

FILED SARPY CO. NE.
INSTRUMENT NUMBER
2007-17030

2007 JUN 11 A 8:57 PM

Sharon G. Dowling
REGISTER OF DEEDS

COUNTER P G.E. W
VERIFY W D.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 232nd Street, may be constructed through a part of Outlot B, as replatted, connecting Equestrian Ridge Estates II to 232nd 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 Lot 2, Equestrian Ridge Estates


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

Lot 4, Equestrian Ridge Estates

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

Huyuh S. (Kim) Wimmer
Huyuh 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

[Signature: Gregory S. Smith]

Gregory S. Smith

Lot 11, Equestrian Ridge Estates

[Signature: Sandra Sue Smith]

Sandra Sue Smith

Lot 11, Equestrian Ridge Estates

[Signature: Larry T. Nepl]

Larry T. Nepl

Lot 12, Equestrian Ridge Estates

[Signature: Wendy K. Nepl]

Wendy K. Nepl

Lot 12, Equestrian Ridge Estates

DOWD GRAIN COMPANY, INC.

[Signature: Duane J. Dowd]

Duane J. Dowd, President

Lots 1 & 2, Equestrian Ridge Estates,
Replat

[Signature: Michael A. Huber]

Michael A. Huber

Lot 3, Equestrian Ridge Estates, Replat

[Signature: Catherine M. Huber]

Catherine M. Huber

Lot 3, Equestrian Ridge Estates, Replat

[Signature: Duane J. Dowd]

Duane J. Dowd, Trustee

Lot 4, Equestrian Ridge Estates, Replat

Jose M. Inguanzo

Lot 5, Equestrian Ridge Estates, Replat

Joyce A. Inguanzo

Lot 5, Equestrian Ridge Estates, Replat

STATE OF _____)
) ss.
COUNTY OF _____)

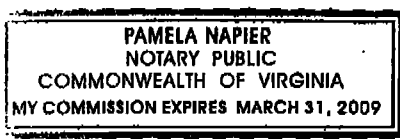
The foregoing instrument was acknowledged before me this _____ day of _____,
2007, by Michael K. Obeng and Melanie B. Obeng, husband and wife.

Notary Public

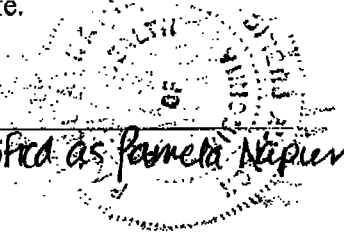
D

STATE OF Virginia)
) ss.
COUNTY OF Fairfax)

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



Pamela caralla
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 _____)

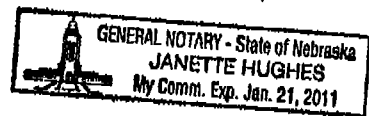
The foregoing instrument was acknowledged before me this _____ day of _____, 2007, by Daniel C. Bohm and Lisa G. Bohm, husband and wife.

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.

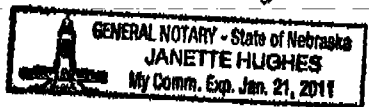
Janette Hughes
Notary Public



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.

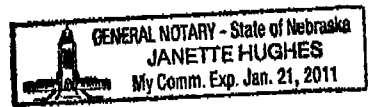
Janette Hughes
Notary Public



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.



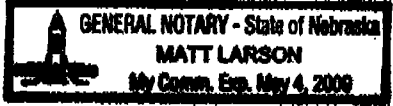
Angela Ruff
Notary Public

G

STATE OF NEBRASKA)
) ss.
COUNTY OF SARPY)

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

[Signature]
Notary Public



STATE OF Nebraska)
) ss.
COUNTY OF Sarpy)

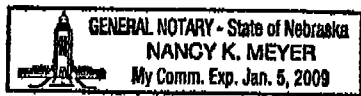
The foregoing instrument was acknowledged before me this 6 day of April, 2007, by Larry T. Nepl and Wendy K. Nepl, husband and wife.

[Signature]
Notary Public



STATE OF Nebraska)
) ss.
COUNTY OF Douglas)

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



[Signature]
Notary Public

H

STATE OF Nebraska)
) ss.
COUNTY OF Douglas)

The foregoing instrument was acknowledged before me this 20th 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 20th 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

2007-17030 F

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.