## AMENDMENTS TO COVENANTS"

All of the undersigned, being the owners of lots which are subject to restrictions, easements and covenants that are governed and enforced through the Tabitha New Community Homeowners Association, hereby amend such Covenants, so as to comply with the federal rules and regulations concerning age limitations imposed upon ownership and occupancy of dwellings within the confines of the Tabitha New Community subdivisions.

Originally Article VII, Use Provisions, read as follows: Section 1, Age Restriction.

- (a) No dwelling place or lot shall be inhabited by any person who is not at least 50 years of age, except as hereinafter provided.
- (b) No dwelling place or lot shall be sold, leased, transferred, or conveyed to any person, firm or corporation who is not an individual and who is not at least 50 years of age; provided, however, that this restriction shall not apply if such party agrees in writing on a form satisfactory to declarant that such property shall be in habited solely by a person or persons who are at least 50 years of age; and provided, further, that such restriction shall not prevent the mortgage of such property to a person, firm, or corporation which does not meet such requirements.
- (c) Other provisions herein not withstanding, any one or two persons, but no more, under the age of 50 but age 18 or older, may inhabit any dwelling place or lot provided that such person (s) is related by consanquinity to inhabitant of the same dwelling place or lot who is at least 50 years of age.
- (d) The provisions foregoing notwithstanding, nothing herein shall prohibit a spouse from co-inhabiting a dwelling unit with his or her spouse.

These restrictive covenants were amended on or about March 4, 1986 and filed of record on or about that date at Document No. 86-5464. The said use restrictions were amended to read as follows:

1. <u>USE</u>: No lot within the properties shall be used other than for residential purposes.

No person shall occupy any building upon a lot within the properties except:

- A. A person who is at least 50 years of age.
- B. A person who is related to another occupant by marriage.
- C. Not more than two persons, over the age of 16, related to another occupant by consanquinity.
- D. Person eligible to occupy housing for the elderly or handicapped under applicable federal regulations.

WHEREAS, the undersigned, being at least two-thirds of the owners of property in the Tabitha New Community subdivision, wish to amend the covenants of Tabitha New Community subdivisions as amended by adding the following paragraphs as an amendment to the said covenants as amended, and striking all paragraphs previously referred to herein.

NOW, THEREFORE, the undersigned hereby agree that the said covenants as amended, shall be amended as follows:

ARTICLE VII. Use Restriction.

- A. No lot within the property shall be used other than for residential purposes.
- B. Ownership and occupancy of each living unit is hereby restricted to parties of the age of 55 years and older provided, however, that one of two or more joint owners may be under the age of 55 provided

that the said owner or owners under the age of 55 sign an affidavit acknowledging their understanding that they may not reside in the living unit nor use any of the improvements or common elements until those parties signing the affidavit reach the age of 55.

- C. A party under the age of 55 may own and/or reside in a living unit and make use of any and all improvements or common elements in the event that his or her spouse is of the age of 55 or more and is also an owner or resident of the same unit, and such a party, under the age of 55, may continue such ownership or residence of the same unit after the demise of that spouse of age 55 or older.
- D. A party under the age of 55 but over the age of 16 may reside in a living unit and make use of any and all improvements or common elements in the event that that individual, provided no more than two such individuals in any one living unit, is related to another permitted occupant of that living unit by consanquinity.
- E. The provisions of the foregoing notwithstanding, these age restrictions shall not apply to inhabitants of Lot 1, Block 2, Tabitha New Community Second Addition, if said inhabitants are eligible to occupy the said premises as elderly or handicapped families within the meaning of 12 U.S.C. Paragraph 170(q) and 24 C.F.R. Part 885, as the same now exists or may hereinafter be amended.
- F. This amendment is effective in accordance with the Federal Fair Housing Amendments Act of 1988, and particularly paragraph 100.304, however, shall have no affect upon those parties presently owning a unit or residing in any unit and shall be perspective in enforcement only.
- G. These amendments are to be interpreted in such a way as to comply with all Federal and State laws and regulations relating to such matters.

All other covenants, as amended, shall remain in full force and effect and the invalidation of any one of these or any other covenants shall not effect the validity of the remaining provisions hereof.

