



MISC 2004163237



DEC 17 2004 14:44 P 13

913⁴ 54-44655
 13 23
 Brd _____ COMP _____
 Dep _____

Received - RICHARD TAKECHI
 Register of Deeds, Douglas County, NE
 12/17/2004 14:44:23.64



2004163237

**AMENDMENT TO THE DECLARATION OF COVENANTS,
 CONDITIONS AND RESTRICTIONS
 FOR THE
 WOODHURST SUBDIVISION**

This Amendment to the Declaration of Covenants, Conditions and Restrictions for the Woodhurst Subdivision (the "Declaration"), is made on the date hereinafter set forth by the undersigned, who constitute 75% or more of the Lot Owners (and spouses where applicable) of lots entitled to vote within the Woodhurst Subdivision subject to the Declaration described below, hereinafter referred to as the "Lot Owners".

WITNESSETH:

WHEREAS, the Lot Owners are the owners of 75% or more of the lots in the Woodhurst subdivision entitled to vote, which are subject to the Declaration of Covenants, Conditions and Restrictions dated August 21, 1975 and recorded on the 25th day of August, 1975 in Book 554, Page 415 of the Miscellaneous Records of the Register of Deeds, Douglas County, Nebraska, which was subsequently amended by an instrument recorded in the office of the Register of Deeds, Douglas County, Nebraska, in Book 589, at Page 289 of the Miscellaneous Records of the Register of Deeds, Douglas County, Nebraska and by a Supplemental Declaration of Covenants, Conditions and Restrictions dated October 5, 1977 and recorded on October 16, 1977 in Book 589, Page 507 of the Miscellaneous Records of the Register of Deeds, Douglas County, Nebraska (hereinafter collectively referred to as the "Declaration").

NOW, THEREFORE, the Lot Owners hereby amend the Declaration by substituting the following paragraph in place of Article XII, Section 1, entitled Duration under the General Provisions of the Declaration.

Section 1. Duration. The covenants and restrictions of this Declaration shall run with and bind the land, and shall inure to the benefit of and be enforceable by the Association, or the Owner of any land subject to this Declaration, their respective legal representatives, heirs, successors and assigns, for a term of 30 years from the date of the recording of this Amendment with the Register of Deeds of Douglas County, Nebraska, after which the Declaration shall automatically be extended for successive periods of 10 years each unless prior to the end of such 10 year period, an amendment executed by not less than 90% of the lots then subject to the Declaration, as amended, vote to terminate the Declaration, and in such event, the Declaration shall then terminate at the end of such 10 year renewal term.

Except for the above stated changes, all terms, conditions and definitions of the original recorded Declaration shall remain as stated.

General Provisions

This document may be signed in counterpart signatures. When the signature and acknowledgment pages with signatures are attached to a single document, said single document shall be as legally effective as if all of the parties hereto signed said single document and had their signatures acknowledged on said single document.

Upon recording return to: James E. Lang, 11718 Nicholas Street, Omaha, NE 68154

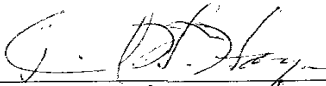
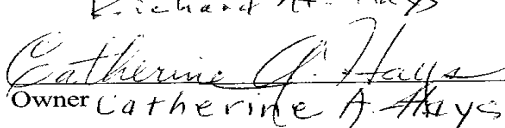
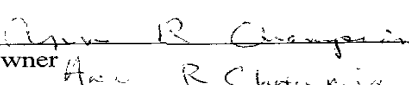
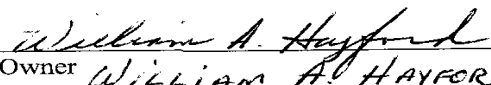
21045

