



MISC 2006146174



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Received - DIANE L. BATTIATO
 Register of Deeds, Douglas County, NE
 12/26/2006 14:24:57.76



2006146174

**FIRST AMENDMENT TO THE DECLARATION
 OF COVENANTS, CONDITIONS, AND RESTRICTIONS
 FOR PINEY CREEK, A SUBDIVISION IN
 DOUGLAS COUNTY, NEBRASKA**

THIS FIRST AMENDMENT TO DECLARATION made on the date hereinafter set forth, by Piney Creek, Inc., a Nebraska corporation ("Declarant").

PRELIMINARY STATEMENT

WHEREAS, the Declarant is the owner of the following described real property: lots 1-10 Piney Creek replat AND lots 27-29, 41, 42, 44-46, 57, 58, 60-63, 75, 77, 79-82, 96-99, 101-105, and 111 Piney Creek, which have been divided, in Piney Creek, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska; and

WHEREAS, the Declarant has filed an original Declaration of Covenants, Conditions, and Restrictions for the affected lots on April 16, 2001 under instrument Number 1378-332; and

WHEREAS the Declarant wishes to amend Article III, B. 2., as it relates to brick on street side of exposed foundation on corner lots.

NOW, THEREFORE, the Declarant hereby declares that said Lots shall be held, sold, and conveyed subject to the following amended restriction:

**ARTICLE III
 RESTRICTIONS FOR RESIDENTIAL DWELLINGS**

- B. General Restrictions. All dwelling units described above shall comply with the following restrictions.
 - 2. Exposed portions of the foundation on the front and sides of each dwelling adjacent to a street are to be covered with clay-fired brick or stone.

The Declarant ratifies and restates all covenants, conditions, restrictions and easements for the Piney Creek Subdivision in Douglas County, Nebraska other than as amended herein.

IN WITNESS WHEREOF, the Declarant has caused these presents to be executed this 4th day of December, 2006.

ATTEST:

 JeAnn Sudbeck, Secretary

PINEY CREEK, INC., a Nebraska Corporation

 Melvin J. Sudbeck, Its President

STATE OF NEBRASKA)
 COUNTY OF Douglas)

On this 4th day of December, 2006, before me, a Notary Public, duly commissioned and qualified in and for said County, appeared Melvin J. Sudbeck, personally known by me to be the President of Piney Creek, Inc., and JeAnn Sudbeck, personally known by me to be the Secretary of said corporation, and the identical persons whose names are affixed to the foregoing instrument, and they acknowledged the execution thereof to be their voluntary act and deed.

WITNESS my hand and Notarial Seal the day and year last above written

Return to:
 Piney Creek
 16255 Woodland Drive
 Omaha, NE 68136



Notary Public

✓ 1451