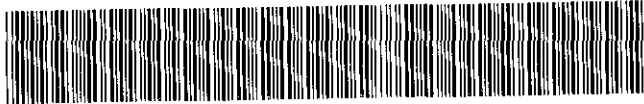


MISC 2006117517



OCT 12 2006 10:32 P 14

Return to: Scott A. Meyerson, STINSON MORRISON HECKER LLP, 1299 Farnam St., #1501, C

(Above Space Reserved for Register of Deeds)

Received - DIANE L. BATTIATO
Register of Deeds, Douglas County, NE
10/12/2006 10:32:18.29



2006117517

Document Title: Amendment to Declaration of Condominium for
Dundee Place Condominiums

Document Date: October 10, 2006

Grantor Name: Fountainhead Development, LLC

Grantee Names: None

Grantor's Address: c/o Scott A. Meyerson, Esq.
Stinson Morrison Hecker LLP
1299 Farnam St., #1501
Omaha, Nebraska 68102

City of Omaha, Douglas County, Nebraska

FF *Misc* *500* *39-04875*
 FEE 75 FB _____
 BKP _____ C/O _____ COMP *MB*
 DEL _____ SCAN _____ FV _____
14
10

①
75

**AMENDMENT TO DECLARATION OF CONDOMINIUM OWNERSHIP
FOR
DUNDEE PLACE CONDOMINIUMS**

THIS AMENDMENT TO DECLARATION ("Amendment") is made this 10th day of October, 2006 by Fountainhead Development, a Nebraska limited liability company, (hereinafter referred to as "Declarant").

A. OWNERSHIP, DECLARATION AND AMENDMENT

1. Declarant is the owner in fee simple of a parcel of real estate located in the City of Omaha, Douglas County, Nebraska, legally described in Attachment 1 hereto. Declarant remains the sole and exclusive owner of all of such property and all of the Units as of the filing of this Amendment.

2. On or about November 16, 2005 Declarant filed a Declaration with the Register of Deeds of Douglas County, Nebraska at Instrument No. 2005145444 (the "Declaration") pursuant to which Declarant submitted said property to the provisions of the Nebraska Condominium Act (Neb. Rev. Stat. §§ 76-825 to 76-894) in effect as of the date of the recording of said Declaration (the "Act").

3. Declarant desires to amend and correct the Declaration.

B. DEFINITIONS

Unless specifically defined herein or the context clearly requires a different meaning, the words and phrases used herein that are defined in the Declaration and not otherwise defined in this Amendment shall have the meanings ascribed to them in the Declaration. The following terms which are defined in Section 1.1 of the Declaration shall be amended and corrected to have the following meanings for use herein or elsewhere in any condominium documents or the Declaration relating to the Dundee Place Condominiums:

d. Building – The structure built, or to be built, on the Property containing ten (10) Units.

z. Unit or Condominium Unit - A physical portion of the Condominium designated for separate ownership or occupancy and identified as Units 2A, 2B, 2C, 2D, 3A, 3B, 3C, 4A, 4B, and 4C the boundaries of which are delineated on Attachment 2 hereto and further described in Section 2 below.

C. UNITS

Section 2 of the Declaration shall be revised as follows:

2.1. The Condominium Units shall be legally described as shown on the Plat and Plans attached hereto as Attachment 2. The Condominium Project consists of: (i) ten (10) Units on levels two (2) through four (4), and (ii) twelve (12) Parking Units located in the Parking Garage on level one (1). Each Unit includes a Percentage of Ownership that is appurtenant thereto. The Units are further identified on the Plat and Plans recorded pursuant to the terms of this Declaration and the Act.

D. ASSOCIATION OF UNIT OWNER; DECLARANT CONTROL

Section 9 of the Declaration shall be revised to include the following:

9.4. On matters that come before the Association, each owner will have one vote for each Unit owned. Accordingly, the aggregate number of votes for all members of the Association shall total ten (10). Each Unit is allocated a vote equal in weight to each other Unit.

