



## AMENDMENT TO THE DECLARATION OF THE STONY BROOK VILLAS

THIS AMENDMENT TO THE DECLARATION filed July 18, 2003 as Instrument No. 2003-137847 in the Office of the Register of Deeds, Douglas County, Nebraska ("Declaration") is herein referred to as the "Amendment" and dated the 20<sup>th</sup> day of August 2021. The undersigned are Lot Owners of the Stony Brook Villas and members of the Stony Brook Villas Homeowners Association. ("Association").

### RECITALS OF FACT

The Association and the undersigned Lot Owners govern the real property described as  
**Lots 1 through 39, Stony Brook Villas, Douglas County, Nebraska**

The Lot Owners desire to limit rental of the Lots in the Stony Brook Villas subdivision. "Rental" shall mean allowing occupation of any dwelling on a Lot by those who are not Lot Owners or owners of entities owning Lots and for payment of valuable consideration.

WHEREAS Article IX, Section 3, of the Declaration states that the Declaration may be amended by recording a written, signed instrument by 75% of the Lot Owners and upon recording such instrument in the Office of the Register of Deeds of Douglas County, Nebraska.

WHEREAS, the undersigned represent 75% or more of Lot Owners in favor of the Amendment to limit rental of dwellings on Lots.

### AMENDMENT

For the reasons stated above, the undersigned hereby amend the Declaration as follows and all of such amendments shall supersede any inconsistent provisions in the Declaration.

Effective Date of Amendment. This Amendment shall become effective as of the date of the signing of this instrument by 75% of the Lot Owners and filing with the Douglas County Register of Deeds of Douglas County Nebraska.

Limitation on Rental of Lots. Except for existing rentals, no Lot may be rented or occupied for money for any period of time. The purpose of this restriction is to encourage owner occupancy

and increase property upkeep and values. Once tenants from any current rentals no longer occupy a Lot, each such Lot can no longer be rented and shall be owner occupied.

Enforcement and Fines. The Board, Association or Lot Owners may enforce compliance of this Amendment at law or in equity. Further, the Board or Association may enforce compliance at law or in equity for any violation of the Declaration of Covenants, Bylaws of the Association or any reasonable rules and regulations passed by the Board or the Association. Without limitation, the Board or Association may enforce compliance by injunctive relief and by imposing reasonable fines. If fines are imposed, they may be treated as assessments and enforced the same as assessments under the Declaration of Covenants.

ARTICLE IX, Section 4 "Term" of the Declaration is amended and restated to read as follows:

Section 4. Term. The covenants and restrictions contained in this Declaration shall run with the land and shall be binding on all Lots until at least 75% of Lot Owners shall sign a written instrument terminating the Declaration which shall be effective upon recording such written termination with the Douglas County Register of Deeds.

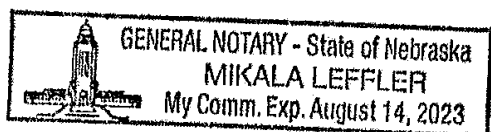
IN WITNESS WHEREOF, the undersigned Lot Owners and spouses have executed this Amendment the day and year first written above and the undersigned officer of the Association certifies that the attached signatures represent at least 75% of Lot Owners and spouses.

Stony Brook Villas Homeowners Association

By: Joseph G. Council Jr.  
Its: President

STATE OF NEBRASKA )  
                                  )     ss.  
COUNTY OF DOUGLAS )

Acknowledged and sworn before me on this 20<sup>th</sup> day of AUGUST, 2021, by JOSEPH G. COUNCELL JR., PRESIDENT, of Stony Brook Villas Homeowners Association.



Mikala Leffler  
Notary Public

Jo E. Stewart  
Signature

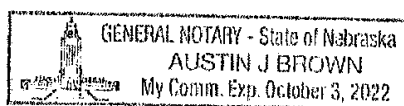
Jo E. Stewart  
Printed Name

Trustee of the Jo E. Stewart Trust  
STATE OF NE )

Lot #37

COUNTY OF Douglas )

SS.



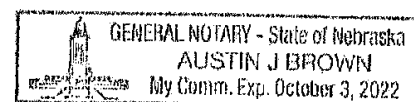
Acknowledged and sworn before me on this 2 day of August, 2021, by Jo Elaine Stewart.

Austin J Brown  
Notary Public

James G. Reitor  
Signature

James G. Reitor for JGR Trust  
Printed Name

STATE OF NE )  
COUNTY OF Douglas )



SS.

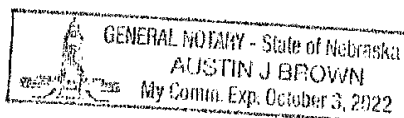
Acknowledged and sworn before me on this 2 day of August, 2021, by James G Reitor.