This Amendment is being executed and recorded pursuant to Article XII, Section 2 of the Declaration entitled Amendments. The Woodhurst Homeowners Association, Inc., a Nebraska non-profit association ("the Association") represents that 75% or more of the Lot Owners who are entitled to vote under the Declaration as of the date set forth in this Amendment have executed this Amendment. The Association hereby states that the following lots have failed to pay the Association assessments and as a result pursuant to Article IV, Section 3 of the Declaration and Article V, Section 1(b) of the Association Bylaws, the Association has suspended the voting rights of the Lot Owners who are the owners of the following described lots in the Woodhurst subdivision: Lot 8; Lot 9; Lot 10; W 23' Lot 11 & E 31' of Lot 12; Irreg Lot 14; Estly 18.34', Nthly 76.59' Lot 15; Irreg Wstly 37.9' Lot 15; Nthly 76.59' Lot 16; Irreg Lot 17; Irreg Lot 18; Irreg Lot 19; Irreg Lot 20; Irreg Lot 21; Irreg Lot 22; Irreg Lot 23; Ex E 100'-Lot 24 Irreg; E 100' Lot 24; Irreg Lot 25; Lot 26; Irreg Lot 27; Irreg Lot 28; Irreg Lot 29; Irreg Lot 30; Irreg Lot 31; Lot 32; Irreg Lot 33; Irreg Lot 34; Lot 35; Irreg Lot 36; Irreg Lot 37; Irreg Lot 38; Irreg Lot 39; N 50' Lot 40; Ex Irreg Nthly 63'-Lot 44; Irreg Lot 45; Irreg Lot 46; Lot 47; Lot 48; Irreg Lot 49; Irreg Lot 50; and Irreg Lot 51.

This Amendment shall become effective against all of the lots subject to Declaration upon its recording with the Register of Deeds, Douglas County, Nebraska as part of the Declaration and be enforceable pursuant to the terms of the Declaration. This Amendment shall become binding upon each Lot Owner and the lot that such Lot Owner owns, and their successors, grantees and assigns, on the date that such Lot Owner executes this Amendment. In the event a Court of competent jurisdiction should determine that any portion of this Amendment is not enforceable, this Amendment shall remain enforceable as to the remaining provisions of this Amendment and as to those lots whose Lot Owners have executed this Amendment.

The undersigned, being the Lot Owners of the lots entitled to vote set forth below, hereby adopt this Amendment to the Declaration.

The Owners have executed this Amendment as of the date, month and year signed opposite their name.

 Owner <u>Richard A. Hays</u>	5445 Hanover Plaza, E. 40' of Lot 1, Woodhurst
 Owner <u>Catherine A. Hays</u>	<u>12-2-04</u> Date of Signature
 Owner <u>Anne R. Champion</u>	5447 Hanover Plaza, W. 50' of Lot 1, Woodhurst
Owner _____	<u>12-2-04</u> Date of Signature
 Owner <u>WILLIAM A. HAYFORD</u>	7438 N. 55 th Plaza, N. 30.28' of Lot 2, Woodhurst
Owner _____	<u>12/2/04</u> Date of Signature
<u>Signature for this lot is attached to page 13 of this document.</u>	
Owner _____	7436 N. 55 th Plaza, S. 48.72' of Lot 2, Woodhurst
Owner _____	_____ Date of Signature

Keith Rawson 12-2-04
 Owner KEITH RAWSON 7446 N. 55th Plaza,
 S. 47.84' of Lot 3, Woodhurst

Janet E. Rawson 12-02-2004
 Owner Janet E. Rawson Date of Signature

Nancy Goss 12-6-04
 Owner Nancy Goss 7448 N. 55th Plaza,
 N. 59.16' of Lot 3, Woodhurst

Owner Date of Signature

Granville E. Welch
 Owner GRANVILLE E. WELCH 7505 N. 55th Plaza,
 S. 37.53' of Lot 4, Woodhurst

Margaret M. Welch 12/12/04
 Owner MARGARET M. WELCH Date of Signature

Dennis P. Samuels
 Owner DENNIS P. SAMUELS 7507 N. 55th Plaza,
 N. 37.84' of Lot 4, Woodhurst

Kathleen Samuels 12/2/04
 Owner KATHLEEN SAMUELS Date of Signature

Kathleen K Kuti 12/2/04
 Owner KATHLEEN K KUTI 7515 N. 55th Plaza,
 Ex irreg N. 55.44' of Irreg Lot 5, Woodhurst

Owner Date of Signature

Richard E Key Jr
 Owner RICHARD E KEY JR 7517 N. 55th Plaza,
 N. 55.44' of Lot 5, Woodhurst

