

BOOK 820 PAGE 278

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AMENDMENT TO DECLARATIONS OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR NELSON'S CREEK SUBDIVISION

GEORGE J. BUSLEWICZ REGISTER OF DEEDS DOUGLAS COUNTY, NEBR.

THIS DECLARATION, made on this date hereinafter set forth by JACOBS LIMITED PARTNERSHIP, a Nebraska Limited Partnership, organized under and subject to the Uniform Limited Partnership Act of Nebraska, hereinafter referred to as the "Declarant", and

This declaration is also made by the undersigned who are all of the corporations, partnerships or persons having an interest in and to the lots set forth opposite their names and signature block, or who have entered into a purchase agreement for same, although not yet fully executed.

WITNESSETH: WHEREAS, the Declarant, JACOBS LIMITED PARTNERSHIP, is the owner of the following real property: Lots 1 through 189, Nelson's Creek Subdivision in the County of Douglas, State of Nebraska, except such lots as are noted opposite the individuals, corporations and partnerships also signing this Amendment.

WHEREAS, the parties hereto desire to amend the Declaration filed and recorded in Book 800, Page 546, of the Miscellaneous Book of Records of the Douglas County Register of Deeds,

NOW, THEREFORE, the undersigned do hereby declare that all lots shall be governed by the Declarations and by this Amendment.

AMENDMENT

BUILDING REQUIREMENTS

4. AREA. No building shall be created, altered, placed or permitted to remain on any lot other than one detached single-family dwelling, not to exceed two stories in height, nor containing finished living areas, exclusive of porches, breezeways, carports and garages of less than the following: a two-story dwelling house constructed on any of said residential lots shall have a minimum of 2,100 square feet, exclusive of the basement area, with a first floor area, above the basement area, of not less than 1,050 square feet with an attached garage on the first floor level. A one-and-a-half story dwelling house shall have a total area of not less than 1,800 square feet, exclusive of the basement area, with a first floor area of not less than 1,350 square feet with an attached garage on the first floor level. A one-story dwelling house shall have a total of not less than 1,500 square feet with an attached garage on the first floor level above the basement level. Dwelling houses constructed of a split-level plan shall contain a total of not less than 1,600 square feet on the two levels above the basement level and have an attached garage. Dwelling houses constructed on a tri-level plan shall have a total area of not less than 1,750 square feet plus an attached garage. That said areas are exclusive of porches or attached garages. Each house shall have an attached garage for not less than two automobiles, however, additional garages may be put in the basement area as long as they do not face the street at the front of the house. The maximum height of a dwelling shall be two stories. A basement is not considered a story if it is 100% above grade on one side and essentially below grade on the other sides. Area means finished habitable space measured to the exterior of the enclosing walls, and does not include porches, breezeways, courtyards, patios, basements, garages or carports.

The old paragraph 4 is hereby deleted and the above and foregoing Amendment substituted in place thereof.

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POL 286
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