

AMENDMENT TO DECLARATION OF RESTRICTIVE COVENANTS  
FOR 114th PLAZA

and

DECLARATION OF RESTRICTIVE COVENANTS FOR  
LOTS SEVEN AND SEVENTEEN, 114th PLAZA

THIS DOCUMENT is made this 7<sup>th</sup> day of May 1980, by and between E&G PARTNERSHIP, LTD., a Nebraska Limited Partnership (hereinafter referred to as "Declarant"), Executive Square Investment #1 Partnership, a Nebraska Partnership (hereinafter referred to as "Executive #1), and Executive Square Investment #2 Partnership, a Nebraska partnership (hereinafter referred to as "Executive #2").

W I T N E S S E T H :

WHEREAS, Declarant made and executed a DECLARATION OF RESTRICTIVE COVENANTS FOR 114th PLAZA which is recorded in the office of the Register of Deeds, Douglas County, Nebraska, at Volume 621, Book of Miscellaneous Records, Page 373, which covered among other lots, lots seven (7) and seventeen (17), 114th Plaza, an Addition to the City of Omaha, Nebraska; and

WHEREAS, at the time such declaration was made, lot seven (7), 114th Plaza, an addition to the city of Omaha, Nebraska, was owned by Executive #1 and lot seventeen (17), 114th Plaza, an Addition to the City of Omaha, Nebraska, was owned by Executive #2, and their acknowledged signatures were erroneously omitted from the DECLARATION OF RESTRICTIVE COVENANTS FOR 114th PLAZA; and

WHEREAS, Executive #1 desires to declare that said lot seven (7) shall be held, leased, transferred, sold, conveyed, encumbered and occupied subject to the covenants, conditions and restrictions set forth in the aforesaid DECLARATION OF RESTRICTIVE COVENANTS FOR 114th PLAZA; and

WHEREAS, Executive #2 desires to declare that said lot seventeen (17) shall be held, leased, transferred, sold, conveyed, encumbered and occupied subject to the covenants, conditions and restrictions set forth in the aforesaid DECLARATION OF RESTRICTIVE COVENANTS FOR 114th PLAZA.

NOW THEREFORE, the parties hereto declare and agree as follows:

1. Executive #1 does hereby declare that lot seven (7), 114th Plaza, an Addition to the City of Omaha, Nebraska, shall be held, leased, transferred, sold, conveyed, encumbered and occupied subject to the covenants, conditions and restrictions set forth in the DECLARATION OF RESTRICTIVE COVENANTS FOR 114th PLAZA recorded in the office of the Register of Deeds, Douglas County, Nebraska, Volume 621, Book of Miscellaneous Records, Page 373.

2. Executive #2 does hereby declare that lot seventeen (17), 114th Plaza, an Addition to the City of Omaha, Nebraska, shall be held, leased, transferred, sold, conveyed, encumbered and occupied subject to the covenants, conditions and restrictions set forth in the DECLARATION OF RESTRICTIVE COVENANTS FOR 114th PLAZA recorded in the office of the Register of Deeds, Douglas County, Nebraska, at Volume 621, Book of Miscellaneous Records, Page 373.

3. The legal description contained on the first page of the DECLARATION OF RESTRICTIVE COVENANTS FOR 114th PLAZA, being Page 373 of Volume 621 of the Book of Miscellaneous Records, in the office of the Register of Deeds, Douglas County, Nebraska, is hereby amended to read as follows:

Lots one through three (1-3) inclusive, five (5), six (6), eight through sixteen (8-16) inclusive, eighteen (18) and nineteen (19), 114th Plaza, part of which is an Addition to the City of Omaha, Nebraska, and the balance of which is a subdivision as surveyed, plotted and recorded in Douglas County, Nebraska.

In all other respects the aforesaid DECLARATION OF RESTRICTIVE COVENANTS FOR 114th PLAZA is reaffirmed.

4. It is hereby agreed that all rights reserved to the Declarant under the aforesaid DECLARATION OF RESTRICTIVE COVENANTS FOR 114th PLAZA with respect to the property described in paragraph three hereof, shall also be reserved to the Declarant with respect to lots seven (7) and seventeen (17) of 114th Plaza, an Addition to the City of Omaha.

5. The terms and provisions hereof shall be deemed to run with the land and shall inure to the benefit of the parties respective heirs, successors and assigns.

IN WITNESS WHEREOF, the parties hereto execute this document on the day and year first above written.

E & G PARTNERSHIP, LTD., a Nebraska Limited Partnership,

By Thomas L. Egan  
Thomas L. Egan, General Partner

By Janet Ann Egan  
Janet Ann Egan, General Partner

G & G PARTNERSHIP, A Nebraska general partnership, a general partner

By George W. Venteicher  
George W. Venteicher, Partner

EXECUTIVE SQUARE INVESTMENT #1 PARTNERSHIP, a general partnership,

By: E & G Partnership, Ltd., a Nebraska Limited Partnership

By: G & G Partnership, a Nebraska General Partnership

By George W. Venteicher  
George W. Venteicher, Partner

By George D. Goos  
George D. Goos, Partner

Certified by the above to be all of the Partners of G & G Partnership

By Thomas L. Egan  
Thomas L. Egan, Partner

By Janet Ann Egan  
Janet Ann Egan, Partner

By: Progress I Ltd., a Nebraska Limited Partnership

By Gilbert G. Geihs  
Gilbert G. Geihs, General Partner

By Kevin F. Amick  
Kevin F. Amick, General Partner

EXECUTIVE SQUARE INVESTMENT #2 PARTNERSHIP, a general partnership,

By: E & G Partnership, Ltd., a Nebraska Limited Partnership

By: G & G Partnership, a Nebraska General Partnership, a general partner)

