

Owner, Lot # 352

[Signature]
Mr. & Mrs. Bobbie Lee
6716 S. 94th Circle
Omaha, NE 68127

Owner, Lot # 359

[Signature]
David & Denise Muck
9315 Drexel Street
Omaha, NE 68127

Owner, Lot # 353

[Signature]
Robert & Sharon Stubbe
6722 S. 94th Circle
Omaha, NE 68127

RECEIVED
SEP 13 12 51 PM '93
OFFICE OF DEEDS
DOUGLAS COUNTY, NE

CASH 26347 BK 1095 R 92-17 FB Da-3926
TYPE MUC PG 250-260 E/O VP COMP SCAN
FEE 117.50 OF MUC LESS 250 NO EV

4-11 N. A 2