E. RATIFICATION

All of the terms, covenants, declarations and conditions of the Declaration shall continue in full force and effect, and the same are hereby reaffirmed, remade and rewritten, except to the extent that any such terms, covenants, declarations or conditions have been modified or nullified hereby or conflict or are inconsistent with the terms of this Amendment, in which event the terms of this Amendment shall, in all respects, govern and prevail.

F. ATTACHMENTS

The following are attached hereto and incorporated herein by this reference and shall replace the attachments which are appended to the Declaration:

Attachment 1 -	Description of the Property
Attachment 2 -	Condominium Plat and Plans
Attachment 3 -	Percentage of Ownership

IN WITNESS WHEREOF, the undersigned has caused this Amendment to be executed in its behalf.

Fountainhead Development, LLC

By: 

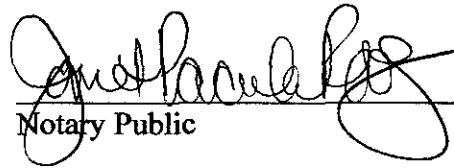
Troy F. Meyerson, Manager

STATE OF NEBRASKA)
) SS.
COUNTY OF DOUGLAS)

On this 10th day of October, 2006 before me appeared Troy F. Meyerson to me personally known, who, being by me duly sworn, did say that he is the President of Fountainhead Development and acknowledged that he executed the foregoing instrument on behalf of such limited liability company as the free act and deed of said limited liability company.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the City and State aforesaid the day and year first above written.





Notary Public

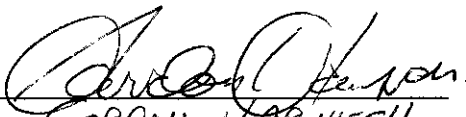
My commission expires:

11/2/08

CONSENT OF MORTGAGEE

The undersigned, Great Western Bank, a Nebraska banking corporation, Omaha, Nebraska, being the holder of a Deed of Trust, recorded in the records of the Recorder of Deeds for Douglas County, on the parcel or tract of real estate forming the subject matter of the foregoing Amendment to Declaration, hereby consents to the recording of said Amendment to Declaration and acknowledges, confirms and ratifies the submission of said parcel or tract of real estate to the provisions of the Nebraska Condominium Act, and agrees that its said Deed of Trust shall be subject to the provisions of said Act and said Declaration, this Amendment to Declaration and the Exhibits appended hereto.

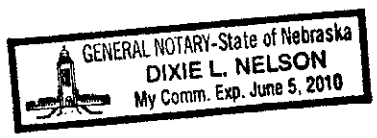
IN WITNESS WHEREOF, the undersigned has caused these presents to be executed on its behalf and its corporate seal to be hereunto affixed.

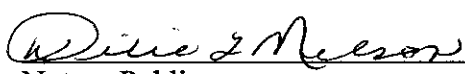
By: 
Name: GORDON HARNISCH
Title: VICE PRESIDENT

STATE OF NEBRASKA)
) SS.
COUNTY OF DOUGLAS)

On this 10th day of October, 2006 before me appeared GORDON HARNISCH to me personally known, who, being by me duly sworn, did say that he is the VP of Great Western Bank, and that said instrument was signed and sealed on behalf of said bank by authority of its Board of Directors, and he/she acknowledged said instrument to be the free act and deed of said bank.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the County and State aforesaid the day and year first above written.




Notary Public

My commission expires:
6-5-10

ATTACHMENT 1
TO
AMENDMENT TO DECLARATION OF CONDOMINIUM

Legal Description of the Property

Lots 1 & 2, Block 115, Dundee Place, a subdivision in Douglas County, Nebraska

~~to be~~ **now**
known as:

Units 2A, 2B, 2C, 2D, 3A, 3B, 3C, 4A, 4B, and 4C, Dundee Place Condominiums, a
Condominium organized under the laws of the State of Nebraska in Douglas County,
Nebraska.

