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Register of Deeds, Douglas County, NE  
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**FIRST AMENDMENT TO DECLARATION  
 OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS  
 FOR THE FIVE FOUNTAINS, A SUBDIVISION  
 IN DOUGLAS COUNTY, NEBRASKA**

THIS FIRST AMENDMENT TO DECLARATION (this "First Amendment") is made on the date hereinafter set forth, by FIVE FOUNTAINS, LLC, a Nebraska limited liability company, hereinafter referred to as the "Declarant".

PRELIMINARY STATEMENT

WHEREAS, Declarant is the Declarant under the Declaration of Covenants, Conditions, Restrictions and Easements of Five Fountains, a subdivision in Douglas County, Nebraska, as recorded with the Douglas County Register of Deeds on October 10, 2006 as Instrument Number 2006-116587 (the "Declaration").

Declarant, pursuant to Article V, Section 2 of the Declaration may amend the Declaration by recorded instrument.

Declarant wishes to amend the Declaration to provide for modified design and construction requirements for the following real estate:

Lots 135 through 150, inclusive, in Five Fountains, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska

(the "Villas Lots").

NOW, THEREFORE, the Declarant amends the Declaration as set forth below:

1. Definitions. Except as context clearly requires as otherwise, the terms used in this First Amendment shall be ascribed the same meaning as set forth in the Declaration.

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2. Amendment. As to the Villas Lots, and only the Villas Lots, the requirements of Article I, Section 3 of the Declaration are hereby amended, such that the minimum allowable size of a garage shall be a two (2) car garage, provided that said two car garage may not be a tandem, and such that the front yard setback shall be twenty-five (25) feet from the front yard line from the construction of any structure, building or port to be constructed, erected, installed or situated on the Villas Lots. These minimum standards for the Villas Lots shall be considered by the Declarant, its successors or assigns, and approving any construction on the Villas Lots.

3. Limitation of Amendment. Except as expressly set forth in this First Amendment, the Declaration shall continue in full force and effect according to its terms.

IN WITNESS WHEREOF, the Declarant has caused these presents to be executed this 30 day of August, 2011.

FIVE FOUNTAINS, LLC, a Nebraska limited liability company, "Declarant"

By Michael L. Riedmann  
MICHAEL L. RIEDMANN, Manager

STATE OF NEBRASKA     )  
  ) ss.:  
COUNTY OF DOUGLAS    )

The foregoing instrument was acknowledged before me this 30 day of August, 2011, by MICHAEL L. RIEDMANN, Manager of FIVE FOUNTAINS, LLC, a Nebraska limited liability company, on behalf of the company.

Marcy Knobbe  
Notary Public

