

47236

**AMENDMENT TO DECLARATION OF PROTECTIVE COVENANTS,
CONDITIONS AND RESTRICTIONS**

The undersigned, being owners of two-thirds of the lots within Bishop Square, an addition to Lincoln, Lancaster County, Nebraska, do hereby further amend the Declaration of Protective Covenants, Conditions and Restrictions, dated April 5, 1974 and recorded as Instrument No. 74-5536, Register of Deeds, Lancaster County, Nebraska ["the Declaration"], and the Amendments thereto dated, respectively, January 18, 1979 and May 15, 1981 recorded as Instrument Nos. 79-4188 and 81-10294, as follows:

1. Sections XIII and XV of the Declaration, as heretofore amended, are hereby stricken in their entirety and the following sections inserted in lieu thereof:

XIII.

To provide for (1) maintenance, repairs, insurance, services, administration, and like expenses [including but not limited to payment of taxes and special assessments levied against the Commons] to maintain the Commons in attractive condition, and (2) services, administration and amenities necessary or beneficial to individual residential lots [including but not limited to water and sewer service, refuse and snow removal, lawn care, maintenance of a perimeter fence, security devices and services, and attractive plantings and foliage] the Corporation hereby covenants, and each Corporation member by and upon acceptance of a deed conveying interests in an individual residential lot in Bishop Square shall be deemed thereby to covenant, appropriately to (1) maintain the Commons and (2) provide services and amenities to individual

2
residential lots by payment of an annual assessment. Such annual assessment shall be payable in monthly increments to the Corporation in such amounts as the Board of Directors of Bishop Square, Inc. shall from time to time determine appropriate and in the best interests of Bishop Square residents and Corporation members. Additionally, capital improvements, if any, shall be determined in accordance with section XV.

All annual assessments, and all assessments for capital improvements in accordance with Section XV, shall constitute both (1) a lien on the residential lot against which assessments are made and (2) the personal obligation of the Corporation member who is record owner of the residential lot so assessed. The Corporation Board of Directors shall have the right to (1) enforce such lien and (2) collect such assessments, by judicial remedies, which shall include recovery of costs of enforcement and collection [including but not limited to recovery of reasonable attorneys' fees].

XV.

Assessments for capital improvements shall require the affirmative consent of two-thirds (2/3) of all Corporation members. Such consent shall be manifested by (1) a writing signed by at least two-thirds (2/3) of all Corporation members or (2) the affirmative vote of two-thirds (2/3) of all Corporation members at (i) the annual meeting or (ii) a meeting called for such purposes in accordance with the By-Laws of Bishop Square, Inc. At any meeting of members of the Corporation, members may vote in person or by proxy.

3

2. The Declaration, as heretofore and hereinabove amended,
is hereby ratified and confirmed.

Dated: April 27, 1993.

- | | | |
|-----|---|---------------------------|
| 1. | <u>Donald Deegan</u> | _____ |
| 2. | <u>Jan C. DeWendt</u> | _____ |
| 3. | <u>Bob Roberts</u> | _____ |
| 4. | _____ | _____ |
| 5. | _____ | _____ |
| 6. | _____ | _____ |
| 7. | <u>Carl Staphley</u> | <u>Carla R. Staphley</u> |
| 8. | <u>Paul J. Jack</u>
<u>Lois Nelson</u> | <u>Carla Anne Jack</u> |
| 9. | _____ | <u>Roy K. Krentler</u> |
| 10. | <u>J. E. Olson</u> | <u>Jean Olson</u> |
| 11. | <u>Paul Bailey</u> | _____ |
| 12. | <u>Chandler A. Tyrell</u> | <u>Nancy W. Tyrell II</u> |
| 13. | <u>Polly Northrup</u> | _____ |
| 14. | <u>Jerome C. Drulman</u> | <u>Kathryn Drulman</u> |
| 15. | <u>Becky Meyer</u> | _____ |
| 16. | <u>Susan Art</u> | _____ |

4

17.

Richard Marsbray

18.

Betty Jean Marshall

19.

A. Wann

Baua Varner

20.

Donnie Epp

21.

R. W. Law

Louise L. Law

22.

Hilda Zoe Kays (Zohia)

Philip Kays

23.

~~Donna Kays~~

Dorothy F. Schwartzkopf

24.

Audrey Newton

25.

~~_____~~

26.

Patty J. Johnson

Ch. R. Th

27.

Florence M. Amen

28.

Marjorie S. Woods

29.

30.

Allan D. Peterson

31.

John Minnick

Dorothy D. Minnick

32.

~~Mar Chan Tynott~~

33.

Cynthia W. Ahlgren

34.

J. Wilson

5

35. Jane Clemons

36. _____

37. _____

38. _____

39. Eliza Mackay

40. Jean S. Timstrom

Paul Jones

41. Nancy P. Wessner

42. Ellen Baldwin Craig

43. _____

44. _____

45. _____

46. _____

47. [Signature]

Jeanne M. Curiga

48. [Signature]

49. _____

50. George Edward

Marion E. Howard

STATE OF NEBRASKA)
) ss.
LANCASTER COUNTY)

The foregoing instrument was acknowledged before me this 27 day of April, 1993 by the foregoing named persons for the purposes therein stated.

WALLACE BECKER
GENERAL NOTARIAL
SEAL
STATE OF NEBRASKA
COMMISSION EXPIRES
SEPT. 16, 1993

[Signature]
Notary Public

BLOCK

No

CODE

BTSR

CHECKED

Co

ENTERED

Co

EDITED

[Signature]

our ck

11447

LANCASTER COUNTY, NEB

Dan Nalte
REGISTER OF DEEDS

Nov 4 9 39 AM '94

INST. NO. 94- 47236

#51⁰⁰

George Howard

3901 50 27
50

68502