



**Affidavit Setting Forth Amendment to Declaration of Covenants,
 Conditions and Restrictions of Skyline Ranches, an addition to the City of
 Omaha, Douglas County, Nebraska.**

STATE OF NEBRASKA)
) SS:
 COUNTY OF DOUGLAS)

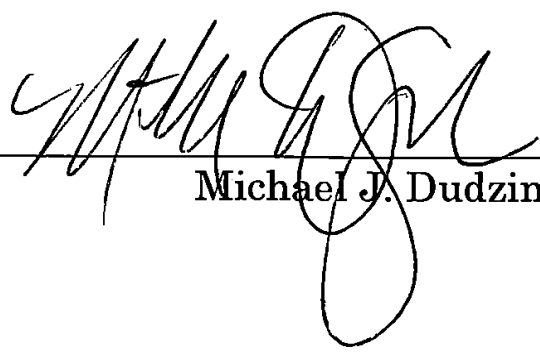
I, Michael J. Dudzinski, being of lawful age and first duly sworn upon oath, deposes and states as follows:

1. That I am a resident of Douglas County residing at 915 South 205th Street, Elkhorn, Nebraska 68022, and I make this Affidavit based upon my own personal knowledge of the facts set forth in this Affidavit.
2. That the Declaration of Covenants, Conditions and Restrictions of Skyline Ranches Subdivision in Douglas County, Nebraska, was filed with the Register of Deeds Office of Douglas County, Nebraska, as Instrument # 1994004608 in Book No. 1116, Page 430, of the Miscellaneous Records of Douglas County, Nebraska, on April 15, 1994, and covers the lots legally described as set forth on Exhibit “A” (the “Properties”). attached hereto which is incorporated herein by this reference
3. That the Declaration of Covenants, Conditions and Restrictions provides under Article VIII, Section 3, that the Declaration may be amended at any time by an instrument signed by not less than two-thirds of the owners of the Properties and that such owners have the right to modify the Declaration with the written approval of the owners of at least two-thirds of the Properties subject to said Declaration.

RETURN: Peterson & Foster Law
14747 California St., Ste 2
Omaha, NE 68154


4. That the undersigned is the President of the Skyline Ranches Property Owners Association, hereinafter referred to as "the Association", and has attached hereto Amendment No. 1 to the Declaration of Covenants, Conditions and Restrictions of Skyline Ranches, an Addition to the City of Omaha, Douglas County, Nebraska.
5. That the proposal to amend the Declaration was circulated to owners of the Properties and that more than two-thirds of such owners voted in writing in favor of the amendment.
6. That two-thirds owners of those Properties identified on Exhibit "A" attached hereto voted in favor of the amendment to the Covenants.
7. That the documents containing the written vote and signature of owners of over two-thirds of the Properties subject to the Declaration are in the possession of the undersigned, Michael J. Dudzinski, President of the Homeowners Association for that subdivision, at my home address, 915 South 205th Street, Elkhorn, Nebraska 68022.

Further Affiant Sayeth Not.

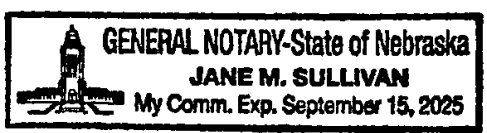


Michael J. Dudzinski

SUBSCRIBED AND SWORN TO before me on this 8th day of July, 2022



Notary Public



<p style="text-align: center;">EXHIBIT</p> <p style="text-align: center;">A</p>

**AMENDMENT NO. 1 TO THE DECLARATION
OF COVENANTS, CONDITIONS AND RESTRICTIONS
OF SKYLINE RANCHES, AN ADDITION TO THE
CITY OF OMAHA, DOUGLAS COUNTY, NEBRASKA**

THIS AMENDMENT NO. 1 to the Declaration of Covenants, Conditions and Restrictions of Skyline Ranches, an addition to the City of Omaha, Douglas County, Nebraska, filed on April 15, 1994, in Miscellaneous Book No. 1116, on Page 430 of the Miscellaneous Records for Douglas County, Nebraska (the "Declaration"), is made on the date shown on the close of this instrument, by the undersigned Skyline Ranches Property Owners Association (the "Association").

W I T N E S S E T H:

WHEREAS, the hereinafter described real properties (the "Properties") are subject to the Declaration and within the Association; and

WHEREAS, under Article VIII, Section 3 of the Declaration, the Declaration may be amended at any time by an instrument signed by not less than two-thirds of the owners of the Properties (the "Owners") and that such Owners have the right to modify the Declaration; and

WHEREAS, under Article IX of the Declaration, the Declaration may be executed in counterparts;

WHEREAS, two-thirds of the Owners have consented and voted, in writing, to ratify and amend the Declaration and make the Properties subject to the following amendment to the covenants, conditions, restrictions and easements set forth in the Declaration; and

WHEREAS, this Amendment No. 1 to the Declaration shall apply to all of the Properties within the Skyline Ranches Property Owners Association which are subject to the Declaration, which are legally described as follows:

