



MISC 2008081312



AUG 15 2008 14:42 P 7

~~Abraham Kaslow & Cassman  
8712 West Dodge Road, Suite 300  
Omaha, Nebraska 68114~~

Misc  
FE 36 FB 01-60000  
1 AP 21-16-11<sup>8</sup> C/O COMP  
2 DEL SCAN FV  
D

Received - DIANE L. BATTIATO  
Register of Deeds, Douglas County, NE  
8/15/2008 14:42:29.65



2008081312

Upon recording return to: Mr. Thomas J. Malicki  
Abraham Kaslow & Cassman LLP  
8712 west Dodge Road, Suite 300  
Omaha, Nebraska 68114

## SECOND AMENDMENT TO DECLARATION

THIS SECOND AMENDMENT TO DECLARATION, is entered into this 1st day of March, 2008 (the "Effective Date"), by and among Fred R. Hunzeker and Teresa A. Hunzeker, husband and wife (the "Declarants"), and Robert C. Holcombe and Eleanor P. Holcombe, husband and wife (hereinafter collectively referred to as the "Holcombes").

### WITNESSETH:

WHEREAS, the real estate in the east 1/2 of the SW 1/4 together with part of the west 1/2 of the SE 1/4, all in Section 21, T16N, R11E of the 6th P.M., Douglas County, Nebraska described on Exhibit "A" attached hereto and by this reference made a part hereof is owned entirely by the Declarants and the Holcombes and such real estate is subject to certain Declarations dated September 30, 1997, as amended on October 29, 1998 (collectively, the "Declarations"); and

WHEREAS, the real estate subject to the Declarations has been re-platted and is now legally described as (a) the real estate identified in Exhibit "B" which Exhibit is incorporated herein and by this reference made a part hereof (b) Lot 1 Pratt Ranch and (c) Lot 1 Pratt Ranch Replat; and

WHEREAS, the Declarants and the Holcombes, as the sole owners of the real estate subject to the Declarations and desire to amend the Declarations as set forth in this Second Amendment to Declaration.

NOW, THEREFORE, the parties hereto agree as follows:

1. Whenever used in the Declarations, the term "Properties" or "property" shall mean and refer to only that real estate more particularly described in Exhibit "B", it being the intention of the Declarants and the Holcombes that hereinafter the Declarations shall not apply to and shall have no force or effect on either Lot 1 Pratt Ranch or Lot 1 Pratt Ranch Replat.


2. Except as modified by this Second Amendment to Declaration, all other provisions of the Declarations shall remain in full force and effect.

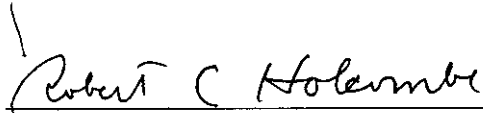
3. The following sections will be added to ARTICLE IV – GENERAL PROVISIONS:

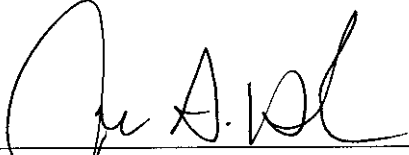
Section 4. Notices. Written correspondence to the Declarants shall be addressed to:

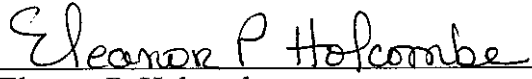
Fred R. & Teresa A. Hunzeker  
c/o Mr. Thomas J. Malicki  
Abrahams Kaslow & Cassman LLP  
8712 West Dodge Road, Suite 300  
Omaha, Nebraska 68114

IN WITNESS WHEREOF, the undersigned have executed this Declaration this 1 day of August, 2008.

