



---

(Space above line for recording information)

**EIGHTH AMENDMENT TO DECLARATION  
FOR 902 DODGE CONDOMINIUM**

THIS EIGHTH AMENDMENT TO DECLARATION FOR 902 DODGE CONDOMINIUM (the "Eighth Amendment") is made this 3<sup>rd</sup> day of February, 2021, by 902 DODGE CONDOMINIUM ASSOCIATION, INC., a Nebraska non-profit corporation (the "Association").

**RECITALS:**

WHEREAS, that certain Declaration for 902 Dodge Condominium that was recorded in the office of the Douglas County Register of Deeds on September 21, 2006, as Instrument No. 2006108833, as amended by that First Amendment to Declaration for 902 Dodge Condominium that was recorded in the office of the Douglas County Register of Deeds on November 13, 2007 as Instrument No. 2007126558, as amended by that Second Amendment to Declaration for 902 Dodge Condominium that was recorded in the office of the Douglas County Register of Deeds on December 14, 2009, as Instrument No. 2009132778, as amended by that Third Amendment to Declaration for 902 Dodge Condominium that was recorded in the office of the Douglas County Register of Deeds on May 3, 2010, as Instrument No. 2010037273, as amended by that Fourth Amendment to Declaration for 902 Dodge Condominium that was recorded in the office of the Douglas County Register of Deeds on October 7, 2010, as Instrument No. 2010092812, as amended by that Fifth Amendment to Declaration for 902 Dodge Condominium that was recorded in the office of the Douglas County Register of Deeds on March 16, 2011, as Instrument No. 2011024333, as amended by that Sixth Amendment to Declaration for 902 Dodge Condominium that was recorded in the office of the Douglas County Register of Deeds on September 13, 2011, as Instrument No. 2011077482, as amended by that Seventh Amendment to Declaration for 902 Dodge Condominium that was recorded in the office of the Douglas County Register of Deeds on September 28, 2017, as Instrument No. 2017078151 (collectively referred to herein as the "Declaration");

WHEREAS, the undersigned Association and owners, by their signature hereto, representing more than sixty-seven (67%) percent or more of the Unit Owners, hereby agree to amend the Declaration to adjust the Use Restriction of Unit 101 as described herein; and

NOW, THEREFORE, for good and valuable consideration, the receipt of sufficiency of which is hereby acknowledged, the undersigned owners hereby amend the Declaration as follows:

1. Recitals. The Recitals as set forth above are hereby incorporated into this Eighth Amendment as if fully set forth herein.

2. Definitions. Unless otherwise defined in this Eighth Amendment, all capitalized terms used in this Eighth Amendment will have the same meanings ascribed to such terms in the Declaration.

3. Amendment.

A. Section 6.1 Rules and Regulations (a)(ii) shall be deleted in its entirety and shall be replaced with the following:

(ii) Notwithstanding paragraph (a)(i) of this section 6.1 the Unit located on the first floor, including the approximately 750 square foot outdoor patio area and owned by Robert P. Linstroth or any entity to which he has assigned his ownership rights, (the "Original Owner") may be used as retail restaurant/delicatessen with liquor service with general hours of operation of 6:30 a.m. to 1:00 a.m. Further, upon complete divestiture of said first floor Unit by the Original Owner, said first floor unit may continue to be used as a retail restaurant/delicatessen with liquor service. Upon such complete divestiture, said first floor Unit may be used for different commercial purpose, subject to the affirmative vote of at least sixty-seven percent (67%) of the Unit Owners. The Unit(s) and Common Elements located on the sixth floor may be used as light office space, subject to the affirmative vote on at least sixty-seven percent (67%) of the Unit Owners.

4. Indexing. This Eighth Amendment shall be indexed against the following Units, to-wit:

Units 101, 201 thru 204, inclusive, 301 thru 304, inclusive, 401 thru 404, inclusive, 501, 503 thru 504, inclusive, and 600, 902 Dodge Condominium, a Condominium organized under the laws of the State of Nebraska, in the City of Omaha, Douglas County, Nebraska, pursuant to the Declaration.

