

\$98.00

COCOCO
COCOCOBUB

TZ



AMENDMENT TO MASTER DEED AND DECLARATION, SUPPLEMENTAL MASTER DEED AND
DECLARATION, AND MASTER DEED AMENDMENT INST.NO. 2009039163
OF COTNER CENTER CONDOMINIUM
1540 North Cotner Blvd.
Lincoln, NE 68505

Description of Land. The land owned by Cotner Center Condominium regime and described as follows:

Lots 1 thru 12, Block 56 and all vacated North-South and East-West alleys adjacent; Lot 7 and West 1/2 Lot 8 and South 1/2 vacated East-West alley adjacent, North 1/2 vacated East-West alley adjacent to Lots 3 thru 6 all in Block 55; and all vacated 67th St. adjacent to Blocks 55 & 56 Except East 10.5' of the North 140' thereof. All located in Bethany Heights Addition, Lincoln, Lancaster County, Nebraska. (Map attached: Exhibit 1)

1.9 "Land" means the real property described under "Description of Land" in the Master Deed and Declarations (as previously supplemented and amended), exclusive of the Building.

1.15 "Property" means the Land and the Building, all other improvements and structures thereon, and all easements, rights and appurtenances belonging thereto, and all articles of personal property intended for use in connection with said Common Elements.

By our signatures affixed below, we the undersigned President and Secretary of the Board of Administrators of Cotner Center Condominium Association of Co-Owners, Inc. do hereby ratify and affirm that the following amendment was voted on and approved pursuant to Master Deed and Declarations (as previously supplemented and amended) & By-Laws of Cotner Center Condominium (as previously supplemented and amended) by the Co-Owners of Cotner Center Condominium at a regularly held meetings on December 23, 2009 and January 21, 2010 for the sole purpose of amending the Master Deed and Declaration (as previously supplemented and amended) and recorded with the Register of Deeds, Lancaster County, Nebraska (Master Deed and Declaration of Cotner Center Condominium, recorded July 21, 1982 as INST. NO. 82-11010, Supplemental Master Deed and Declaration of Cotner Center Condominium Building "B", recorded February 15, 1984 as INST. NO. 84-3243, and Master Deed Amendment, recorded July 15, 2009 as INST. NO. 2009039163.

Change the current Article II: Page 8, Master Deed and Declaration, INST. NO. 82-11010 and Page 8, Master Deed and Declaration Building "B", INST. NO. 84-3243 reading as:

2.13 Partition. Except as hereinafter provided in 13.2, neither an Owner, a group of Owners, nor the Association shall have the right to divide or partition any Unit or Units, and in taking title to any Unit, the Owner thereof shall be deemed to have waived any and all rights to divide or partition said Unit. The Common Elements shall be owned in common by all of the Owners and shall remain undivided and neither an Owner, a group of Owners, nor the Association shall bring any action for partition or division of the Common Elements. A violation of the provisions contained herein shall entitle the Association to collect from the parties violating the same, jointly and severally, reasonable attorney's fees, costs, and such other damages as may be incurred by the Association or the Owners as a result thereof.

To read as :

2.13 Partition. Except as hereinafter provided in 13.2, neither an Owner, a group of Owners, nor the Association shall have the right to divide or partition any Unit or Units, and in taking title to any Unit, the Owner thereof shall be deemed to have waived any and all rights to divide or partition said Unit. Provided, however, an Owner, group of Owners, or the Association shall have the right to divide or partition any unit when the divided or partitioned portion of said unit will be dedicated, upon the appropriate consent and approval of the Association, as a Common Element. The Common Elements shall be owned in common by all of the Owners

and shall remain undivided and neither an Owner, a group of Owners, nor the Association shall bring any action for partition or division of the Common Elements. A violation of the provisions contained herein shall entitle the Association to collect from the parties violating the same, jointly and severally, reasonable attorney's fees, costs, and such other damages as may be incurred by the Association or the Owners as a result thereof.
(for purposes of clarity, the proposed addition is underlined)

