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RICHARD M. JAMESON  
REGISTER OF DEEDS  
DOUGLAS COUNTY, NE

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FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS,  
RESTRICTIONS AND EASEMENTS  
OF BENNINGTON PARK, A SUBDIVISION IN DOUGLAS COUNTY, NEBRASKA

THIS AMENDMENT TO DECLARATION is made on the 23rd day of November, 1999, by ROBERT J. BRUNING and SHARON S. BRUNING, hereinafter referred to as the "Declarant."

PRELIMINARY STATEMENT

By Declaration of Covenants, Conditions, Restrictions and Easements of Bennington Park, a subdivision in Douglas County, Nebraska dated July 30, 1999 and recorded in Book 1309, Page 726 of the records of Douglas County, Nebraska (herein the "Declaration"), the Declarant imposed covenants, conditions and restrictions on Lots 89 through 120, inclusive in Bennington Park, a subdivision in Douglas County, Nebraska. Declarant is desirous of amending the Original Declaration, pursuant to the terms of Article IV, General Provisions, Paragraph 2:

The covenants and restrictions of this Declaration shall run with and bind the land for a term of thirty (30) years from the date this Declaration is recorded. This Declaration may be amended by Declarant, or any person, firm, corporation, partnership, or entity designated in writing by Declarant in any manner which it may determine in its full and absolute discretion for a period of three (3) years from the date hereof. Thereafter this Declaration may be amended by an instrument signed by the owners of not less than seventy-five percent (75%) of the Lots covered by this Declaration.

Declarant does hereby substitute, amend and restate the Declaration in the following particulars only:

1. The Declarant does hereby delete subparagraph 3 of Paragraph 3 of Article I and substitutes the following new Article I, Restrictions and Covenants, Paragraph 3, subparagraph 3 as follows:

- |  |               |  |
|--|---------------|--|
| 3. One and one-half<br>and two-story<br>houses | 1,850 sq. ft. | Total area above<br>the basement<br>level; minimum<br>1,000 sq. ft. on<br>the main floor |
|--|---------------|--|

2. The Original Declaration is in all other matters ratified and affirmed.

Return to:

John Q. Bachman  
GAINES, MULLEN, PANSING & HOGAN  
10050 Regency Circle, Suite 200  
Omaha, Nebraska 68114

*REJ B*

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