The following homeowners as members of the Tabitha New Community Homeowners Association do hereby approve of the above amendments to the covenants as set forth herein above by attachments of their signatures hereto as follows:

- 4 -



Block 2 Replat Tabitha New Community Addition

Lots 5.4 8 inclus	Sive () a concern ente
	Hoegemeyer/Palmer Construction Co. by Bon Hoegermeyer
	Hoegemeyer/Palmer Construction Co. by Bruce Palmer
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Lot 9	John B. Davenport
<b>.</b>	Mary E. Davenport
County o	f Nebraska of Lancaster regoing instrument was acknowledged before me this
•	Notary Public
LOT 10	Conrad Erickson  Laurene Erickson
	Laurene Erickson
County o	f Nebraska of Lancaster regoing instrument was acknowledged before me this
•	Notary Public

BLOCK 3 TABITHA NEW COMMUNITY ADDITION

LOTS 1 THROUGH 21 INCLUSIVE

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L.C. Price

State of Nebraska County of Lancaster

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May & ) ravole Notary Public

A GENERAL NOTARY-State of Nebraska
MARY L. FRANCKE
My Comm. Exp., Nov. 10, 1991

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	Donna B. Switzer	
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LOT 3	Jean L. Sack	
County (	f Nebraska of Lancaster	
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Block 5	Replat Blocks	5 and 7 (	cont.)	
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Eunice A. Dunker			
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County of Lancaster			
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Lot 23	Southwood Village Phase II LTD Ervin Peterson,
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	f Nebraska of Lancaster
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Lot 24	Joyce L. Gotherum
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	Ruth M. Becker
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Block 5 replat blocks 5 & 7 (cont)

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Block & Tabitha New Community Addition

Lot 1 Clifford C. Cheever

State of Nebraska County of Lancaster

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Block 7	Replat of B	locks 5	& 7 (cont.)	
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Block / Replat Blocks 5		
Lot 4 Ethel M. McCall	signed	
Richard E. McCal	. 1	
Edward K. McCall	· · · · · · · · · · · · · · · · · · ·	
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1.9	990 by Richard E. McCall.	-
	Notary Public	**************
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	ent was acknowledged before m 190 by Edward K. McCall.	e this
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t an Au Bill		
Lot 5 Lorraine McKendr	refused	
State of Nebraska County of Lancaster		
The foregoing instrume	ent was acknowledged before m 290 by Lorraine McKendree.	e this
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	Notary Public	**************************************	
Lot 7	Laura M. Jacobs		
County The fo	f Nebraska of Lancaster regoing instrument was acknowledged before, 1990 by Laura M. Jacobs.	me	this
	Notary Public		
Lot 8	Fernadel A. Baade	·	
	Clyve J. Baade		
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Block 7	Replat Block	s 5 & 7		el		
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Block 7	Replat Blocks 5 & 7 (cont)	
Lot 14	Virginia Nadine Schomer Pyre	d
	Virginia Nadine Schomer pyre	
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	Dennis E. Crounse	
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	Notary Public	
County c	f Nebraska of Lancaster	
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	Notary Public	
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The for	regoing instrument was acknowledged be , 1990 by Dennis E. Crounse	fore me this
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Lot 15	Orthone M. Cristman manual	
	Arthur M. Simonsen	
i	Alice M. Simonsen	
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Alice M.	Simonsen	
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	Marilyn J. Rafat	signed
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Lot 24	Ollen T. Edgar	rigned nigned
	Geraldine G. Edgar	
County The fo		was acknowledged before me this by Ollen T. Edgar and Geraldine G.
Edgar.		
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Block 7	Replat Block 5 & 7 (cont.	)	
Lot 25	Ruth Patten	Herein Morensonaniso	
	Dawn E. Patten	no variation sengggarana	
	John J. Patten	en edjanedosadosalhumb	
	f Nebraska of Lancaster		
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5.	Erma M. Delancey		
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Block 7 Replat Blocks 5 & 2	/ (cont.)		
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Lot 32 Lesley E. Stutzman	signed		
State of Nebraska County of Lancaster The foregoing instrument	was acknowladged before	EO ES	+ - i =
	by Lesley E. Stutzman.	111 0.00	4.112.m
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Lot 33 Henry Buis	signed	. •	
Bernice A. Buis	signed signed		
State of Nebraska County of Lancaster			
The foregoing instrument 1990	was acknowledged before by Henry Buis and Bernice		
	Notary Public		<del></del>
Lot 34			,
Leona R. Haas	· ·		
State of Nebraska County of Lancaster The foregoing instrument 	was acknowledged before by Leona R. Haas.	me	this
· · · · · · · · · · · · · · · · · · ·	Notary Public	***************************************	-

