SEP 17 2010 15:15 P 99

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Return To: Attn: David Craft

Mission Park HOA

P.O. Box 45608

Omaha, NE 68145

Check Number

FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS FOR MISSION PARK 2ND ADDITION, A SUBDIVISION IN DOUGLAS COUNTY, NEBRASKA

This Amendment to Declaration is made the ____ day of ______, 2009, by the Owners of more than Seventy-Five Percent (75%) of the Lots in Mission Park 2nd Addition, hereinafter referred to as the "Owners."

PRELIMINARY STATEMENT

By Declaration of Covenants, Conditions, Restrictions and Easements for Mission Park 2nd Addition, a Subdivision in Douglas County, Nebraska, dated July 28, 1997, and recorded in the Douglas County Register of Deeds' Office in Book 1217 at Page 476 (herein, the "Declaration"), Torco Development, Inc. (the "Declarant") imposed covenants, conditions, restrictions and easements on LOTS 2 THROUGH 151, INCLUSIVE, IN MISSION PARK 2ND ADDITION, A SUBDIVISION, AS SURVEYED, PLATTED AND RECORDED IN DOUGLAS COUNTY, NEBRASKA.

Article II, Section I. of the Declaration currently provides as follows:

I. No primary flat or mansard roof shall be permitted or any residential structure. All residential structures shall be roofed with wood cedar shakes or wood shingles. Hardboard, bonded wood, pressed wood, imitation wooden shakes, or the like may be permitted with the express written approval of Declarant. Asphalt shingles will not be approved by the Declarant for coverage of any roof.

Article VI, Section B. of the Declaration currently provides as follows:

B. The covenants and restrictions of this Declaration shall run with and bind the land for a term of twenty-five (25) years from the date this Declaration is recorded. This Declaration may be amended by the Declarant, or

After recording please return to: Dan Carnahan McGrath, North, Mullin & Kratz, PC LLO First National Tower, Suite 3700 1601 Dodge Street Omaha, NE 68102 Tele: (402) 341-3070 any person, firm, corporation, partnership, or entity designated in writing by the Declarant, in any manner it shall determine in its full and absolute discretion for a period of eight (8) years from the date hereof. Thereafter this Declaration may be amended by an instrument signed by the Owners of not less than seventy-five percent (75%) of the lots in the Properties.

The Owners desire to Amend the Declaration.

WHEREFORE, the Owners hereby amend the Declaration as follows:

- 1. Article II, Section I. of the Declaration is deleted in its entirety and the following is hereby substituted:
 - I. No primary flat or mansard roof shall be permitted on any residential structure. All residential structures shall be roofed with wood cedar shakes, wood shingles or asphalt shingles of 50-year guarantee or greater quality of weathered wood color (examples including, but not limited to, CertainTeed 50 year shingles, Tamko 50 year shingles, and Owens-Corning 50 year shingles). Upon express written approval of the Mission Park Homeowners Association Board (the "Board") or any authority designated by the Board, a residential structure may be roofed with alternative roofing materials of equal or greater quality as those permitted herein (including, but not limited to, hardboard, bonded wood, pressed wood, and imitation wooden shakes), but any such alternative roofing material must be either weathered wood or similarly earth-toned color.

Except as amended herein, the Declaration shall remain in full force and effect as previously recorded.

IN WITNESS WHEREOF, the Owners have caused this Amendment to Declaration to be executed on the date and year first written above.

OWNERS:

Name: Lot Number:	
STATE OF)	
COUNTY OF) ss.	
The foregoing instrument was acknowledged before me thi 20 by	s day of
Notary Public	

OWNERS

Name: 13 Lot Number:

Deb Moore

STATE OF Nebraska,

COUNTY OF Douglas

The foregoing instrument was acknowledged before me this 29 day of July 20 10 by Jeff Moore and Deh. Moore

A GENERAL NOTARY-State of Nebraska TERI C. KEARNEY My Comm. Exp. July 12, 2014

Motary Public

CKH 1764 2nd Add

5

OWNERS:

Name: Dan Cody Synda Roday
Lot Number: 1014

STATE OF <u>NEBERSLA</u>) ss.

