

90-13637

FILED SARPY CO. NE.

INSTRUMENT NUMBER

90-13637

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1990 AMENDMENT TO "AMENDED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS" DATED MAY 23, 1983 AND RECORDED MAY 23, 1983 IN BOOK 56 OF MISCELLANEOUS RECORDS AT PAGE 313 IN THE OFFICE OF THE REGISTER OF DEEDS OF SARPY COUNTY, NEBRASKA

SEP 21 PM 1:04

Wayne J. Dowling
REGISTER OF DEEDS

WHEREAS, an "Amended Declaration of Covenants, Conditions and Restrictions" was executed on May 23, 1983 and recorded on May 23, 1983 in Book 56 of Miscellaneous Records at Page 313 in the office of the Register of Deeds of Sarpy County, Nebraska, amending that certain "Declaration of Covenants, Conditions and Restrictions" which was filed on July 23, 1981 in Book 54 of Miscellaneous Records at Page 471, in the office of the Register of Deeds of Sarpy County, Nebraska, and

WHEREAS, the undersigned owners of properties described in said "Amended Declaration of Covenants, Conditions and Restrictions", together with such owners as may hereafter confirm and ratify this instrument, desire to further amend the same by vote of not less than 90% of the lots covered by said "Amended Declaration of Covenants, Conditions and Restrictions", and

WHEREAS, a portion of the subdivision originally known as "Lynnwood Oaks Townhomes", and later replatted into "Leawood Oaks Townhomes", has now been replatted into Lots 1 through 10, inclusive, in Leawood Oaks Townhomes Replat, a subdivision in Sarpy County, Nebraska, the portion being replatted having been formerly known as lots 19 through 29, inclusive, in Leawood Oaks Townhomes, a subdivision in Sarpy County, Nebraska,

NOW, THEREFORE, THE FOLLOWING AMENDMENTS ARE MADE TO THE "AMENDED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS" FILED ON MAY 23, 1983 IN BOOK 56 OF MISCELLANEOUS RECORDS AT PAGE 313, IN THE OFFICE OF THE REGISTER OF DEEDS OF SARPY COUNTY, NEBRASKA:

1. The property which is hereafter to be subject to said "Amended Declaration of Covenants, Conditions and Restrictions", shall be the following property in Sarpy County, Nebraska, to wit:

Lots 1 through 18, inclusive, and Lot 30, in Leawood Oaks Townhomes, a subdivision in Sarpy County, Nebraska, as surveyed, platted and recorded, and Lots 1 through 10 inclusive, in Leawood Oaks Townhomes Replat, a subdivision in Sarpy County, Nebraska, as surveyed, platted and recorded.

2. Section 1 of Article I of said "Amended Declaration of Covenants, Conditions and Restrictions" shall be amended to read as follows:

Section 1. "Association" shall mean and refer to Leawood Oaks Townhomes Owners Association, a Nebraska non-profit corporation, its successors and assigns.

3. Section 3 of Article I of said "Amended Declaration of Covenants, Conditions and Restrictions" shall be amended to read as follows:

Section 3. "Properties" shall mean and refer to all of Lots 1 through 18, inclusive, and Lot 30, in Leawood Oaks Townhomes, a subdivision in Sarpy County, Nebraska, as surveyed, platted and recorded, and Lots 1 through 10, inclusive, in Leawood Oaks Townhomes Replat, a subdivision in Sarpy County, Nebraska as surveyed, platted and recorded, together with such additions thereto as may hereafter be brought within the jurisdiction of the Association.

4. Section 4 of Article I of said "Amended Declaration of

13637

Covenants, Conditions and Restrictions" shall be amended to read as follows:

Section 4. "Common Area" shall mean all real property (including any improvements thereto or thereon) owned by the Association for the common use and enjoyment of the owners. The common area presently owned by the Association is:

Lot 30, Leawood Oaks Townhomes, a subdivision in Sarpy County, Nebraska as surveyed, platted and recorded.