Mary L Key 12-2-04
 Owner Mary L. Key Date of Signature

Rafael Bressan 12-2-04
 Owner Rafael Bressan 7523 N. 55th Plaza,
 E. 40.82' of Lot 6, Woodhurst

Owner Date of Signature

Owner *James E. Kozick*
DURAN L. KONVEN
 7525 N. 55th Plaza,
 W. 35.64' of Lot 6, Woodhurst

Owner _____
 Date of Signature *12/14/04*

Owner *Granville E. Welch*
GRANVILLE E. WELCH
PRESIDENT, WOODHURST ASSN.
 5380 Hanover Circle,
 Lot 7, Woodhurst

Owner _____
 Date of Signature *12/2/04*

Owner _____
 5445 Weber Plaza,
 All Lots 8, 9, & 10, Woodhurst

Owner _____
 Date of Signature _____

Owner *William T. Galley*
WILLIAM T. GALLEY
 5405 Potter Plaza,
 -Ex W 23;-Irreg of Lot 11, Woodhurst

Owner *Patricia M. Galley*
PATRICIA M. GALLEY
 Date of Signature *12/6/04*

Owner *Kindra J. Kovak*
KINDRA J. KOVAK
 5413 Potter Plaza,
 Irreg Estly 77.71' of Lot 13, Woodhurst

Owner *Bartley Kovak*
BARTLEY KOVAK
 Date of Signature *December 11, 2004*

Owner *Tim Smith*
TIM SMITH
 5415 Potter Plaza,
 Irreg Wstly 32.29' of Lot 13, Woodhurst

Owner _____
 Date of Signature *12/19/04*

Owner *Felice Martello*
FELICE MARTELLO
 5408 Potter Plaza,
 Irreg Estly 40.1' Sthly 111.49' & Wstly 20.91' Estly
 39.25' Nthly 76.59' Lot 15 & Sthly 111.49' Wstly 17.42'
 of Lot 16, Woodhurst

Owner *Debra Martello*
DEBRA MARTELLO
 Date of Signature *12/17/04*

Mary Burkhardt 12/2/04
 Owner Mary Burkhardt 5406 Potter Plaza,
 Sthly 111.49' Estly 66.63' of Lot 16, Woodhurst

Tim Burkhardt 12/3/04
 Owner Tim BURKHART Date of Signature

Ella Blakeney 12/6/04
 Owner Ella Blakeney 7605 N. 54th Plaza,
 Ex N 50', Lot 40, Woodhurst

Ella Blakeney
 Owner Date of Signature

William M. Spire
 Owner 7527 N. 54th Plaza,
 Irreg N 55' of Lot 41, Woodhurst

WILLIAM M SPIRE 12-9-04
 Owner Date of Signature

Redney H. Plapp
 Owner Redney H. Plapp 7523 N. 54th Plaza,
 Irreg S 38' of Lot 41 & Nwstly 17' Triangle of Lot 42,
 Woodhurst

Cindy C. Harris 12/02/04
 Owner CINDY C. HARRIS Date of Signature

Sam S. Hale
 Owner Sam S. Hale 7519 N. 54th Plaza,
 -Ex Nwstly 17' Triangle- Irreg 75' of Lot 42, Woodhurst

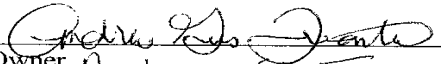
Sam S. Hale 12/02/04
 Owner Date of Signature

Joseph Morrissey 12/6/04
 Owner JOSEPH MORRISSEY 7515 N. 54th Plaza,
 Irreg Sthly 35' of Lot 42 & Irreg N 20' of Lot 43,
 Woodhurst

Doreen Morrissey 12/11/2004
 Owner Doreen MORRISSEY Date of Signature

Frederic A. Youngscap
 Owner FREDERIC A. YOUNGSCAP 7511 N. 54th Plaza,
 Irreg S 55' N 75' of Lot 43, Woodhurst


Judy Youngscap 12/12/04
 Owner Judy Youngscap Date of Signature


Owner Andrew Gus Treantos 7505 N. 54th Plaza,
Irreg S 20' of Lot 43 & N 30' Irreg of Lot 44,
Woodhurst

