

BOOK 575 PAGE 446
FIRST AMENDMENT TO DECLARATION OF COV-
ENANTS, CONDITIONS AND RESTRICTIONS
FOR THE HILLTOP OF OAK HILLS HIGHLANDS

In consideration of the mutual covenants of the parties hereto,
it is agreed as follows:

1) The undersigned, Paul E. Tamisiea and Judy H. Tamisiea,
husband and wife, are the owners of a tract of land described on
Exhibit "A" attached, and the undersigned, Hal Grove, Inc., is the
owner of four tracts of land described on Exhibits "B", "C", "D"
and "E" attached; which five tracts are to be annexed as additional
residential property to become a part of and subject to the terms
and conditions of that certain DECLARATION OF COVENANTS, CONDITIONS
AND RESTRICTIONS covering Lots 1 through 25, inclusive, in The
Hilltop of Oak Hills Highlands, a subdivision in Douglas County,
Nebraska; said Declaration being recorded in Miscellaneous Book 559
at Page 455 in the Register of Deeds of said County.

2) The other parties signatory hereto are the record owners
of Lots 1 through 25, inclusive, in The Hilltop of Oak Hills High-
lands and hereby agree to the annexation of said real estate described
on said five attached Exhibits in order to become both subject to and
a beneficiary of said Declaration.

3) Pursuant to Article VI, Section 4 of said original Dec-
laration, it is hereby agreed by all parties hereto that effective
January 1, 1977 said five tracts described on Exhibits "A", "B",
"C", "D" and "E" attached shall be annexed to the "properties" and
each tract shall thereafter be considered as a "lot" as described in
said Declaration as fully as if said five tracts had been originally
included within the property described in the original Declaration.
Article IV, Section 7 of said original Declaration is hereby partially
amended to provide that the total annual special assessments shall be
levied at the rate of 1/28th thereof against each lot (instead of at
the rate of 1/23rd thereof against each lot as provided in the original
Declaration).

4) Effective January 1, 1977, the undersigned owners of the
tracts described on Exhibit "A" attached shall be a Class A member of
The Hilltop Association, Inc., a Nebraska non-profit corporation, and
the Declarant, Hal Grove, Inc., shall be a Class B member as owner of
the tracts described on Exhibits "B", "C", "D" and "E". The under-
signed parties constitute 100 per cent of both classes of members of
The Hilltop Association, Inc. and hereby consent to the annexation
of said five tracts described on the attached Exhibits as additional
residential property of the Association as required by Article IV,
Section (f) of Articles of Incorporation of The Hilltop Association, Inc.

EXECUTED by all parties hereto effective January 1, 1977 on
this 3rd day of January, 1977.

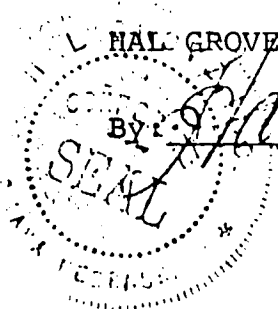
Paul E. Tamisiea
Paul E. Tamisiea)

) Owner of real estate
) described on Exhibit "A"
) attached

Judy H. Tamisiea
Judy H. Tamisiea)

HAL GROVE, INC.)
Harold Grove
President)

) Owner of real estate
) described on Exhibits "B",
) "C", "D" and "E" attached





(Declarant and owner of
Lots 4, 5, 8, 10, 12, 13, 14,
16, 17, 19, 22, 23

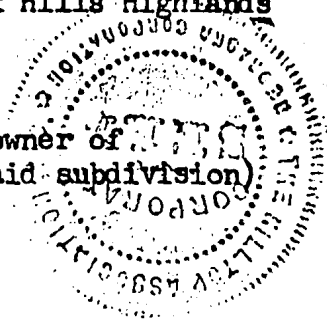
IN The Hilltop of Oak Hills Highlands

By: Harold E. Grove
President

THE HILLTOP ASSOCIATION, INC.

