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Returns!

**FIRST AMENDMENT TO ESTATE LOTS
DECLARATION OF COVENANTS, CONDITIONS,
RESTRICTIONS AND EASEMENTS OF
LINDEN ESTATES, A SUBDIVISION IN
DOUGLAS COUNTY, NEBRASKA**

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GEORGE J. BOGLEWICZ
REGISTER OF DEEDS
DOUGLAS COUNTY, NE

*James O. Busch
16050 Regency Gch #200
Omaha, NE 68114*

This First Amendment is made to the Estate Lots Declaration of Covenants, Conditions, Restrictions and Easements of Linden Estates, a subdivision in Douglas County, Nebraska, dated November 15, 1989, and recorded with the Douglas County Register of Deeds on November 16, 1989, miscellaneous records, in Book 905 at Page 281 (the "Declaration"), by Linden Park Partnership, a Nebraska general partnership (referred to as the "Declarant").

PRELIMINARY STATEMENT

The Declaration was made by the Declarant in connection with the development of Lots 1 through 73, inclusive, in Linden Estates, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska (such lots are herein referred to collectively as the "Estate Lots", and individually as each "Estate Lot"). The Estate Lots are part of Linden Estates, a residential subdivision situated southeast of 144th and Blondo Streets in Douglas County, Nebraska ("Linden Estates")

Declarant has considered modification of the Declaration to allow the Declarant the right to waive, remove or modify the applicability of any of the provisions of the Declaration as to any Estate Lot or Estate Lots. Article V, Section 2, of the Declaration allows the Declarant to amend the Declaration in any manner which it may determine in its full and absolute discretion for a period of five (5) years from the date of the Declaration. Declarant has investigated the effect which the proposed amendment would have on the Estate Lots and has concluded that the amendment would not be contrary to the preservation of Linden Estates, would not be detrimental to the maintenance of the character and residential integrity of Linden Estates, and would not in any other manner be detrimental to the intent, purpose and protection afforded to the Estate Lots by the Declaration.

NOW, THEREFORE, pursuant to the authority granted to Declarant in Article V, Section 2 of the Declaration, Declarant hereby amends and supplements the Declaration as follows:

1. Article V, Section 5 of the Declaration shall provide as follows:

5. By the duly acknowledged written consent of Linden Park Partnership, a Nebraska general partnership, any or all of the covenants, conditions, restrictions, and easements as they apply to the Estate Lots may be waived,

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modified, or amended for any Estate Lot or Estate Lots, in any manner, for such time periods, and on such conditions, if any, which it may determine in its full and absolute discretion for a period of five (5) years from the date of the Declaration.

2. In each and every other respect, the Declaration shall remain in full force and effect according to its terms.

IN WITNESS WHEREOF, the Declarant has executed this First Amendment as of the 25th day of Nov, 1992.

LINDEN PARK PARTNERSHIP, a Nebraska general partnership

By: MAENNER/HORGAN DEVELOPMENT COMPANY, a Nebraska corporation, the Development Partner

By: *Robert P. Horgan*
Robert P. Horgan, President

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

Acknowledged this 25th day of NOVEMBER, 1992, before me, a notary public in and for said county and state, by Robert P. Horgan, President of Maenner/Horgan Development Company, a Nebraska corporation, on behalf of the Corporation, the Development Partner of Linden Park Partnership, a Nebraska general partnership, on behalf of said Partnership.



Donna M. Nissen
Notary Public