5. Multiple Counterpart. The Unit Owners may execute multiple counterpart copies of this Eighth Amendment, each of which shall be an original for all purposes, but all of which shall constitute one and the same instrument.

6. No Other Amendments. Except as specifically set forth herein, the Declaration shall remain in full force and effect as originally executed, acknowledged, and recorded.

**[Remainder of Page Left Intentionally Blank; Execution Page Follows.]**

IN WITNESS WHEREOF, the undersigned Unit Owners, and Association representative(s), have executed this Eighth Amendment effective as of the date written in the applicable notary block.

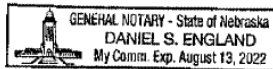
**ASSOCIATION:**

902 DODGE CONDOMINIUM ASSOCIATION,  
A Nebraska nonprofit corporation,

By: [Signature]  
Its: Michael T. Moylan, President

ATTEST:  
By: [Signature]  
Its: Humberto A. Sanchez II

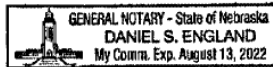
STATE OF NEBRASKA )  
 ) SS:  
COUNTY OF DOUGLAS )



The foregoing instrument was acknowledged before me this 3<sup>rd</sup> day of February 2021, by Michael T. Moylan known to me to be the President of 902 Dodge Condominium Association, a Nebraska nonprofit corporation, on behalf of said corporation.

[Signature]  
Notary Public

STATE OF NEBRASKA )  
 ) SS:  
COUNTY OF DOUGLAS )

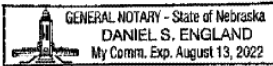


The foregoing instrument was acknowledged before me this 9<sup>th</sup> day of March 2021, by Humberto A. Sanchez II known to me to be the Secretary of 902 Dodge Condominium Association, a Nebraska nonprofit corporation, on behalf of said corporation.

[Signature]  
Notary Public

**Unit 100 Owner:** Michael T. Moylan, the authorized member of 900 Dodge, LLC, a Nebraska limited liability company

STATE OF NEBRASKA )  
 ) SS:  
COUNTY OF DOUGLAS )



[Signature]

The foregoing instrument was acknowledged before me this 3<sup>rd</sup> day of February 2021, by Michael T. Moylan, the authorized member of 900 Dodge, LLC, Nebraska limited liability company, on behalf of such limited liability company.

[Signature]  
Notary Public

Unit 201 Owner(s): \_\_\_\_\_

STATE OF NEBRASKA     )  
   ) SS:  
 COUNTY OF DOUGLAS     )

The foregoing instrument was acknowledged before me this \_\_\_ day of February, 2021, by Gilbert B. Nebgen and Joyce L. Nebgen, each a Nebraska resident.

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

Unit 202 Owner: \_\_\_\_\_

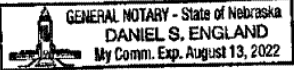
STATE OF NEBRASKA     )  
   ) SS:  
 COUNTY OF DOUGLAS     )

The foregoing instrument was acknowledged before me this \_\_\_ day of February, 2021, by Kirk Vodicka, each a Nebraska resident.

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

Unit 203 Owner: Al G. Fella

STATE OF NEBRASKA     )  
   ) SS:  
 COUNTY OF DOUGLAS     )

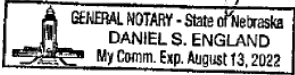


The foregoing instrument was acknowledged before me this 3rd day of February, 2021, by Alfred Lafella, each a Nebraska resident.

Daniel S. England  
 Notary Public

Unit 204 Owner: *[Signature]* *[Signature]*

STATE OF NEBRASKA     )  
  ) SS:  
COUNTY OF DOUGLAS    )



The foregoing instrument was acknowledged before me this 3<sup>rd</sup> day of February, 2021, by Jill Stover and Todd Stover, each a Nebraska resident.

