



Mail

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300 N 44 St., Ste 116
Lincoln, NE 68503

Affidavit regarding Amendment to Restrictive Covenants
(amend setback requirements)

STATE OF NEBRASKA) ss
COUNTY OF LANCASTER)

The undersigned affiant, being first duly sworn upon oath, hereby states, with respect to the property legally described on the attached Exhibit "A" (herein, the "Property").

1. I am the attorney for the "Owners" identified in Restrictive Covenants filed as Inst No. 2000-038888, amended by Amendment No. 1 to Restrictive Covenants filed as Inst. No. 2001-032738, Amendment No. 2 filed as Inst. No. 2014039554, all with the Lancaster County Register of Deeds (herein, "Covenants"), being South Industrial Park LLC and Assurity Life Insurance Company f/k/a Security Financial Life Insurance Co.

2. The Covenants were amended by **deleting** the existing Section 7.13 and **replacing** it with the following new Section 7.13 (the "Amendment"):

7.13 SETBACKS: The buildings of all Lot Owners, at a minimum, must (i) comply with the setback requirements of the I-3 (Employment Center District) zoning district and the Use Permit in effect at the time of issuance of a building permit, and (ii) be located outside of the flood plain.

3. There are presently 22 Lots within the Property, and the approval of at least 15 Lot Owners was necessary in order to amend the Covenants pursuant to Section 10.1 of the Covenants.

4. The Amendment was approved in writing by 15 Lot Owners. Accordingly, the Amendment to the Covenants was duly adopted

Christie Schwartzkopf Schroff

Christie Schwartzkopf Schroff, Affiant

Subscribed and sworn to before me by Christie Schwartzkopf Schroff on December 15, 2014.



Mary E. Wittler

NOTARY PUBLIC

Exhibit "A"

Legal Description of Property

In the Restrictive Covenants filed as Inst. No. 2000-038888, amended by Amendment No. 1 to Restrictive Covenants filed as Inst. No. 2001-032738.

Lots 1 – 14, Block 1, Horizon Business Center Addition, Lincoln, Lancaster County, Nebraska;
Outlot "A", Horizon Business Center Addition, Lincoln, Lancaster County, Nebraska

As presently platted (all in Lincoln, Lancaster County, Nebraska):

- ¹
HOBUCE Lots 7, 8, 9 and 11, Block 1, Horizon Business Center Addition
- ¹
HOBUCE1
NO Lots 1, 2, 3, and 4, Block 1, Horizon Business Center 1st Addition
- HOBUCE2
NO Lots 1, 2, and 4, Horizon Business Center 2nd Addition
- HOBUCE3
NO Lots 1, 2, 3, and 4, Horizon Business Center 3rd Addition
- HOBUCE5
NO Lot 1, Horizon Business Center 5th Addition
- HOBUCE6
NO Lots 1 and 2, Horizon Business Center 6th Addition
- HOBUCE14
NO Lots 1, 2, 3, and 4, Horizon Business Center 14th Addition
- HOBUCE
NO Outlot "A", Horizon Business Center Addition