

5635

AMENDMENT TO THE PROTECTIVE COVENANTS  
SKYLINE ROLLING HILLS FIRST ADDITION

WITNESSETH:

That F. Pace Woods II did on the 8th day of September, 1974 adopt and establish certain Protective Covenants which were thereafter filed in the office of the Register of Deeds of Lancaster County, Nebraska on September 9, 1974 entered in numerical index filed for record as: Instrument No. 74-15041; and subsequently amended on January 30, 1975 and on the same date entered in numerical index filed for record as Instrument No. 75-1157; and subsequently amended on June 5, 1975 and on the same date entered in numerical index filed for record as Instrument No. 75-8069;

WHEREAS, Duane Stewart, Walter Gilllund, Marcus Wong, Gary Meyer, James McKenna, Kenneth Hansen, John Brager, Martin Smolik, Thomas Morrissey, Jr., F. Pace Woods II, Thomas J. Norris, Tom Spitsnogle, Larry Younger, Gene Uher and Tom Ball, each being the owner of certain property located within Skyline Rolling Hills First Addition and said aforementioned parties representing the following described real estate: Lots 1 and 2, Block 1; Lots 1, 2, 3, 4, 5, 6, 9, 10, 11 and 12, Block 2; Lot 2, Block 3; and Lots 1, 2, 3, 4, and 5, Block 4; all in Skyline Rolling Hills First Addition, and;

WHEREAS, the aforementioned individuals desire to amend the Protective Covenants and have instructed the undersigned, F. Pace Woods II, to do so at a meeting duly called for such purpose;

NOW, THEREFORE, IT IS HEREBY AGREED that paragraphs "j" and "l" of the Protective Covenants heretofore adopted on September 8, 1974 and subsequently amended on January 30, 1975 and June 5, 1975 be hereby amended to read as follows after amendment:

j. The Developers expressly reserve to themselves, their successors and assigns, the sole and exclusive right to establish grades and slopes on all lots and to fix the grade upon which any

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building hereafter is erected or placed thereon so that the same conform to a general plan. Once such grades or contours have been established, they will not be changed more than two feet from the present finished grade, or graded so as to allow surface waters to flow onto adjoining lots. Plans for any structure shall be submitted to the developers and shall show the size, exterior material, design and plot plan for the structure, and shall indicate the location of the structure and attached garage upon the lot or lots. One set of plans, signed by the owner of the lot or lots, shall be left on permanent file with the developers. The construction of the residence shall not be commenced unless and until written approval of the plans for the residence has first been secured from the developers and such approval has been filed and recorded in the Office of the Register of Deeds of Lancaster County, Nebraska. Written approval or disapproval of such plans shall be given by the developers within 30 days from and after receipt thereof. Approval of such plans shall not be unreasonably withheld. The developers reserve to themselves, their successors and assigns the exclusive right to approve or reject any such plans if in their opinion either the style, size, material or plot plan do not conform to the general standard and value of development in Skyline Rolling Hills First Addition. No patio home unit in Lots 1 thru 4, Block 1, Skyline Rolling Hills First Addition may have exterior veneer or siding including trim or roofing material which is different in color, texture or material from the unit or units with which it commonly shares a zero lot line or common wall.

1. No walls, fences, or hedges which will exceed two feet in height may be constructed, placed, or planted in that area within the 30-foot front yard setback required herein, or in the case of corner lots within the 30-foot setbacks required on either side of a corner lot, except that permanent plantings on the North line of Lots 1, 2, 3 and 4, in Block 1, adjoining Old Cheney Road right-of-way may be placed on the North side of said lots as required by the City of Lincoln. At the time a building is erected on the named lots, a privacy fence at the rear of the lots where they back on to Old Cheney Road and Old Cheney Road cut-off must also be erected at the purchaser's expense. That fence must be uniform in design, height, texture, and color on all lots. The fence must be approved in writing by the developer or his nominees at the time of the approval of the building plans for any erections on the named lots. The fence will be expressly the property of the individual land-owners or their successors and may not be altered in any way, and must be maintained by that owner or his successors in a uniform manner so as to achieve esthetic continuity. No alterations may be made to the fence without the written approval of the developer or his successors.

*F Pace Woods II*  
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 F. Pace Woods II

STATE OF NEBRASKA )  
 ) ss.  
 COUNTY OF LANCASTER )

On this 9 day of March, 1978, before me the undersigned, a Notary Public in and for said county and state, personally appeared F. Pace Woods II, to me personally known to be the identical person whose name is affixed to the above instrument and acknowledged the execution thereof to be his voluntary act and deed.

*Helen Brake*  
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 STATE OF NEBRASKA  
 COMMISSION EXPIRES  
 August 2, 1981

*Helen Brake*  
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 Notary Public

INDEXED  
 MICRO-FILED  
 GENERAL

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*misc.*

LANCASTER COUNTY NEBR.  
*Records Dept.*  
 REGISTER OF DEEDS

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ENTERED ON  
 NUMERICAL INDEX  
 FILED FOR RECORD AS:

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