*[Signature]*  
Notary Public

Unit 301 Owner: \_\_\_\_\_

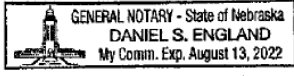
STATE OF NEBRASKA     )  
  ) SS:  
COUNTY OF DOUGLAS    )

The foregoing instrument was acknowledged before me this \_\_\_ day of February, 2021, by Preston Donner, each a Nebraska resident.

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

Unit 302 Owner: *[Signature]*

STATE OF NEBRASKA     )  
  ) SS:  
COUNTY OF DOUGLAS    )



The foregoing instrument was acknowledged before me this 3<sup>rd</sup> day of February, 2021, by Brian Wedge, a Nebraska resident.

*[Signature]*  
Notary Public

Unit 303 Owner: \_\_\_\_\_

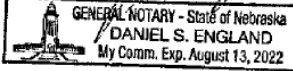
STATE OF NEBRASKA     )  
  ) SS:  
COUNTY OF DOUGLAS    )

The foregoing instrument was acknowledged before me this \_\_\_ day of February, 2021, by Scott Tyler Kuster, each a Nebraska resident.

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

Unit 304 Owner: THOMAS RASMUSSEN *[Signature]*

STATE OF NEBRASKA     )  
  ) SS:  
COUNTY OF DOUGLAS    )

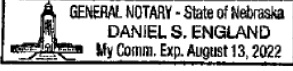


The foregoing instrument was acknowledged before me this 3<sup>rd</sup> day of February, 2021, by Thomas J. Rasmussen, each a Nebraska resident.

*[Signature]*  
Notary Public

Unit 401 Owner: Humberto A. Sanchez Frances K. Sanchez

STATE OF NEBRASKA     )  
  ) SS:  
COUNTY OF DOUGLAS    )

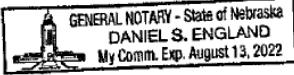


The foregoing instrument was acknowledged before me this 3<sup>rd</sup> day of February, 2021, by Humberto A. and Frances K. Sanchez, each a Nebraska resident.

*[Signature]*  
Notary Public

Unit 402 Owner: Carol J. Houchin

STATE OF NEBRASKA     )  
  ) SS:  
COUNTY OF DOUGLAS    )

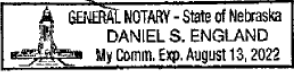


The foregoing instrument was acknowledged before me this 3<sup>rd</sup> day of February, 2021, by Carol J. Houchin, each a Nebraska resident.

Daniel S. England  
Notary Public

Unit 403 Owner: Kyle Halgeron

STATE OF NEBRASKA     )  
  ) SS:  
COUNTY OF DOUGLAS    )



The foregoing instrument was acknowledged before me this 3<sup>rd</sup> day of February, 2021, by Kyle Halgeron, each a Nebraska resident.

Daniel S. England  
Notary Public

Unit 404 Owner: \_\_\_\_\_

STATE OF NEBRASKA     )  
  ) SS:  
COUNTY OF DOUGLAS    )

The foregoing instrument was acknowledged before me this \_\_\_ day of February, 2021, by William E Conley & Silvia P Conley, each a Nebraska resident.

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

Unit 402 Owner: \_\_\_\_\_  
STATE OF NEBRASKA     )  
  ) SS:  
COUNTY OF DOUGLAS    )

The foregoing instrument was acknowledged before me this \_\_\_ day of February, 2021, by Carol J. Houchin, each a Nebraska resident.

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

Unit 403 Owner: \_\_\_\_\_  
STATE OF NEBRASKA     )  
  ) SS:  
COUNTY OF DOUGLAS    )

The foregoing instrument was acknowledged before me this \_\_\_ day of February, 2021, by Kyle Halgerson, each a Nebraska resident.

