

After recording return to:  
Robert Ottemann  
President, CO2 Condominium Association  
1502 South 10<sup>th</sup> Unit 303  
Omaha, NE 68108

**THIRD AMENDMENT TO THE DECLARATION**

This AMENDMENT (this "3<sup>rd</sup> Amendment") to the Declaration of CO2 Condominium (the "Declaration"), is made June 16, 2023, by CO2 Condominium Association, Inc.

WHEREAS, the CO2 Condominium Regime (the "Regime") was formed pursuant to the Declaration recorded November 18, 2019 at Instrument No. 2019100430 recorded with the Douglas County, Nebraska Register of Deeds;

WHEREAS, the Regime contains those units and related Common Elements, described on Exhibit A attached hereto and incorporated by reference herein;

WHEREAS, the Declaration was amended pursuant to that amendment to Declaration (the "Amendment") recorded February 28, 2020 at Instrument No. 2020018777 recorded with the Douglas Country, Nebraska Register of Deeds (the Declaration and the Amendment shall hereinafter be referred to collectively as the Declaration); and

WHEREAS, the Declaration was amended pursuant to that 2<sup>nd</sup> amendment to Declaration (the "2<sup>nd</sup> Amendment") recorded October 20, 2020 at Instrument No. 2020120539 recorded with the Douglas Country, Nebraska Register of Deeds (the Declaration and the 1<sup>st</sup> and 2<sup>nd</sup> Amendment shall hereinafter be referred to collectively as the Declaration); and

WHEREAS, the Regime Board of Directors has approved this Third Amendment along with a Super-Super-Majority Vote of the Unit Owners.

NOW THEREFORE, the Regime hereby amends the Declaration as follows:

1. Restricted Use of First Floor Community Room and Adjacent Bathrooms. The following provision is hereby incorporated into the Declaration as Section 6.2 (j):
  - (j) Use of First Floor Community Room and Adjacent Bathrooms. Shall be for the exclusive use of Residential Unit Owners who are reserving the Community Room for social functions.
2. Miscellaneous. Except as provided herein, the Declaration as amended hereby remains in full force and effect. All terms used herein have the same meaning as ascribed to them in the Declaration.

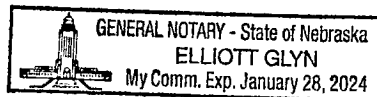
IN WITNESS WHEREOF, the CO2 Condominium Regime has caused this 3<sup>rd</sup> Amendment to be signed by its President the day and year first above written.

**CO2 Condominium Association Regime**

By: Robert Ottemann  
**Robert Ottemann, President**

**State of Nebraska**  
**County of Douglas**

On this 16<sup>th</sup> day of JUNE, 2023, before me a notary public in and for said county and state, personally appeared Robert Ottemann, known to me to be the identical person who subscribed his name to the foregoing as the President of CO2 Condominium Regime, and acknowledge the execution thereof to be his voluntary act and deed.



Elliott Glyn  
**Notary Public**

**EXHIBIT A**

Units 100, 108, 108P, 109, 109 P, 109-P2, 205, 205 P, 206, 206 P, 206 P2, 207, 207 P, 302, 302 P, 303, 303 P, 303-P~~2~~, 304, 304 P, 401, 401 P, and 401 P2, IN CO2 CONDOMINIUM PROPERTY REGIME, A CONDOMINIUM ORGANIZED UNDER THE LAWS OF THE STATE OF NEBRASKA IN THE CITY OF OMAHA, DOUGLAS COUNTY, NEBRASKA, PURSUANT TO DECLARATION RECORDED NOVEMBER 18, 2019, AT INSTRUMENT NUMBER 2019100430.