



BK 0908 PG 195



MISC 1989 21059

THIS PAGE INCLUDED FOR  
INDEXING  
PAGE DOWN FOR BALANCE OF INSTRUMENT

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

THIS DECLARATION AMENDMENT, made on the 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".

WITNESSETH:

WHEREAS, the Declarant is the Developer of the following real property:

Lot 1 through 189 Nelson's Creek Subdivision, in the County of Douglas, State of Nebraska, and *ME-2725*

Lots 192 through 330 Nelson's Creek Subdivision, in the County of Douglas, State of Nebraska, and

Lots 1 through 8 in Nelson's Creek Replat, a Subdivision in the County of Douglas, State of Nebraska, *ME-2723*

such lots are herein referred to collectively as the "Lots" and individually as each "Lot".

WHEREAS, the Declarant previously filed in the Register of Deeds in Book 800, Page 546, and in Book 859, Page 69, and in Book 884, Page 194 of the Records of the Register of Deeds of Douglas County, Nebraska, the Declaration, Covenants, Conditions and Restrictions for Nelson's Creek Subdivision, and now desires to amend the same so that Paragraph 4 is amended to read as follows:

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. 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.

IN WITNESS WHEREOF, Jacobs Limited Partnership has executed these presents, this 15th day of December, 1989.

JACOBS LIMITED PARTNERSHIP, A  
Nebraska Limited Partnership

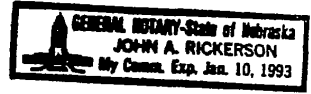
By: Warren L. Jacobs  
Warren L. Jacobs, General Partner

STATE OF NEBRASKA )  
                          ) ss.  
COUNTY OF DOUGLAS )

On the day and year last above written before me, the undersigned, a Notary Public, personally came Warren L. Jacobs, General Partner of Jacobs Limited Partnership, to me personally known to be the General Partner and the identical person whose name is affixed to the above Covenant and Declaration, and acknowledged the execution thereof to be his voluntary act and deed as such General Partner and the voluntary act and deed of said partnership.

Witness my hand and notarial seal at Omaha in said county the day and year last above written.

John A. Rickerson  
Notary Public



*me 11054*

RECEIVED  
*X*

Dec 18 12 52 PM '89

GEORGE J. BUGLEWICZ  
REGISTER OF DEEDS  
DOUGLAS COUNTY, NE

SK 908 N \_\_\_\_\_ C/O \_\_\_\_\_ FEE 178.00  
PG 195-196 DEL 1/1 MC WC  
OF TRAC COMP \_\_\_\_\_ F/B ME-27215  
ME-27235

RECORDED & RETURNED TO  
BYA HT801 C. 115 1111  
#2182 BT 10/10/89