COUNTY OF DOWNLAS)

MATTHEW J. RYDER
GENERAL NOTARIAL
SEAL
STATE OF NEBRASICA
Generation Expires
June 2, 2014

The foregoing instrument was acknowledged before me this 20 day of JUNE 2010 by Dan & Lynda Coday.

Notary Public

1764 2nd Add OWNERS: TORCO DEVELOPMENT Name: Sensystem Lot Number: 47 Mission Park 2nd Addition STATE OF NEBRASKA COUNTY OFDOUGLAS The foregoing instrument was acknowledged before me this 25 day of AUGUST orce Dev 20_1_0by_ GENERAL NOTARY - State of Nebraska
DORIS J. NICHOLSON Notary Public My Comm. Fxp. Jan. 29, 2012 TORCO DEVELOPMENT Name: Smith to Lot Number: 52 Mussion Park 2nd Addition STATE OF NEBRASKA) ss. COUNTY OF DOUGLAS The foregoing instrument was acknowledged before me this 25 day of AUGUST y Gerald Torczon for Torco Dev A GENERAL NOTARY - State of Nebraska DORIS J. NICHOLSON Notary Public / My Comm. Exp. Jan. 29, 2012 TORCO DEVELOPMENT Name: South ton Lot Number: 53 Mission Pork 2nd Add. from STATE OF <u>NEBRASKA</u>) \$5. COUNTY OF DOUGLAS The foregoing instrument was acknowledged before me this 25 day of AUGUST y berald Torcon, for Torco Dev 20₁₋₀ by GENERAL NOTARY - State of Nebraska
DORIS J. NICHOLSON My Cornm. Exp. Jan. 29, 2012 Notary Public

OWNERS: Mossion Park 2nd Addition Lot Number: STATE OF NEBRASKA COUNTY OFDOUGLAS The foregoing instrument was acknowledged before me this 25 day of AUGUST 20 1 by Grad Torcian, fres Torce by GENERAL NOTARY - State of Nebraska ous (12 DORIS J. NICHOLSON Notary Public My Comm. Exp. Jan. 29, 2012 TORCO DEVELOPMENT
Name: Sudd Story Mission Park and Addition Lot Number: STATE OF NEBRASKA COUNTY OF DOUGLAS The foregoing instrument was acknowledged before me this 25 day of AUGUST 2010 by Gerald Taccron, Res Torce Dev GENERAL NOTARY - State of Naturacka DORIS J. NICHOLSON My Comm. Exp. Jan 29, 2012 Notary Public Name: Sust 2 large Lot Number: 59 Marion Park 2nd Addition STATE OF <u>NEBRASKA</u> COUNTY OF DOUGLAS The foregoing instrument was acknowledged before me this 25 day of AUGUST

Service Dev 20_{1-0} by _ GENERAL NOTARY - State of Nebraska
DORIS J. NICHOLSON

Notary Public

My Comm. Exp. Jan. 29, 2012

OWNERS:
TORCO DEVELOPMENT Name: Jack 2 Torigan Lot Number: 61 Mission Park 2nd Addition
STATE OF NEBRASKA)
COUNTY OFDOUGLAS) ss.
The foregoing instrument was acknowledged before me this 25 day of AUGUST 20 1 (by Graid Turczan frei Torco Dev A GENERAL NOTARY - State of Nebraska DORIS J. NICHOLSON My Comm. Exp. Jan. 29, 2012 Notary Public
表出家家的人类大学的人类大学的人类的人类的人类的人类的人类的人类的人类的人类的人类的人类的人类的人类的人类的
Name: Development Name: Development Lot Number: 62 Mission Park 2nd Addition
STATE OF NEBRASKA
COUNTY OF DOUGLAS) ss.
The foregoing instrument was acknowledged before me this 25 day of AUGUST 201:0 by Gerald Tarezan free Torre Dov A GENERAL NOTARY - State of Nebraska
DORIS J. NICHOLSON My Comm. Exp. Jan. 29, 2012 Notary Public