5. Section 2 of Article III of said "Amended Declaration of Covenants, Conditions and Restrictions" shall be amended to read as follows:

Section 2. The Association shall have one class of voting members, Class A members, defined as follows:

CLASS A. Class A Members shall be all owners of Lots, with the exception of the owner of any "common area" lot. When there shall be more than one person and/or entity holding an interest in any Lot, all such persons and/or entities shall be members; provided, however, that the vote for such Lots shall be exercised as such persons and/or entities shall determine, but in no event shall more than one vote be cast with respect to any Lot.

6. Except as hereinabove provided all other provisions of said "Amended Declaration of Covenants, Conditions and Restrictions" shall remain in full force and effect.

7. This 1990 Amendment shall be effective whenever the same has been signed by owners of not less than 90% of the lots referred to in Paragraph 1 above, either by signing this instrument itself, or by signing any instrument by which any such owner shall indicate that such owner affirms and ratifies this instrument. All such instruments shall be recorded in the same manner as deeds in the office of the Register of Deeds of Sarpy County, Nebraska.

IN WITNESS WHEREOF, the undersigned, being the owners of the lots set out opposite the signature lines of the undersigned owners, have executed this 1990 Amendment on the dates indicated opposite their signatures below, with respect to the lots set out opposite their signatures.

<u>DATE</u>	<u>LOTS OWNED IN LEA- WOOD OAKS TOWNHOMES, A SUBDIVISION IN SARPY COUNTY, NEBRASKA</u>	<u>NAMES AND ADDRESSES OF OWNERS</u>
_____, 1990	Lot 1	Phyllis M. Jeanetta 2808 Lynnwood Drive Omaha, NE 68123
<u>Sept 21</u> , 1990	Lots 2, 6, 16 and 18	APOLLO BUILDING CORP. By: <u>Terrence Ficenec</u> Terrence Ficenec President 2757 Harney St. Omaha, NE 68131
_____, 1990	Lot 3	Jeanne M. Worthington 3057 W. Queens Cir. Merced, California 95340

Sept. 21, 1990 Lot 4

Wallace Hopkins
Wallace Hopkins
5022 Martha St.
Omaha, NE 68106
Marilyn A. Hopkins
Marilyn A. Hopkins
5022 Martha St.
Omaha, NE 68106

_____, 1990 Lot 5

Christopher D. Boyer
Christopher D. Boyer
3178 Altamonte
Beale A.F.B., CA 95903

Barbara A. Boyer
Barbara A. Boyer
3178 Altamonte
Beale A.F.B., CA 95903

Sept. 21, 1990 Lots 7 and 8

Richard Cordes
Richard Cordes
12914 S. 25th St.
Omaha, NE 68123

_____, 1990 Lot 9

Marilyn J. Holmlund
Marilyn J. Holmlund
2344 East Aspen
Tempe, AZ 85282

_____, 1990 Lot 10

David Anthony Martin
David Anthony Martin
12914 S. 28th Ave.
Omaha, NE 68123

Sept. 20, 1990 Lot 11

William M. Crane
William M. Crane
12912 S. 28th Ave.
Omaha, NE 68123

Georgia M. Crane
Georgia M. Crane
12912 S. 28th Ave.
Omaha, NE 68123

_____, 1990 Lot 12

John M. Durham
John M. Durham
6249 Dillingham
Shreveport, LA 71106

_____, 1990 Lot 13

Terry L. Webb
Terry L. Webb
12908 S. 28th Ave.
Omaha, NE 68123

_____, 1990 Lot 14

John R. Smith III
John R. Smith III
12906 S. 28th Ave.
Omaha, NE 68123

_____, 1990 Lot 15

Booker T. Rogers
Booker T. Rogers
3208 Brooke St.
Denton, TX 76201

_____, 1990 Lot 17

Michael J. Falvey
Michael J. Falvey
8619 Buckboard Drive
Alexandria, VA 22308

90-136376

~~Sept 20~~ 1990

Lot 30

Stephanie A. Fsilvay
8619 Buckboard Drive
Alexandria, VA 22308

LEAWOOD OAKS TOWNHOMES
OWNERS ASSOCIATION

By: William M. Crane
President
c/o Century 21 Midlands
11515 S. 36th St.
Omaha, NE 68123

