

\$229.<sup>00</sup>

INST. NO 2000

000827

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*Dan Jalte*

REGISTER OF DEEDS

2000 JAN -5 P 4: 02

Credit \$ 206.<sup>00</sup>

NOTICE

KNOW ALL MEN BY THESE PRESENTS, that notice is hereby given as follows:

1. The undersigned are residents of Lincoln, Lancaster County, Nebraska, and are the duly qualified and acting President and Secretary of Tabitha New Community Home Owners Association, a Nebraska nonprofit corporation (the "Association").

2. Amended Declaration of Covenants, Conditions and Restrictions (the "Amended Declaration") was recorded on July 29, 1997, as Instrument No. 97-30082, with the Lancaster County Register of Deeds, bearing the signatures of individuals and entities purporting to be the record owners of approximately 182 lots and living units of the lots and properties described on Exhibit A attached hereto and incorporated herein by this reference. Based on this instrument, the Board of Directors of the Association determined that the Amended Declaration was validly adopted.

3. Upon further review and analysis of the identity of fee title holders of such real estate, the Association has concluded that the Amended Declaration does not bear a sufficient number of signatures of the owners of lots and living units to constitute adoption of the same. Therefore, the Board of Directors of the Association has concluded that the Amended Declaration is of no force or effect, and that all covenants previously in effect were not revoked notwithstanding any language to the contrary in the Amended Declaration, and such prior covenants and instruments are in full force and effect.

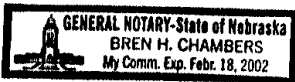
TABITHA NEW COMMUNITY HOMEOWNERS ASSOCIATION

By *Donald K. Eisele*  
President

By *Olive E. Gaube*  
Secretary

STATE OF NEBRASKA )  
 ) ss.  
COUNTY OF LANCASTER )

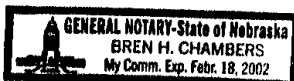
The foregoing instrument was acknowledged before me this 5<sup>th</sup> day of January, 2000, ~~December, 1999~~, by Donald K. Eisele, President of TABITHA NEW COMMUNITY HOME OWNERS ASSOCIATION, a Nebraska nonprofit corporation, on behalf of the Association.



*Bren H. Chambers*  
Notary Public

STATE OF NEBRASKA )  
 ) ss.  
COUNTY OF LANCASTER )

The foregoing instrument was acknowledged before me this 5<sup>th</sup> day of January, 2000, ~~December, 1999~~, by Olive E. Gaube, Secretary of TABITHA NEW COMMUNITY HOME OWNERS ASSOCIATION, a Nebraska nonprofit corporation, on behalf of the Association.