("Association" and owner of
Lots 24 and 25 in said subdivision)

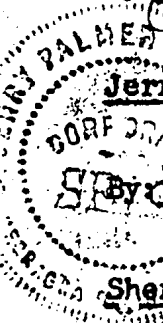
By: Harold E. Grove
Harold E. Grove, President



Jerry Palmer Homes Inc.

(Owner of Lots 1, 11, 18, 21 in
said subdivision)

By: Gerald E. Palmer
Gerald E. Palmer, President



Sherwood Homes, Inc.

(Owner of Lot 2 in
said subdivision)

By: Glen Palmer
Glen Palmer, President



Merker Co. Inc.

(Owner of Lot 3 in
said subdivision)

By: Paul L. Merker
Paul L. Merker, President



Ritnour Constr. Co.

(Owner of Lot 7 in
said subdivision)

By: E. A. Ritnour
E. A. Ritnour

Robert E. Hinchcliff
Robert E. Hinchcliff

(Owner of Lot 15 in
said subdivision)

Arlene A. Hinchcliff
Mrs. R. E. Hinchcliff
Arlene A. Hinchcliff

Robert J. Bryan
Robert J. Bryan

(Owner of Lot 6 in
said subdivision)

Hilda Bryan
Hilda Bryan

Jeffrey A. Clevenger
Jeffrey A. Clevenger

(Owner of Lot 20 in
said subdivision)

Margaret J. Clevenger
Margaret J. Clevenger

Mary Driscoll
Mary Driscoll

(Owner of Lot 9 in
said subdivision)

Frank A. Driscoll
Frank A. Driscoll

STATE OF NEBRASKA)
)
COUNTY OF DOUGLAS) ss

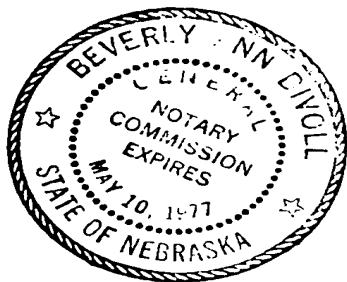
On the date last-above written before me, the undersigned, a Notary Public in and for said County, personally came HAROLD E. GROVE, President of Hal Grove, Inc. and also as President of The Hilltop Association, Inc.; GERALD E. PALMER, President of Jerry Palmer Homes Inc.; GLEN PALMER, President of Sherwood Homes, Inc.; and PAUL L. MERKER, President of Merker Co. Inc., to me personally known to be the Presidents and identical person whose name is affixed to the above conveyance, and acknowledged his execution thereof to be his voluntary act and deed as such Presidents and the voluntary act and deed of said corporations, and further appeared before me Paul E. Tamisiea, Judy H. Tamisiea, E. A. Ritnour

Robert E. Hinchcliff, Arlene A. Hinchcliff, Robert J. Bryan

Hilda Bryan, Jeffrey A. Clevenger, Margaret J. Clevenger, Mary

Driscoll and Frank A. Driscoll

and they severally and jointly acknowledge their execution of the foregoing instrument to be their voluntary act and deed.



Beverly Ann Civitt
Notary Public

To The Office of

LOUIS E. LAMBERTY

County Surveyor and Engineer

Douglas County

Field Notes:

