



MISC 2010084521



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Received - DIANE L. BATTIATO
 Register of Deeds, Douglas County, NE
 9/16/2010 14:39:24.64



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After recording, please return to:

John M. Prosocki, Esq.
CROKER, HUCK, KASHER, DeWITT,
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 2120 South 72nd Street, Suite 1200
 Omaha, NE 68124

**THIRD AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS,
 RESTRICTIONS AND EASEMENTS OF QUAIL HOLLOW, A SUBDIVISION IN
 DOUGLAS COUNTY, NEBRASKA**

This Third Amendment to Declaration of Covenants, Conditions, Restrictions and Easements of Quail Hollow, a Subdivision in Douglas County, Nebraska is made on the date hereinafter set forth by Pacesetter Homes, Inc., a Nebraska corporation, hereinafter referred to as the "Declarant."

1. The Declarant executed a Declaration of Covenants, Conditions, Restrictions and Easements (the "Declaration") covering the real property described as: Lots 1 through 117, inclusive, and Lots 121 through 142, inclusive, in Quail Hollow, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska. The Declaration was dated June 1, 2001 and filed for record in the Office of the Register of Deeds of Douglas County, Nebraska on June 8, 2001 in Book 1385 at Page 55. Lots 1, 2, 3 and 4 were subsequently replatted as Lots 226, 227, 228 and 229, Quail Hollow, and Lots 80 and 81 were subsequently replatted as Lots 1 and 2, Quail Hollow Replat 1, and all of such replatted lots are subject to the Declaration. *m1-31607*

2. Pursuant to the terms and conditions of Article IV, Section 2 of the Declaration, Declarant, for a period of ten (10) years from the date of the Declaration, reserved the right to amend the Declaration. Declarant previously amended the Declaration pursuant to a First Amendment to Declaration of Covenants, Conditions, Restrictions and Easements of Quail Hollow, a Subdivision in Douglas County, Nebraska recorded September 6, 2002 in the Office of the Register of Deeds of Douglas County, Nebraska in Book 1460 at Page 33. Declarant further amended the Declaration pursuant to a Second Amendment to Declaration of Covenants, Conditions, Restrictions and Easements of Quail Hollow, a Subdivision in Douglas County, Nebraska recorded June 10, 2004 in the Office of the Register of Deeds of Douglas County, Nebraska as Instrument No. 2004075944. Declarant desires to further amend the Declaration as hereinafter set forth. *m1-31608*

V159026

3. Declarant hereby amends Article I, Section 5 of the Declaration to read, in its entirety, as follows:

5. No streamers, posters, banners, balloons, exterior illumination or other rallying devices will be allowed on any Lot in the promotion or sale of any Lot, residential structure or property unless approved in writing by the Declarant. No advertising signs, billboards, unsightly objects or nuisances shall be erected, placed or permitted to remain on any Lot except one sign per Lot consisting of not more than six (6) square feet advertising a Lot as "For Sale." No business activities of any kind whatsoever shall be conducted on any Lot, except for home occupations as defined in the Zoning Code of the Municipal Code of the City of Omaha, Nebraska; nor shall the premises be used in any way for any purpose which may endanger the health or unreasonably disturb the owner or owners of any Lot or any resident thereof. Provided, however, the foregoing paragraph shall not apply to the business activities, signs and billboards or the construction and maintenance of buildings, construction or storage areas, including model homes and general offices, if any, by Declarant, its agents or assigns, during the construction and sale of the Lots.

4. In all other respects, the Declaration heretofore executed, as previously amended, is hereby ratified and confirmed in its original form.

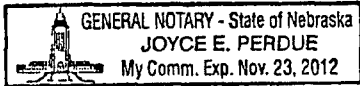
IN WITNESS WHEREOF, the Declarant has executed this Third Amendment to Declaration of Covenants, Conditions, Restrictions and Easements of Quail Hollow, a Subdivision in Douglas County, Nebraska this 30 day of AUGUST, 2010.

PACESETTER HOMES, INC., a Nebraska corporation

By: [Signature]
Dennis Van Moorlehem, Vice President

STATE OF NEBRASKA)
) SS:
DOUGLAS COUNTY)

The foregoing instrument was acknowledged before me this 30 day of August, 2010 by Dennis Van Moorlehem, personally known to me to be the Vice President of Pacesetter Homes, Inc., a Nebraska corporation, and acknowledged the same to be his voluntary act and deed and the voluntary act and deed of said corporation.



[Signature]
Notary Public