  
\_\_\_\_\_  
Fred R. Hunzeker

  
\_\_\_\_\_  
Robert C. Holcombe

  
\_\_\_\_\_  
Teresa A. Hunzeker

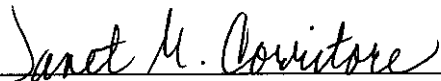
  
\_\_\_\_\_  
Eleanor P. Holcombe

STATE OF NEBRASKA    )  
                                  ) ss.  
COUNTY OF DOUGLAS    )

Before me, a Notary Public, personally appeared Fred R. Hunzeker and Teresa A. Hunzeker, known to me to be the identical persons who executed the foregoing Declaration, and acknowledged the execution of the foregoing to be their voluntary act and deed.

My Commission Expires:

August 13, 2010

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



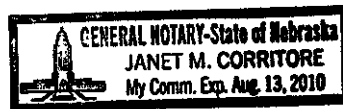
STATE OF NEBRASKA    )  
                                  ) ss.  
COUNTY OF DOUGLAS    )

Before me, a Notary Public, personally appeared Robert C. Holcombe and Eleanor P. Holcombe, known to me to be the identical persons who executed the foregoing Declaration, and acknowledged the execution of the foregoing to be their voluntary act and deed.

My Commission Expires:

August 13, 2010

Janet M. Corritore  
Notary Public



**EXHIBIT "A"**

Amendment to Declaration dated March 1, 2008

01-60000

Part of the east 1/2 of the SW 1/4 together with part of the west 1/2 of the SE 1/4, all in Section 21, T16N, R11E of the 6th P.M., Douglas County, Nebraska, all more particularly described as follows: Beginning at the SE corner of said east 1/2; thence N87°27'53"E (assumed bearing) on the south line of said west 1/2, 145.20 feet; thence N02°32'07"W 333.00 feet; thence S87°27'53"W 143.90 feet on a line 333.00 feet north of and parallel with the south line of said west 1/2 to the east line of said east 1/2; thence N02°18'44"W 956.34 feet on the east line of said east 1/2; thence N64°36'05"W 314.18 feet; thence S30°46'04"W 176.10 feet; thence S87°27'53"W 262.26 feet on a line 1289.33 feet north of and parallel with the south line of said east 1/2; thence S02°24'22"E 1206.33 feet on a line 684.71 feet east of and parallel with the west line of said east 1/2; thence N87°27'53"E 275.00 feet on a line 83.00 feet north of and parallel with the south line of said east 1/2; thence S02°24'22"E 83.00 feet on a line 959.71 feet east of and parallel with the west line of said east 1/2 to the south line of said east 1/2; thence N87°27'53"E 359.41 feet on the south line of said east 1/2 to the point of beginning. Which shall be known as parcel A.

and

That part of the east 1/2 of the SW 1/4 of Section 21, T16N, R11E of the 6th P.M., Douglas County, Nebraska, described as follows: Beginning at the SW corner of said east 1/2; thence N87°27'53"E (assumed bearing) 359.71 feet on the south line of said east 1/2; thence N02°24'22"W 83.00 feet on a line 359.71 feet east of and parallel with the west line of said east 1/2; thence N87°27'53"E 275.00 feet on a line 83.00 feet north of and parallel with the south line of said east 1/2; thence N02°24'22"W 1326.24 feet on a line 634.71 feet east of and parallel with the west line of said east 1/2; thence S87°27'53"W 634.71 feet on a line 1409.24 feet north of and parallel with the south line of said east 1/2 to the west line thereof; thence S02°24'22"E 1409.24 feet on the west line of said east 1/2 to the point of beginning. Which shall be known as parcel D.

