



MISC Inst. # 2020024993, Pg: 1 of 14 Rec Date: 03/17/2020 08:44:29.717

Fee Received: \$88.00 Electronically Recorded By: CC

Douglas County, NE Assessor/Register of Deeds DIANE L. BATTIATO

**AMENDMENT TO
DECLARATION OF COVENANTS, CONDITIONS AND
RESTRICTIONS FOR HIGHLAND HILLS TOWNHOMES**

THIS AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR HIGHLAND HILLS TOWNHOMES (this "Amendment") is made on the date hereinafter set forth by CR Investments, Inc., a Nebraska corporation ("Declarant").

RECITALS

- A. On July 18, 2017 a document entitled Declaration of Covenants, Conditions and Restrictions for Highland Hills Townhomes was recorded against the property legally described as Lots 368 through 381, inclusive, Highland Hills, a subdivision as surveyed, platted and recorded in Douglas County, Nebraska (the "Original Lots"), in the Office of the Register of Deeds of Douglas County, Nebraska, as Instrument No. 2017055859 (the "Declaration"), a recorded copy of which is attached hereto as Exhibit "A".
- B. Section 3 of Article XI of the Declaration provides that for a period of ten (10) years the Declarant has the exclusive right to amend, modify or supplement any portion of the Declaration.

NOW, THEREFORE, Declarant hereby declares the Declaration shall be amended as follows:

1. Detachment of Lots. Pursuant to the provisions of Article XI, Section 3 of the Declaration, the Declaration is hereby amended to remove/detach the following legally described property from the Declaration, which real property is owned by Celebrity Homes, Inc. ("Celebrity Homes"):

Lot 379 through 381, inclusive, all in Highland Hills, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska.

Celebrity

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2. Addition of Lots. Pursuant to the provisions of Article XI, Section 3 of the Declaration, the Declaration is hereby amended to subject the following legally described property to the terms of the Declaration, and the Owners (as defined Declaration) of the following additional lots shall be Members (as defined Declaration) of the Association (as defined Declaration) with all rights, privileges and obligations accorded or accruing to Members of the Association, which real property is owned by Declarant, Celebrity or a third-party homeowner, as applicable (all of which have executed a consent and acknowledgement attached hereto):

Lots 227 through 243, inclusive; Lots 353 through 367, inclusive, and Lots 382 through 398, inclusive, all in Highland Hills, a subdivision as surveyed, platted and recorded in Douglas County, Nebraska (collectively, the "Added Lots").

3. Amendment to Article III, Section 11. The Declaration is hereby amended by deleting Section 11 of Article III of the Declaration in its entirety and replacing it with the following, in order to make the language consistent with the Association's governing Bylaws:

"Section 11. Special Assessments for Capital Improvements and Extraordinary Expenses. In addition to the annual assessment authorized above, the Association, upon a two-thirds (2/3rds) majority affirmative vote of the Board of Directors at a duly-held meeting, may levy, in any assessment year, a special assessment applicable to that year only for the purpose of defraying, in whole or in part, the cost of any construction, reconstruction, repair or replacement of a capital improvement upon the Common Area, including fixtures and personal property related thereto. Any such special assessment levied by the Board of Directors against each Lot in any fiscal year shall not exceed fifty percent (50%) of the annual assessment levied in the same fiscal year, unless the Members, by a majority affirmative vote of those Members present in person or by proxy at a duly-held meeting, authorize a higher amount."

4. Governing Law. This Amendment is made under and governed by the laws of the State of Nebraska.

5. Severability. Each provision of this Amendment and the application thereof are hereby declared to be independent of and severable from the remainder of this Amendment. If any provision contained herein shall be held to be invalid or to be unenforceable or not to run with the land, such holding shall not affect the validity or enforceability of the remainder of this Amendment.

6. No Other Amendments. Except as set forth herein, the Declaration shall remain in full force and effect.

7. Indexing. This Amendment shall be recorded and indexed against each of the Original Lots and the Added Lots.


[Remainder of Page Left Intentionally Blank; Execution Page Follows.]