In addition, change the current Master Deed Amendment, INST. NO. 2009039163, Article XIII:

13.1 Amendment of Master Deed and Declaration. This Master Deed and Declaration may be amended and additional Land and Units added thereto at any time by vote of at least seventy-five percent (75%) of the Co-Owners, cast in person or by proxy at a meeting duly held in accordance with the provisions of the By-Laws. No such amendment shall be effective until recorded among the land records of Lancaster County, Nebraska. Provided, however, the Percentage interests shall not be changed except by unanimous consent of all the Co-Owners, which change shall be evidenced by an appropriate amendatory declaration to such effect recorded among the land records of Lancaster County, Nebraska.

To Read As:

13.1 Amendment of Master Deed and Declaration. This Master Deed and Declaration may be amended at any time by an affirmative vote of at least seventy-five percent (75%) of the total number of Co-Owners, cast in person or by proxy at a meeting duly held in accordance with the provisions of the By-Laws. No such amendment shall be effective until recorded among the land records of Lancaster County, Nebraska.

13.1.1 Percentage interests. Percentage interests shall not be changed except (1) by unanimous consent of all the Co-Owners, which change shall be evidenced by an appropriate amendatory declaration to such effect recorded among the land records of Lancaster County, Nebraska; or (2) as provided in Section 13.1.2, if the change in percentage interest is based on a division, addition or deletion as described therein.

13.1.2 Condominium Property: Divided; Added To; Deleted. Land, buildings, apartments, improvements, structures, easements, rights or obligations, in whole or in part, may be divided, added to or deleted from the Condominium Property Regime at any time by an affirmative vote of at least seventy-five percent (75%) of the total number of Co-Owners, cast in person or by proxy at a meeting duly held in accordance with the provisions of the By-Laws. Upon approval of such divisions, additions or deletions in writing, an amended and revised Master Deed and attached plans shall be filed for record and the basic percent values shall be re-computed and filed for record as required among the land records of Lancaster County, Nebraska.

Recitals

1. Authority is given to the Association to divide a Unit and dedicate the divided portion as a common element in the Master Deed and Declaration, amended Article II, 2.13 Partition, which states:

2.13 Partition. Except as hereinafter provided in 13.2, neither an Owner, a group of Owners, nor the Association shall have the right to divide or partition any Unit or Units, and in taking title to any Unit, the Owner thereof shall be deemed to have waived any and all rights to divide or partition said Unit. Provided, however, an Owner, group of Owners, or the Association shall have the right to divide or partition any unit when the divided or partitioned portion of said unit will be dedicated, upon the appropriate consent and approval of the Association, as a Common Element. The Common Elements shall be owned in common by all of the Owners and shall remain undivided and neither an Owner, a group of Owners, nor the Association shall bring any action for partition or division of the Common Elements. A violation of the provisions contained herein shall entitle the Association to collect from the parties violating the same, jointly and severally, reasonable attorney's fees, costs, and such other damages as may be incurred by the Association or the Owners as a result thereof.

The Association is the owner of Unit 1C, which is located on the first or main floor of Cotner Center Condominium Building "A" consisting of the Auditorium and stage; dishwashing room; Kitchen and Kitchen Office; Maintenance Shop; Dining Room; Green House; Board Room; Game Room; Library; Craft Room;

various rest rooms, storage rooms, and hallways; boiler room; the Red Garages; and the Caretaker's Apartment, shall divide Unit 1C such that the Caretaker's Apartment (Unit 1A) shall remain as a condominium unit and the remainder of Unit 1C shall be dedicated to the Cotner Center Condominium Property Regime as a Common Element. A depiction of the partition is attached hereto as Exhibit A.