By George W. Venteicher  
George W. Venteicher, Partner

By George D. Goos  
George D. Goos, Partner

Certified by the above to be all of the Partners of G & G Partnership

By Thomas L. Egan  
Thomas L. Egan, Partner

By Janet Ann Egan  
Janet Ann Egan, Partner

By: Progress I Ltd., a Nebraska Limited Partnership

By Gilbert G. Geihs  
Gilbert G. Geihs, General Partner

By Kevin F. Amick  
Kevin F. Amick, General Partner



STATE OF NEBRASKA )  
 ) ss.  
COUNTY OF DOUGLAS )

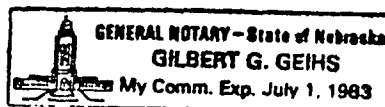
BOOK 632 PAGE 682

On this 7<sup>th</sup> day of May, 1980,  
before me, a Notary Public duly commissioned and qualified in  
and for said County and State, personally came George W. Venteicher  
and George D. Goos, general partners of G & G Partnership, a  
Nebraska general partnership, which partnership is a general  
partner of E & G PARTNERSHIP, LTD., a Nebraska limited partner-  
ship, to me personally known to be the identical persons who  
signed the foregoing instrument, and acknowledged the execution  
thereof to be their voluntary act and deed as such partners,  
and the voluntary act and deed of said partnership.

Witness my hand and notarial seal the day and year  
last above written.

  
\_\_\_\_\_  
Notary Public

STATE OF NEBRASKA )  
 ) ss.  
COUNTY OF DOUGLAS )

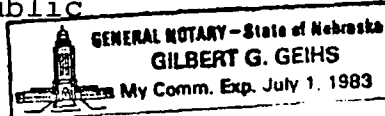


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Nebraska general partnership, which partnership is a general  
partner of E & G PARTNERSHIP, LTD., a Nebraska limited partner-  
ship, which limited partnership is a general partner of Executive  
Square Investment #1 Partnership, a Nebraska general partnership,  
to me personally known to be the identical persons who signed  
the foregoing instrument, and acknowledged the execution thereof  
to be their voluntary act and deed as such partners, and the  
voluntary act and deed of said partnerships.

Witness my hand and notarial seal the day and year  
last above written.

  
\_\_\_\_\_  
Notary Public

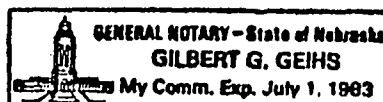
STATE OF NEBRASKA )  
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COUNTY OF DOUGLAS )



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and for said County and State, personally came George W. Venteicher  
and George D. Goos, general partners of G & G Partnership, a  
Nebraska general partnership, which partnership is a general  
partner of E & G PARTNERSHIP, LTD., a Nebraska limited partner-  
ship, which limited partnership is a general partner of Executive  
Square Investment #2 Partnership, a Nebraska general partnership,  
to me personally know to be the identical person who signed the  
foregoing instrument, and acknowledged the execution thereof to  
be their voluntary act and deed as such partners, and the  
voluntary act and deed of said partnerships.

Witness my hand and notarial seal the day and year  
last above written.

  
\_\_\_\_\_  
Notary Public

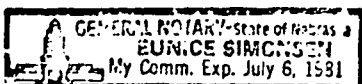


STATE OF NEBRASKA )  
 ) ss.  
COUNTY OF DOUGLAS )

BOOK 632 PAGE 683

On this 7<sup>th</sup> day of May, 1980, before me, a Notary Public duly commissioned and qualified in and for said County and State, personally came Gilbert G. Geihs and Kevin F. Amick, general partners of Progress I Ltd., a Nebraska limited partnership, which partnership is a general partner of Executive Square Investment #1 Partnership, a Nebraska partnership, to me personally known to be the identical persons who signed the foregoing instrument, and acknowledged the execution thereof to be their voluntary act and deed as such partners, and the voluntary act and deed of said partnerships.

Witness my hand and notarial seal the day and year last above written.



*Eunice Simonsen*  
Notary Public

STATE OF NEBRASKA )  
 ) ss.  
COUNTY OF DOUGLAS )

On this 7<sup>th</sup> day of May, 1980, before me, a Notary Public duly commissioned and qualified in and for said County and State, personally came Gilbert G. Geihs and Kevin F. Amick, general partners of Progress I Ltd., a Nebraska limited partnership, which partnership is a general partner of Executive Square Investment #2 Partnership, a Nebraska partnership, to me personally known to be the identical persons who signed the foregoing instrument, and acknowledged the execution thereof to be their voluntary act and deed as such partners, and the voluntary act and deed of said partnerships.

Witness my hand and notarial seal the day and year last above written.



*Eunice Simonsen*  
Notary Public

*J. Amick*

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1980 MAY - 8 PM 4: 11  
C. HAROLD OSTLER  
REGISTER OF DEEDS  
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