



BK 0970 PG 701-702



MISC 1991 13682

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AMENDMENT TO RESTRICTIVE COVENANTS

THIS AMENDMENT, to Declaration of Covenants, Conditions and Restrictions, made this 10th day of July, 1991 by Pacific Meadows Limited Partnership, a Nebraska Limited Partnership (herein referred to as the "Declarant"),

WHEREAS, on January 26, 1987, the Declarant executed a certain Declaration of Covenants, Conditions and Restrictions (herein referred to as the "Covenants") on the following described real property:

Lots 1 through 235, inclusive, of Pacific Meadows, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska,

WHEREAS, said Covenants were recorded in Book 802, Page 615 in the Register of Deed's office of Douglas County, Nebraska, and

WHEREAS, Article VI.B. of said Covenants provides, "This Declaration may be amended by the Declarant, or 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 five (5) years from the date hereof",

NOW, THEREFORE, Article II A. of the Covenants is amended as follows:

1. Added as a new paragraph D of Article VI shall be the following:

"Upon written application of any Owner, the Declarant, or its assigns may waive any provisions of these Covenants, including but not limited to, the distance of a building from front, rear and side Lot line, upon the Declarant, or its assigns, finding both of the following: (1) the application of a Covenant will result, in the sole and absolute discretion of the Declarant or its assigns, in an undue hardship to the Owner applying for a waiver and (2) the waiver of said Covenant will not, in the sole and absolute discretion of the Declarant or its assigns, adversely affect the other Owners of Lots covered by these Covenants. This right of the Declarant, or its assigns, to grant waivers as outlined herein shall continue for the full life of these Covenants.

2. All other provisions of said Covenants, except as modified herein, shall continue in full force and effect.

IN WITNESS WHEREOF, the Declarant has caused this First Amendment to be executed this 10th Day of July, 1991.

DECLARANT:

PACIFIC MEADOWS LIMITED PARTNERSHIP,
A Nebraska Limited Partnership


BY: DODGE DEVELOPMENT, INC.,
a Nebraska corporation, the
sole general partner

BY: W. L. Morrison, Jr.
President

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

On this 10th day of July 1991, before me the undersigned, a Notary Public in and for said County and State, personally came W. L. Morrison, Jr., known to me to be the President of Dodge Development, Inc., a Nebraska corporation, which corporation is the sole general partner of Pacific Meadows Limited Partnership, a Nebraska limited partnership, and acknowledged that he executed as the voluntary act and deed of such corporation, and the voluntary act and deed of said Limited Partnership.

Witness my hand and official seal the day and year last above written.

 GENERAL NOTARY State of Nebraska
CAROLE M. BATSON
My Comm. Exp.

Carole M. Batson
Notary Public

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GEORGE J. BUGLEWICZ
REGISTER OF DEEDS
DOUGLAS COUNTY, NE