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Lot 38			
	Mark Kenton Haas	<b></b>	
		•	
	Debbie Sue Haas	•	
County	f Nebraska of Lancaster regoing instrument was acknowled 	ged before me t ton and Debbie	:his Sue
	Notary Fub	1.1 <i>c</i>	

Block 8 Tabitha New Community New Addition

Lut 1 through 8 inclusive Board of American Missions of the LCA

State of Nebraska County of Lancaster The foregoing instrument was acknowledged before me this , 1990 by

Notary Public

Lot 9 through 23 inclusive L.C. Price

State of Nebraska County of Lancaster The foregoing instrument was acknowledged before me this 

Tancar, 3 , 1997 by L.C. Price.

Man L June Notary Public

GENERAL MOTARY-State of Nebraska MARY L. FRANCKE My Comm. Exp. Nov. 10, 1991

Block 9 Tabitha New Community Addition
Lot 1 E. Jeanette Raddatz  G. K. Myrd
State of Nebraska County of Lancaster The foregoing instrument was acknowledged before me thi
, 1990 by E. Jeanette Raddatz.
Notary Public
Lot 2  Pearl E. Lowell  O. K. signed.
reari E. Lowell
State of Nebraska County of Lancaster
The foregoing instrument was acknowledged before me this
Notary Public
Lot 3
Emily E. Bloebaum  O. K. signed
State of Nebraska County of Lancaster
The foregoing instrument was acknowledged before me this
Notary Public
Lot 4 Frances E. Moses
Eldridge H. Moses
State of Nebraska County of Lancaster
The foregoing instrument was belong to the contract of the con
E. Moses.  1990 by Eldridge H. Moses and Frances
Klando a con . Pa. L. 7 2

Block 9	(cont.)
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GENER	MARY E. DAVENPORT  My Comm. Exp. May 10, 1994  My Comm. Exp. May 10, 1994  My Comm. Exp. May 10, 1994
Lot 6	- <u>,</u>
. H	arold V. Dunbar
•	
·	100 M. Dunbar
The fore	Nebraska Lancaster going instrument was acknowledged before me this , 1990 by Harold V. Dunbar and Cleo M.
	Notary Public
Lot 7	harles L. Keepes
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Block 9	? (ccont.)		
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	Beverly J. Kessler	inaliandariinaliinaliinaliinaliinaliinaliinaliin	
County	of Nebraska of Lancaster		
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Lot 9		school	
	Elmo D. Oregg	refused	
County The fo	of Nebraska of Lancaster pregoing instrument 	was acknowledged befor by Elmo D. Grego.	e me this
		Notary Public	
Lot 10	Alex Meier	signed	
	Lillian J. Meier	·	
County	of Nebraska of Lancaster oregoing instrument	: was acknowledged befor	re me this
Meier.	, 199	70 by Alex Meier and	Lillian J.
		Notary Public	

Block 9	(cont)		
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, , , , , , , , , , , , , , , , , , ,	Hugh D. O'Grady		
•			
	Hugh D. O'Grady  Delcie M. O'Grady  squd		
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	Notary Public	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	
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Lot 12	Bernice J. Langemach		
•	sernice d. Langemach /		
County	f Nebraska of Lancaster		
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	of Lancaster		
	regoing instrument was acknowledged before	me	this
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	Notary Public	***************************************	
Lot 14	Tillie G. Mahloch		
	of Nebraska of Lancaster		
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	Notary Public .		•

RIOCK A (COURT		•
Lot 15		
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•	Notary Public	
	- ·	
Lot 16 Beverl	y J. Carstons Signed	
State of Nebra	ska	
County of Lanc The foregoing	of propose the gard a proposed as a second s	me thi
	Notary Public	
		÷
Lot 17 through 27 inclusive	Board of American Missions of the LCA	
State of Nebra County of Lanc		*
The foregoing	instrument was acknowledged before 1990 by	me thi
	•	
	Notary Public	***************************************

