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CLARK
REGISTER OF DEEDS
SAUNDERS CO. NEBR.

2007 JUN 29 PM 3:16

BOOK 350 PAGE 246
OF 662 INST # 425

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**FIRST AMENDMENT TO PROTECTIVE COVENANTS
OF
FAR HILLS RANCHES**

WHEREAS, on October 26, 2005, Terry L. Battiato and Judith M. Battiato, husband and wife, Ronald C. Miller and Amy G. Miller, husband and wife, and Gerald B. Elsasser and Joyce M. Elsasser, husband and wife, executed a document entitled Protective Covenants of Far Hills Ranches, and,

WHEREAS, on October 27, 2005, said Protective Covenants of Far Hills Ranches were recorded with the Saunders County Register of Deeds and recorded in Book 334 at Page 743 of the General Records of the Saunders County Register of Deeds, and,

WHEREAS, said Protective Covenants of Far Hills Ranches apply to the following described real estate, to wit:

LOTS 1 THROUGH 15, INCLUSIVE, FAR HILLS, A SUBDIVISION LOCATED IN THE SECTION 5, TOWNSHIP 15, RANGE 9, SAUNDERS COUNTY, NEBRASKA, EXCEPT THAT PART THEREOF CONVEYED TO THE STATE OF NEBRASKA BY DEED RECORDED IN BOOK 137 AT PAGE 345 OF THE DEED RECORDS OF OFFICE OF THE REGISTER OF DEEDS, SAUNDERS COUNTY, NEBRASKA, BUT INCLUDING A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 15 NORTH, RANGE 9 EAST OF THE SIXTH PRINCIPAL MERIDIAN, SAUNDERS COUNTY, NEBRASKA DESCRIBED AS FOLLOWS: REFERRING TO THE NE CORNER OF SAID QUARTER SECTION; THENCE WESTERLY A DISTANCE OF 50.00 FEET ALONG THE NORTH LINE OF SAID QUARTER SECTION TO THE POINT OF BEGINNING; THENCE WESTERLY DEFLECTING 000 DEGREES, 00 MINUTES, 00 SECONDS A DISTANCE OF 829.62 FEET ALONG SAID LINE, THENCE SOUTHWESTERLY DEFLECTING 029 DEGREES, 35 MINUTES, 56 SECONDS LEFT, A DISTANCE OF 66.61 FEET, THENCE EASTERLY DEFLECTING 150 DEGREES, 24 MINUTES, 04 SECONDS LEFT, A DISTANCE OF 887.67 FEET, THENCE NORTHERLY DEFLECTING 089 DEGREES, 54 MINUTES, 40 SECONDS LEFT, A DISTANCE OF 33.00 FEET TO THE POINT OF BEGINNING.

hereinafter called "Far Hills Ranches", and,

WHEREAS, Terry L. Battiato and Judith M. Battiato, husband and wife, have become the owners of the following described real estate, to wit:

THAT PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 16 NORTH, RANGE 9 EAST OF THE SIXTH P.M., SAUNDERS COUNTY, NEBRASKA, AND THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 15 NORTH, RANGE 9 EAST OF THE SIXTH P.M., SAUNDERS COUNTY NEBRASKA, DESCRIBED AS COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 32; THENCE S89-59-58W (ASSUMED BEARING), ON THE SOUTH LINE OF SECTION 32, A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING; THENCE N00-03-01E, ON A LINE PARALLEL TO AND 50 FEET DISTANT WESTERLY FROM THE EAST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 32, A DISTANCE OF 326.91 FEET; THENCE N41-49-28W, A DISTANCE OF 230.16 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY OF STATE HIGHWAY #64; THENCE SOUTHWEST ON THE ARC OF A 1343.24 FOOT RADIUS CURVE TO THE RIGHT, HAVING A CHORD BEARING OF S53-37-01W AND CHORD DISTANCE OF 840.27 FEET, A DISTANCE OF 854.61 FEET TO A POINT ON THE SOUTH LINE OF SECTION 32; THENCE S60-41-09W, A DISTANCE OF 20.12 FEET TO A POINT ON THE WEST LINE OF LOT 14, FAR HILLS SUBDIVISION; THENCE S00-00-00E, ON THE WEST LINE OF LOT 14, FAR HILLS SUBDIVISION, A DISTANCE OF 23.15 FEET TO POINT 33.00 FEET SOUTH OF THE NORTH LINE OF SECTION 5; THENCE N89-59-58E, ON A LINE PARALLEL TO AND 33.00 FEET DISTANT SOUTHERLY FROM THE NORTH LINE OF SECTION 5, A DISTANCE OF 847.16 FEET TO POINT 50.00 FEET WESTERLY FROM THE EAST LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 5; THENCE NORTHERLY, ON A LINE PARALLEL TO AND 50.00 FEET DISTANT WESTERLY FROM THE EAST LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 5, A DISTANCE OF 33.00 FEET TO THE POINT OF BEGINNING; CONTAINING A COMPUTED AREA OF 5.09 ACRES MORE OR LESS,