ATTACHMENT 2
TO
AMENDMENT TO DECLARATION OF CONDOMINIUM

Condominium Plat and Plans

[See attached]

I HEREBY CERTIFY THAT THIS DRAWING WAS MADE UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF NEBRASKA.



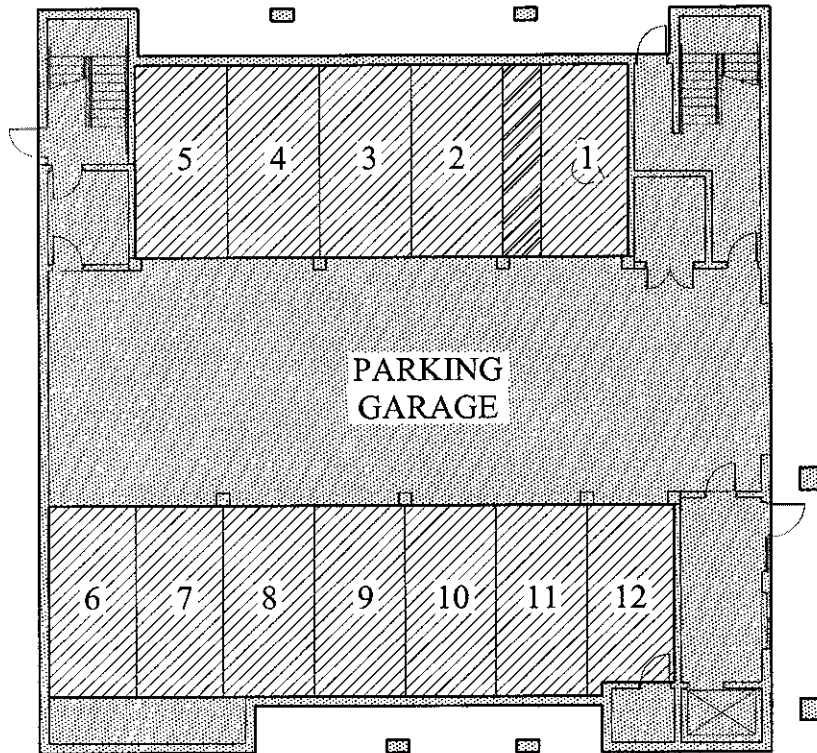
SEPTEMBER 25, 2006

DATE
REVISED: OCTOBER 10, 2006

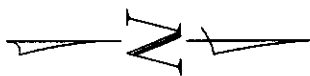
DAVID H. NEEF
NEBRASKA R.L.S. 475

NOTE:

THESE DRAWINGS ARE BASED ON CONSTRUCTION DRAWINGS, NOT ON AS-BUILT INFORMATION.



FIRST FLOOR



SCALE: 1" = 20'



