

FILED SARPY CO. NE.  
INSTRUMENT NUMBER  
2007-17030

2007 JUN 11 A 8:57

*Sharon G. Lawler*  
REGISTER OF DEEDS

COUNTER P G.E. W  
VERIFY W B.E. W  
PROOF \_\_\_\_\_  
FEES \$ 59.50  
CHECK # \_\_\_\_\_  
CHG. FNT CASH \_\_\_\_\_  
REFUND \_\_\_\_\_ CREDIT \_\_\_\_\_  
SHORT \_\_\_\_\_ NCR \_\_\_\_\_

**FIRST AMENDMENT TO  
AMENDED AND RESTATED DECLARATION OF COVENANTS,  
CONDITIONS, RESTRICTIONS AND EASEMENTS OF  
EQUESTRIAN RIDGE ESTATES,  
A SUBDIVISION IN SARPY COUNTY, NEBRASKA**

THIS FIRST AMENDMENT TO THE AMENDED AND RESTATED DECLARATION, is made on the dates hereinafter set forth, by the undersigned parties, hereinafter collectively referred to as the "Declarants".

PRELIMINARY STATEMENT

1. On or about February 26, 1997, the original Declaration of Covenants, Conditions, Restrictions and Easements of Equestrian Ridge Estates, a subdivision in Sarpy County, Nebraska, (the "Original Covenants") covering the property described on Exhibit A, attached hereto and incorporated herein by this reference, was filed as Instrument No. 97-003541 in the office of the Register of Deeds of Sarpy County, Nebraska.

2. The Original Covenants provided, at Article IX, Section 2, that the owners of 60% or more of the Lots covered by the Original Covenants had the right to amend the Original Covenants.

3. On or about November 4, 2004, the Original Covenants were amended by the filing of Amended and Restated Declaration of Covenants, Conditions, Restrictions and Easements of Equestrian Ridge Estates, a Subdivision in Sarpy County, Nebraska, ("Amended and Restated Covenants") as Instrument No. 2004-43455 in the office of the Register of Deeds of Sarpy County, Nebraska.

4. The Amended and Restated Covenants provided, at Article VII, Section 2, that the Owners of 60% or more of the Lots covered by the Original Covenants had the right to amend the Amended and Restated Covenants.

5. The undersigned Declarants are the Owners of the Lots set opposite their names and collectively constitute more than 60% of the lots covered by the Original Covenants.

NOW, THEREFORE, Declarants hereby amend the Amended and Restated Covenants as follows:

Return to:

Mike Huber  
200 N 89th #201  
Omaha, NE 68114

17030

FNT

1. The existing Article I, Section 15 shall be deleted in its entirety and the following substituted therefore:

No Residence shall be constructed on a Lot unless the entire Lot, as originally platted, is owned by one Owner of such Lot. No Lot shall be subdivided except that each of Lots 1 through 12, inclusive, may be subdivided and/or replatted into two separate Lots of not less than 50% (+/- 5%) in size of the original Lot.

2. The existing Article VI shall be deleted in its entirety and the following substituted therefore:

Lots 13, 14 and 15, Equestrian Ridge Estates have been subdivided and replatted into Lots 1-5 and Outlots A and B, Equestrian Ridge Estates Replat. In connection with such replatting a street, constructed using at a minimum the same standards as 232<sup>nd</sup> Street, may be constructed through a part of Outlot B, as replatted, connecting Equestrian Ridge Estates II to 232<sup>nd</sup> Street. Lots 1 through 12 Equestrian Ridge Estates, inclusive, may be subdivided and replatted as provided in Article I, Section 15. Notwithstanding any such subdividing and/or replatting, Lots 1-5, Equestrian Ridge Estates Replat, as replatted and subdivided, and Lots 1 through 12 Equestrian Ridge Estates, inclusive (whether or not replatted or subdivided) shall be covered by the original Declaration of Covenants as amended by the Amended and Restated Declaration of Covenants and this First Amendment to Amended and Restated Declaration of Covenants. Outlots A and B, Equestrian Ridge Estates Replat shall not be covered by the original Declaration of Covenants, the Amended and Restated Declaration of Covenants, or this First Amendment to the Amended and Restated Declaration of Covenants.

3. All provisions of the Amended and Restated Declaration of Covenants not herein above amended shall remain in full force and effect.