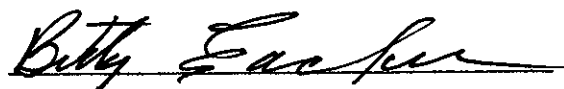
The Association shall accept all of Unit 1C, except for the Caretaker's Apartment (Unit 1A), as herein described, as a Common Element of the Cotner Center Condominium Property Regime.

The Board of Administrators of the Association is authorized to take all actions necessary to effectuate this partition, including amending the Master Deed and Declaration. Provided, however, any amendment of the Master Deed and Declaration pursuant to this vote shall be limited to the partition and the reallocation of Percentage Interests that is required pursuant to the partition.

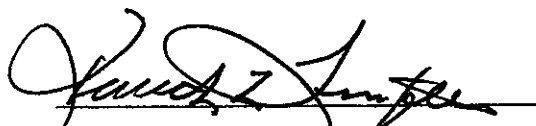
Pursuant to Article 13.1 of the Master Deed and Declaration, through approval of this partition and acceptance of this additional common area shall require the Association to reallocate the percentage interests as set forth in the attached Schedule A, Exhibit B.

And, that all other Articles and Schedules written into or attached to the Master Deed and Declaration of Cotner Center Condominium, recorded July 21, 1982 as INST. NO. 82-11010 and amended by INST. NO 82-12016 recorded August 6, 1982; and restated in the Supplemental Master Deed and Declaration of Cotner Center Condominium Building "B", recorded February 15, 1984 as INST. NO. 84-3243; the Second Supplement as INST. NO. 84-48804 recorded August 6, 1984; and the Third Supplement as INST. NO. 85-27579 recorded October 14, 1985 and amended by INST. NO. 88-4762 recorded February 29, 1988; and Master Deed Amendment, recorded July 15, 2009 as INST. NO. 2009039163 and the By-Laws of Cotner Center Condominium, recorded as INST. NO. 82-11011 amended by INST. NO. 84-23014 recorded September 21, 1982, restated as INST. NO. 88-30691 recorded October 4, 1988 and amended by INST. NO. 91-41928 recorded December 17, 1991 as attached to the Master Deed and Declaration by Article I, section 1.4 "By-Laws" remain unchanged.

IN WITNESS WHEREOF, Betty J. Eacker and Kenneth L. Linafelter, representing the Board of Administrators and the Co-Owners of the Cotner Center Condominium Association of Co-Owners, Inc., have caused this Amendment to the Master Deed and Declaration of Cotner Center Condominium to be executed on this 12 day of October, 2010.



President, Betty J. Eacker



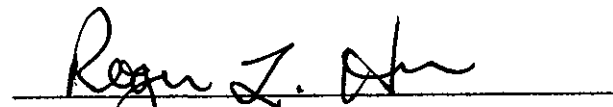
Secretary, Kenneth L. Linafelter

State of Nebraska } ss.
County of Lancaster

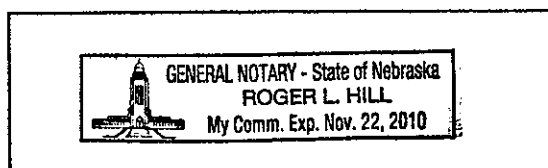
I, the undersigned, a Notary Public in and for said County and State, do hereby certify that Betty J. Eacker and Kenneth L. Linafelter personally appeared before me and are known to me to be the persons who have executed the same, and acknowledged said instrument to be their free and voluntary act and deed and that they executed said instrument for the purposes and uses therein set forth.

Witness my hand and official seal this

12 day of October, 2010.