LIMITED COMMON ELEMENT



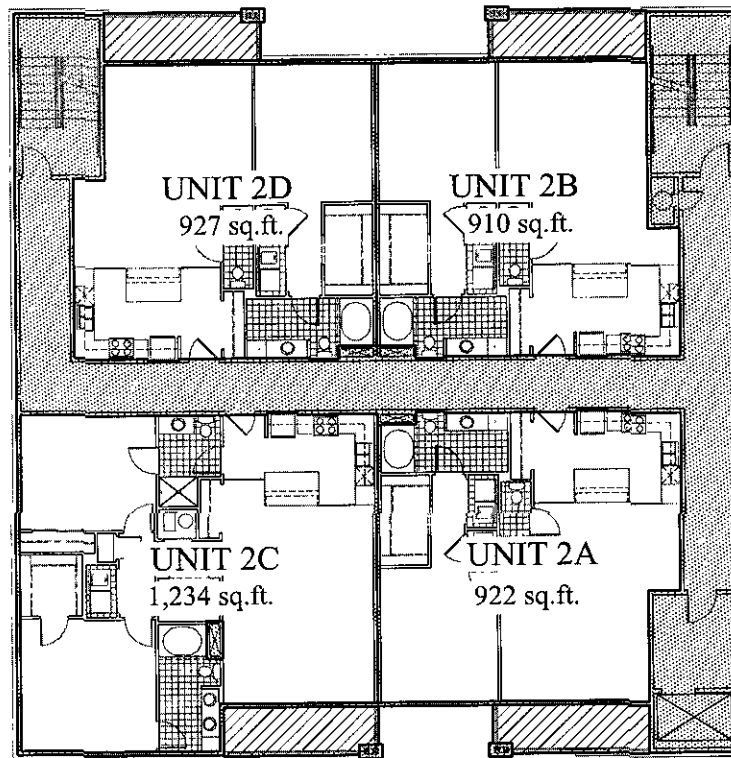
COMMON ELEMENT

SHEET 1 OF 6



DUNDEE PLACE CONDOMINIUM REGIME

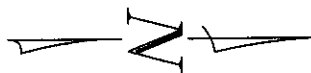
200334351.DWG

THOMPSON, DREESSEN & DORNER, INC., 10836 OLD MILL ROAD, OMAHA, NEBRASKA 68154, 402-330-8860



SECOND FLOOR

-  LIMITED COMMON ELEMENT
-  COMMON ELEMENT



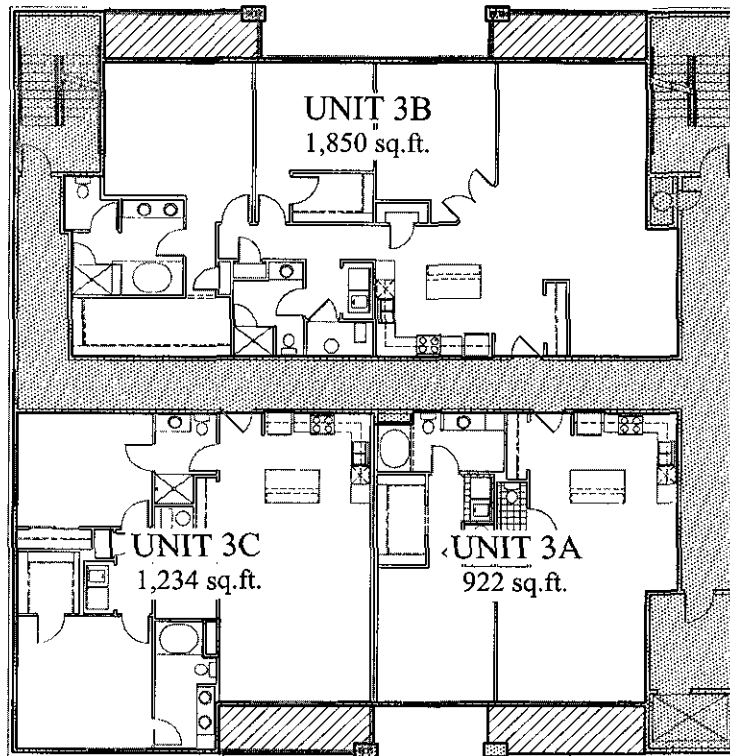
SCALE: 1" = 20'