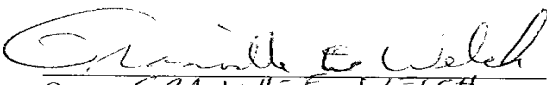

Owner Diane Lynn Treantos 12-2-04
Date of Signature

Owner 5326 Hanover Circle,
Irreg S 33' N 63' of Lot 44, Woodhurst

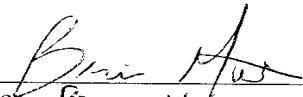
Owner Date of Signature


Owner GRANVILLE E. WELCH
PRESIDENT, WOODHURST ASSN Irreg of Lot 52, Woodhurst

Owner 12/2/04
Date of Signature


Owner GRANVILLE E. WELCH
PRESIDENT, WOODHURST ASSN Irreg of Lot 53, Woodhurst

Owner 12/2/04
Date of Signature


Owner Brian Motum 5409 Potter Plaza, Woodhurst


Owner Michelle Motum 12/2/04
Date of Signature

STATE OF NEBRASKA)
)SS.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this 2nd day of December, 2004, by RICHARD H. HAYS and CATHERINE A. HAYS, Owner of 5445 Hanover Plaza, E. 40' of Lot 1, Woodhurst.

Doris P. Shelton
Notary Public

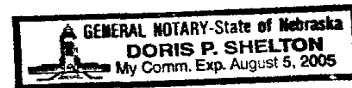
STATE OF NEBRASKA)
)SS.
COUNTY OF DOUGLAS)



The foregoing instrument was acknowledged before me this 2nd day of December, 2004, by ANN CHAMPION and _____, Owner of 5447 Hanover Plaza, W. 50' of Lot 1, Woodhurst.

Doris P. Shelton
Notary Public

STATE OF NEBRASKA)
)SS.
COUNTY OF DOUGLAS)



The foregoing instrument was acknowledged before me this 2nd day of December, 2004, by WILLIAM A. HAYFORD and _____, Owner of 7438 N. 55th Plaza, N. 30.28' of Lot 2, Woodhurst.

Doris P. Shelton
Notary Public

STATE OF NEBRASKA)
)SS.
COUNTY OF DOUGLAS)



The foregoing instrument was acknowledged before me this _____ day of _____, 2004, by _____ and _____, Owner of 7436 N. 55th Plaza, N. 48.72' of Lot 2, Woodhurst.

See acknowledgement for this lot on page 13 of this document.

Notary Public

STATE OF NEBRASKA)
)SS.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this 2nd day of December, 2004, by KEITH E. RAWSON and JANET E. RAWSON, Owner of 7446 N. 55th Plaza, N. 47.84' of Lot 3, Woodhurst.

Doris P. Shelton
Notary Public



STATE OF NEBRASKA)
)SS.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this 6 day of December, 2004, by Karen E. Bess and _____, Owner of 7448 N. 55th Plaza, N. 59.16' of Lot 3, Woodhurst.



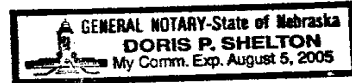
[Signature]
Notary Public

STATE OF NEBRASKA)
)SS.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this 2nd day of December, 2004, by Granville E. Welch and Marvel M. Welch, Owner of 7505 N. 55th Plaza, S. 37.53' of Lot 4, Woodhurst.

[Signature]
Notary Public

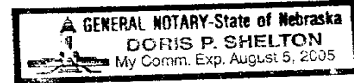
STATE OF NEBRASKA)
)SS.
COUNTY OF DOUGLAS)



The foregoing instrument was acknowledged before me this 2nd day of December, 2004, by Dennis P. Samuelson and Kathleen M. Samuelson, Owner of 7507 N. 55th Plaza, N. 37.84' of Lot 4, Woodhurst.

[Signature]
Notary Public

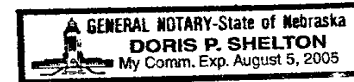
STATE OF NEBRASKA)
)SS.
COUNTY OF DOUGLAS)



The foregoing instrument was acknowledged before me this 2nd day of December, 2004, by Kathleen K. Kuti and _____, Owner of 7515 N. 55th Plaza, Ex irreg N. 55.44' of Irreg Lot 5, Woodhurst.