LOTS OWNED IN
LEAWOOD OAKS
TOWNHOMES REPLAT,
SARPY COUNTY, NE

Sept. 20, 1990

Lots 1 through 10,
inclusive

Paul A. Rauth
Paul A. Rauth, Trustee
1623 Farnam, Suite 900
Omaha, NE 68102

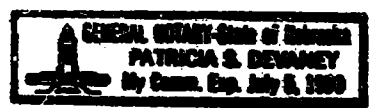
STATE OF NEBRASKA)
) ss.
COUNTY OF SARPY)

The foregoing instrument was acknowledged before me on _____, 1990 by Phyllis M. Jeanetta.

Notary Public
My Commission Expires: _____

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on Sept 21, 1990 by Terrence Ficeneec, President of Apollo Building Corporation.



Patricia S. Devaney
Notary Public
My Commission Expires: 7-5-93

STATE OF CALIFORNIA)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me on _____, 1990 by Jeanne M. Worthington.

Notary Public
My Commission Expires: _____

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on August 21, 1990 by Wallace Hopkins and Marie A. Hopkins, husband and wife.



Richard J. Kels
Notary Public
My Commission Expires: 11-11-93

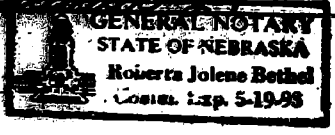
STATE OF CALIFORNIA)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me on _____, 1990 by Christopher D. Boyer and Barbara A. Boyer, husband and wife.

Notary Public
My Commission Expires: _____

STATE OF NEBRASKA)
) ss.
COUNTY OF SARPY)

The foregoing instrument was acknowledged before me on September 21, 1990 by Richard Cordes.



Roberta Jelene Bethel
Notary Public
My Commission Expires: 5/19/93

STATE OF ARIZONA)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me on _____, 1990 by Marilyn J. Holmlund.

Notary Public
My Commission Expires: _____

STATE OF NEBRASKA)
) ss.
COUNTY OF SARPY)

The foregoing instrument was acknowledged before me on _____, 1990 by David Anthony Martin.

Notary Public
My Commission Expires: _____

STATE OF NEBRASKA)
) ss.
COUNTY OF SARPY)

The foregoing instrument was acknowledged before me on _____, 1990 by William M. Chane and Georgia M. _____ and wife.



Robert Allen Bethel
Notary Public
My Commission Expires: 5/19/93

STATE OF LOUISIANA)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me on _____, 1990 by John M. Durham.

Notary Public
My Commission Expires: _____

STATE OF NEBRASKA)
) ss.
COUNTY OF SARPY)

The foregoing instrument was acknowledged before me on _____, 1990 by Terry L. Webb.

Notary Public
My Commission Expires: _____

STATE OF NEBRASKA)
) ss.
COUNTY OF SARPY)

The foregoing instrument was acknowledged before me on _____, 1990 by John R. Smith III.

Notary Public
My Commission Expires: _____

STATE OF TEXAS)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me on _____, 1990 by Booker T. Rogers.

Notary Public
My Commission Expires: _____

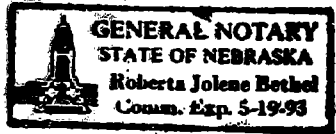
STATE OF VIRGINIA)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me on _____, 1990 by Michael J. Falvey and Stephanie A. Falvey, husband and wife.

Notary Public
My Commission Expires: _____

STATE OF NEBRASKA)
) ss.
COUNTY OF SARPY)

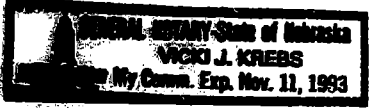
The foregoing instrument was acknowledged before me on September 20, 1990 by the President of Leawood Oaks Townhomes Owners Association.



Roberta Jolene Bethel
Notary Public
My Commission Expires: 5/19/93

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on Sept. 20, 1990, 1990 by Paul A. Rauth, Trustee.



Vicki J. Krebs
Notary Public
My Commission Expires: 11-11-93

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