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Register of Deeds, Douglas County, NE

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**FIRST AMENDMENT TO THE
 DECLARATION OF COVENANTS, CONDITIONS,
 RESTRICTIONS AND EASEMENTS OF
 PACIFIC RIDGE SUBDIVISION IN DOUGLAS COUNTY, NEBRASKA**

Filed: AS RECEIVED

THIS AMENDMENT TO DECLARATION is made the day first set forth hereinafter by PAC 180, L.L.C., a Nebraska limited liability company, "Declarant".

RECITALS

A. On July 22, 2003 a document entitled Declaration of Covenants, Conditions, Restrictions and Easements of Pacific Ridge Subdivision in Douglas County, Nebraska, was recorded against Lots 1 through 93, inclusive, in PACIFIC RIDGE, all surveyed, platted and recorded in Douglas County, Nebraska, in the Register of Deeds, Douglas County as Instrument No. 2003139620 (hereinafter referred to as the "Declaration") and on December 16, 2003 Lots 78 and 79 were replatted as Lots 1 and 2, Pacific Ridge Replat 1 and recorded as Instrument No. 2003241764 in the Register of Deeds in Douglas County, Nebraska.

B. On the 8th day of April, 2003 PAC 180, L.L.C., the Declarant, the City of Omaha, Sanitary and Improvement District No. 486 and Pacific Ridge Homeowners Association entered into a Subdivision Agreement, hereinafter the "Subdivision Agreement".

C. The Declaration and the Subdivision agreement provide the Pacific Ridge Homeowners Association shall be responsible for the maintenance of Outlots A, B and D, which Outlot D has subsequently been replatted as Outlot A Pacific Ridge Replat 1 and also for the maintenance and cost of the decorative gas street lamps.

D. The Declaration provides for Maximum Annual Dues, which dues are inadequate and insufficient to support the mandatory duties of the Association as set forth in the Declaration and Subdivision Agreement.

E. The Declaration provides in Article III, Paragraph 3 that for a period of ten years the Developer shall have the exclusive right to modify the Declaration

NOW, THEREFORE, the Declarant as Developer of the Pacific Ridge subdivision desires to and hereby does amend the Declaration as follows:


3. Article II, Paragraph 11 is deleted in its entirety and replaced as follows:

FULL 1

11. Maximum Annual Dues. The Association shall have no maximum annual dues, provided however the dues of the Association shall be set by the Board of Director's at a level sufficient to fulfill the mandatory duties of the Association as set forth in Paragraph 6 herein and in the Subdivision Agreement and to provide for a reasonable reserve for unexpected expenses. It is anticipated that the annual dues for the year 2008 will not exceed \$400 per lot.

IN WITNESS WHEREOF, this First Amendment to Declaration was executed this 4th day of December, 2008.

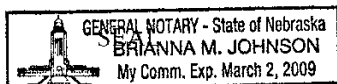
PAC 180, L.L.C., a Nebraska limited liability company,


Tom Falcone, Member

STATE OF NEBRASKA)
)ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this 4th day of December, 2000 by Tom Falcone, member of PAC 180, L.L.C., a Nebraska limited liability company, on behalf of the company.

**** FILED: AS IS**




Notary Public