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IN WITNESS WHEREOF, this Amendment was made this 31 day of January, 2020.

DECLARANT:

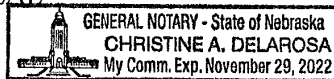
CR Investments, Inc.,
a Nebraska corporation,

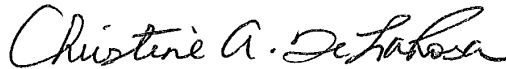
By: 
Chad Larsen, Vice-President

STATE OF NEBRASKA)
)SS.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this 31 day of January, 2020, by Chad Larsen, Vice-President of CR Investments, Inc., a Nebraska corporation, on behalf of the corporation.

SEAL




Notary Public

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**CONSENT TO AND RATIFICATION
OF DECLARATION**

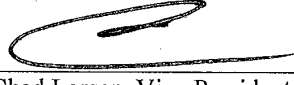
The undersigned hereby consents to the Amendment to Declaration of Covenants, Conditions and Restrictions for Highland Hills Townhomes (the "Amendment") which amends the Declaration of Covenants, Conditions and Restrictions for Highland Hills Townhomes which was recorded in the Office of the Register of Deeds of Douglas County, Nebraska as Instrument No. 2017055859 ("Declaration"), which will be filed of record in the Office of the Douglas County Register of Deeds against the following described real property, to-wit:

Lots 232 through 239, inclusive, Lots 361 through 364, inclusive, and Lots 379 through 381, inclusive, Highland Hills, a subdivision as surveyed, platted and recorded in Douglas County (the "Lots").

The undersigned further agrees that the Lots shall be owned, held, transferred, sold, leased, conveyed, developed, used, occupied, operated, improved, mortgaged or otherwise encumbered subject to the provisions of the Declaration; agrees that the Declaration and all of its provisions shall be and are covenants running with the Lots, and shall be binding on the undersigned, its successors and assigns, and all subsequent owners of such Lots; and the undersigned hereby ratifies and approves of the recordation of the Amendment and the Declaration in the Office of the Douglas County Register of Deeds against the Lots.

IN WITNESS WHEREOF, the undersigned has caused this instrument to be executed this 31 day of January 2020.

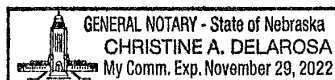
CELEBRITY HOMES, INC., a Nebraska corporation,

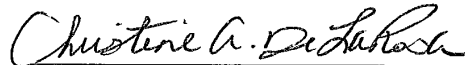
By: 
Chad Larsen, Vice-President

STATE OF NEBRASKA)
)ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this 31 day of January, 2020 by Chad Larsen, Vice-President of Celebrity Homes, Inc., a Nebraska corporation, on behalf of the corporation.

SEAL




Notary Public

Inst. # 2020024993, Pages: 5 of 14

**CONSENT TO AND RATIFICATION
OF DECLARATION**

The undersigned hereby consents to the Amendment to Declaration of Covenants, Conditions and Restrictions for Highland Hills Townhomes (the "Amendment") which amends the Declaration of Covenants, Conditions and Restrictions for Highland Hills Townhomes which was recorded in the Office of the Register of Deeds of Douglas County, Nebraska as Instrument No. 2017055859 ("Declaration"), which will be filed of record in the Office of the Douglas County Register of Deeds against the following described real property, to-wit:

Lot 227, Highland Hills, a subdivision as surveyed, platted and recorded in Douglas County (the "Lot").

The undersigned further agrees that the Lot shall be owned, held, transferred, sold, leased, conveyed, developed, used, occupied, operated, improved, mortgaged or otherwise encumbered subject to the provisions of the Declaration; agrees that the Declaration and all of its provisions shall be and are covenants running with the Lot, and shall be binding on the undersigned, its successors and assigns, and all subsequent owners of such Lot; and the undersigned hereby ratifies and approves of the recordation of the Amendment and the Declaration in the Office of the Douglas County Register of Deeds against the Lot.