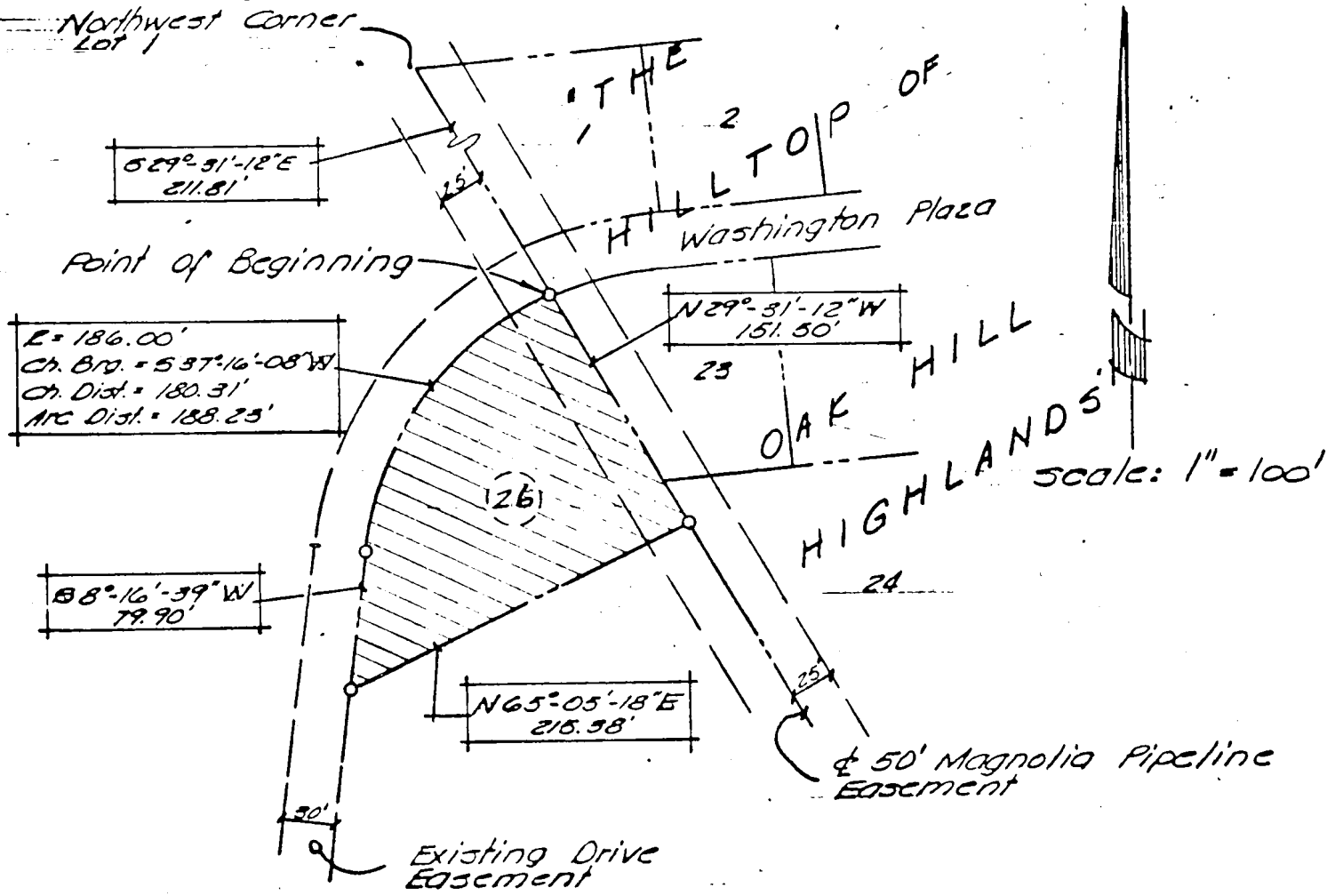
LEGAL DESCRIPTION

That part of vacated Oak Hills of Millard II, a subdivision as surveyed, platted and recorded in Douglas County, Nebraska described as follows: Commencing at the Northwest corner of Lot 1, the Hilltop of Oak Hills Highlands, a subdivision as surveyed, platted and recorded; thence S 29° 31' 12" E (Assumed bearing) on the Westerly line of said Lot 1 and it's Southeasterly extension, 211.81 feet to the point of beginning; thence Southwesterly on a curve to the left (Radius being 186.00 feet, chord bearing S 37° 16' 08" W, chord distance 180.31 feet) an arc distance of 188.23 feet to a point of tangency; thence S 8° 16' 39" W, 79.90 feet; thence N 65° 05' 18" E, 215.38 feet to a point on the Westerly line of Lot 24, said The Hilltop of Oak Hills Highlands; thence N 29° 31' 12" W on the Westerly line of Lots 23 and 24 said The Hilltop of Oak Hills Highlands, 151.50 feet to the point of beginning.

(Containing 22,594 square feet more or less.)

(To be known as Lot 26, The Hilltop of Oak Hills Highlands ~~subdivision~~)

Plat to scale showing tract surveyed with all pertinent points.