Block 10 Tabitha New Community Addition

Lot 1
Board of American Missions of the LCA

Block 11 Tabitha New Community Addition

Lot 1

Steven M. Champoux

Block 1 Tabitha New Community 1st Addition (Cont.)	
Lot 5 Lebrus	
L.C. Price	
State of Nebraska County of Lancaster The foregoing instrument was acknowledged before me	this
1881 101 100 May Diarde Notary Fublic	
GENERAL WOTARY State of Markets  MARY L. FRANCINE  MARY L. FRANCINE  J. 1991	
LOTE 6	
Leon V. Martens  Hilda J. Martens	
Hilda J. Martens	
State of Nebraska County of Lancaster The foregoing instrument was acknowledged before me	
	this
Martens. 1990 by Leon V. Martens and Hilda	this J.
Martens. " *// Dy Leon V. Martens and Hilda	this . J.
	this J.
Martens.  Notary Public	this J,
Notary Public	this J.
Notary Fublic	this J.
Notary Public  Lot 7  Louis L. Kimmons	this J.
Notary Public  Lot 7  Louis L. Kimmons	this J.
Lot 7 Louis L. Kimmons  Ruth Eileen Kimmons	this J.
Notary Public  Louis L. Kimmons  Futh Eileen Kimmons  State of Nebraska	this J.
Notary Fublic  Lot 7  Louis L. Kimmons  Ruth Eileen Kimmons  State of Nebraska County of Lancaster The foregoing instrument was acknowledged before me	thi⊞
Notary Public  Louis L. Kimmons  Futh Eileen Kimmons  State of Nebraska County of Lancaster The foregoing instrument was acknowledged before me	ч. й.,
Notary Fublic  Lot 7  Louis L. Kimmons  Futh Eileen Kimmons  State of Nebraska County of Lancaster The foregoing instrument was acknowledged before me	thi⊞

BIOCE 1	Tabitha New	Commun	ity is	t Additi	on (C	Cont.)		
Lot 15								
	Lucille Kro	<b>69 55 69</b>	1596 <del>0</del> (46 <del>8)</del> <u>15</u> 64333	HP-12	. pry			
		***************************************			م رام	)		
	Edward Kroe	se,Jr.		requilities or esteer etroppice erentifises (es ariste	myn	<i>_</i>		
	Ronald 0. K	roese	<del>ach((1+=1)+   )    -                            </del>	(1 - - - - - - - - - - - - - - -	•			
County The fo	f Nebraska of Lancaster regoing ins Jr., and Ron	trument	'my' i i len.		ged 1e	before Kroese,	me Ec	this dward
		***************************************	No	tary Fub	lic	***************************************	***************************************	
9				•		•		
Lot 16	Emory E. Po  Myrtle V. P		***************************************	*************************************	pretyr	ne.d		
`	Emory E. Po	krant			/			
•	Traction principal and traction in the state of the state		•		ALCAN	uel		•
	Myrtle V. P	okrant	**(************************************	, ,	1. 7	,		
County ( The fo	f Nebraska of Lancaster regoing ins	trument	was a	sknowl <i>ed</i>		bry one of the same summer.	me	this
Fokrant	r	arrow in	y much.	ZE. Poi	krant	and M	yrtle	, A.
		## white we will be a second of the second o		***************************************			·y	
			1,400.	tary Pub	lic			
Lot 24		*******************	***		man	xd .		
	Florence J.	Clark			<i>''</i> ') .	٠.		
County of The for	f Nebraska of Lancaster egöing ins	trument	Was ac	:knowledg	aed	has forces	pp.pv.	de boo et en
434 <del>01 004</del> 12-1251-110113-11010 0041014131414514141		_, 1990	by Flo	orence J.	. Cla	rk.	me	this
		·	Mmi	sarv Bub	1 4 /		t	

	Tabitha New Community Addition (cont.)
Lot 38	Walter R. Mark
	The state of the s
	Wanda E. Mark
	wanda E. Mark
	f Nebraska
County	of Lancaster
The fo	regoing instrument was acknowledged before me this
***************************************	
	Notary Public
	D /
Lot 39 ·	
41 Inc	lusive L.C. Frice
State o	f Nebraska
County o	of Lancaster
The for	regoing instrument was acknowledged before me this
JANUAY	3 , 1999 by L.C. Price.
	man of I am
	Motary Public
GENERAL NO	TARY-State of Nebraska RY L. FRANCKE
SHE My Con	III. EXP. Nov. 10, 1991