Austin J Brown  
Notary Public

Robert Duncan  
Signature

ROBERT DUNCAN  
Printed Name

STATE OF NE )  
COUNTY OF Douglas )



SS.

Acknowledged and sworn before me on this 2 day of August, 2021, by Robert J Duncan.

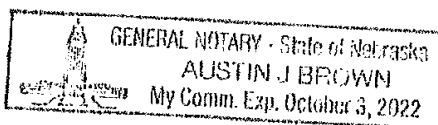
Austin J Brown  
Notary Public

Lawrence Boro  
Signature

LAWRENCE BORO #38  
Printed Name Lot

STATE OF NE )  
COUNTY OF Douglas )

SS.



Acknowledged and sworn before me on this 2 day of August, 2021, by Lawrence V Boro.

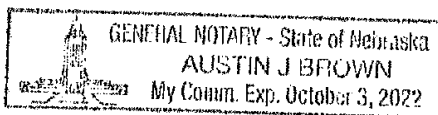
Austin J Brown  
Notary Public

Terry Turner  
Signature

Terry Turner #33  
Printed Name Lot

STATE OF NE )  
COUNTY OF Douglas )

SS.



Acknowledged and sworn before me on this 2 day of August, 2021, by Terry K Turner.

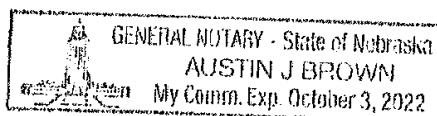
Austin J Brown  
Notary Public

Joseph G Council Jr  
Signature

Joseph G Council Jr #1  
Printed Name Lot

STATE OF NE )  
COUNTY OF Douglas )

SS.



Acknowledged and sworn before me on this 2 day of August, 2021, by Joseph G Council Jr.

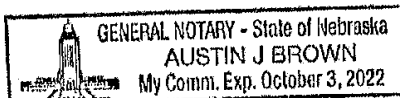
Austin J Brown  
Notary Public

Mary L Nelson  
Signature

Mary L Nelson 5855 S 146<sup>th</sup> St  
Printed Name Lot # 2

STATE OF NE )  
COUNTY OF Douglas )

ss.



Acknowledged and sworn before me on this 2 day of August, 2021, by Mary L Nelson.

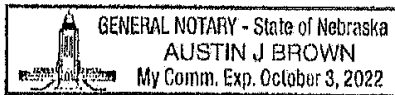
Austin J Brown  
Notary Public

Dale E Kloeckner  
Signature

DALE E KLOECKNER  
Printed Name Lot # 28

STATE OF NE )  
COUNTY OF Douglas )

ss.



Acknowledged and sworn before me on this 2 day of August, 2021, by Dale E. Kloeckner.

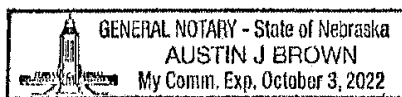
Austin J Brown  
Notary Public

Karen A North  
Signature

Karen A. North  
Printed Name Lot # 7

STATE OF NE )  
COUNTY OF Douglas )

ss.



Acknowledged and sworn before me on this 2 day of August, 2021, by Karen A North.

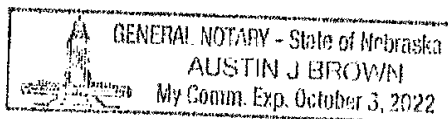
Austin J Brown  
Notary Public

Kathleen McCullough  
Signature

Kathleen McCullough  
Printed Name Lot #4

STATE OF NE )  
COUNTY OF Douglas )

SS.



Acknowledged and sworn before me on this 2 day of August, 2021, by Kathleen J McCullough

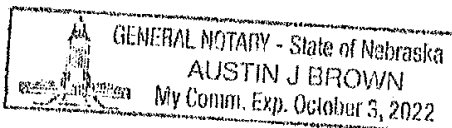
Austin J Brown  
Notary Public

Thomas W Heller  
Signature

Thomas W Heller  
Printed Name Lot #13

STATE OF NE )  
COUNTY OF Douglas )

SS.



Acknowledged and sworn before me on this 2 day of August, 2021, by Thomas W Heller

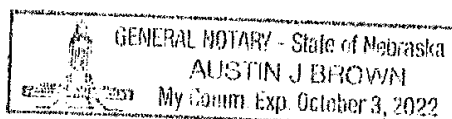
Austin J Brown  
Notary Public

Hugh Spellman  
Signature

Hugh Spellman  
Printed Name Lot #22

STATE OF NE )  
COUNTY OF Douglas )

SS.