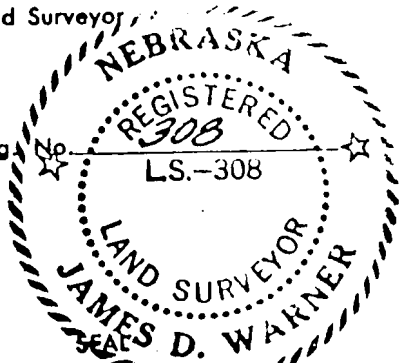


James D. Warner
Signature of Land Surveyor

DATE RECEIVED: _____

Date: 12-17-76

Reg. No. _____



OFFICIAL ADDRESS: _____

BLDG. PERMIT NO.: _____

EXHIBIT "C"

To The Office of
LOUIS E. LAMBERTY
County Surveyor and Engineer
Douglas County

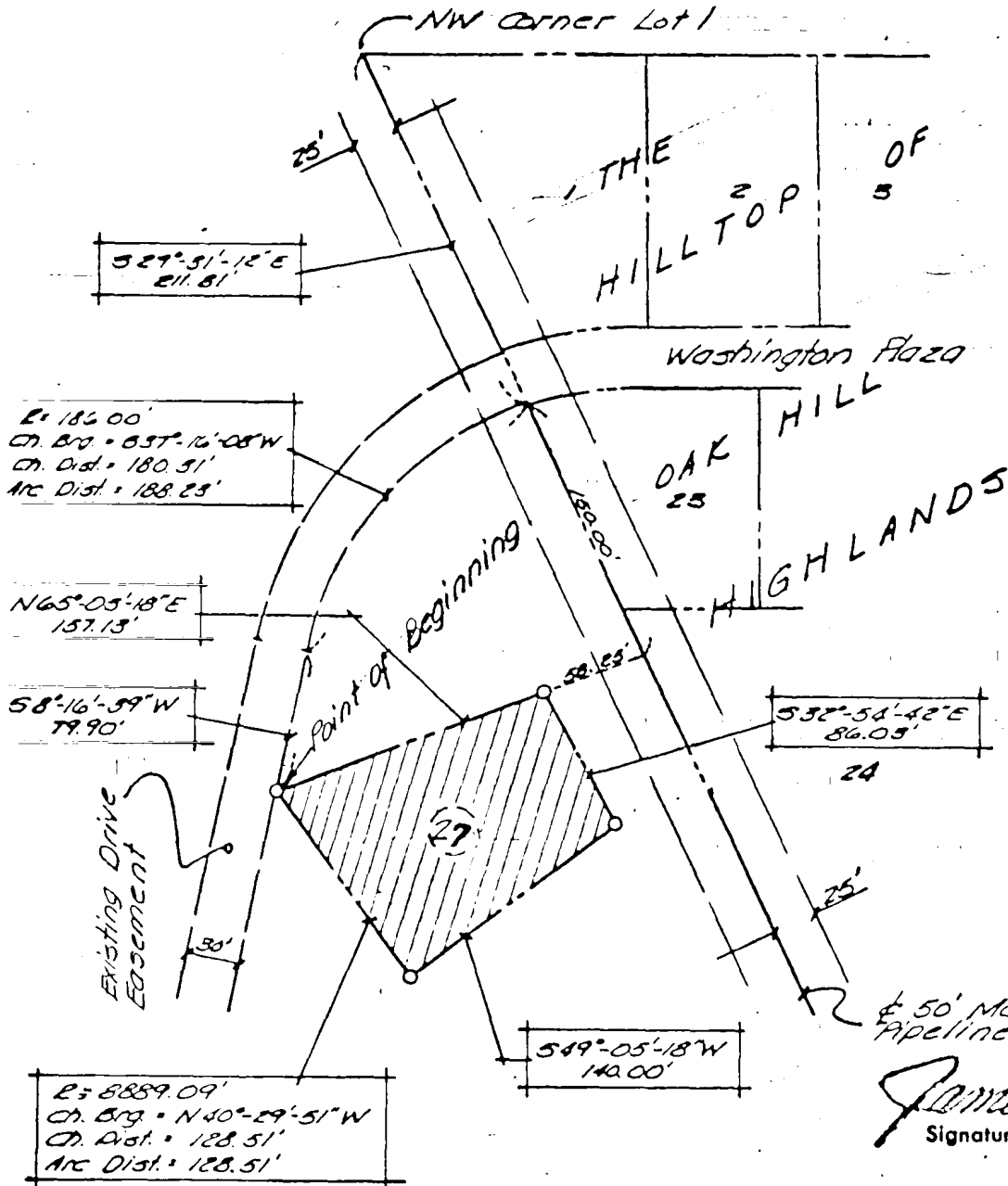
LEGAL DESCRIPTION

That part of vacated Oak Hills of Millard II, a subdivision as surveyed, platted and recorded in Douglas County, Nebraska described as follows: Commencing at the Northwest corner of Lot 1, The Hilltop of Oak Hill Highlands, a subdivision as surveyed, platted and recorded; thence S 29° 31' 12" E (Assumed bearing) on the Westerly line of said Lot 1 and it's Southeasterly extension, 211.81 feet to a point on a curve; thence Southwesterly on a curve to the left (Radius being 186.00 feet, chord bearing S 37° 16' 08" W, chord distance 180.31 feet) an arc distance of 188.23 feet to a point of tangency; thence S 8° 16' 39" W, 79.90 feet to the point of beginning; thence N 65° 05' 18" E, 157.13 feet; thence S 32° 54' 42" E, 86.03 feet; thence S 49° 05' 18" W, 140.00 feet; thence Northwesterly on a curve to the right (Radius 8889.09 feet, chord bearing N 40° 29' 51" W, chord distance 128.51 feet), an arc distance of 128.51 feet to the point of beginning.

(Containing 15,704 square feet more or less)

(To be known as Lot 27, The Hilltop of Oak Hills Highlands ~~_____~~)

Plat to scale showing tract surveyed with all pertinent points.



Scale: 1" = 100'

James D. Warner
Signature of Land Surveyor

DATE RECEIVED: _____

Date: NOVEMBER 23, 1976 Reg. No. 308
Revised 12-17-76

OFFICIAL ADDRESS: _____

BLDG. PERMIT NO.: _____

EXHIBIT "A"