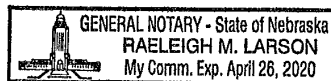
IN WITNESS WHEREOF, the undersigned has caused this instrument to be executed this 24 day of January 2020.

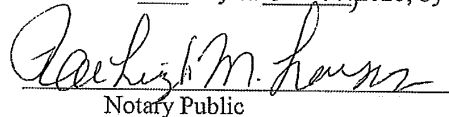
JAYME K. JOHNSON,
the owner of the Lot


Jayme K. Johnson

STATE OF NEBRASKA)
)ss.
COUNTY OF Douglas)

The foregoing instrument was acknowledged before me this 24 day of January 2020, by Jayme K. Johnson, a Nebraska resident.




Notary Public

Inst. # 2020024993, Pages: 6 of 14

**CONSENT TO AND RATIFICATION
OF DECLARATION**

The undersigned hereby consents to the Amendment to Declaration of Covenants, Conditions and Restrictions for Highland Hills Townhomes (the "Amendment") which amends the Declaration of Covenants, Conditions and Restrictions for Highland Hills Townhomes which was recorded in the Office of the Register of Deeds of Douglas County, Nebraska as Instrument No. 2017055859 ("Declaration"), which will be filed of record in the Office of the Douglas County Register of Deeds against the following described real property, to-wit:

Lot 228, Highland Hills, a subdivision as surveyed, platted and recorded in Douglas County (the "Lot").

The undersigned further agrees that the Lot shall be owned, held, transferred, sold, leased, conveyed, developed, used, occupied, operated, improved, mortgaged or otherwise encumbered subject to the provisions of the Declaration; agrees that the Declaration and all of its provisions shall be and are covenants running with the Lot, and shall be binding on the undersigned, its successors and assigns, and all subsequent owners of such Lot; and the undersigned hereby ratifies and approves of the recordation of the Amendment and the Declaration in the Office of the Douglas County Register of Deeds against the Lot.

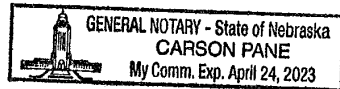
IN-WITNESS WHEREOF, the undersigned has caused this instrument to be executed this 20th day of JAN 2020.

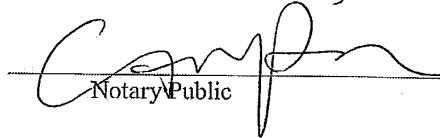
MARY JO BRUTTO,
the owner of the Lot


Mary Jo Brutto

STATE OF NEBRASKA)
)ss.
COUNTY OF Douglas)

The foregoing instrument was acknowledged before me this 20 day of January 2020, by Mary Jo Brutto, a Nebraska resident.




Notary Public

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**CONSENT TO AND RATIFICATION
OF DECLARATION**

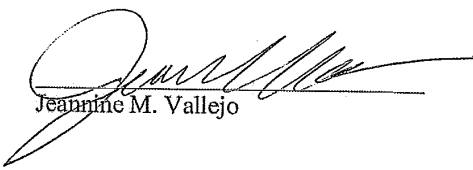
The undersigned hereby consents to the Amendment to Declaration of Covenants, Conditions and Restrictions for Highland Hills Townhomes (the "Amendment") which amends the Declaration of Covenants, Conditions and Restrictions for Highland Hills Townhomes which was recorded in the Office of the Register of Deeds of Douglas County, Nebraska as Instrument No. 2017055859 ("Declaration"), which will be filed of record in the Office of the Douglas County Register of Deeds against the following described real property, to-wit:

Lot 229, Highland Hills, a subdivision as surveyed, platted and recorded in Douglas County (the "Lot").