and

That part of the east 1/2 of the SW 1/4 of section 21, T16N, R11E of the 6th P.M., Douglas County, Nebraska, described as follows: Commencing at the SE corner of said east 1/2; thence S87°27'53"W (assumed bearing) 359.41 feet on the south line of said east 1/2 to the point of beginning; thence N02°24'22"W 83.00 feet on a line 959.71 feet east of and parallel with the west line of said east 1/2; thence S87°27'53"W 275.00 feet on a line 83.00 feet north of and parallel with the south line of said east 1/2; thence N02°24'02"W 1206.33 feet on a line 684.71 feet east of and parallel with the west line of said east 1/2; thence N87°27'53"E 262.26 feet on a line 1289.33 feet north of and parallel with the south line of said east 1/2; thence N30°46'04"E 176.10 feet; thence S64°36'05"E 314.18 feet to the east line of said east 1/2; thence N02°18'44"W 1352.06 feet on the east line of

said east 1/2 to the NE corner thereof; thence S87°31'41"W 663.74 feet; thence S02°24'22"E 2642.12 feet on a line 659.71 feet east of and parallel with the west line of said east 1/2 to the south line thereof; thence N87°27'53"E 300.00 feet on the south line of said east 1/2 to the point of beginning. Which shall be known as parcel B.

and

That part of the east 1/2 of the SW 1/4 of Section 21, T16N, R11E of the 6th P.M., Douglas County, Nebraska, described as follows: Beginning at the NW corner of said east 1/2; thence S02°24'22"E (assumed bearing) 1233.61 feet on the west line of said east 1/2; thence N87°27'53"E 634.71 feet on a line 1409.24 feet north of and parallel with the south line of said east 1/2; thence S02°24'22"E 1326.24 feet on a line 634.71 feet east of and parallel with the west line of said east 1/2; thence S87°27'53"W 275.00 feet on a line 83.00 feet north of and parallel with the south line of said east 1/2; thence S02°24'22"E 83.00 feet on a line 359.71 feet east of and parallel with the west line of said east 1/2 to the south line thereof; thence N87°27'53"E 300.00 feet on the south line of said east 1/2; thence N02°24'22"W 2642.12 feet on a line 659.71 feet east of and parallel with the west line of said east 1/2 to the north line thereof; thence S87°31'14"W 659.71 feet on the north line of said east 1/2 to the point of beginning. Which shall be known as parcel C.

**EXHIBIT "B"**

Amendment to Declaration dated March 1, 2008

The portion of the east 1/2 of the SW 1/4 in Section 21, T16N, R11E of the 6th P.M., Douglas County, Nebraska, all more particularly described as follows:

Outlot "A" Pratt Ranch Replat. — 05-31318

and

01-60000

That part of the east 1/2 of the SW 1/4 of Section 21, T16N, R11E of the 6th P.M., Douglas County, Nebraska, described as follows: Beginning at the SW corner of said east 1/2; thence N87°27'53"E (assumed bearing) 359.71 feet on the south line of said east 1/2; thence N02°24'22"W 83.00 feet on a line 359.71 feet east of and parallel with the west line of said east 1/2; thence N87°27'53"E 275.00 feet on a line 83.00 feet north of and parallel with the south line of said east 1/2; thence N02°24'22"W 1326.24 feet on a line 634.71 feet east of and parallel with the west line of said east 1/2; thence S87°27'53"W 634.71 feet on a line 1409.24 feet north of and parallel with the south line of said east 1/2 to the west line thereof; thence S02°24'22"E 1409.24 feet on the west line of said east 1/2 to the point of beginning. Which shall be known as parcel D.

and

That part of the east 1/2 of the SW 1/4 of section 21, T16N, R11E of the 6<sup>th</sup> P.M., Douglas County, Nebraska, containing 0.52 acres, described as follows: commencing at the SW corner of said east 1/2;

Thence N87°27'53"E (assumed bearing) 359.71 feet on the south line of said east 1/2 to the point of beginning;

Thence N02°24'22"W 83.00 feet on a line 359.71 feet east of and parallel with the west line of said east 1/2;

Thence N87°27'53"E 275.00 feet on a line 83.00 feet north of and parallel with the south line of said east 1/2;

Thence S02°24'22"E 83.00 feet on a line 634.71 feet east of and parallel with the west line of said east 1/2 to the south line thereof;

Thence S87°27'53"W 275.00 feet on the south line of said east 1/2 to the point of beginning.