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**FIRST AMENDMENT TO
DECLARATION OF COVENANTS, CONDITIONS,
RESTRICTIONS AND EASEMENTS
FOR A PART OF STONE CREEK, A SUBDIVISION
IN DOUGLAS COUNTY, NEBRASKA**

This First Amendment is made to the Declaration of Covenants, Conditions Restrictions and Easements of Stone Creek, a Subdivision in Douglas County, Nebraska (the "Declaration"), dated August 18, 2000, and recorded with the Douglas County Register of Deeds on August 23, 2000, in Book 1349 at Page 89, Miscellaneous Records, by Horgan Development Company, a Nebraska corporation (the "Declarant").

Preliminary Statement

The Declaration was made by Declarant in connection with the development of the real estate legally described as follows:

Lots 1A, 1B, 2A, 2B, 3A, 3B, 4A, 4B, 5A, 5B, 6A, 6B, 7A, 7B, 8A, 8B, 9A, 9B, 10A, 10B, 11A, 11B, 12A, 12B, 13A, 13B, 14A, 14B, 15A, 15B, 16A, 16B, 17A, 17B, 18A, and 18B, Stone Creek Replat 1, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska (the "Townhome Lots").
05-37082

and

Lots 628 through 634, inclusive, Stone Creek, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska. 05-37078

Such lots are herein referred to collectively as the "Lots" and individually as each "Lot."

Declarant has considered amendment of the Declaration for purposes of amending Article I, Section 4, and adding a new Article I, Section 25. Article VI, Section 2, allows the Declarant to amend the Declaration in any manner in which it may determine, in its full and absolute discretion, for a period of five (5) years from the date of the Declaration. Declarant has investigated the impact which the proposed amendment to the Declaration would have on the Lots and has concluded that the amendments would further the preservation of Stone Creek, would further the maintenance of the character and residential integrity of Stone Creek, and would further the benefits protection afforded to the Lots by the Declaration.

NOW, THEREFORE, pursuant to the authority granted to Declarant in Article VI, Section 2, of the Declaration, Declarant hereby amends and supplements the Declaration as follows:

1. Article I, Section 4, is amended and replaced in its entirety to provide as follows:

4. Except as otherwise specifically approved by Declarant, the exposed front and street side(s) foundation walls and, subject to the sole determination of the Declarant, such other exposed foundation walls, of all residential structures must be constructed of or faced with brick

RETURN: 200 Regency One Building

10050 Regency Cir

Omaha, NE 68114

Gaines, Pansing, at Horgan

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