Name: Lot Number: 81 Mission Park 2nd Addition
STATE OF <u>NEBRASKA</u>)
COUNTY OF DOUGLAS) ss.
The foregoing instrument was acknowledged before me this 25 day of AUGUST 2010 by Gerald Torczon, Pres. Torco Nev
GENERAL NOTARY - State of Nebraska DORIS J. NICHOLSON My Comm. Exp. Jan. 29, 2012 Notary Public

OWNERS:
TORCO DEVELOPMENT Name: Study torrege Lot Number: 86 Milsion Park 2nd Addition
STATE OF NEBRASKA)
COUNTY OFDOUGLAS) ss.
The foregoing instrument was acknowledged before me this 25 day of AUGUST 20_1 (by Gerald Torczo, 1 Pres. Torco Dev GENERAL NOTARY - State of Nebraska DORIS J. NICHOLSON My Comm. Exp. Jan. 29, 2012 Notary Public

Name: Aud Addition Lot Number: 108 Mistion Park 2nd Addition
STATE OF NEBRASKA)
COUNTY OF DOUGLAS) ss.
The foregoing instrument was acknowledged before me this 25 day of AUGUST 2010by Grand Torces, Press. Force Aev
GENERAL NOTARY - State of Nebraska DORIS J. NICHOLSON My Comm. Exp. Jan. 29, 2012 Notary Public

Name: Olivers longes Lot Number: 109 Mission Park 2nd Addition
STATE OF NEBRASKA)
COUNTY OF DOUGLAS) ss.
The foregoing instrument was acknowledged before me this 25 day of AUGUST 2010 by Gerald Taxalan Pre Torco Dev GENERAL NOTARY - State of Nebraska DORIS J. NICHOLSON My Comm. Exp. Jan. 29, 2012 Notary Public
INOLATY FUDIC

OWNERS: Mussian Park 2nd Addition Lot Number: 119 STATE OF NEBRASKA COUNTY OFDOUGLAS The foregoing instrument was acknowledged before me this 25 day of AUGUST 20_1_0by _ Gerald Torrow Pres Torro Der GENERAL NOTARY - State of Nebraska DORIS J. NICHOLSON Notary Public My Comm. Exp. Jan. 29, 2012 TORCO DEVELOPMENT Name: Server Lot Number: 21 Mission Park 2nd Addition STATE OF NEBRASKA COUNTY OF DOUGLAS The foregoing instrument was acknowledged before me this 25 day of AUGUST 20<u>1:0</u>by_ Gerald Torczen, frez. Torco Dev GENERAL NOTARY - State of Nebraska DORIS J. NICHOLSON My Comm. Exp. Jan. 29, 2012 Notary Public TORCO DEVELOPME Name: Jude 3 Lot Number: 122 Musion Park 2nd Addition STATE OF NEBRASKA COUNTY OF DOUGLAS The foregoing instrument was acknowledged before me this <u>25</u> day of <u>AUGUST</u>

Y <u>Grand Taccom, Rres</u>. Torce Dev 20_{1_0} by GENERAL NOTARY - State of Nebraska DORIS J. NICHOLSON My Comm. Exp. Jan. 29, 2012 Notary Public

11

OWNERS: Name: Judy Llower Park 2nd Add, from STATE OF NEBRASKA COUNTY OFDOUGLAS The foregoing instrument was acknowledged before me this 25 day of AUGUST 20 1 by Gc/cld Torczo, Prej Torco Dev GENERAL NOTARY - State of Nebraska DORIS J. NICHOLSON Notary Public My Comm. Exp. Jan. 29, 2012 TORCO DEVELOPMENT Name: Munder: 125 Park 2nd Addition STATE OF NEBRASKA SS. COUNTY OF DOUGLAS The foregoing instrument was acknowledged before me this 25 day of AUGUST Pres 201 oby GENERAL NOTARY - State of Nebraska DORIS J. NICHOLSON My Comm. Exp. Jan. 29, 2012 Notary Public TORCO DEVELOPMENT Name: Seuda Lot Number: 125 Mission Park 2nd Addition STATE OF NEBRASKA COUNTY OF DOUGLAS The foregoing instrument was acknowledged before me this 25 day of AUGUST