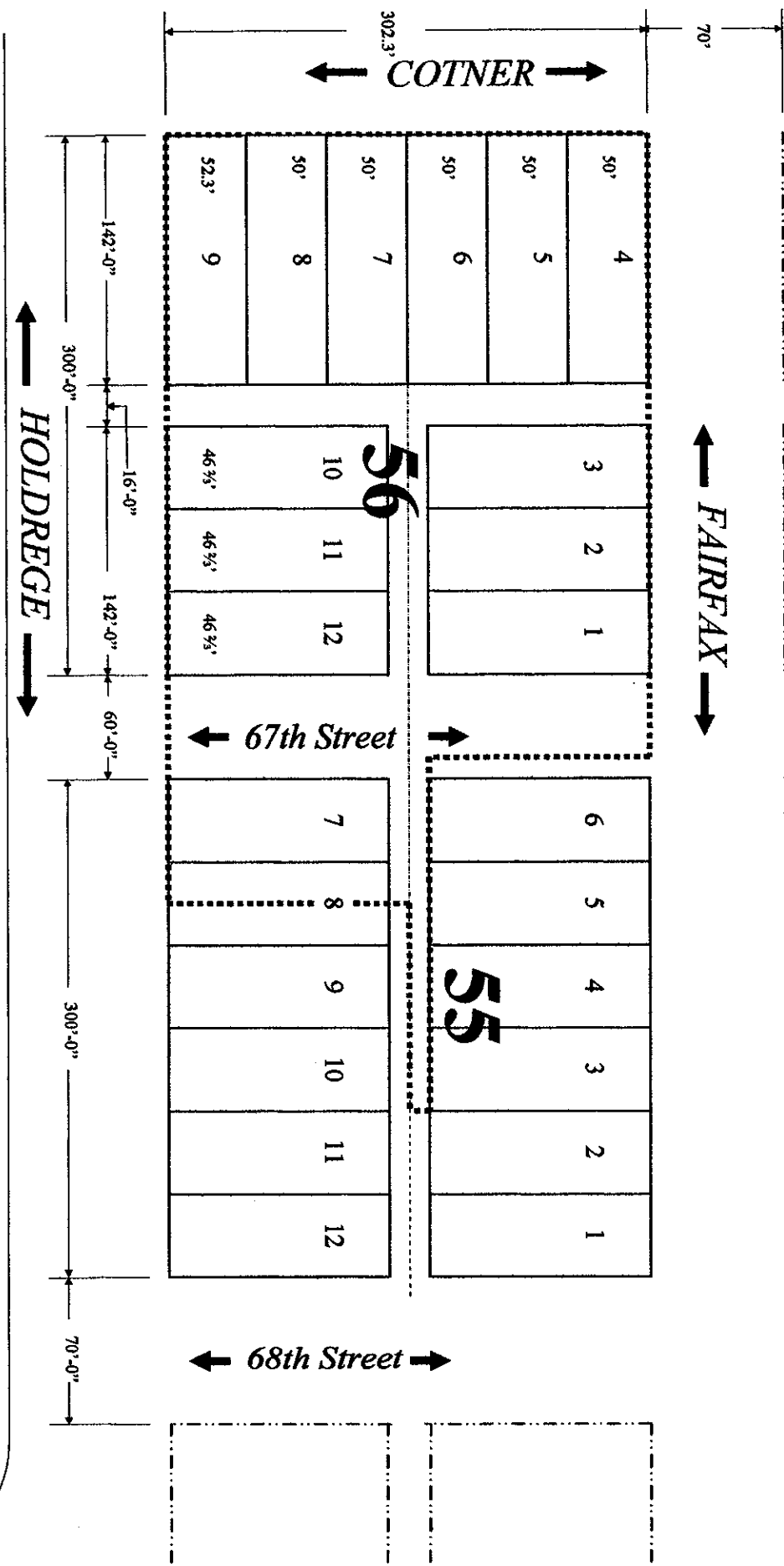
My Commission Expires: 11/22/2010



↑ Affix Notary Seal ↓

This rendition is for clarification purposes only. The plat is not drawn to scale and was not drawn by a licensed architect. The measurements used are from page 1 of the 3/15/1982 original map of the Condominium by Robert B. Gibb, A.I.A..