The undersigned further agrees that the Lot shall be owned, held, transferred, sold, leased, conveyed, developed, used, occupied, operated, improved, mortgaged or otherwise encumbered subject to the provisions of the Declaration; agrees that the Declaration and all of its provisions shall be and are covenants running with the Lot, and shall be binding on the undersigned, its successors and assigns, and all subsequent owners of such Lot; and the undersigned hereby ratifies and approves of the recordation of the Amendment and the Declaration in the Office of the Douglas County Register of Deeds against the Lot.

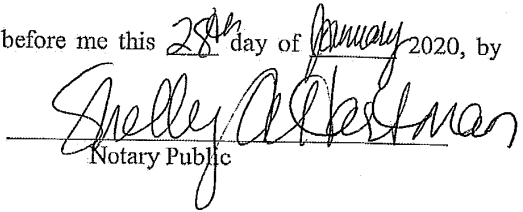
IN WITNESS WHEREOF, the undersigned has caused this instrument to be executed this 28 day of January 2020.

JEANNINE M. VALLEJO,
the owner of the Lot


Jeannine M. Vallejo

STATE OF NEBRASKA)
COUNTY OF Douglas)ss.

The foregoing instrument was acknowledged before me this 28th day of January 2020, by Jeannine M. Vallejo, a Nebraska resident.


Notary Public

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CONSENT TO AND RATIFICATION OF DECLARATION

The undersigned hereby consents to the Amendment to Declaration of Covenants, Conditions and Restrictions for Highland Hills Townhomes (the "Amendment") which amends the Declaration of Covenants, Conditions and Restrictions for Highland Hills Townhomes which was recorded in the Office of the Register of Deeds of Douglas County, Nebraska as Instrument No. 2017055859 ("Declaration"), which will be filed of record in the Office of the Douglas County Register of Deeds against the following described real property, to-wit:

Lot 230, Highland Hills, a subdivision as surveyed, platted and recorded in Douglas County (the "Lot").

The undersigned further agrees that the Lot shall be owned, held, transferred, sold, leased, conveyed, developed, used, occupied, operated, improved, mortgaged or otherwise encumbered subject to the provisions of the Declaration; agrees that the Declaration and all of its provisions shall be and are covenants running with the Lot, and shall be binding on the undersigned, its successors and assigns, and all subsequent owners of such Lot; and the undersigned hereby ratifies and approves of the recordation of the Amendment and the Declaration in the Office of the Douglas County Register of Deeds against the Lot.

IN WITNESS WHEREOF, the undersigned has caused this instrument to be executed this 5 day of FEBRUARY 2020.

NORMAN AND GENE GODDEN,
together the owners of the Lot

Norman Godden
Norman Godden

Genee Godden
Genee Godden

FLORIDA
STATE OF ~~NEBRASKA~~)
COUNTY OF Douglas) ss.

The foregoing instrument was acknowledged before me this 5 day of FEBRUARY 2020, by Norman Godden, a Nebraska resident.



Paul J. Weiss
COMMISSION #00131273
EXPIRES August 31, 2022
Notary Public
Bonded Thru Aaron Notary

FLORIDA
STATE OF ~~NEBRASKA~~)
COUNTY OF Douglas) ss.

The foregoing instrument was acknowledged before me this 5 day of FEBRUARY 2020, by Genee Godden, a Nebraska resident.



Paul J. Weiss
COMMISSION #GG131273
EXPIRES August 31, 2022
Bonded Thru Aaron Notary

Paul J. Weiss
Notary Public

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**CONSENT TO AND RATIFICATION
OF DECLARATION**

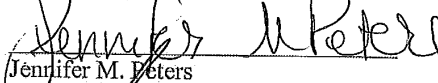
The undersigned hereby consents to the Amendment to Declaration of Covenants, Conditions and Restrictions for Highland Hills Townhomes (the "Amendment") which amends the Declaration of Covenants, Conditions and Restrictions for Highland Hills Townhomes which was recorded in the Office of the Register of Deeds of Douglas County, Nebraska as Instrument No. 2017055859 ("Declaration"), which will be filed of record in the Office of the Douglas County Register of Deeds against the following described real property, to-wit:

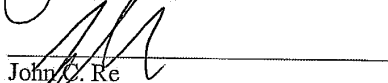
Lot 231, Highland Hills, a subdivision as surveyed, platted and recorded in Douglas County (the "Lot").

