



MISC 2014020099



MAR 20 2014 13:41 P 2

c

misc  
1600  
2  
393  
0J-37175  
Bw  
N

Received - DIANE L. BATTIATO  
Register of Deeds, Douglas County, NE  
3/20/2014 13:41:32.97



2014020099

**THIRD AMENDMENT TO  
DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS  
AND EASEMENTS OF STRATFORD PARK \***

\*2006069599 (MBT)

THIS THIRD AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS OF STRATFORD PARK (this "Amendment") is made on the date hereinafter set forth by Stratford Park Development, LLC, a Nebraska limited liability company (the "Declarant").

**RECITALS**

- A. The Declarant filed that certain First Amendment to and Restatement of Declaration of Covenants, Conditions, Restrictions and Easements of Stratford Park, a Subdivision in Douglas County, Nebraska recorded on August 15, 2006 with the Douglas County, Nebraska Register of Deeds as Instrument No. 2006093313, as amended by that certain Second Amendment to and Restatement of Declaration of Covenants, Conditions, Restrictions and Easements of Stratford Park, a Subdivision in Douglas County, Nebraska recorded on November 21, 2007 with the Douglas County, Nebraska Register of Deeds as Instrument No. 2007130254 (hereinafter referred to together as the "Declaration") against that certain real property legally described as Lots 1 through 393, inclusive, all in Stratford Park, a Subdivision as surveyed, platted and recorded in Douglas County, Nebraska.
- B. Paragraph 2 of Article V of the Declaration provides that for a period of ten (10) years from the date the Declaration was recorded the Declarant has the exclusive right to amend, modify or supplement any portion of the Declaration.
- C. The Declarant wishes to modify Paragraph 6 of Article V of the Declaration to allow for a modification in required setbacks for Lot 154 through Lot 156, inclusive, Stratford Park, a subdivision as surveyed, platted and recorded Douglas County, Nebraska.

NOW, THEREFORE, Declarant hereby declares the Declaration shall be amended as follows:

RETURN TO:

FULLENKAMP, DOYLE & JOBEUN  
11440 WEST CENTER ROAD  
OMAHA, NEBRASKA 68144-4482  
ATTN: MARK

1045343

1. Paragraph 6 of Article V of the Declaration shall be amended by adding the following to the end of such paragraph:

“Notwithstanding the preceding and anything herein to the contrary, the following front yard setbacks shall apply to Lot 154 through 156:

- (i) Lot 154 shall have a thirty foot (30’) front yard setback;
- (ii) Lot 155 shall have a twenty five foot (25’) front yard setback; and
- (iii) Lot 156 shall have a thirty foot (30’) front yard setback.”

2. Governing Law. This Amendment is made under and governed by the laws of the State of Nebraska.

3. Severability. Each provision of this Amendment and the application thereof are hereby declared to be independent of and severable from the remainder of this Amendment. If any provision contained herein shall be held to be invalid or to be unenforceable or not to run with the land, such holding shall not affect the validity or enforceability of the remainder of this Amendment.

4. No Other Amendments. Except as set forth herein, the Declaration shall remain in full force and effect.

5. Indexing of this Amendment. This Amendment shall be recorded and indexed against all of Lots 1 through 393, inclusive, all in Stratford Park, a Subdivision as surveyed, platted and recorded in Douglas County, Nebraska.

IN WITNESS WHEREOF, this Amendment was made this 7<sup>th</sup> day of March, 2014.

DECLARANT:

STRATFORD PARK DEVELOPMENT, LLC,  
a Nebraska limited liability company,

By: Barbara Udes Shaw  
Name: Barbara Udes Shaw  
Title: Manager

STATE OF NEBRASKA                    )  
  ) ss.  
COUNTY OF DOUGLAS

The foregoing instrument was acknowledged, subscribed and sworn to before me by Barbara Udes Shaw, the Manager of STRATFORD PARK DEVELOPMENT, LLC, a Nebraska limited liability company, on behalf of said limited liability company this 7<sup>th</sup> day of March, 2014.

Jana Faller  
Notary Public