Exhibit 1



Cotner Center Condominium Regime, 1540 North Cotner Boulevard, Lincoln, Nebraska 68505

Lots 1 thru 12, Block 56 and all vacated North-South and East-West alleys adjacent; Lot 7 and West 1/2 Lot 8 and South 1/2 vacated East-West alley adjacent; North 1/2 vacated East-West alley adjacent to Lots 3 thru 6 all in Block 55; and all vacated 67th St. adjacent to Blocks 55 & 56 Except East 10.5' of the North 140' thereof. All located in Bethany Heights Addition, Lincoln, Lancaster County, Nebraska.

Cotner Center Condominium
1540 N. Cotner Blvd.
Lincoln, NE 68505

Identification of Condominium Units

Cotner Center Condominium consists of Building "A" and Building "B". Building "A", the old Bethany School, contains 20 condominiums that are numbered one through twenty with the prefix of (A) and 1 apartment (1A). Building "B", attached to Building "A" at A's south west corner, contains 81 condominiums that are numbered according to floor locations with first floor having the prefix (B1), the second floor prefix is (B2), the third floor prefix is (B3), and the fourth floor prefix is (B4). There are also 3 motel rooms (MR) and a retail space. The total number of condominiums in "A" and "B" Building is 101, plus the apartment, motel rooms, and retail space.

BUILDING "A"

Parcel ID	Unit #
17-16-455-001-107	1A
17-16-455-001-002	A1
17-16-455-001-003	A2
17-16-455-001-004	A3
17-16-455-001-005	A4
17-16-455-001-006	A5
17-16-455-001-007	A6
17-16-455-001-008	A7
17-16-455-001-009	A8
17-16-455-001-010	A9
17-16-455-001-011	A10
17-16-455-001-012	A11
17-16-455-001-013	A12
17-16-455-001-014	A13
17-16-455-001-015	A14
17-16-455-001-016	A15
17-16-455-001-017	A16
17-16-455-001-018	A17
17-16-455-001-019	A18
17-16-455-001-020	A19
17-16-455-001-021	A20

1ST FLOOR BUILDING "B"

Parcel ID	Unit #
17-16-455-001-022	B103
17-16-455-001-023	B104
17-16-455-001-024	B105
17-16-455-001-025	B106
17-16-455-001-026	B107
17-16-455-001-027	B108
17-16-455-001-028	B109
17-16-455-001-029	B110
17-16-455-001-030	B111
17-16-455-001-031	B112
17-16-455-001-032	B113
17-16-455-001-033	B114
17-16-455-001-034	B115
17-16-455-001-035	B116
17-16-455-001-036	B117
17-16-455-001-037	B118
17-16-455-001-038	B119
17-16-455-001-039	B120
17-16-455-001-040	B121
17-16-455-001-041	B123
17-16-455-001-042	B125

2ND FLOOR BUILDING "B"

Parcel ID	Unit #
17-16-455-001-043	B201
17-16-455-001-044	B202
17-16-455-001-045	B203
17-16-455-001-046	B204
17-16-455-001-047	B205
17-16-455-001-048	B206
17-16-455-001-049	B207
17-16-455-001-050	B208
17-16-455-001-051	B209
17-16-455-001-052	B210
17-16-455-001-053	B211
17-16-455-001-054	B212
17-16-455-001-055	B213
17-16-455-001-056	B214
17-16-455-001-057	B215
17-16-455-001-058	B216
17-16-455-001-059	B217
17-16-455-001-060	B218
17-16-455-001-061	B219
17-16-455-001-062	B220
17-16-455-001-063	B221
17-16-455-001-064	B222
17-16-455-001-065	B223
17-16-455-001-066	B225

3RD FLOOR BUILDING "B"