The undersigned further agrees that the Lot shall be owned, held, transferred, sold, leased, conveyed, developed, used, occupied, operated, improved, mortgaged or otherwise encumbered subject to the provisions of the Declaration; agrees that the Declaration and all of its provisions shall be and are covenants running with the Lot, and shall be binding on the undersigned, its successors and assigns, and all subsequent owners of such Lot; and the undersigned hereby ratifies and approves of the recordation of the Amendment and the Declaration in the Office of the Douglas County Register of Deeds against the Lot.

IN WITNESS WHEREOF, the undersigned has caused this instrument to be executed this 21 day of January 2020.

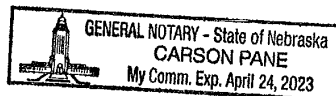
**JENNIFER M. PETERS AND JOHN
C. RE**, together the owners of the Lot

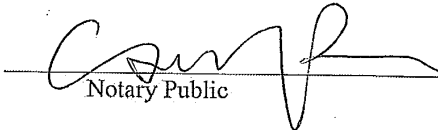

Jennifer M. Peters


John C. Re

STATE OF NEBRASKA)
)ss.
COUNTY OF Douglas)

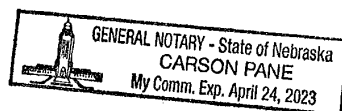
The foregoing instrument was acknowledged before me this 21 day of January 2020, by Jennifer M. Peters, a Nebraska resident.

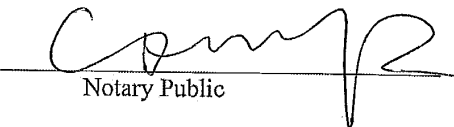



Notary Public

STATE OF NEBRASKA)
)ss.
COUNTY OF Douglas)

The foregoing instrument was acknowledged before me this 21 day of January 2020, by John C. Re, a Nebraska resident.




Notary Public

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**CONSENT TO AND RATIFICATION
OF DECLARATION**

The undersigned hereby consents to the Amendment to Declaration of Covenants, Conditions and Restrictions for Highland Hills Townhomes (the "Amendment") which amends the Declaration of Covenants, Conditions and Restrictions for Highland Hills Townhomes which was recorded in the Office of the Register of Deeds of Douglas County, Nebraska as Instrument No. 2017055859 ("Declaration"), which will be filed of record in the Office of the Douglas County Register of Deeds against the following described real property, to-wit:

Lot 363, Highland Hills, a subdivision as surveyed, platted and recorded in Douglas County (the "Lot").

The undersigned further agrees that the Lot shall be owned, held, transferred, sold, leased, conveyed, developed, used, occupied, operated, improved, mortgaged or otherwise encumbered subject to the provisions of the Declaration; agrees that the Declaration and all of its provisions shall be and are covenants running with the Lot, and shall be binding on the undersigned, its successors and assigns, and all subsequent owners of such Lot; and the undersigned hereby ratifies and approves of the recordation of the Amendment and the Declaration in the Office of the Douglas County Register of Deeds against the Lot.

IN WITNESS WHEREOF, the undersigned has caused this instrument to be executed this 29 day of January 2020.

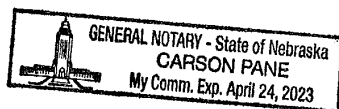
DEBRA R. MALONE,
the owner of the Lot

Debra R. Malone
Debra R. Malone

STATE OF NEBRASKA)
COUNTY OF Douglas)ss.

The foregoing instrument was acknowledged before me this 29 day of January 2020, by Debra R. Malone, a Nebraska resident.

