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**THIRD AMENDMENT
TO DECLARATION OF COVENANTS, CONDITONS,
RESTRICTIONS AND EASEMENTS OF BAY WOOD,
A SUBDIVISION IN DOUGLAS COUNTY, NEBRASKA**

This is the Third Amendment to the Declaration of Bay Wood, made as of the date hereinafter set forth, and is made by BAY WOOD HOMEOWNERS ASSOCIATION, a Nebraska not for profit corporation, hereinafter referred to as the "Association".

PRELIMIARY STATEMENT

By its Declaration for Bay Wood, a Subdivision in Douglas County, Nebraska, dated December 16, 1993, and recorded on January 19, 1994, at Book 1109, Pages 315 through 323, inclusive, of the Miscellaneous Records of the Register of Deeds of Douglas County, Nebraska (hereinafter referred to as the "Original Declaration"), as amended by its First Amendment to Declaration dated April 23, 1996, and recorded on April 25, 1996 at Book 1175, Pages 322 and 323, inclusive, of the Miscellaneous Records of the Register of Deeds of Douglas County, Nebraska (hereinafter referred to as the "First Amendment"), and as amended by its Second Amendment to Declaration dated July 20, 1999, and recorded on September 30, 1999 at Book 1310, Pages 538 and 539, inclusive, of the Miscellaneous Records of the Register of Deeds of Douglas County, Nebraska (hereinafter referred to as the "Second Amendment") (the Original Declaration, the First Amendment and the Second Amendment may hereinafter be collectively referred to as the "Declaration"); Declarant (as such term is defined in the Declaration) subjected certain real estate to the Declaration legally recorded as :

Lots 1 through 103, inclusive, in Bay Wood, a Subdivision, as surveyed, platted and recorded in Douglas County, Nebraska

Due to the various replattings, the above-identified real estate is now legally described as follows:

Lots 3 through 41, inclusive, Lots 44 through 50, inclusive, and Lots 56 through 103, inclusive, in Bay Wood, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska;

Lots 1 and 2, inclusive, Bay Wood Replat 1, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska; m1-01803

Lot 1, Bay Wood Replat 3, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska; m1-02111

Lot 1, Bay Wood Replat 4, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska; and m1-02121

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4002 S. 176th Cir.
Omaha, NE 68130

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Lots 1 and 2, inclusive, Bay Wood Replat 5, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska

MI-02122

(the "Lots").

Except as specifically provided herein, for purposes of the Declaration, each of the above-identified Lots shall be deemed individual Lots governed by the provisions of the Declaration.

The Association has been appointed to serve as the Declarant, as such term is defined in the Declaration, pursuant to Article IV, General Provisions, Section 3, of the Declaration which reads as follows:

LANOHA DEVELOPMENT COMPANY, INC. a Nebraska corporation, or its successor or assign, may terminate its status as Declarant under this Declaration, at any time, by filing a Notice of Termination of Status as Declarant. Upon such filing, the Association may appoint itself or another entity, association or individual to serve as Declarant, and such appointee shall thereafter serve as Declarant with the same authority and powers as the original Declarant.

Certain owners of Lots in Bay Wood desire to amend the Original Declaration pursuant to the terms of Article IV, General Provisions, Paragraph 2, as it relates to the Lots:

The covenants and restrictions of this Declaration shall run with and bind the land in perpetuity. This Declaration may be amended by LANOHA DEVELOPMENT COMPANY, INC., a Nebraska corporation, or any person, firm, corporation, partnership, or entity designated in writing by LANOHA DEVELOPMENT COMPANY, INC., in any manner which it may determine in its full and absolute discretion for a period of five (5) years from the date hereof. Thereafter this Declaration may be amended by an instrument signed by the owners of not less than sixty (60%) of the Lots covered by this Declaration.

The owners do hereby substitute, amend, and restate the Declaration in the following particulars only:

1. Article I, Section 7 shall be amended by adding the following words after the word "requiring" and before the word "a" in the first sentence thereof: "such vehicles to be parked on any Lot for".
2. Article I, Section 8 shall be amended by deleting the words "enclosed structure" in the first sentence thereof, and replacing them with the words "attached garage".
3. Article I, Section 8 shall be amended by adding the following words to the end of the second sentence thereof after the word "Lot" and before the ".": "and except for vehicles driven by guests visiting such Lot for a reasonable period of time".
4. Article I, Section 22 shall be amended by deleting the first two sentences thereof in their entirety.
5. Article I, Section 22 shall be amended by adding the following words after the word "the" and before the word "ten": "area on their Lot between the public sidewalk and the street, and in the event there is no public sidewalk, the".
6. Article I, Section 22 shall be amended by deleting the words "or similar quality" in the penultimate sentence thereof, and replacing them with the words "species or a species that has been approved by the Association".
7. Article II, Section 9(a) shall be amended by deleting such section in its entirety and replacing it with the following: "(a) Two hundred and no/100 Dollars (\$200.00) per Lot."

- 8. Article II, Section 9(b) shall be amended by deleting the words "In each calendar year beginning on January 1, 199_, one", and replacing them with the word "One".
- 9. The Declaration is in all other matters ratified and affirmed.

The owners, constituting more than sixty percent (60%) of the Lots covered by this Declaration have reviewed the amendments set forth herein and have approved such amendments by written vote.

BAY WOOD HOMEOWNERS ASSOCIATION, a Nebraska not for profit corporation

DATED: 6-9-11

By: Cathy Nagle, president
Cathy Nagle, President

STATE OF NEBRASKA)
) ss.:
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this 9 day of June, 2011, by Cathy Nagle of BAY WOOD HOMEOWNERS ASSOCIATION, a Nebraska not for profit corporation, on behalf of the corporation.



Kathleen E. Andra
Notary Public