Lot 42		0		
Land Late (in the party of the	Roberta Rasp	ned		
	L.inda Young			
	Phillis Kuenning			
County (	f Nebraska of Lancaster			
The fo	regoing instrument was acknowledged , 1990 by Roberta Rasp.	before	me	this
	Notary Fublic			
	f Nebraska			
The fo	of Lancaster regoing instrument was acknowledged, 1990 by Linda Young.	before	me	this
	Notary Public	,	***************************************	
County	f Nebraska of Lancaster			
The fo	regoing instrument was acknowledged , 1990 by Phillis Kuenning.	before	me '	this
	Notary Public		***************************************	
Lot 43	Le Guce			
	L. C. Frice f Nebraska	•		
The_ fo	of Lancaster regoing instrument was acknowledged	before	mæ	this
,	Motary Public	ranchi	·	•
	MARY L. FRANCKE Comm. Exp. Nov. 10, 1991			

Block 2 Tabitha New Community 1st Addition	
Lot 8 Hazel I. Barton	
State of Nebraska County of Lancaster The foregoing instrument was acknowledged before me this	#
Notary Fublic	
Lot 9 Alex L. Hagensen, Jr	
State of Nebraska County of Lancaster The foregoing instrument was acknowledged before me this	
, 1990 by Alex L. Hagensen, Jr.	₿.
Notary Public	
Lot 10 George Vorovka	
George Vorovka  Evelyn L. Vorovka  State of Nebraska  County of Languages	
The foregoing instrument was acknowledged before we this	B
Vorovka. 1990 by George Vorovka and Evelyn L	ti
Notary Public	
Lot 11  Mary A. Harris	
State of Nebraska County of Lancaster	
The foregoing instrument was acknowledged before me this	25
Notary Public	

- ---- I Tableta New Community 1st Replat

37.

Lot 10

Richard W. Vautravers

Eileen C. Vautravers

replaced industrial service and comments of the contract of th

3 8.

State of N County of The foreg	
	Notary Fublic
	,
Lot 3	non G. Devigne
Nac	ine C. Deviane
State of Ne	braska
State of Ne County of L The forego	braska ancaster ing instrument was acknowledged before me this , 1990 by Vernon G. Devigne and Nadine C.
State of Ne County of L The forego	braska ancaster ing instrument was released
State of Ne County of L The forego Devigne.	braska ancaster ing instrument was acknowledged before me this 1990 by Vernon G. Devigne and Nadine C.  Notary Public
State of Ne County of L The forego Devigne.  Lot 4	braska ancaster ing instrument was acknowledged before me this 1990 by Vernon G. Devigne and Nadine C.  Notary Public  derick J. Wolff
State of Ne County of L The forego Devigne.  Lot 4	braska ancaster ing instrument was acknowledged before me this 1990 by Vernon G. Devigne and Nadine C.  Notary Public

Lot 5

```
Mary L. Francke
                             State of Nebraska
                             County of Lancaster
                             The foregoing instrument was acknowledged before me this
                                                      Notary Public
                             Lot 6
                                                        Roy F. Hubka
                                                        Helen E. Hubka
                              State of Nebraska
                              County of Lancaster
                              The foregoing instrument was acknowledged before me this
                                                                                __, 1990 by Roy F. Hubka and Helen E. Hubka.
                                                                                                                                   Notary Public
                              Lot 7
                                                        Phillip C. Hood
                                                         Jean M. Hood
                              State of Nebraska
                             County of Lancaster
                             The foregoing instrument was acknowledged before me this
                                                                         1-20 OLA HOLA

TANE COLRE 1-4 6-10

Notary Fublic

1-21 OLA, B+C

1-27 OLA-B-C-D.

1-23 OLA-B-C.

1-23 OLA-B-C.

1-23 OLA-B-C.

1-23 OLA-B-C.

1-24 OLA

7 TANE CO2 1-6 849 13-19

1-25 OLA+B

1-27 OLA+B

1-27 OLA+B

1-27 OLA+B

1-27 OLA+B-C-D.

1-27 OLA-B-C.

1-28 OLA-B-C.

1-29 OLA-B-C.

1-29 OLA-B-C.

1-20 OLA-B-C.

1-20 OLA-B-C.

1-20 OLA-B-C.

1-20 OLA-B-C.

1-20 OLA-B-C.

1-21 OLA-B-C.

1-22 OLA-B-C.

1-23 OLA-B-C.

1-24 OLB

1-25 OLA-B-C.

1-25 OLA-B-C.

1-27 OLA-B-C.

1-28 OLA-B-C.

1-29 OLA-B-C.

1-29 OLA-B-C.

1-20 OL
TANECO
                                                                                                                                                                                                               TANE CO3 NO
    BUUCK
                                                                                                                       LANCASTER COUNTY NEBRA
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Block 1 Tabitha new Community 2nd Addition (cont)

Jon C. Francke