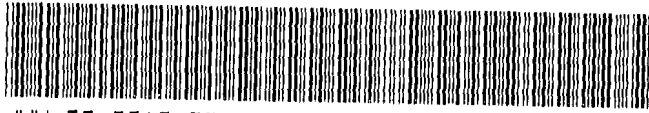


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Received - DIANE L. BATTIATO
Register of Deeds, Douglas County, NE
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Return To: RUSSELL S. DAVIS
2800 S. 110th Ct #1
Omaha, NB 68114

Check Number
009725

AMENDMENT AND AFFIDAVIT TO DECLARATION OF
COVENANTS, CONDITIONS, AND RESTRICTIONS

OF SUMMERWOOD LOTS 1 - 124

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

COMES NOW, KENNETH ARNETT, being first duly sworn upon oath, states as follows:

1. I am a resident of Omaha, Douglas County, Nebraska, and reside at 15111 Sharp Street, Omaha, Nebraska 68137. It is Lot 315 of Summerwood, a Subdivision of Omaha, Douglas County, Nebraska; and during the years 2007 and 2008 I was an elected Trustee of Sanitary Improvement District 321 for that Subdivision.

2. The Covenants for Lots 1-124 were filed at Book 698, Pages 712-719 dated October 1983 with the Register of Deeds, Douglas County, Nebraska.

3. Part C-3 of the above-cited Covenants provides for their expiration Twenty-Five (25) years from their Declaration and that they can be amended by written instrument signed by the owners of not less than Ninety Percent (90%) of the lots covered by the Covenants.

4. Prior to the annexation of the Subdivision in 2008, Russell S. Daub, Attorney at Law, was counsel to the District; and prior to the annexation I was designated by the other Trustees to determine in writing if more than 90% of the then existing lot owners approved of an extension of covenants. The lot owners of over 90% of the lot appointed me as their lawful attorneys-in-fact to execute a single Amendment instrument to be filed with the Douglas County Register of Deeds. I was also instructed to maintain on record a complete file of all who signed lot owner amendments for review by anyone who desired to verify the approval of the lot owners.

5. According to the documents, I have in my possession the written notarized agreement of more than 90% of the lot owners who agree to an extension of the Covenants For Lots 1-124 for another Twenty-Five (25) years from December 31, 2007.

6. I have placed of the signed Consents and Agreements on file with the above-named counsel.

FURTHER AFFIANT SAYETH NOT.

Kenneth Arnett

KENNETH ARNETT

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

Subscribed, sworn to, and acknowledged before me by KENNETH ARNETT this 16th day of May, 2009.



Judith A. Mason

Notary Public