2010 by Great d Tax 2cm Prej. Torce Dev

GENERAL NOTARY - State of Nebraska

DORIS J. NICHOLSON

Notary - Bublish My Comm. Exp. Jan. 29, 2012

OWNERS: TORCO DEVELOPM Name: Sures
Lot Number: 12 MUSION PULL 2nd Addition STATE OF NEBRASKA COUNTY OFDOUGLAS The foregoing instrument was acknowledged before me this 25 day of AUGUST Y GROAD TOLES TOLES DES Torzon, Prus 20_1 by Gerald GENERAL NOTARY - State of Nebraska DORIS J. NICHOLSON Notary Public My Comm. Exp. Jan. 29, 2012 TORCO DEVELOPMENT Name: Audstone Lot Number: 130 Mission Park 2nd Addition STATE OF NEBRASKA SS. COUNTY OF DOUGLAS The foregoing instrument was acknowledged before me this 25 day of AUGUST 20110 by Gerald Tanzon, fres. Torco Dev GENERAL NOTARY - State of Nebraska DORIS J. NICHOLSON Notary Public My Comm. Exp. Jan. 29, 2012 TORCO DEVELOPMENT Lot Number: 143 Miss on Park and Addition STATE OF <u>NEBRASKA</u> SS. COUNTY OF DOUGLAS The foregoing instrument was acknowledged before me this 25 day of AUGUST

A GENERAL NOTARY - State of Nebraska

GENERAL NOTARY - State of Nebraska

CODIS I NICHOL SON 20_{1_0} by DORIS J. NICHOLSON My Comm. Exp. Jan. 29, 2012

13

OWNERS: Mission Park 2nd Addition STATE OF NEBRASKA SS. COUNTY OFDOUGLAS The foregoing instrument was acknowledged before me this 25 day of AUGUST y Gerald (decrean fore Terro Der GENERAL NOTARY - State of Nebraska DORIS J. NICHOLSON Notary Public My Comm. Exp. Jan. 29, 2012 TORCO DEVELOPMENT Mission Park 2nd Addition STATE OF NEBRASKA SS. COUNTY OF DOUGLAS The foregoing instrument was acknowledged before me this 25 day of AUGUST 201:0 by Grand Torce Dev GENERAL NOTARY - State of Nebraska DORIS J. NICHOLSON Notary Public My Comm. Exp. Jan. 29, 2012 TORCO DEVELOPMEN Name: Lot Number: 14) MISSIM Park 2nd Addrion STATE OF <u>NEBRASKA</u> COUNTY OF DOUGLAS The foregoing instrument was acknowledged before me this 25 day of AUGUST 2010 by Gerald Torreson, fros. Tore Der

> GENERAL NOTARY - State of Nebraska DORIS J. NICHOLSON My Coinm. Exp. Jan. 29, 2012

JWNERS:
TORCO DEVELOPMENT Name: Stroke Tronger Lot Number: 198 Misselon Pa, k 2nd Addition
STATE OF NEBRASKA)
) ss. COUNTY OFDOUGLAS)
The foregoing instrument was acknowledged before me this 25 day of AUGUST 20 1 (by Grald Tax Pres Torce Des Torce D
·
TORCO DEVELOPMENT Name: Surland Tork Lot Number: 149 MISSION Park 2nd Addition STATE OF NEBRASKA)
COUNTY OF DOUGLAS) ss.
The foregoing instrument was acknowledged before me this 25 day of AUGUST 2010 by Gere & Torcon, Pres Torco Dev GENERAL NOTARY - State of Nebraska DORIS J. NICHOLSON My Comm. Exp. Jan. 29, 2012 Notary Public
Name: System Pork 2nd Addition
STATE OF NEBRASKA) ss. COUNTY OF DOUGLAS)
The foregoing instrument was acknowledged before me this 25 day of AUGUST 2010 by Gental Tourn, Pres. Torco Dev GENERAL NOTARY - State of Nebraska DORIS J. NICHOLSON My Comm. Exp. Jan. 29, 2012 Notary Public

