

59-2177

AMENDMENT TO
DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS
AND EASEMENTS OF BARRINGTON PLACE
A SUBDIVISION IN SARPY COUNTY, NEBRASKA

This Amendment to the Declaration of Covenants made on the date hereinafter set forth, as made by Barrington Place Limited Partnership, hereinafter referred to as the "Declarant".

PRELIMINARY STATEMENT OF AMENDMENT

The Declarant is the owner of certain real property located within Sarpy County, Nebraska and described as follows:

Lots 1 through 8, 10, 12, 16 through 21, 25 through 39, and 42 through 51, inclusive, in Barrington Place, a subdivision as surveyed, platted and recorded in Sarpy County, Nebraska.

NOW THEREFORE, Declarant hereby amends the Declaration of Covenants, Conditions, Restrictions and Easements of Barrington Place found in the Miscellaneous Records at Book 58, Page 161, in the Sarpy County Register of Deeds, by adding the following Section.

ARTICLE VI
NOTICE OF POTENTIAL TELEPHONE FACILITIES CHARGE

In the event that ninety (90%) percent of all lots within a particular phase of Barrington Place are not improved within five (5) years from the date that Northwestern Bell Telephone Company shall have completed the installation of its distribution system within such phase of said subdivision and filed notice of such completion ("five-year term"), then every lot that is unimproved at the end of the five-year term shall be subject to a charge of Four Hundred Fifty (\$450.00) Dollars by Northwestern Bell Telephone Company or its successors. A lot shall be considered as unimproved if construction of a permanent structure has not commenced on that lot. Construction shall be considered as having commenced if a footing inspection has been made on the lot in question by officials of the City or other appropriate governmental authority.

Each development phase of Barrington Place shall be considered separately in determining whether ninety (90%) percent of the lots within that phase have been improved within the five-year term. In determining that date, Northwestern Bell Telephone Company will have completed the installation of its distribution system. Each development phase shall also be considered separately.

File # 11054