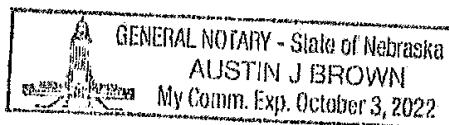
Acknowledged and sworn before me on this 2 day of August, 2021, by Hugh E Spellman

Austin J Brown  
Notary Public

Diane M Snyder  
Signature

Diane m. Snyder  
Printed Name Lot #15

STATE OF NE )  
COUNTY OF Douglas ) SS.



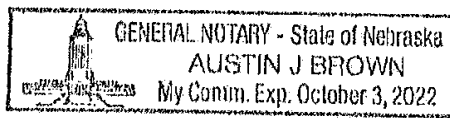
Acknowledged and sworn before me on this 2 day of August, 2021, by Diane Snyder.

Austin J Brown  
Notary Public

Diane M. Snyder  
Signature

Diane m. Snyder  
Printed Name Lot #16

STATE OF NE )  
COUNTY OF Douglas ) SS.



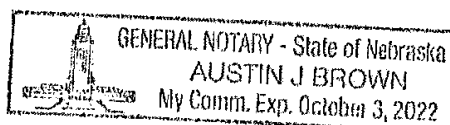
Acknowledged and sworn before me on this 2 day of August, 2021, by Diane Snyder.

Austin J Brown  
Notary Public

Diane Hannam  
Signature

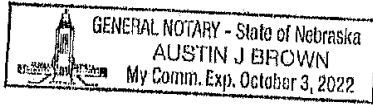
DIANE HANNAM  
Printed Name Lot #18

STATE OF NE )  
COUNTY OF Douglas ) SS.



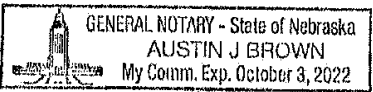
Acknowledged and sworn before me on this 2 day of August, 2021, by Diane Hannam.

Austin J Brown  
Notary Public

Edward G. Bruneteau Signature Trustee of Re. Edward Bruneteau Trust Printed Name EDWARD G BRUNETEAU Lot # 35  
 STATE OF NE )  
 COUNTY OF Douglas ) SS. 

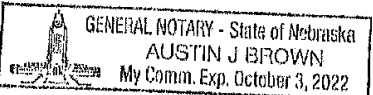
Acknowledged and sworn before me on this 2 day of August, 2021, by Edward G. Bruneteau Jr.

Austin J Brown  
Notary Public

Kathleen J. Shankwiler Signature Kathleen J Shankwiler Printed Name Lot # 31  
 STATE OF NE )  
 COUNTY OF Douglas ) SS. 

Acknowledged and sworn before me on this 2 day of August, 2021, by Kathleen J Shankwiler.

Austin J Brown  
Notary Public

Sandra J. Linbo Signature SANDRA J. LINBO Printed Name Lot # 11  
 STATE OF NE )  
 COUNTY OF Douglas ) SS. 

Acknowledged and sworn before me on this 2 day of August, 2021, by Sandra J Linbo

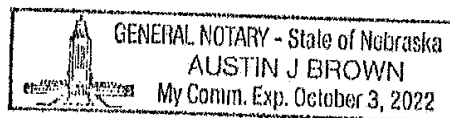
Austin J Brown  
Notary Public



Mulle Bergstrom  
Signature

Julie K. Bergstrom  
Printed Name Lot #17

STATE OF NE )  
COUNTY OF Douglas ) SS.



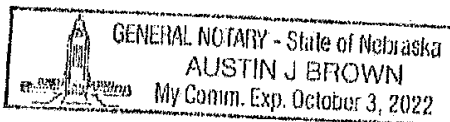
Acknowledged and sworn before me on this 2 day of August, 2021, by Julie K Bergstrom.

Austin J Brown  
Notary Public

Gerald R Weires  
Signature

GERALD R. WEIRES  
Printed Name Lot #23

STATE OF NE )  
COUNTY OF Douglas ) SS.



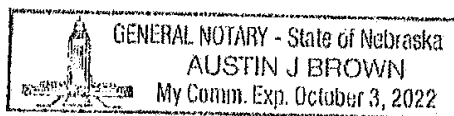
Acknowledged and sworn before me on this 2 day of August, 2021, by Gerald R Weires.

Austin J Brown  
Notary Public

Mary Ann Klinger  
Signature

MARY ANN KLINGER  
Printed Name Lot #21

STATE OF NE )  
COUNTY OF Douglas ) SS.



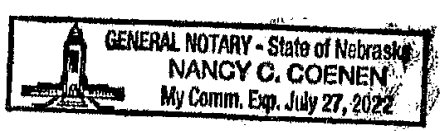
Acknowledged and sworn before me on this 2 day of August, 2021, by Mary A Klinger.