IN WITNESS WHEREOF, the undersigned have signed their names on the dates hereinafter set forth:

\_\_\_\_\_  
Michael K. Obeng Lot 1, Equestrian Ridge Estates

\_\_\_\_\_  
Melanie B. Obeng Lot 1, Equestrian Ridge Estates

*Daniel Schluckebier*  
Daniel Schluckebier Lot 2, Equestrian Ridge Estates

*Cynthia Schluckebier*  
Cynthia Schluckebier Lot 2, Equestrian Ridge Estates

Joseph J. Hartnett  
Joseph J. Hartnett

Lot 3, Equestrian Ridge Estates

Pamela D. Hartnett  
Pamela D. Hartnett

Lot 3, Equestrian Ridge Estates

Daniel C. Bohm  
Daniel C. Bohm

Lot 4, Equestrian Ridge Estates

Lisa G. Bohm  
Lisa G. Bohm

Lot 4, Equestrian Ridge Estates

Chad D. Grace  
Chad D. Grace

Lot 5, Equestrian Ridge Estates

Debra A. Grace  
Debra A. Grace

Lot 5, Equestrian Ridge Estates

Paul W. Wimmer  
Paul W. Wimmer

Lot 6, Equestrian Ridge Estates

Huynh S. (Kim) Wimmer  
Huynh S. (Kim) Wimmer

Lot 6, Equestrian Ridge Estates

Mark N. Grimm  
Mark N. Grimm

Lot 7, Equestrian Ridge Estates

Shelly Grimm  
Shelly Grimm

Lot 7, Equestrian Ridge Estates

Barry R. Teel  
Barry R. Teel

Lot 8, Equestrian Ridge Estates

Randy Sump  
Randy Sump

Lot 9, Equestrian Ridge Estates

Teresa K. Sump  
Teresa K. Sump

Lot 9, Equestrian Ridge Estates

Lonnie Joseph Rozmiarek  
Lonnie Joseph Rozmiarek

Lot 10, Equestrian Ridge Estates

Gregory S. Smith  
Gregory S. Smith

Lot 11, Equestrian Ridge Estates

Sandra Sue Smith  
Sandra Sue Smith

Lot 11, Equestrian Ridge Estates

Larry T. Neppel  
Larry T. Neppel

Lot 12, Equestrian Ridge Estates

Wendy K. Neppel  
Wendy K. Neppel

Lot 12, Equestrian Ridge Estates

DOWD GRAIN COMPANY, INC.

Duane J. Dowd  
Duane J. Dowd, President

Lots 1 & 2, Equestrian Ridge Estates,  
Replat

Michael A. Huber  
Michael A. Huber

Lot 3, Equestrian Ridge Estates, Replat

Catherine M. Huber  
Catherine M. Huber

Lot 3, Equestrian Ridge Estates, Replat

Duane J. Dowd  
Duane J. Dowd, Trustee

Lot 4, Equestrian Ridge Estates, Replat

Jose M. Inguanzo  
Jose M. Inguanzo

Lot 5, Equestrian Ridge Estates, Replat

Joyce A. Inguanzo  
Joyce A. Inguanzo

Lot 5, Equestrian Ridge Estates, Replat

STATE OF \_\_\_\_\_ )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

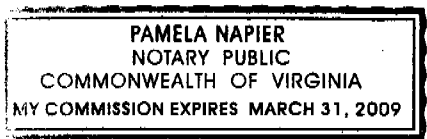
The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2007, by Michael K. Obeng and Melanie B. Obeng, husband and wife.

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

D

STATE OF Virginia )  
 ) ss.  
COUNTY OF Fairfax )

The foregoing instrument was acknowledged before me this 13<sup>th</sup> day of March, 2007, by Daniel Schluckebier and Cynthia Schluckebier, husband and wife.



Pamela Napier  
Notary Public *certified as Pamela Napier*

STATE OF Nebraska )  
 ) ss.  
COUNTY OF Sarpy )

The foregoing instrument was acknowledged before me this 6 day of April, 2007, by Joseph J. Hartnett and Pamela D. Hartnett, husband and wife.

Janette Hughes  
Notary Public



STATE OF \_\_\_\_\_ )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

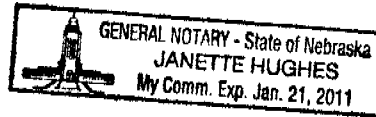
The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2007, by Daniel C. Bohm and Lisa G. Bohm, husband and wife.

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

STATE OF Nebraska )  
 ) ss.  
COUNTY OF Sarpy )

The foregoing instrument was acknowledged before me this 2 day of April, 2007, by Chad D. Grace and Debra A. Grace, husband and wife.

Janette Hughes  
Notary Public



STATE OF Nebraska )  
 ) ss.  
COUNTY OF Sarpy )

The foregoing instrument was acknowledged before me this 31 day of March, 2007, by Paul W. Wimmer and Huvnh S. (Kim) Wimmer, husband and wife.