OWNERS:	
Name: Kerta Da Jac Lot Number: 2	
STATE OF <u>Neigras ka</u>)	
COUNTY OF Douglas) ss.	
The foregoing instrument was acknown 2010 by Kerth Taylor	wledged before me this 9 day of August.
GENERAL NOTARY-State of Nebraska TERI C. KEARNEY My Comm. Exp. July 12, 2014	Jew C Kearney
************	*************
Name: Jane Raylor Lot Number: 2	
STATE OF <u>Nebraska</u>)	
COUNTY OF Douglas) ss.	
The foregoing instrument was acknown 2010 by Janet Taylor A CENSON THE DESCRIPTION OF TH	viedged before me this 9 day of August, Lui C Keaurey Notary Public
### ##################################	**********
Name:	GENERAL MOTARY-State of MATERIX TERI C. KEARNEY My Comm. Eqs. July 12, 2014
STATE OF)	
) ss.	
The foregoing instrument was acknow 20 by	ledged before me this day of
·	Notary Public
	•

OWNERS:	
Name:	
STATE OF Nebrusker)	
COUNTY OF Drugles) ss.	
The foregoing instrument was acknowled to 10 by Doug Halbur.	edged before me this 9 day of August
GENERAL NOTARY-State of Netwaska TERI C. KEARNEY My Comm. Exp. July 12, 2014	Jan C Kearrey Notary Public
Name: Lica Halbir Lot Number: 3	•
STATE OF <u>Nebraska</u>)	
COUNTY OF <u>Douglas</u>) ss.	
The foregoing instrument was acknowle 20 loby Lisa Halbur.	edged before me this <u>9</u> day of <u>August</u> ,
GENERAL MOTARY-State of Nebraska TERI C. KEARNEY My Comm. Exp. July 12, 2014	Jui (Kearney Notary Public
Name:	
STATE OF)	
COUNTY OF) ss.	
The foregoing instrument was acknowle 20 by	dged before me this day of,
·	Notary Public
	NOTAL A LINE TO THE LAND TO TH

OWNERS: Www Zei
David & Mednete Keil Name: Lot Number: 4
STATE OF Nebraska) COUNTY OF Duglos) ss.
The foregoing instrument was acknowledged before me this 3 day of August 2010 by David Keil A GENERAL NOTARY-State of Nebraska TERI C. KEARNEY My Comm. Exp. July 12, 2014 Notary Public
Muhl Ceil Name: Mechele Keil Lot Number: 4
STATE OF <u>Hebroska</u>) ss. COUNTY OF <u>Douglas</u>)
The foregoing instrument was acknowledged before me this 3 day of August 2010 by Mechele Keil GENERAL NOTARY-State of Nebraska TERI C. KEARNEY My Comm. Exp. July 12, 2014 (Notary Public)

Name: Lot Number:
STATE OF) ss. COUNTY OF)
The foregoing instrument was acknowledged before me this day of
Notary Public

OWNERS:	·
Bacharo E. Keller Name: _Barbaro E. Kaller Lot Number: _ 5	``
STATE OF Nebraska	
COUNTY OF Douglas) ss.	
The foregoing instrument was acknowled 2010 by Bour bour on E. Kelleher	dged before me this <u>l</u> day of <u>August</u>
GENERAL NOTARY-State of Nebraska TERI C. NEARMEY My Comm. Exp. July 12, 2014	Ju C. Kenney Notary Public
**************************************	**************************************
Name: MICHAEL KELLEHCK Lot Number: 5	·
STATE OF Nebraska)	
COUNTY OF Douglas) ss.	
The foregoing instrument was acknowled 20 10 by Micline I Kelleher.	ged before me this day ofAugust
GENERAL NOTARY-State of Nebraska TERI C. KEARNEY My Comm. Exp. July 12, 2016	Motary Public Claurant
***************	*********************
Name: Lot Number:	
STATE OF)	•
COUNTY OF) ss.	
The foregoing instrument was acknowledged by	ged before me this day of,
	Notary Public
	Notary Fublic

