

AMENDMENT TO DECLARATION
OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR THE COLONIES
LOTS 1 THROUGH 110 INCLUSIVE

THIS AMENDMENT TO DECLARATION made on the date hereinafter set forth by Hunters Glen Joint Venture, a joint venture organized under and subject to the Uniform Partnership Act of Nebraska, composed of Hunters Glen, Inc., a Nebraska corporation and Hunters CVF, a Nebraska corporation, hereinafter referred to as the "Declarant",

W I T N E S S E T H :

WHEREAS, the Declarant is the Owner of the following described real property:

Lots 1 through 110, inclusive, of The Colonies, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska, and

WHEREAS, the Declarant on September 12, 1985 filed a certain Declaration of Covenants, Conditions and Restrictions (herein referred to as the "Declaration") for the above-described property, which was recorded on September 23, 1985 in Book 752, Page 289 of the records of the Register of Deeds of Douglas County, Nebraska,

WHEREAS, Article V.B. of the Declaration provides that it may be amended by the Declarant, or any person, firm, corporation, partnership, or entity designated in writing by the Declarant, in any manner it shall determine in its full and absolute discretion for a period of five (5) years from the date of the Declaration,

WHEREAS, by this document the Declarant hereby desires to amend the Declaration,

NOW,) THEREFORE, the Declarant hereby amends said Declaration as follows:

1. A new Article VI shall be added to said Declaration which shall read as follows:

"ARTICLE VI
COVENANTS RELATING TO TELEPHONE COMPANY

In the event that ninety percent (90%) of all the Lots 1 through 110, inclusive, of The Colonies are not improved within five (5) years from the date that Northwestern Bell Telephone Company shall have completed the installation of its distribution system for said Lots 1 through 110, inclusive, 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 Dollars (\$450.00) 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 shall be considered separately in determining whether ninety percent (90%) of the lots within that phase have been improved within the Five (5) Year Term. Lots 1 through 110 shall be considered a separate phase. In determining the date Northwestern Bell Telephone Company shall have completed the installation of its distribution system, each development phase shall also be considered separately.

Such charge shall be due and owing immediately upon the expiration of the Five Year Term, and if such charge is not paid within sixty (60) days after the sending of written notice by Northwestern Bell Telephone Company or its successors to the owner of an unimproved lot that such charge is due, then such charge will begin drawing interest commencing upon the expiration of the 60 day period at the rate of twelve percent (12%) per annum, or the maximum rate allowed by law if said maximum rate is less than twelve percent (12%) per annum at that time."

2. Except for the addition of Article VI, all of the provisions of the Declaration shall remain in full force and effect.

DATED this 12th day of June, 1986.

DEVELOPER:

HUNTERS GLEN JOINT VENTURE, A
Nebraska Joint Venture

BY: HUNTERS GLEN, INC., A
Nebraska Corporation

BY: [Signature]

BY: HUNTER CVF, INC., A Nebraska
Corporation

BY: [Signature]

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLALS)

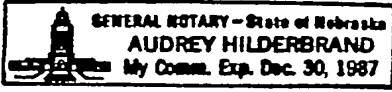
Subscribed and sworn to before me this 12th day of June, 1986 by Glenn L. Buck on behalf of Hunters Glen, Inc., a Nebraska corporation.

[Signature]
Notary Public



STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLALS)

Subscribed and sworn to before me this 11th day of June, 1986 by Lawrence J. Fellion on behalf of Hunter CVF, Inc., a Nebraska corporation.



Audrey Hilderbrand
Notary Public

SK 778 Doc. vic N. 90-249 etc Fee 75.00
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GENERAL NOTARY
RENEE H. HEDRICK
DANIELS SQUARE, NEBR.

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