The east 162.93' of Lot 1, the west 201.98' of Lot 1, the east 150' of Lot 2, the west 150' of Lot 2, the east 150' of Lot 3, the west 150' of Lot 3, the east 150' of Lot 4, the west 150' of Lot 4, the east 150' of Lot 5, the west 150' of Lot 5, the E 150' of Lot 6, the west 150' of Lot 6, the east 150' of Lot 22, the west 150' of Lot 22, the west 150' of Lot 23, the east 150' of Lot 24, the west 150' of Lot 24, the east 115' of Lot 25, the west 115' of Lot 25, the east 1/2 of Lot 28, the west 1/2 of Lot 28, the east 1/2 of Lot 29, the west 1/2 of Lot 29, the east 150' of Lot 30, the west 150' of Lot 30, , the east 1/2 of Lot 40, the west 150' of Lot 40, the east 150' of Lot 41, the west 150' of Lot 41, and Lots 7, 13, 16, 17, 18, 27, 31, 35, 36, 37, 39, 42, 74, 75, 76, 77, 83, 84, 85, 86, 87, 88, 89, 90, 92, 94, 95, 96, and 98, in **Skyline Estates**, a subdivision located in Douglas County, Nebraska, as surveyed, platted and recorded; and

Part of Lot 45 more particularly described as:

Beginning at the Southeast property corner of Lot 25; thence West along the North property line of said Lot 45 a distance. of 150 feet; thence South a distance of 40 feet to a point on the South property line of said Lot 45, said point being 150 feet West of the Northeast corner of Lot 27; thence East along said South property line of said Lot 45 a distance of 300 feet to a point 150 feet East of the Northwest corner of Lot 28; thence North a distance of 40 feet to a point on North property line of said Lot 45, said point being 150 feet East of the Southwest corner of Lot 24; thence West along said North property line of Lot 45. a distance of 150 feet to the point of beginning in **Skyline Estates**, a subdivision located in Douglas County, Nebraska, as surveyed, platted and recorded; and

Lots 500, 502, 503, 504, 505, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 525, 526, 527, 528, 530, 531, 532, 534, 535, 536, 537, 538, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, and Outlot 1 in **Skyline Estates Replat**, a subdivision located in Douglas County, Nebraska, as surveyed, platted and recorded; and

Lots 2, 3, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 34, 35, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, , 203, 205, and the east 1/2 of Lot 82, and the west 1/2 of Lot 82 in **Skyline Ranches**, a subdivision located in Douglas County, Nebraska, as surveyed, platted and recorded; and

Lot 1 in **Skyline Ranches 3 Replat 1** in Skyline Ranches, a subdivision located in Douglas County, Nebraska, as surveyed, platted and recorded; and

Lots 301, 302, 303, 305, 307, 315, 316, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 339, 340,

341, 342, 343, 344, 345, 347, 348, 349, and Outlot 4 in **Skyline Ranches III** in Skyline Ranches, a subdivision located in Douglas County, Nebraska, as surveyed, platted and recorded; and

Lots 101, 102, 103, and 104, in **Skyline Ranches Replat** in Skyline Ranches, a subdivision located in Douglas County, Nebraska, as surveyed, platted and recorded; and

Lot 2 in **Skyline Ranches Replat Three** in Skyline Ranches, a subdivision located in Douglas County, Nebraska, as surveyed, platted and recorded; and

Lot 1 in **Peyton Addition** in Skyline Ranches, a subdivision located in Douglas County Nebraska, as surveyed, platted and recorded.

NOW, THEREFORE, the undersigned hereby declares that all of the Properties hereinabove described shall be held, sold and conveyed subject to the following amendment to the easements, restrictions, covenants and conditions set forth in the Declaration and as amended herein, for the purpose of protecting the value and desirability of, and which shall run with all of said Properties, and shall be binding on all parties having any right, title or interest in said Properties or any part thereof, and their heirs, successors and assigns, and shall inure to the benefit of each owner thereof.

The Declaration is amended as follows:

1. **Article VII, Section 2, shall be modified in its entirety as follows:**

SECTION 2. Minimum Buildable Area:

(a) The following restriction shall be applicable to all of the Lots in each of the five subdivisions sometimes collectively referred to as Skyline Ranches: No Lot shall be used as a building site for a residential structure if the Lot has been reduced in area below its originally platted size, unless such lot split or subdivision has heretofore been formally approved in writing by the Board of Directors of the Association. Henceforth, said Board of Directors may consent to the subdivision of any platted Lot, upon the unanimous consent of the Board and approval will not be given for a lot split or subdivision of a parcel that is inconsistent with the nature and harmony of the neighborhood, surrounding properties, and common areas.

2. Except as otherwise amended herein, all of the terms and conditions of the original Declaration, as amended by the above referenced amendments, shall remain in full force and effect as stated.

IN WITNESS WHEREOF, the Undersigned, being the President of the Association, has hereunto executed this Amendment by setting my hand and seals on the signature pages attached hereto and which by this reference are incorporated herein and made a part hereof.

EXECUTED July 8, 2022.

Michael J. Dudzinski

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing amendment was acknowledged before me, Jane M. Sullivan on July 8th, 2022, by Michael J. Dudzinski, President of the Skyline Ranches Property Owners Association.

Notary Public

Commission expires _____
(seal)