[Signature]
Notary Public



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**CONSENT TO AND RATIFICATION
OF DECLARATION**

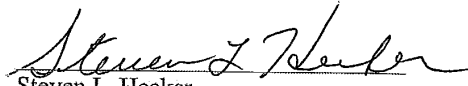
The undersigned hereby consents to the Amendment to Declaration of Covenants, Conditions and Restrictions for Highland Hills Townhomes (the "Amendment") which amends the Declaration of Covenants, Conditions and Restrictions for Highland Hills Townhomes which was recorded in the Office of the Register of Deeds of Douglas County, Nebraska as Instrument No. 2017055859 ("Declaration"), which will be filed of record in the Office of the Douglas County Register of Deeds against the following described real property, to-wit:

Lot 364, Highland Hills, a subdivision as surveyed, platted and recorded in Douglas County (the "Lot").

The undersigned further agrees that the Lot shall be owned, held, transferred, sold, leased, conveyed, developed, used, occupied, operated, improved, mortgaged or otherwise encumbered subject to the provisions of the Declaration; agrees that the Declaration and all of its provisions shall be and are covenants running with the Lot, and shall be binding on the undersigned, its successors and assigns, and all subsequent owners of such Lot; and the undersigned hereby ratifies and approves of the recordation of the Amendment and the Declaration in the Office of the Douglas County Register of Deeds against the Lot.

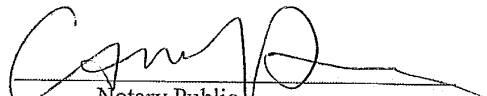
IN WITNESS WHEREOF, the undersigned has caused this instrument to be executed this 20 day of January 2020.

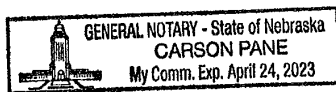
STEVEN L. HECKER,
the owner of the Lot


Steven L. Hecker

STATE OF NEBRASKA)
COUNTY OF Douglas)ss.

The foregoing instrument was acknowledged before me this 20 day of January 2020, by Steven L. Hecker, a Nebraska resident.


Notary Public



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**CONSENT TO AND RATIFICATION
OF DECLARATION**

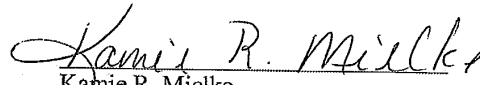
The undersigned hereby consents to the Amendment to Declaration of Covenants, Conditions and Restrictions for Highland Hills Townhomes (the "Amendment") which amends the Declaration of Covenants, Conditions and Restrictions for Highland Hills Townhomes which was recorded in the Office of the Register of Deeds of Douglas County, Nebraska as Instrument No. 2017055859 ("Declaration"), which will be filed of record in the Office of the Douglas County Register of Deeds against the following described real property, to-wit:

Lot 365, Highland Hills, a subdivision as surveyed, platted and recorded in Douglas County (the "Lot").

The undersigned further agrees that the Lot shall be owned, held, transferred, sold, leased, conveyed, developed, used, occupied, operated, improved, mortgaged or otherwise encumbered subject to the provisions of the Declaration; agrees that the Declaration and all of its provisions shall be and are covenants running with the Lot, and shall be binding on the undersigned, its successors and assigns, and all subsequent owners of such Lot; and the undersigned hereby ratifies and approves of the recordation of the Amendment and the Declaration in the Office of the Douglas County Register of Deeds against the Lot.

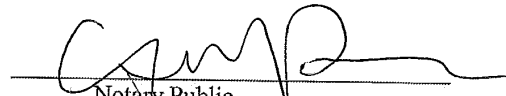
IN WITNESS WHEREOF, the undersigned has caused this instrument to be executed this 21 day of January 2020.

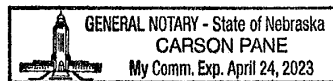
KAMIE R. MIELKE,
the owner of the Lot


Kamie R. Mielke

STATE OF NEBRASKA)
COUNTY OF Douglas)ss.