*Bren H. Chambers*  
Notary Public

THE PROPERTIES

- ✓1. Lots 1 through 20, Block One (1), Lot 1 except that part thereof deeded to the City of Lincoln by Inst. #92-3036, Block Six (6), Lots 1 through 8, Block Eight (8), Lots 1 through 27, Block Nine (9), Lot 1, Block Ten (10), and Lot 1, Block Eleven (11), Tabitha New Community Addition; 7/11/00
- ✓2. Lots 1 through 10, Lots 13 through 16 and Lots 24 through 43, Block One (1), Lots 8 through 14, Block Two (2), Tabitha New Community First Addition; 7/11/00
- ✓3. Lots 1 through 4 and Lots 6 through 10, Block One (1), Lots 1 through 4, Block Two (2), Tabitha New Community First Addition Replat; 7/11/00
- ✓4. Lots 1, 2, 3, 4, 6, 8, 9, 13, & 14, Block One (1), Tabitha New Community 2nd Addition; 7/11/00
- ✓5. Lot 1, Tabitha New Community 3rd Addition; 7/11/00
- ✓6. Lots 1 through 20, Replat of Block Two (2), Tabitha New Community Addition; 7/11/00
- ✓7. Lots 1 through 27, Block Five (5) and Lots 1 through 38, Block Seven (7), Replat of Blocks 5 and 7, Tabitha New Community Addition; 7/11/00
- ✓8. Lots 1 through 10, Autumn Lakeview Addition; 7/11/00
- ✓9. Lots 1 through 5, Autumn Lakeview 1st Addition; 7/11/00
- ✓10. Lots 1 and 2, Autumn Lakeview 2nd Addition; 7/11/00
- ~~11. Lots 1 through 14, Block Two (2), Autumn Ridge; SJP 1-6-00~~
- ~~12. Lots 15 through 35, Block Four (4), Autumn Ridge 2nd Addition; SJP 1-6-00~~
- ✓13. Lots 1 and 2, Merrill Addition; 7/11/00
- ✓14. Lots 1 through 4, Merrill First Addition; 7/11/00
- ✓15. Unit No. 5410 and Unit No. 5412, Sea Mt. Rd. Condominium; a condominium; SEMTDCO
- ✓16. Unit No. 5430 and Unit No. 5432, PCH Condominium, a condominium; PCHCO
- 17. ✓ BUILDING A - UNITS 506, 507, 508, 509 & 510  
 ✓ BUILDING B - UNITS 501, 502, 503, 504 & 505  
 ✓ BUILDING C - UNITS 500, 523, 524, 525, 526 & 527  
 ✓ BUILDING D - UNITS 709, 710 & 711  
 ✓ BUILDING E - UNITS 712, 713, 714, 715, 716, 717, 718 & 721 SJP 1-6-00  
 ✓ BUILDING F - UNITS 724, 725, 726, 727, & 730  
 ✓ BUILDING G - UNITS 719, 720, 722 & 723  
 ✓ BUILDING H - UNITS 728, 729, 731, 732 & 734  
 ✓ BUILDING I - UNITS 733, 735, 736, 737 & 738  
 ✓ BUILDING J - UNITS 909, 910, 911 & 912  
 ✓ BUILDING K - UNITS 106, 107, 108, 109, 110, 111, 112, 113, 114 & 115  
 ✓ BUILDING L - UNITS 905, 906, 907 & 908  
 ✓ BUILDING M - UNITS 901, 902, 903 & 904  
 ✓ BUILDING N - UNITS 101, 102, 103, 104 & 105  
 ✓ BUILDING O - UNITS 913, 914, 915 & 916

(102196)

## THE PROPERTIES

- ✓ BUILDING P - UNITS 16A, 17A, 18A, 19A, & 20A, Autumn Wood Condominium Property Regime (Garage Units); and
- 18. ✓ Units A, 1 through 9, Units B, 1 through 9, and Units C, 1 through 8; and Garages 1 through 14, Enterprise Building Condominium Property Regime;
- 19. ✓ Lots 1 through 14, Autumn Ridge 2nd Addition;
- 20. ✓ Lots 1 through 21, Autumn Ridge 4th Addition;

all of the above located in Lincoln, Lancaster County Nebraska.

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EXHIBIT A  
THE COMMONS

- ✓ 1. OUTLOT A and OUTLOT B except that part of Outlot B included in Autumn Wood Condominium Property Regime, Block One (1); OUTLOT A except that part thereof included in Lakeview First Addition by Administrative Plat (Inst. #93-6998), Block Eight (8); OUTLOTS B & D, and OUTLOTS A & C, except that part of OUTLOTS A & C included in Autumn Wood Condominium Property Regime, Block Nine (9); and OUTLOT A, Block Eleven (11); all located in Tabitha New Community Addition; TABITHA
  - ✓ 2. OUTLOTS A,B,C, & D Block One (1); and OUTLOT A, Block Two (2); all located in Tabitha New Community First Addition; TABITHA
  - ✓ 3. OUTLOT B, Block Two (2), Tabitha New Community First Addition Replat; TABITHA
  - ✓ 4. OUTLOTS A&B, Block One (1), Tabitha New Community 2nd Addition; TABITHA
  - ✓ 5. OUTLOT AL, Tabitha New Community 3rd Addition; TABITHA
  - ✓ 6. OUTLOT A, Replat of Block Two (2), Tabitha New Community Addition; TABITHA
  - ✓ 7. OUTLOTS A,B & C except that part thereof included in Autumn Wood Condominium Property Regime, Block Five (5), Replat of Blocks 5 & 7, Tabitha New Community Addition; TABITHA
  - ✓ 8. OUTLOTS A,B,C & D except that part thereof included in Autumn Wood Condominium Property Regime, Block Seven (7), Replat of Blocks 5 & 7, Tabitha New Community Addition; TABITHA
  - ✓ 9. OUTLOT A, Autumn Lakeview Addition; and LAKEVIEW
  - ✓ 10. OUTLOT A, Autumn Lakeview 2nd Addition; LAKEVIEW
- . All of the above located in Lincoln, Lancaster County Nebraska.

DLA