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JUL 06 2005 15:02 P 4

**NOTICE OF  
SECOND, THIRD AND FOURTH AMENDMENTS  
TO THE  
DECLARATION OF COVENANTS, CONDITIONS,  
RESTRICTIONS AND EASEMENTS OF LINDEN PARK,  
A SUBDIVISION IN DOUGLAS COUNTY, NEBRASKA**

Received - DIANE L. BATTIATO  
Register of Deeds, Douglas County, NE  
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2005078711

Linden Park, a subdivision in the City of Omaha, Douglas County, Nebraska, is subject to that certain "Declaration of Covenants, Conditions, Restrictions and Easements of Linden Park" (the "Declaration"), dated October 26, 1984, and filed of record at Book 721, Page 727 of the Miscellaneous Records of Douglas County, Nebraska, and affecting the following described property:

Lots 1 through 122, inclusive, in Linden Park, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska.

**Return to: Ronald Jensen, 1500 Woodmen Tower, Omaha, NE 68102**

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Linden Park, a subdivision in the City of Omaha, Douglas County, Nebraska, is subject to that certain "Declaration of Covenants, Conditions, Restrictions and Easements of Linden Park" (the "Declaration"), dated October 26, 1984, and filed of record at Book 721, Page 727 of the Miscellaneous Records of Douglas County, Nebraska, and affecting the following described property:

Lots 1 through 122, inclusive, in Linden Park, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska.

**Notice is hereby given of the adoption of the following Second, Third and Fourth Amendments to said Declaration of Covenants, which has been adopted pursuant to the procedures and requirements of Article IV, Paragraph 2 of said Declaration.**

The undersigned officers of Linden Park Homeowners Association, a Nebraska not-for-profit corporation (the "Association") hereby certify that the following Amendments to the Declaration were approved in writing by the required number of the Owners of the Lots. The executed copies of the written approvals by the Owners of the Lots have been placed in the Association's permanent records. The Declaration is, therefore, amended as follows:

**SECOND AMENDMENT:**

The last sentence of Paragraph 4 of Article I of the Covenants has been deleted, and the following sentence inserted in lieu thereof:

*"Unless other materials are specifically approved by Declarant, the roof of all Improvements shall be covered with wood shake shingles. In the event that a lot owner shall be required, for any reason whatsoever, to replace the entire roof of the improvements erected on any lot owned by said owner, the owner shall have the option to install a roof of material other than wood shake shingles, provided that the roofing shingles used are architectural grade of earth tone colors, with at least 30 year or better life, and provided that such roofing material and the method of installation is approved in writing prior to installation by the Declarant pursuant to the procedures set forth in Article I, Paragraph 2 herein."*

The portion of the Covenants (as amended) that was deleted previously read as follows:

*"Unless other materials are specifically approved by Declarant, the roof of all Improvements shall be covered with wood shingles."*

**Return to: Ronald Jensen, 1500 Woodmen Tower, Omaha, NE 68102**

### **THIRD AMENDMENT:**

The first paragraph of Paragraph 2 of Article I of the Covenants (as amended) has been deleted, with the following substituted in lieu thereof:

"No residence, building, fence, wall, driveway, patio, patio enclosure, swimming pool, dog house, tree house, antenna, satellite receiving station or "discs", flag pole, solar heating or cooling device, tool shed, wind mill or other external improvement, above or below the ground (herein all referred to as any "Improvement") shall be constructed, erected, placed or permitted to remain on any Lot, nor shall any grading or excavation for any Improvement be commenced, except for Improvements which have been approved by Declarant as follows:...."

The portion of the Covenants (as amended) that was deleted previously read as follows:

"No residence, building, fence, wall, driveway, patio, patio enclosure, swimming pool, basketball backboards, dog house, tree house, antenna, satellite receiving station or "discs", flag pole, solar heating or cooling device, tool shed, wind mill or other external improvement, above or below the ground (herein all referred to as any "Improvement") shall be constructed, erected, placed or permitted to remain on any Lot, nor shall any grading or excavation for any Improvement be commenced, except for Improvements which have been approved by Declarant as follows:...."

### **FOURTH AMENDMENT:**

The first paragraph of Paragraph 2 of Article I of the Covenants (as amended) has been amended, by adding the following modification to the language concerning satellite "dishes":

"No ... satellite receiving station or "discs" (*other than satellite dishes no larger than 24 inches diameter that are designed to provide television or internet services, so long as not visible from the street*),.... "

The portion of the Covenants (as amended) that was deleted previously read as follows:

"No residence, building, fence, wall, driveway, patio, patio enclosure, swimming pool, basketball backboards, dog house, tree house, antenna, satellite receiving station or "discs", flag pole, solar heating or cooling device, tool shed, wind mill or other external improvement, above or below the ground (herein all referred to as any "Improvement") shall be constructed, erected, placed or permitted to remain on any Lot, nor shall any grading or excavation for any Improvement be commenced, except for Improvements which have been approved by Declarant as follows:...."

Certified effective as of the 7th day of June, 2005, by the following officers of the Linden Park Homeowner's Association:

Mark W. Oldaker  
President

Shirley Runnels  
Secretary

STATE OF NEBRASKA     )  
                                  )  
COUNTY OF DOUGLAS    )

ss.

The foregoing instrument was acknowledged before me this 14 day of June, 2005, by Mark W. Oldaker, the President, and by Shirley Runnels, the Secretary, of Linden Park Homeowner's Association, a Nebraska nonprofit corporation, on behalf of the corporation.

Teresa M. Peatrowsky  
Notary Public

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