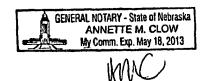
د≛،

19

OWNERS:	
Name: Arelly Dethief's Lot Number:	
STATE OF <u>Nebraska</u>	
COUNTY OF Daglas) ss.	
The foregoing instrument was acknowledg 2010 by Kelly De Holefs. A GENERAL MOTARY-State of Nebraska	ed before me this 10 day of August
GENERAL NOTARY-State of Nebraska TERI C. KEARNEY My Comm. Exp. July 12, 2014	Notary Public .
Name: Sohn A Ditty Ve Fe Lot Number:	**************************************
COUNTY OF Douglas) ss.	
The foregoing instrument was acknowledge 20 0 by Tohn A. Dethlefs A GENERAL NOTARY-State of Nebraska TERIC KEARNEY	ed before me this 10 day of August.
GENERAL NOTARY-State of Nebraska TERI C. KEARNEY My Comm. Exp. July 12, 2014	Motary Public Clearney
*************************************	************************************
Name:	
STATE OF)	
) ss. COUNTY OF)	
The foregoing instrument was acknowledge	d before me this day of,
1964	
•	Notary Public

OWNERS:	
Mich anderson	
Name: VICKI Andevson Lot Number:'7	
STATE OF Mebraska)	
COUNTY OF Pouglas) ss.	
The foregoing instrument was acknowledge 2010 by Vicki Anderson. A GENERAL NOTARY-State of Nebraska	ed before me this 6 day of August,
GENERAL NOTARY-State of Nebraska TERI C. KEARNEY My Comm. Exp. July 12/2014	Motary Public Reaches
Name: Ciris Anderson Lot Number:	**************************************
STATE OF Mehricle) ss. COUNTY OF Douglas)	
The foregoing instrument was acknowledge 20 10 by Chris Anderson. GENERAL NOTARY-State of Nebraska	d before me this <u>le</u> day of <u>August</u> ,
GENERAL NOTARY-State of Nebraska TERI C. KEARNEY My Comm. Exp. July 12, 2014	(Nøtary Public
	常有更有不大力的有关的实验的有效的有效的有效的有效的的现在分词的有效的的可以可以可以可以可以可以可以可以可以可以可以可以可以可以可以可以可以可以可
Name: Lot Number:	,
STATE OF)	·
) ss. COUNTY OF)	
The foregoing instrument was acknowledge 20 by	d before me this day of,
·	Notary Public
	•

page 1. of \$2



FIRST AMENDMENT

DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS FOR

MISSION PARK 2ND ADDITION, A SUBDIVISION IN DOUGLAS COUNTY, NEBRASKA

This Amendment to Declaration is made the ____ day of ______, 2009, by the Owners of more than Seventy-Five Percent (75%) of the Lots in Mission Park 2nd Addition, hereinafter referred to as the "Owners."

PRELIMINARY STATEMENT

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B. The covenants and restrictions of this Declaration shall run with and bind the land for a term of twenty-five (25) years from the date this Declaration is recorded. This Declaration may be amended by the Declarant, or

We vote

Youth hybill 6/18/10 Lot #9
Mission Ank

Jungle MM 6/8/10

Page 2, of 32 Description of Document AMENDMENT
Acknowledgement
State of Nebraska
s.s.
County of Douglas
The foregoing instrument was acknowledged before me this
by Jennifer and Joseph Nuzzolillo (printed name of person acknowledged)
Antite M. Clors
GENERAL NOTARY - State of Nebraskat ANNETTE M. CLOW My Comm. Exp. May 18, 2013

Lot #9 Mission Park