The foregoing instrument was acknowledged before me this 21 day of January 2020, by Kamie R. Mielke, a Nebraska resident.


Notary Public



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**CONSENT TO AND RATIFICATION
OF DECLARATION**

The undersigned hereby consents to the Amendment to Declaration of Covenants, Conditions and Restrictions for Highland Hills Townhomes (the "Amendment") which amends the Declaration of Covenants, Conditions and Restrictions for Highland Hills Townhomes which was recorded in the Office of the Register of Deeds of Douglas County, Nebraska as Instrument No. 2017055859 ("Declaration"), which will be filed of record in the Office of the Douglas County Register of Deeds against the following described real property, to-wit:

Lot 366, Highland Hills, a subdivision as surveyed, platted and recorded in Douglas County (the "Lot").

The undersigned further agrees that the Lot shall be owned, held, transferred, sold, leased, conveyed, developed, used, occupied, operated, improved, mortgaged or otherwise encumbered subject to the provisions of the Declaration; agrees that the Declaration and all of its provisions shall be and are covenants running with the Lot, and shall be binding on the undersigned, its successors and assigns, and all subsequent owners of such Lot; and the undersigned hereby ratifies and approves of the recordation of the Amendment and the Declaration in the Office of the Douglas County Register of Deeds against the Lot.

IN WITNESS WHEREOF, the undersigned has caused this instrument to be executed this 24 day of February 2020.

DENNIS AND JANE STONE, together
the owners of the Lot

Dennis Stone

Dennis Stone

Jane A. Stone

Jane Stone

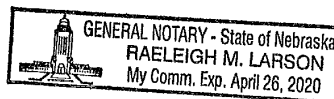
STATE OF NEBRASKA)
)ss.
COUNTY OF Douglas)

The foregoing instrument was acknowledged before me this 24 day of February 2020, by Dennis Stone, a Nebraska resident.

Raeleigh M. Larson

Notary Public

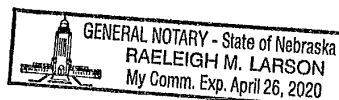
STATE OF NEBRASKA)
)ss.
COUNTY OF Douglas)



The foregoing instrument was acknowledged before me this 24 day of February 2020, by Jane Stone, a Nebraska resident.

Raeleigh M. Larson

Notary Public



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**CONSENT TO AND RATIFICATION
OF DECLARATION**

The undersigned hereby consents to the Amendment to Declaration of Covenants, Conditions and Restrictions for Highland Hills Townhomes (the "Amendment") which amends the Declaration of Covenants, Conditions and Restrictions for Highland Hills Townhomes which was recorded in the Office of the Register of Deeds of Douglas County, Nebraska as Instrument No. 2017055859 ("Declaration"), which will be filed of record in the Office of the Douglas County Register of Deeds against the following described real property, to-wit:

Lot 367, Highland Hills, a subdivision as surveyed, platted and recorded in Douglas County (the "Lot").

The undersigned further agrees that the Lot shall be owned, held, transferred, sold, leased, conveyed, developed, used, occupied, operated, improved, mortgaged or otherwise encumbered subject to the provisions of the Declaration; agrees that the Declaration and all of its provisions shall be and are covenants running with the Lot, and shall be binding on the undersigned, its successors and assigns, and all subsequent owners of such Lot; and the undersigned hereby ratifies and approves of the recordation of the Amendment and the Declaration in the Office of the Douglas County Register of Deeds against the Lot.

IN WITNESS WHEREOF, the undersigned has caused this instrument to be executed this 27 day of January 2020.

JUDY FRAKES,
the owner of the Lot

Judy Frakes
Judy Frakes

STATE OF NEBRASKA)
)ss.
COUNTY OF Douglas)

The foregoing instrument was acknowledged before me this 27 day of January 2020, by Judy Frakes, a Nebraska resident.

[Signature]

Notary Public