SHEET 2 OF 6

DUNDEE PLACE CONDOMINIUM REGIME

200334351.DWG

THOMPSON, DRESSEN & DORNER, INC., 10836 OLD MILL ROAD, OMAHA, NEBRASKA 68154, 402-330-8860



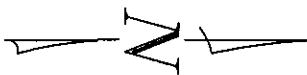
THIRD FLOOR



LIMITED COMMON ELEMENT

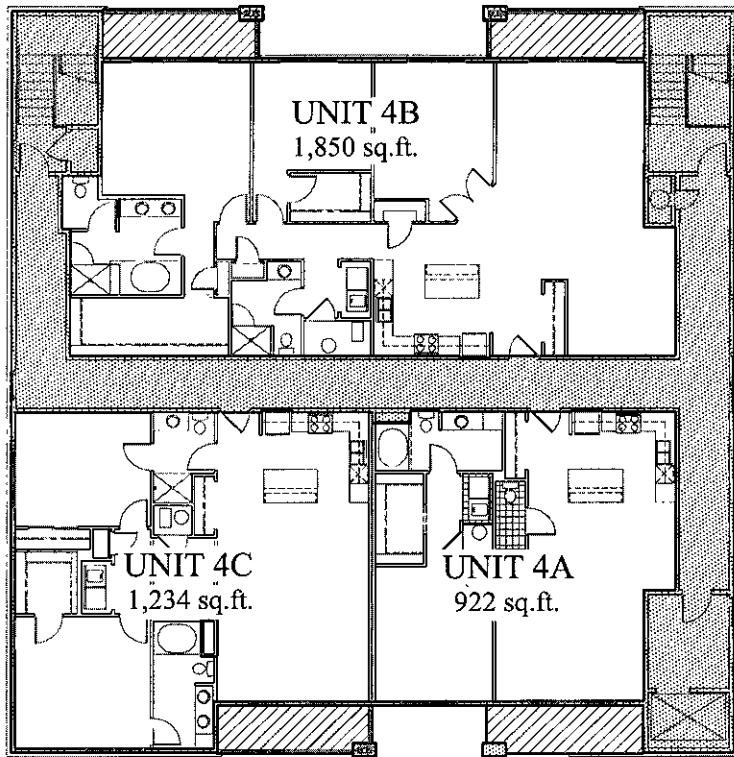


COMMON ELEMENT

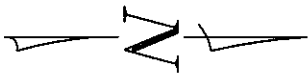
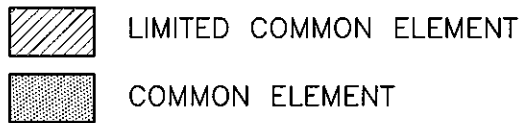


SCALE: 1" = 20'

SHEET 3 OF 6



FOURTH FLOOR



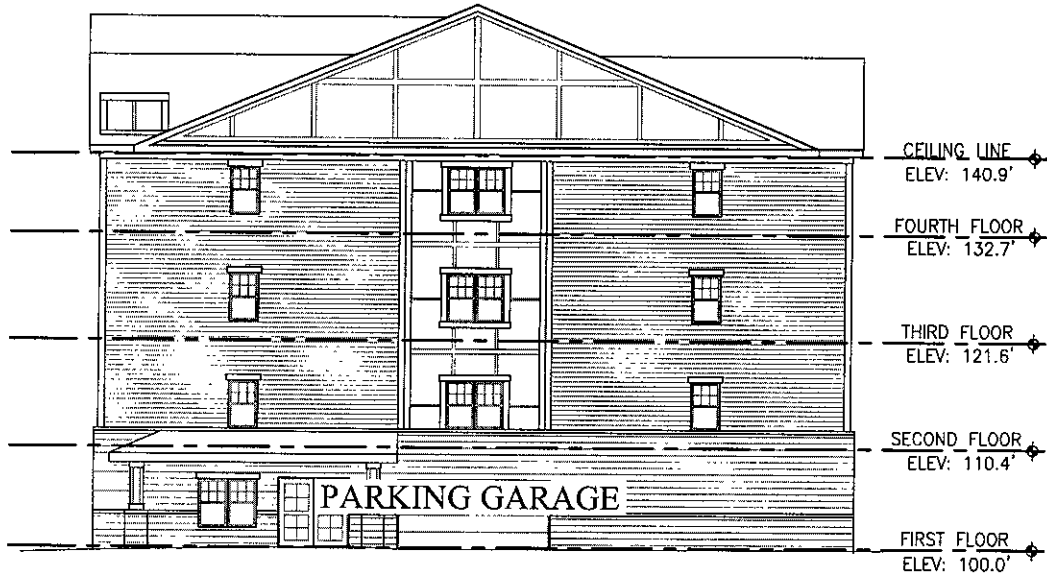
SCALE: 1" = 20'