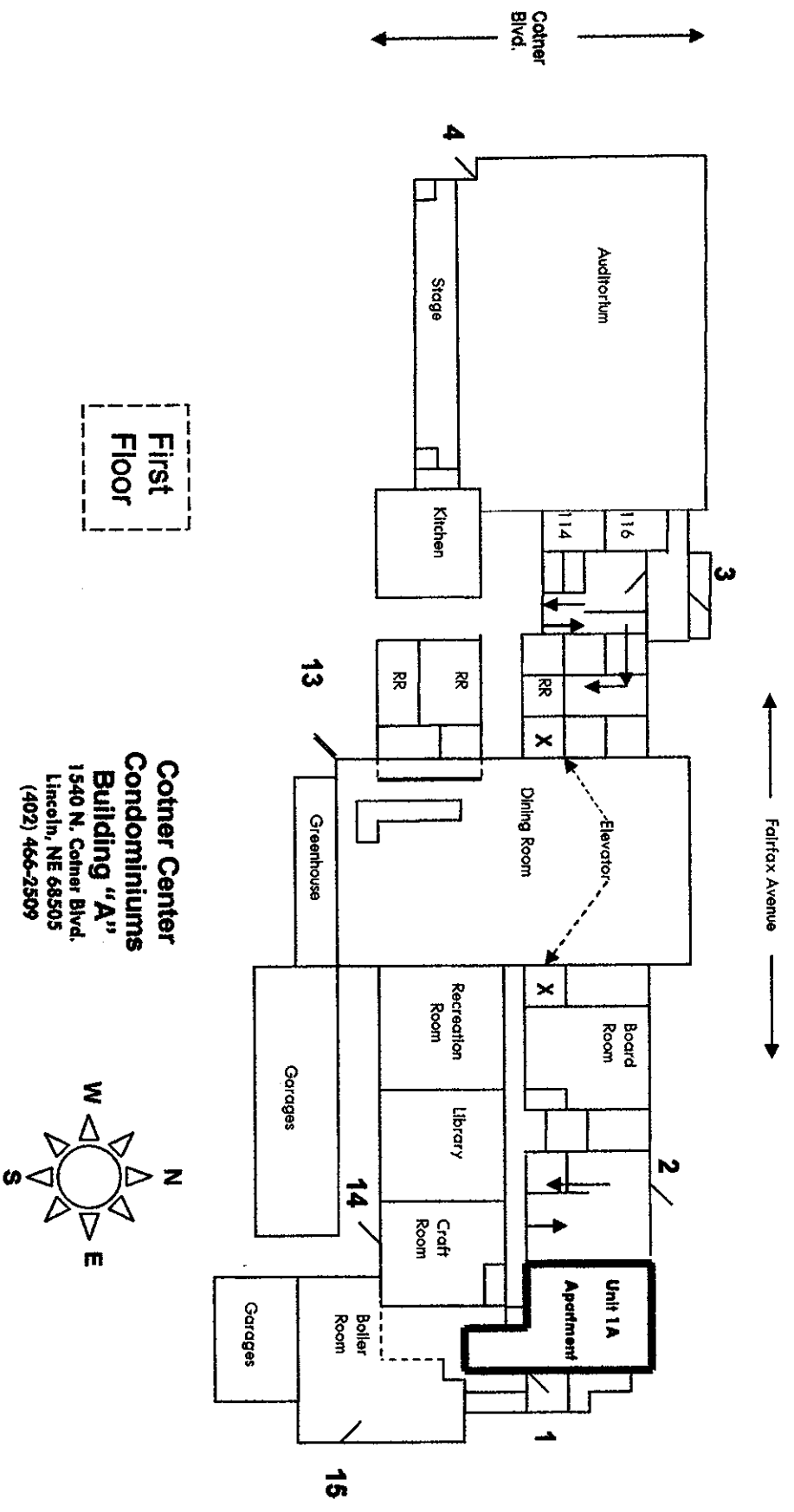
Parcel ID	Unit #
17-16-455-001-067	B301
17-16-455-001-068	B302
17-16-455-001-069	B303
17-16-455-001-070	B304
17-16-455-001-071	B305
17-16-455-001-072	B306
17-16-455-001-073	B307
17-16-455-001-074	B308
17-16-455-001-075	B309
17-16-455-001-076	B310
17-16-455-001-077	B311
17-16-455-001-078	B312
17-16-455-001-079	B313
17-16-455-001-080	B314
17-16-455-001-081	B315
17-16-455-001-082	B316
17-16-455-001-083	B317
17-16-455-001-084	B318
17-16-455-001-085	B319
17-16-455-001-086	B320
17-16-455-001-087	B321
17-16-455-001-088	B322
17-16-455-001-089	B323
17-16-455-001-090	B325