[Signature]
Notary Public

STATE OF NEBRASKA)
)SS.
COUNTY OF DOUGLAS)



The foregoing instrument was acknowledged before me this 2nd day of December, 2004, by Richard E. Key, Jr. and Mary L. Key, Owner of 7517 N. 55th Plaza, N. 55.44' of Lot 5, Woodhurst.

[Signature]
Notary Public



STATE OF NEBRASKA)
)SS.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this 2nd day of December, 2004, by RAFAEL BRESSANI and _____, Owner of 7523 N. 55th Plaza, E. 40.828' of Lot 6, Woodhurst.

Doris P. Shelton
Notary Public

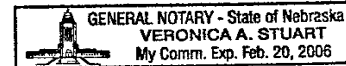
STATE OF NEBRASKA)
)SS.
COUNTY OF DOUGLAS)



The foregoing instrument was acknowledged before me this 14th day of December, 2004, by Diana L Kenyer and _____, Owner of 7525 N. 55th Plaza, W. 35.64' of Lot 6, Woodhurst.

Veronica A. Stuart
Notary Public

STATE OF NEBRASKA)
)SS.
COUNTY OF DOUGLAS)



The foregoing instrument was acknowledged before me this 2nd day of December, 2004, by GRANVILLE E. WELCH and _____, Owner of 5380 Hanover Circle, Lot 7, Woodhurst.

Doris P. Shelton
Notary Public

STATE OF NEBRASKA)
)SS.
COUNTY OF DOUGLAS)

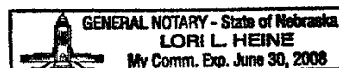


The foregoing instrument was acknowledged before me this _____ day of _____, 2004, by _____ and _____, Owner of 5445 Weber Plaza, All Lots 8, 9, & 10, Woodhurst.

Notary Public

STATE OF NEBRASKA)
)SS.
COUNTY OF DOUGLAS)

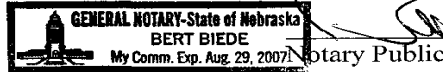
The foregoing instrument was acknowledged before me this 10 day of December, 2004, by Cornelius T Lally and Patricia M Lally, Owner of, 5405 Potter Plaza, -Ex W 23'-Irreg of Lot 11, Woodhurst.



Lori L. Heine
Notary Public

STATE OF NEBRASKA)
)SS.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this 11 day of Dec, 2004, by Bartley Novak and Wanda Novak, Owner of 5413 Potter Plaza, Irreg Estly 77.71' of Lot 13, Woodhurst.



STATE OF NEBRASKA)
)SS.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this 9th day of DECEMBER, 2004, by TIM SMITH and _____, Owner of 5415 Potter Plaza, Irreg Wstly 32.29' of Lot 13, Woodhurst.

Maureen Burns
Notary Public

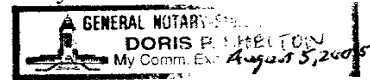
STATE OF NEBRASKA)
)SS.
COUNTY OF DOUGLAS)



The foregoing instrument was acknowledged before me this 2nd day of December, 2004, by ELADELFO MARTELLO and DEBRA MARTELLO, Owner of 5408 Potter Plaza, Irreg Estly 40.1' Stly 111.49' & Wstly 20.91' Estly 39.25' Nthly 76.59' of Lot 15 & Stly 111.49' Wstly 17.42' of Lot 16, Woodhurst.

Doris P. Shelton
Notary Public

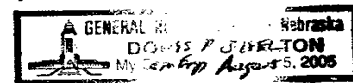
STATE OF NEBRASKA)
)SS.
COUNTY OF DOUGLAS)



The foregoing instrument was acknowledged before me this 2nd day of December, 2004, by MARY D. BURKHART and TIM L. BURKHART, Owner of 5406 Potter Plaza, Stly 111.49' Estly 66.63' of Lot 16, Woodhurst.

Doris P. Shelton
Notary Public

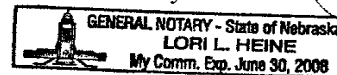
STATE OF NEBRASKA)
)SS.
COUNTY OF DOUGLAS)



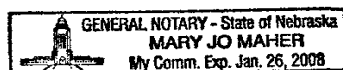
The foregoing instrument was acknowledged before me this 6 day of December, 2004, by Eva Blakeney and _____, Owner of 7605 N. 54th Plaza, Ex N 50' of Lot 40, Woodhurst.