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

Unit 404 Owner: William E Conley  
STATE OF NEBRASKA     )  
  ) SS:  
COUNTY OF DOUGLAS    )

The foregoing instrument was acknowledged before me this 1<sup>st</sup> day of February, 2021, by William E Conley & Silvia P Conley, each a Nebraska resident.

Amber K. Houghtaling  
Notary Public

**AMBER K. HOUGHTALING**  
General Notary State of Nebraska  
My Commission Expires  
**January 31, 2025.**




Unit 501 Owner: \_\_\_\_\_

STATE OF NEBRASKA     )  
  ) SS:  
COUNTY OF DOUGLAS    )

The foregoing instrument was acknowledged before me this 18<sup>th</sup> day of February, 2021, by John G Obermiller & Sherri L Obermiller, each a Nebraska resident.

Bonnie J. Muhsman  
Notary Public



Unit 503 Owner: \_\_\_\_\_

STATE OF NEBRASKA     )  
  ) SS:  
COUNTY OF DOUGLAS    )

The foregoing instrument was acknowledged before me this \_\_\_ day of February, 2021, by Riley Karabel, each a Nebraska resident.

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

Unit 504 Owner: \_\_\_\_\_

STATE OF NEBRASKA     )  
  ) SS:  
COUNTY OF DOUGLAS    )

The foregoing instrument was acknowledged before me this \_\_\_ day of February, 2021, by Lynn Friedewald and Don C Shoemaker, each a Nebraska resident.


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

Unit 501 Owner: \_\_\_\_\_  
STATE OF NEBRASKA     )  
  ) SS:  
COUNTY OF DOUGLAS    )


The foregoing instrument was acknowledged before me this \_\_\_ day of February, 2021, by John G Obermiller & Sherri L Obermiller, each a Nebraska resident.

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

Unit 503 Owner: Riley Karabel  
STATE OF NEBRASKA     )  
  ) SS:  
COUNTY OF DOUGLAS    )



The foregoing instrument was acknowledged before me this 3 day of February, 2021, by Riley Karabel, each a Nebraska resident.

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

Unit 504 Owner: \_\_\_\_\_  
STATE OF NEBRASKA     )  
  ) SS:  
COUNTY OF DOUGLAS    )

The foregoing instrument was acknowledged before me this \_\_\_ day of February, 2021, by Lynn Friedewald and Don C Shoemaker, each a Nebraska resident.

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

Unit 501 Owner: \_\_\_\_\_

STATE OF NEBRASKA    )  
                                   ) SS:  
 COUNTY OF DOUGLAS    )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of February, 2021, by John G Obermiller & Sherri L Obermiller, each a Nebraska resident.

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

Unit 503 Owner: \_\_\_\_\_

STATE OF NEBRASKA    )  
                                   ) SS:  
 COUNTY OF DOUGLAS    )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of February, 2021, by Riley Karabel, each a Nebraska resident.


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

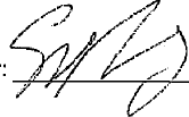

Unit 504 Owner: Don C Shoemaker                      Lynn A Friedewald

STATE OF NEBRASKA    )  
                                   ) SS:  
 COUNTY OF ~~DOUGLAS~~ ADAMS    )

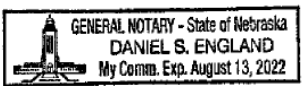
The foregoing instrument was acknowledged before me this 1st day of February, 2021, by Lynn<sup>e</sup> Friedewald and Don C Shoemaker, each a Nebraska resident.

Nancy R Kraftzik  
 Notary Public




Unit 600 Owner:  

STATE OF NEBRASKA     )  
  ) SS:  
COUNTY OF DOUGLAS    )



The foregoing instrument was acknowledged before me this 3<sup>rd</sup> day of February, 2021, by Michael T. and Sigrid E. Moylan ETAL, each a Nebraska resident.

  
Notary Public