



MISC 2006048135



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MISC 6  
\$ 263.  
FEE 161.<sup>50</sup> FB DC-31619-Q.R.V.  
BKF C/O COMP 8B  
DEL SCAN FV DC-34516-Sagewood

✓ 34918

FULL 1.

**FIRST AMENDMENT TO AND RESTATEMENT OF DECLARATION  
AND SUBSEQUENT PHASE DECLARATION OF QUAIL RUN VALLEY**

THIS FIRST AMENDMENT TO AND RESTATEMENT OF DECLARATION AND SUBSEQUENT PHASE DECLARATION is made the date hereinafter set forth by CEDEVCO, INC., a Nebraska corporation ("Declarant").

**RECITALS**

A. On November 22, 2005, a document entitled Protective Covenants (hereinafter the "Declaration") was recorded by Declarant, in the office of the Register of Deeds of Douglas County, Nebraska as Miscellaneous Instrument No. 2005148077. Paragraph 20 of the Declaration provides that for a period of ten (10) years following November 16, 2005, the Declarant shall have the sole, absolute and exclusive right to amend, modify or supplement all or any portion of the Declaration.

NOW, THEREFORE, Declarant hereby declares that the Declaration recorded on November 22, 2005 in the office of the Register of Deeds of Douglas County, Nebraska as Miscellaneous Instrument No. 2005148077, should be and hereby are amended and restated in the following manner:

- I. By deleting therefrom the Declaration in its entirety and adding in its place and stead the following:

**PROTECTIVE COVENANTS**

The undersigned, CEDEVCO, INC., a Nebraska corporation (hereinafter referred to as "Declarant" or "Developer"), being the owner of Lots 1 through 250, inclusive, all in QUAIL RUN VALLEY, a subdivision as surveyed, platted and recorded in Douglas County, Nebraska, and Lots 439 through 451, inclusive, all in SAGEWOOD, a subdivision as surveyed, platted and recorded in Douglas County, Nebraska, does hereby create, adopt, declare and establish the following restrictions upon the above described properties.

1. **Permitted Uses.** No lot shall be used except for residential purposes, schools or churches. No home shall be erected, altered, placed or permitted to remain on any lot other than one detached single-family dwelling not to exceed two stories in height with an attached private garage for not less than two or more than three automobiles. No obnoxious or offensive activity shall be carried on upon any lot, nor shall anything be done thereon which may be or become an annoyance.
2. **Setbacks and Side Yards.** All setbacks, side yards and rear yard requirements shall conform to applicable laws and ordinances.
3. **Prohibited Structures.** With the exception of temporary sales offices operated by the Declarant, its successors or assigns, no structure of a temporary character, trailer, basement, tent, shack, storage shed, detached garage, barn or other outbuildings shall be permitted.
4. **Animals.** No animals, livestock or poultry of any kind shall be raised, bred, kept on any lot except dogs, cats or household pets maintained within the dwelling, provided that they are not kept, bred or maintained for any commercial purpose.
5. **Fences and Dog Runs.** Fences shall not be located on any lot nearer to the street than the structure located on said lot. Any fence installed on any Lot by the Developer shall be maintained by the owner of such Lot, at the owner's sole expense and the owner shall keep such fence in good order and

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