Lori L. Heine
Notary Public

STATE OF NEBRASKA)
)SS.
COUNTY OF DOUGLAS)



The foregoing instrument was acknowledged before me this 9 day of DECEMBER, 2004, by WILLIAM M. SPIRE and _____, Owner of 7527 N. 54th Plaza, Irreg N 55' of Lot 41, Woodhurst.



Mary Jo Maher
Notary Public

STATE OF NEBRASKA)
)SS.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this 2nd day of December, 2004, by RODNEY D PHIPPS and CINDY C. PHIPPS, Owner of 7523 N. 54th Plaza, Irreg S. 38' of Lot 41 & Nwstly 17' Triangle Lot 42, Woodhurst.

Doris P. Shelton
Notary Public

STATE OF NEBRASKA)
)SS.
COUNTY OF DOUGLAS)



The foregoing instrument was acknowledged before me this 2nd day of December, 2004, by DANIEL J. HALE and _____, Owner of 7519 N. 54th Plaza, -Ex Nwstly 17' Triangle - Irreg 75' of Lot 42, Woodhurst.

Doris P. Shelton
Notary Public

STATE OF NEBRASKA)
)SS.
COUNTY OF DOUGLAS)



The foregoing instrument was acknowledged before me this 6 day of December, 2004, by Joseph Morrissey and Doreen Morrissey, Owner of 7515 N. 54th Plaza, Irreg Sthly 35' of Lot 42 & Irreg N 20' of Lot 43, Woodhurst.

Doris P. Shelton
Notary Public

STATE OF NEBRASKA)
)SS.
COUNTY OF DOUGLAS)



The foregoing instrument was acknowledged before me this 2nd day of December, 2004, by FREDERIC A. YOUNGSCAP and JUDY YOUNGSCAP, Owner of 7511 N. 54th Plaza, Irreg S 55' N 75' of Lot 43, Woodhurst.

Doris P. Shelton
Notary Public

STATE OF NEBRASKA)
)SS.
COUNTY OF DOUGLAS)



The foregoing instrument was acknowledged before me this 2nd day of December, 2004, by ANDREW G. TREANTOS and DIANE LYNN TREANTOS, Owner of 7505 N. 54th Plaza, Irreg S 20' of Lot 43 & N 30' Irreg of Lot 44, Woodhurst.

Doris P. Shelton
Notary Public



STATE OF NEBRASKA)
)SS.
 COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this _____ day of _____, 2004, by _____ and _____, Owner of 5326 Hanover Circle, Irreg S 33' N 63' of Lot 44, Woodhurst.

 Notary Public

STATE OF NEBRASKA)
)SS.
 COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this 2nd day of December, 2004, by GRANVILLE E. WELCH and _____, Owner of Irreg of Lot 52, Woodhurst.

Doris P. Shelton
 Notary Public

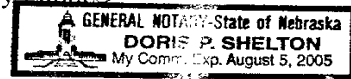
STATE OF NEBRASKA)
)SS.
 COUNTY OF DOUGLAS)



The foregoing instrument was acknowledged before me this 2nd day of December, 2004, by GRANVILLE E. WELCH and _____, Owner of Irreg of Lot 53, Woodhurst.

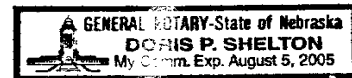
Doris P. Shelton
 Notary Public

STATE OF NEBRASKA)
)SS.
 COUNTY OF DOUGLAS)



The foregoing instrument was acknowledged before me this 2nd day of December, 2004, by BRIAN MUTUM and MICHELLE MUTUM, Owner of 5409 Potter Plaza, Woodhurst.

Doris P. Shelton
 Notary Public



Kathleen R Eckel
Owner

7436 N. 55th Plaza,
S. 48.72' of Lot 2, Woodhurst

Kathleen R Eckel
Owner

12-08-04
Date of Signature

Colorado
STATE OF NEBRASKA)
)SS.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this 8th day of December, 2004, by Kathleen R. Eckel and _____, Owner of 7436 N. 55th Plaza, N. 48.72' of Lot 2, Woodhurst.

J. L. KING
NOTARY PUBLIC
STATE OF COLORADO

[Signature]
Notary Public