Austin J Brown  
Notary Public

Kathy Clavin Signature Kathy Clavin #6 Printed Name Lot

STATE OF Nebraska )  
COUNTY OF Douglas ) ss.

Acknowledged and sworn before me on this 5<sup>th</sup> day of August, 2021, by Kathy Clavin.

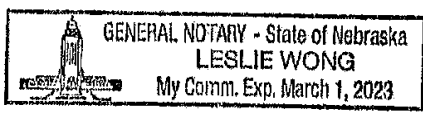


Nancy C. Coenen  
Notary Public

Richard K Bornhoff Signature RICHARD K BORNHOFF Printed Name Lot #14

STATE OF Nebraska )  
COUNTY OF Douglas ) ss.

Acknowledged and sworn before me on this 13<sup>th</sup> day of August, 2021, by Richard Bornhoff.

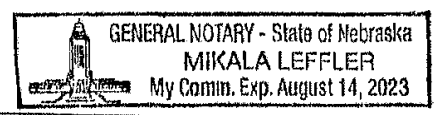


Leslie Wong  
Notary Public

Carol Hagedorn Signature Carol Hagedorn #25 Printed Name Lot

STATE OF Nebraska )  
COUNTY OF Douglas ) ss.

Acknowledged and sworn before me on this 9<sup>th</sup> day of AUGUST, 2021, by CAROL HAGEDORN.



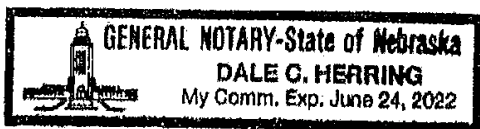
Mikala Leffler  
Notary Public

Signature D L Marsh

DOUGLAS MARSH  
Printed Name Lot #20

STATE OF Nebraska )  
                                  )  
COUNTY OF Douglas ) ss.

Acknowledged and sworn before me on this 31st day of July, 2021, by Douglas L. Marsh.



Dale C. Herring  
Notary Public

This signature is a vote for the adding an add'l covenant to the existing Stony Brook Villas covenants in Omaha, NE that will not allow homeowners to rent their house.

*Lyndsay Dean*  
Signature

Lyndsay Dean  
Printed Name Lot #12

STATE OF Nebraska )  
COUNTY OF Douglas )      ss.

Acknowledged and sworn before me on this 13<sup>th</sup> day of August, 2021, by Lyndsay Dean.

CASSANDRA WHITE  
General Notary - State of Nebraska  
My Commission Expires May 7, 2024

*Cassandra White*  
Notary Public

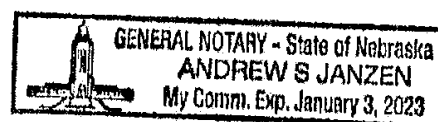
Mary Brennan  
Signature

Mary Brennan 34  
Printed Name Lot

STATE OF Nebraska )  
                                  )  
COUNTY OF Douglas )     ss.

Acknowledged and sworn before me on this 14<sup>th</sup> day of August, 2021, by Mary Brennan.

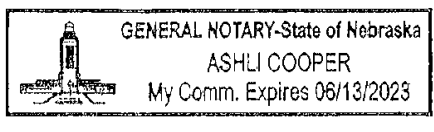
[Handwritten Signature]  
Notary Public



Patricia Siedelmann  
Signature Patricia Siedelmann  
Printed Name Lot #29

STATE OF Nebraska )  
COUNTY OF Douglas ) ss.

Acknowledged and sworn before me on this 1<sup>st</sup> day of September 2021, by Patricia Siedelmann



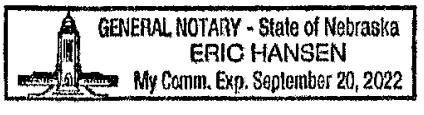
Ashli Cooper  
Notary Public

By: Michael Edward Connealy  
Its: Michael Edward Connealy  
Lot #32

STATE OF Nebraska )  
COUNTY OF Douglas ) ss.

Acknowledged and sworn before me on this 6<sup>th</sup> day of August, 2021, by Michael Connealy, of Stony Brook Villas Homeowners Association.

Eric Hansen



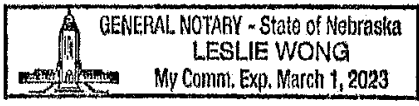
Arda R. Newberg  
Signature

Arda R. Newberg  
Printed Name

Lot 14602 #39

STATE OF Nebraska  
                  )  
                  ) **ss.**  
COUNTY OF Douglas )

Acknowledged and sworn before me on this 30<sup>th</sup> day of  
July, 2021, by Arda R. Newberg.



Leslie Wong  
Notary Public