4TH FLOOR BUILDING "B"

Parcel ID	Unit #
17-16-455-001-091	B401
17-16-455-001-092	B402
17-16-455-001-093	B403
17-16-455-001-094	B404
17-16-455-001-095	B405
17-16-455-001-096	B406
17-16-455-001-097	B407
17-16-455-001-098	B408
17-16-455-001-099	B409
17-16-455-001-100	B410
17-16-455-001-101	B411
17-16-455-001-102	B425

Association Owned Spaces

Parcel ID	Unit #
17-16-455-001-103	MR1
17-16-455-001-004	MR2
17-16-455-001-005	MR3
17-16-455-001-006	Retail



**Cotner Center
Condominiums
Building "A"**
1540 N. Cotner Blvd.
Lincoln, NE 68505
(402) 466-2509

This rendition of First Floor of Building "A" is not drawn to scale and was not drawn by a licensed architect. It is produced for clarification purposes only. Refer to the Map of the Condominium for a more precise drawing.

The Caretaker's Apartment is located in the northeast corner of the building, is bolded and labeled as "Unit 1A Apartment" in this rendition. All other areas of first floor are referred to as Unit 1C.

Schedule "A"
 Cotner Center Condominium

Exhibit B

All units have the street address of 1540 North Cotner Blvd., Lincoln, Nebraska 68505.

Condominium percent interest is assigned to Units according to the following formula:

$$\frac{\text{Square Footage of Unit}}{\text{Total Square Footage of All Units}} = \text{Percent Interest of Unit}$$

Formula shows that each unit is assigned a percent interest value with respect to the unit's square footage of floor space. Each such unit shall pay the percent interest value in dollars for each \$100 worth of common area expense relating to Real Estate Taxes associated with the common areas.

		Square Foot	% Interest
21 Units	Building "A" Total Square Footage	= 17,002.48	= 20.651%
23 Units	First Floor Building "B" Total Square Footage	= 18,452.67	= 22.414%
24 Units	Second Floor Building "B" Total Square Footage	= 18,499.70	= 22.470%
24 Units	Third Floor Building "B" Total Square Footage	= 19,168.93	= 23.284%
12 Units	Fourth Floor Building "B" Total Square Footage	= 9,208.64	= 11.181%
104 units	TOTAL	82,332.42	100.000%

BUILDING "A"

Floor	Unit No.	Area (Sq. Ft.)	% Interest
1	(AKA Caretakers Apt.)1A	675.00	0.819
2	A1	882.03	1.071
2	A2	786.46	0.955
2	A3	631.28	0.767
2	A4	760.26	0.923
2	A5	933.97	1.134
2	A6	797.57	0.969
2	A7	731.01	0.888
2	A8	752.15	0.914
2	A9	753.62	0.916
2	A10	928.58	1.128
3	A11	883.50	1.073
3	A12	804.75	0.977
3	A13	793.63	0.964
3	A14	793.63	0.964
3	A15	904.94	1.099
3	A16	821.57	0.998
3	A17	797.57	0.969
3	A18	799.23	0.971
3	A19	842.63	1.023
3	A20	929.10	1.129
"A" Building TOTALS		17,002.48	20.651%