SHEET 4 OF 6

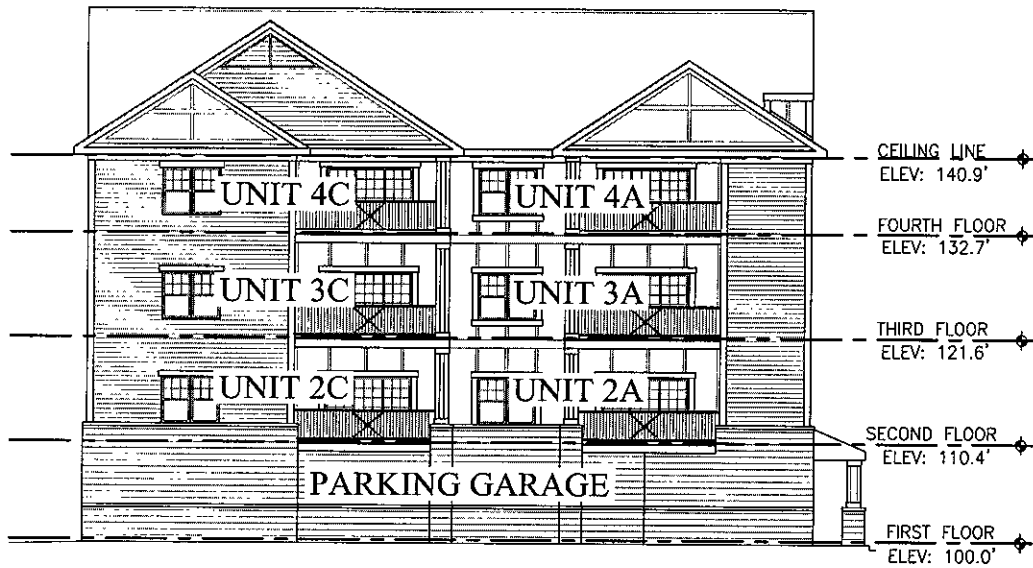
DUNDEE PLACE CONDOMINIUM REGIME

200334351.DWG

THOMPSON, DREESSEN & DORNER, INC., 10836 OLD MILL ROAD, OMAHA, NEBRASKA 68154, 402-330-8860



NORTH ELEVATION



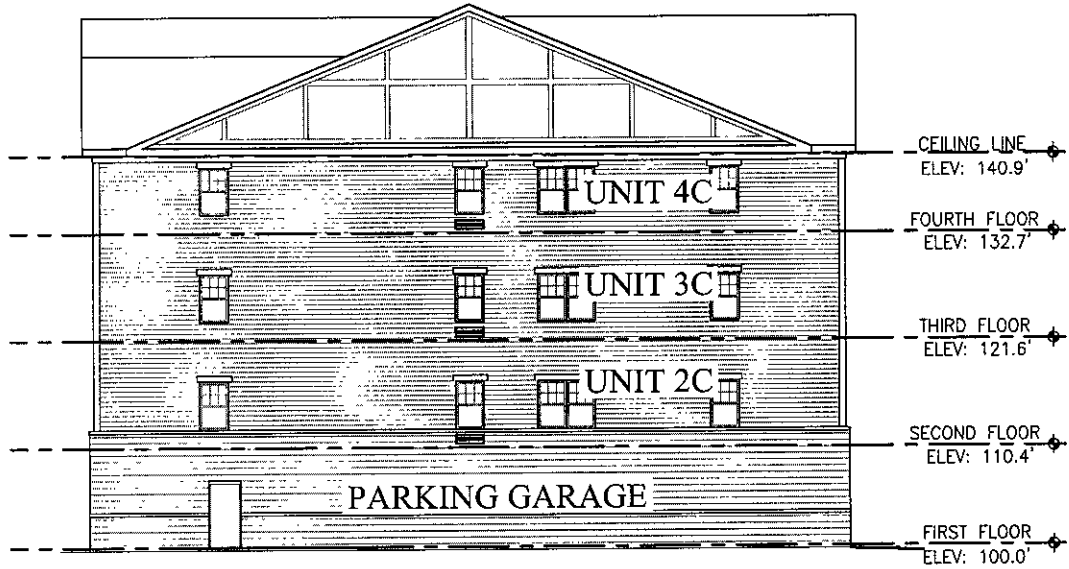
EAST ELEVATION

SHEET 5 OF 6

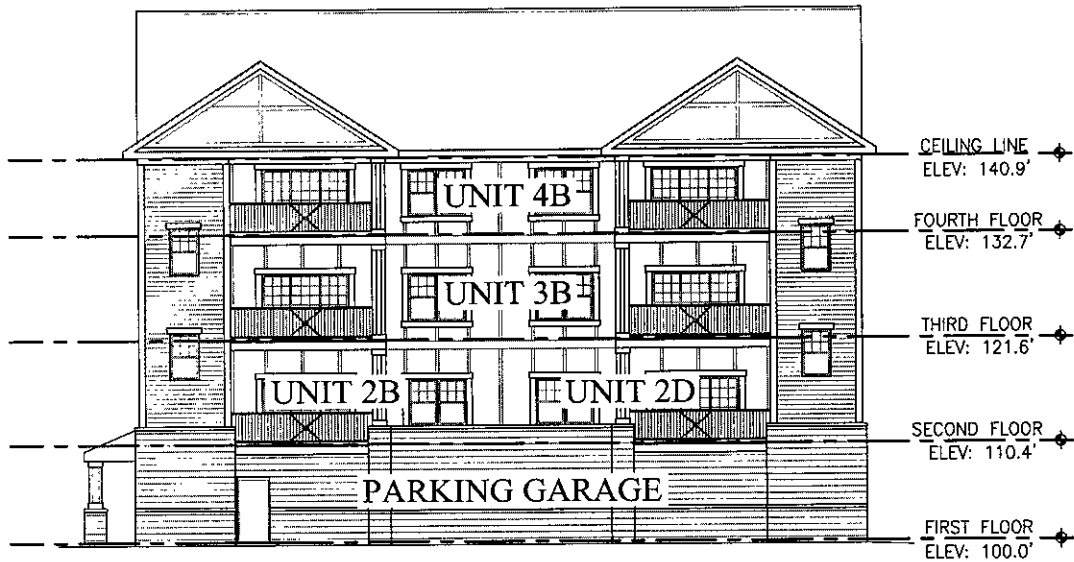
DUNDEE PLACE CONDOMINIUM REGIME

200334351.DWG

THOMPSON, DREESSEN & DORNER, INC., 10836 OLD MILL ROAD, OMAHA, NEBRASKA 68154, 402-330-8860



SOUTH ELEVATION



WEST ELEVATION

SHEET 6 OF 6

ATTACHMENT 3
TO
AMENDMENT TO DECLARATION OF CONDOMINIUM

Percentage of Ownership

<u>Identifying Number</u>	<u>Percentage Interest</u>
<u>Unit 2A</u>	<u>7.70 %</u>
<u>Unit 2B</u>	<u>7.60 %</u>
<u>Unit 2C</u>	<u>10.30 %</u>
<u>Unit 2D</u>	<u>7.70 %</u>
<u>Unit 3A</u>	<u>7.70 %</u>
<u>Unit 3B</u>	<u>15.35 %</u>
<u>Unit 3C</u>	<u>10.30 %</u>
<u>Unit 4A</u>	<u>7.70 %</u>
<u>Unit 4B</u>	<u>15.35 %</u>
<u>Unit 4C</u>	<u>10.30 %</u>
<u>TOTAL</u>	<u>100%</u>