hereinafter called "5.09 Acres", and,

WHEREAS, the aforementioned 5.09 Acres lies adjacent to Far Hills Ranches, and,

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WHEREAS, the signatories hereto are the owners of the following Lots in Far Hills Ranches, to wit:

Terry L. Battiato and Judith M. Battiato, husband and wife:

Lots 2 through 11 and Lots 14 and 15, Far Hills Ranches,

Gerald B. Elsasser and Joyce M. Elsasser, husband and wife:

Lot 12, Far Hills Ranches,

Calvin L. Chipperfield & Jacquelyn R. Chipperfield, husband and wife:

Lot 1, Far Hills Ranches,

said individuals having purchased said Lot from Robert C. Miller and Amy G. Miller, husband and wife, and,

Andrew K. Olson, single:

Lot 13, Far Hills Ranches, EXCEPT that part previously conveyed to the Nebraska Department of Roads for roadway purposes, being included in the Deed recorded in Book 137, Page 345, more particularly described as beginning at the Northwest corner of Lot 13; thence S00°01'14"W on the West line of Lot 13, a distance of 30.23 feet; thence S89°50'58"E, a distance of 10.97 feet; thence N87°02'07"E, a distance of 389.64 feet; thence N60°23'58"E, a distance of 20.46 feet to a point on the North line of Lot 13, said point being 41.00 feet West of the Northeast corner thereof; thence S90°00'00"W, on the North line of Lot 13, a distance of 417.87 feet to the point of beginning.

and,

WHEREAS, it is the desire of the undersigned that the aforementioned 5.09 Acres be included within the aforementioned Protective Covenants and that the Protective Covenants of Far Hills Ranches apply to the aforementioned 5.09 Acres,

NOW, THEREFORE, the undersigned being the owners of all of the Lots included within the Protective Covenants of Far Hills Ranches, do hereby amend the Protective Covenants of Far Hills Ranches as follows:

1. That the first paragraph of the Protective Covenants of Far Hills Ranches shall be amended to read as follows:

These Protective Covenants shall apply to the following real estate and owners thereof:
Terry L. Battiato and Judith M. Battiato, husband and wife, owners of lots 2 thru 11 and 13 thru 15; Ronald C. Miller and Amy G. Miller Calvin L. Chipperfield and Jacquelyn R. Chipperfield, husband and wife, owners of lot 1; Gerald B. Elsasser and Joyce M. Elsasser, husband and wife, owners of lot 12; Andrew K. Olson, single, owner of Lot 13;
Far Hills subdivision being part of the north eighty-two (82) rods of the northeast quarter (NE1/4) of Section five (5) township fifteen (15) north range nine (9) east of the 6 PM in Saunders County, Nebraska,

and

Terry L. Battiato and Judith M. Battiato, husband and wife, owners of the following described real estate, to wit:

THAT PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 16 NORTH, RANGE 9 EAST OF THE SIXTH P.M., SAUNDERS COUNTY, NEBRASKA, AND THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 15 NORTH, RANGE 9 EAST OF THE SIXTH P.M., SAUNDERS COUNTY NEBRASKA, DESCRIBED AS BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE

SOUTH LINE OF SECTION 32, A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING; THENCE N80-03-01E, ON A LINE PARALLEL TO AND 50 FEET DISTANT WESTERLY FROM THE EAST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 32, A DISTANCE OF 320.91 FEET; THENCE N41-49-28W, A DISTANCE OF 230.16 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY OF STATE HIGHWAY #64; THENCE SOUTHWEST ON THE ARC OF A 1343.24 FOOT RADIUS CURVE TO THE RIGHT, HAVING A CHORD BEARING OF S53-37-01W AND CHORD DISTANCE OF 840.27 FEET, A DISTANCE OF 854.61 FEET TO A POINT ON THE SOUTH LINE OF SECTION 32; THENCE S60-41-09W, A DISTANCE OF 20.12 FEET TO A POINT ON THE WEST LINE OF LOT 14, FAR HILLS SUBDIVISION; THENCE S00-00-00E, ON THE WEST LINE OF LOT 14, FAR HILLS SUBDIVISION, A DISTANCE OF 23.15 FEET TO POINT 33.00 FEET SOUTH OF THE NORTH LINE OF SECTION 5; THENCE N80-59-58E, ON A LINE PARALLEL TO AND 33.00 FEET DISTANT SOUTHERLY FROM THE NORTH LINE OF SECTION 5, A DISTANCE OF 847.16 FEET TO POINT 50.00 FEET WESTERLY FROM THE EAST LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 5; THENCE NORTHEAST, ON A LINE PARALLEL TO AND 50.00 FEET DISTANT WESTERLY FROM THE EAST LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 5, A DISTANCE OF 33.00 FEET TO THE POINT OF BEGINNING, CONTAINING A COMPUTED AREA OF 5.09 ACRES MORE OR LESS.

These Protective Covenants are to run with the land and shall be binding upon all parties and all persons claiming under them until 2035 AD at which time they shall be automatically extended for periods of 10 years unless they are changed in whole or in part by written agreements among the owners of the majority of said lots, executed and recorded in the manner provided by law.

2. That paragraph VII of the Protective Covenants of Far Hills Ranches shall be amended to read as follows:

VII

An easement is hereby reserved for the construction, maintenance cooperation, repair and removal of underground sewer, water, gas and telephone lines across the five feet adjoining the rear and side lines of each lot. There shall also be a twenty foot easement for horseback riding and bicycling across the back twenty feet and side twenty feet. In addition thereto, there shall be a sixty-six foot wide easement for utilities along the south boundary of the 5.09 acres. All conveyances of any property in said Subdivision shall be subject to such easement.

3. That all other terms and conditions of the Protective Covenants of Far Hills Ranches, not in conflict herewith, shall remain in full force and effect.

4. That this First Amendment to Protective Covenants of Far Hills Ranches shall be filed with the Saunders County Register of Deeds and upon its filing, shall be in full force and effect.

Terry L. Battiato

Judith M. Battiato

Gerald B. Elsass

Joyce M. Elsass

Calvin L. Chipperfield

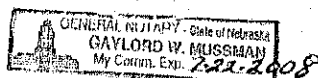
Jacquelyn R. Chipperfield

Andrew K. Olson

STATE OF NEBRASKA)

COUNTY OF Dodge) ss.

The foregoing First Amendment to Protective Covenants of Far Hills Ranches was acknowledged before me this 28 day of June, 2007, by Terry L. Battiato and Judith M. Battiato, husband and wife, Declarant.



Notary Public

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STATE OF NEBRASKA)
COUNTY OF Dodge) ss.

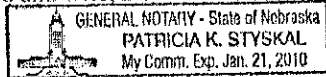
The foregoing First Amendment to Protective Covenants of Far Hills Ranches was acknowledged before me this 28 day of June, 2007, by Gerald B. Elsasser and Joyce M. Elsasser, husband and wife, Declarant.



Gaylord W. Mussman
Notary Public

STATE OF NEBRASKA)
COUNTY OF Saunders) ss.

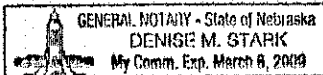
The foregoing First Amendment to Protective Covenants of Far Hills Ranches was acknowledged before me this 26 day of June, 2007, by Calvin L. Chipperfield and Jacquelyn R. Chipperfield, husband and wife, Declarant.



Patricia K. Styskal
Notary Public

STATE OF NEBRASKA)
COUNTY OF Sarpy) ss.

The foregoing First Amendment to Protective Covenants of Far Hills Ranches was acknowledged before me this 22 day of June, 2007, by Andrew K. Olson, single, Declarant.



Denise M. Stark
Notary Public