<u>BUILDING "B"</u>			
Floor	Unit No.	Area (Sq. Ft.)	% Interest
1	MR1, MR2, MR3 (B101)	836.26	1.016
1	Retail (B102)	836.26	1.016
1	B103	548.36	0.665
1	B104	836.26	1.016
1	B105	819.56	0.995
1	B106	836.26	1.016
1	B107	548.26	0.665
1	B108	836.26	1.016
1	B109	819.56	0.995
1	B110	836.26	1.016
1	B111	684.25	0.831
1	B112	836.26	1.016
1	B113	836.26	1.016
1	B114	836.26	1.016
1	B115	836.26	1.016
1	B116	836.26	1.016
1	B117	836.26	1.016
1	B118	816.26	0.991
1	B119	836.26	1.016
1	B120	836.26	1.016
1	B121	836.26	1.016
1	B123	836.26	1.016
1	B125	836.26	1.016
1st Floor		TOTALS	18,452.67
			22.414%
2	B201	548.26	0.665
2	B202	836.26	1.016
2	B203	836.26	1.016
2	B204	548.26	0.665
2	B205	830.26	1.008
2	B206	548.26	0.665
2	B207	569.88	0.692
2	B208	548.26	0.665
2	B209	836.26	1.016
2	B210	836.26	1.016
2	B211	690.10	0.838
2	B212	836.26	1.016
2	B213	836.26	1.016
2	B214	836.26	1.016
2	B215	836.26	1.016
2	B216	836.26	1.016
2	B217	836.26	1.016
2	B218	836.26	1.016
2	B219	836.26	1.016
2	B220	836.26	1.016
2	B221	836.26	1.016
2	B222	836.26	1.016
2	B223	836.26	1.016
2	B225	836.26	1.016
2nd Floor		TOTALS	18,499.70
			22.470 %

BUILDING "B"

Floor	Unit No.	Area (Sq. Ft.)	% Interest
3	B301	958.99	1.165
3	B302	836.26	1.016
3	B303	836.26	1.016
3	B304	548.26	0.665
3	B305	836.26	1.016
3	B306	548.26	0.665
3	B307	836.26	1.016
3	B308	548.26	0.665
3	B309	822.38	0.999
3	B310	836.26	1.016
3	B311	690.10	0.838
3	B312	836.26	1.016
3	B313	836.26	1.016
3	B314	836.26	1.016
3	B315	836.26	1.016
3	B316	836.26	1.016
3	B317	836.26	1.016
3	B318	836.26	1.016
3	B319	836.26	1.016
3	B320	836.26	1.016
3	B321	836.26	1.016
3	B322	836.26	1.016
3	B323	836.26	1.016
3	B325	836.26	1.016
3rd Floor	TOTALS	19,168.93	23.284%
4	B401	958.99	1.165
4	B402	548.26	0.665
4	B403	836.26	1.016
4	B404	548.26	0.665
4	B405	836.26	1.016
4	B406	548.26	0.665
4	B407	836.26	1.016
4	B408	548.26	0.665
4	B409	836.26	1.016
4	B410	548.26	0.665
4	B411	690.10	0.838
4	B425	1,473.21	1.789
4th Floor	TOTALS	9,208.64	11.181%

*Unit 1C (and land associated with the Unit 1C) is received into the Condominium Regime as a Common Element.

As per By-Laws, when voting, each of the 104 units shall have one vote each or, each vote has a value of .96154 of all votes cast. Monthly Fees will be set annually by the Board of Administrators at the December meeting prior to the fiscal year starting on January 1st.

This Schedule "A" replaces all previous schedules of the Master Deed and Declarations, with Supplements and Amendments, concerning percent interest ownership of common elements.

Measurements of square footage are estimates as figured by Cotner Center and may be adjusted by more accurate measurements as determined by the County Assessor's Office.