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**FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS FOR 27<sup>TH</sup> & YANKEE HILL ROAD COMMERCIAL CENTER**

The undersigned, constituting the "Declarant" under the Declaration of Covenants, Conditions, Restrictions and Easements for 27<sup>th</sup> and Yankee Hill Road Commercial Center dated June 23, 2004, and filed of record with the Lancaster County Register of Deeds as Instrument No. 2004-042679 ("Declaration"), and the owners of the Property, do hereby amend the Declaration as follows:

1. Paragraph 3. Plan Approval Standards – Design Guidelines of Article III is hereby amended to add the following language regarding lighting criteria:

All site lighting for illumination of parking lots and all exterior lighting on buildings shall be designed according to the standards identified on Exhibit "B", which is attached hereto and incorporated herein by this reference.

2. All other terms and conditions of the Declaration, except as amended herein, remain in full force and effect. In the event of a conflict between the terms of this First Amendment and the terms of the Declaration, the terms of this First Amendment shall control. Capitalized terms used herein and not defined herein have the same meaning as in the Declaration.

IN WITNESS WHEREOF, the Declarant has caused this First Amendment to be executed this 8 day of ~~February~~ March, 2005.

**RIDGE DEVELOPMENT COMPANY, a Nebraska corporation**

By: Thomas E. White  
Thomas E. White  
President of Development

By: John C. Brager  
John C. Brager  
President of Construction

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SOUTHVIEW, INC., a Nebraska corporation

By: [Signature]  
John F. Schleich, Vice President

Lots 1, 3, and 4, Pine Lake Heights South 9th Addition, and Lots 1 and 2, Pine Lake Heights South 12<sup>th</sup> Addition, Lincoln, Lancaster County, Nebraska

J&D LEASING, INC., a Nebraska corporation

By: [Signature]  
Title: President

Lots 6 and 7, Pine Lake Heights South 9th Addition, Lincoln, Lancaster County, Nebraska

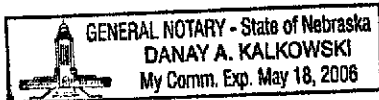
[Signature]  
Thomas E. White, a married person

[Signature]  
John C. Brager, a married person

Lot 5, Pine Lake Heights South 9<sup>th</sup> Addition, Lincoln, Lancaster County, Nebraska

STATE OF NEBRASKA )  
 ) ss.  
COUNTY OF LANCASTER )

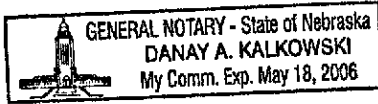
The foregoing instrument was acknowledged before me this 8 day of March, 2005 by Thomas E. White, as President of Development of **RIDGE DEVELOPMENT COMPANY**, a Nebraska corporation, on behalf of the corporation.



[Signature]  
Notary Public

STATE OF NEBRASKA )  
 ) ss.  
COUNTY OF LANCASTER )

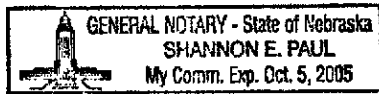
The foregoing instrument was acknowledged before me this 8 day of March, 2005 by John C. Brager, as President of Construction of **RIDGE DEVELOPMENT COMPANY**, a Nebraska corporation, on behalf of the corporation.



Danay A Kalkowski  
Notary Public

STATE OF NEBRASKA )  
 ) ss.  
COUNTY OF LANCASTER )

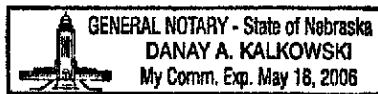
The foregoing instrument was acknowledged before me this 9 day of March, 2005 by John F. Schleich, as Vice President of **SOUTHVIEW, INC.**, a Nebraska corporation, on behalf of the corporation.



Shannon E Paul  
Notary Public

STATE OF NEBRASKA )  
 ) ss.  
COUNTY OF LANCASTER )

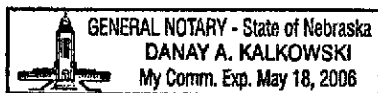
The foregoing instrument was acknowledged before me this 8 day of March, 2005 by James L. Williamson as President of **J&D LEASING, INC.**, a Nebraska corporation, on behalf of the corporation.



Danay A Kalkowski  
Notary Public

STATE OF NEBRASKA )  
 ) ss.  
COUNTY OF LANCASTER )

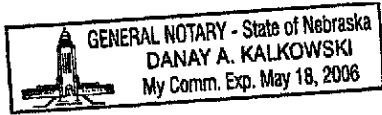
The foregoing instrument was acknowledged before me this 8 day of March, 2005 by **Thomas E. White**, a married person.



Danay A Kalkowski  
Notary Public

STATE OF NEBRASKA    )  
  ) ss.  
COUNTY OF LANCASTER)

The foregoing instrument was acknowledged before me this 8 day of March, 2005 by **John C. Brager**, a married person.



Danay A. Kalkowski  
Notary Public

**EXHIBIT "B"**  
**Exterior Lighting Criteria**

All site lighting installed for illumination of parking lots within the Property, except for Lots 6 and 7, Pine Lake Heights South 9<sup>th</sup> Addition, shall be designed according to the following standards.

- (A) All luminaires shall be of Metal Halide type and include High Power Factor Ballasts. High-pressure sodium lamps are prohibited.
- (B) All parking surfaces, walkways and drive spaces shall be illuminated per the City of Lincoln parking lot lighting design criteria. Setback and landscaped areas, which do not contain walkways or parking, are not bound by these requirements.
- (C) Site lighting poles for main parking lot areas shall not exceed 32'-0 in height measured from the ground surface. Calculation of the pole height shall include the base if a base is used.
- (D) Round tapered steel anchor base poles shall be used in all locations. Exceptions for walkways and common gathering places may be granted if deemed appropriate for the development by the Declarant. The appearance shall be black polyester powder paint.
- (E) Each pole shall be installed upon a round concrete base with 2'-0 height above grade and 24" diameter. Provide full base covers by same manufacturer as pole.
- (F) LSI Challenger II Medium luminaire with flat lens shall be used in all locations. Exceptions for walkways and common gathering places may be granted if deemed appropriate for the development by the Declarant. The finish of the luminaires shall be black. Site lighting luminaires for the parking lots shall be catalog no. CH2HM-\*-400-MHR-F-\*-BLK-RPP2. Distribution type shall be as needed to meet design criteria. Voltage shall be what is available.
- (G) No more than two luminaires may be mounted (at any height) on one pole.

All exterior building lighting within the Property, except for Lots 6 and 7, Pine Lake Heights South 9<sup>th</sup> Addition, shall be designed according to the following standards.

- (A) All building mounted luminaires shall be of Metal Halide type and include High Power Factor Ballasts. High-pressure sodium lamps are prohibited.
- (B) All building mounted luminaires shall have a full cutoff classification or be shielded in front to distribute light onto surfaces without glare to motorists or pedestrians.
- (C) LSI Challenger Small Wall Sconce with flat clear tempered glass shall be used in all locations. The finish of the luminaires shall be black. Exterior luminaires for building lighting shall be catalog no. CHWS-\*-MH-F-\*-BLK. Wattage of lamp, not to exceed 175 watt, and distribution type shall be as needed to meet design criteria. Voltage shall be what is available.