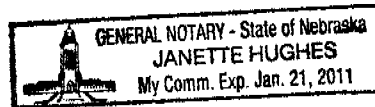
Janette Hughes  
Notary Public



STATE OF Nebraska )  
 ) ss.  
COUNTY OF Sarpy )

The foregoing instrument was acknowledged before me this 27 day of march, 2007, by Mark N. Grimm and Shelly Grimm, husband and wife.

Janette Hughes  
Notary Public



F

STATE OF Nebraska )  
 ) ss.  
COUNTY OF Sarpy )

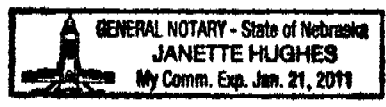
The foregoing instrument was acknowledged before me this 16 day of April, 2007, by Barry R. Teel.



Lori Petersen  
Notary Public

STATE OF Nebraska )  
 ) ss.  
COUNTY OF Sarpy )

The foregoing instrument was acknowledged before me this 26 day of March, 2007, by Randy Sump and Teresa K. Sump, husband and wife.



Janette Hughes  
Notary Public

STATE OF Nebraska )  
 ) ss.  
COUNTY OF Sarpy )

The foregoing instrument was acknowledged before me this 23 day of April, 2007, by Lonnie Joseph Rozmiarek.

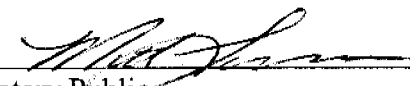


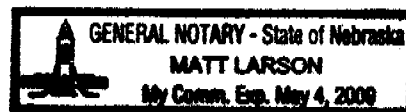
Angela Ruff  
Notary Public

G

STATE OF NEBRASKA )  
 ) ss.  
COUNTY OF SARPY )

The foregoing instrument was acknowledged before me this 5<sup>th</sup> day of May, 2007, by Gregory S. Smith and Sandra Sue Smith, husband and wife.

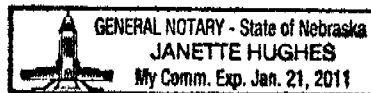
  
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Notary Public



STATE OF Nebraska )  
 ) ss.  
COUNTY OF Sarpy )

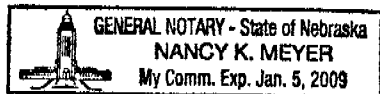
The foregoing instrument was acknowledged before me this 6 day of April, 2007, by Larry T. Nepl and Wendy K. Nepl, husband and wife.

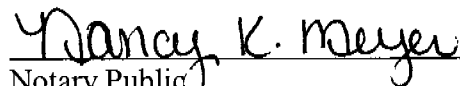
  
\_\_\_\_\_  
Notary Public



STATE OF Nebraska )  
 ) ss.  
COUNTY OF Douglas )

The foregoing instrument was acknowledged before me this 20<sup>th</sup> day of February, 2007, by Duane J. Dowd, President of Dowd Grain Company, Inc., a Nebraska corporation.



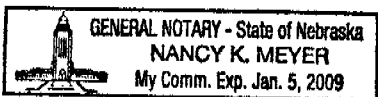
  
\_\_\_\_\_  
Notary Public



H

STATE OF Nebraska )  
 ) ss.  
COUNTY OF Douglas )

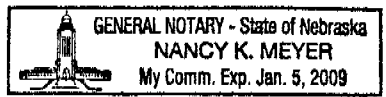
The foregoing instrument was acknowledged before me this 20<sup>th</sup> day of February, 2007, by Michael A. Huber and Catherine M. Huber, husband and wife.



Nancy K. Meyer  
Notary Public

STATE OF Nebraska )  
 ) ss.  
COUNTY OF Douglas )

The foregoing instrument was acknowledged before me this 20<sup>th</sup> day of February, 2007, by Duane J. Dowd, Trustee.



Nancy K. Meyer  
Notary Public

STATE OF \_\_\_\_\_ )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2007, by Jose M. Inguanzo and Joyce A. Inguanzo, husband and wife.

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

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**EXHIBIT "A"**

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12 Equestrian Ridge Estates, a subdivision, as surveyed, platted and recorded in Sarpy County, Nebraska.

Lots 1, 2, 3, 4 and 5 and Outlots A and B in Equestrian Ridge Estates Replat, being a replatting of Lots 13, 14 and 15 in Equestrian Ridge Estates, a subdivision, as surveyed, platted and recorded in Sarpy County, Nebraska.