SEAL

To The Office of

LOUIS E. LAMBERTY

County Surveyor and Engineer

Douglas County

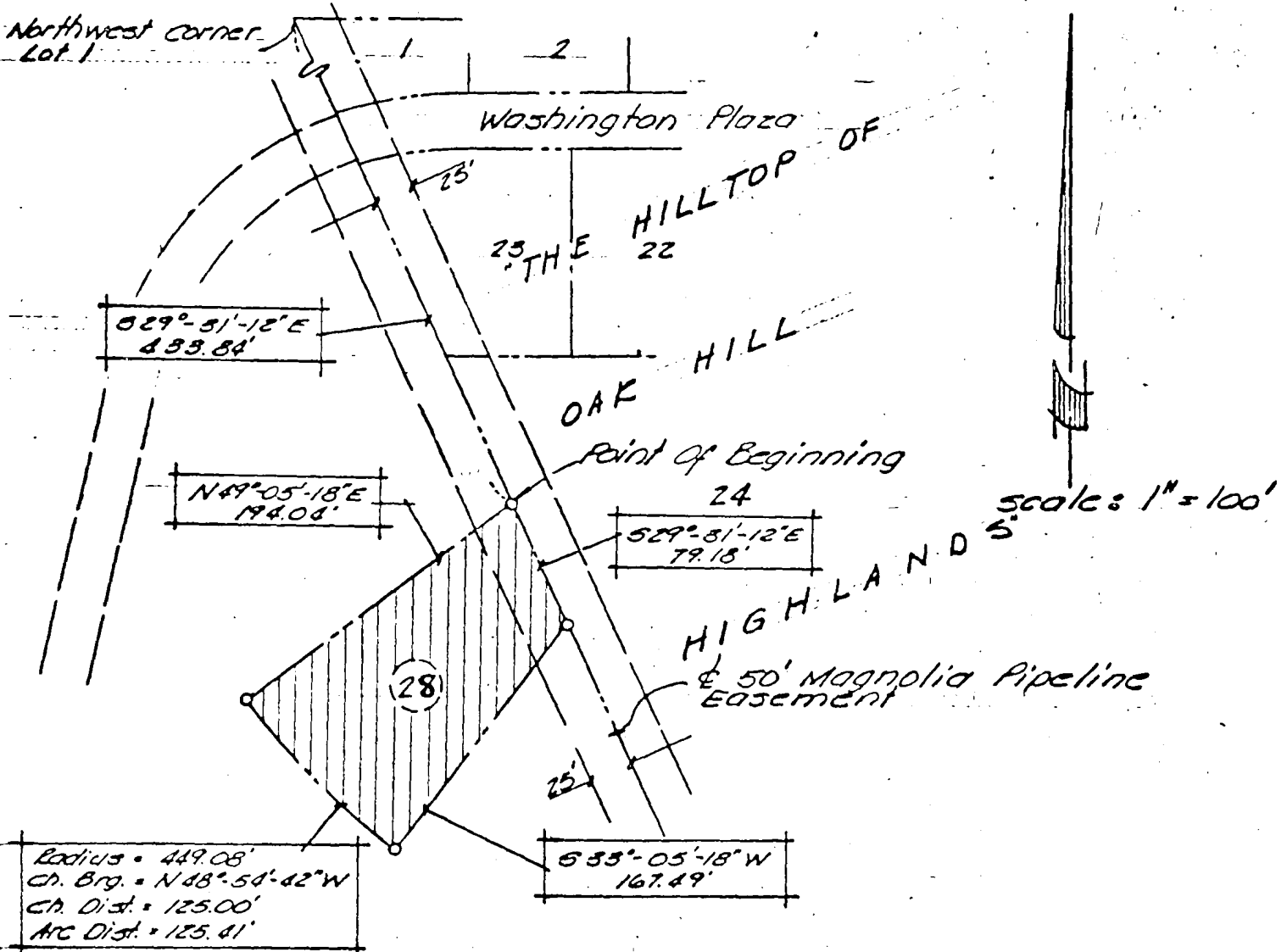
Field Notes:

LEGAL DESCRIPTION

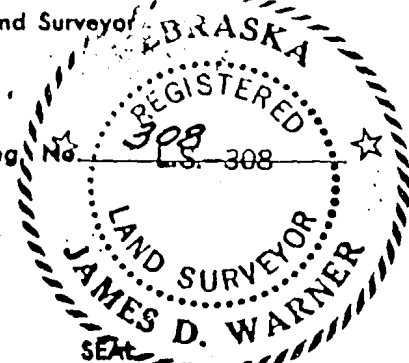
That part of vacated Oak Hills of Millard II, a subdivision as surveyed, platted and recorded in Douglas County, Nebraska described as follows: Commencing at the Northwest corner of Lot 1, The Hilltop of Oak Hill Highlands, a subdivision as surveyed, platted and recorded; thence S 29° 31' 12" E (Assumed bearing) on the Westerly line of Lots 1, 23 and 24, said The Hilltop of Oak Hills Highlands, 433.84 feet to the point of beginning; thence continuing S 29° 31' 12" E on the Westerly line of said Lot 24, 79.18 feet; thence S 33° 05' 18" W, 167.49 feet; thence Northwesterly on a curve to the right (Radius being 449.08 feet, chord bearing N 48° 54' 42" W, chord distance 125.00 feet), an arc distance of 125.41 feet; thence N 49° 05' 18" E, 194.04 feet to the point of beginning.
(Containing 18,262 square feet more or less.)

(To be known as Lot 28, The Hilltop of Oak Hills Highlands ~~Highlands~~)

Plat to scale showing tract surveyed with all pertinent points.



James D. Warner
Signature of Land Surveyor



DATE RECEIVED: _____

Date: 12-17-76

Reg. No. 308

OFFICIAL ADDRESS: _____

BLDG. PERMIT NO.: _____

EXHIBIT "D"

To The Office of
LOUIS E. LAMBERTY
County Surveyor and Engineer
Douglas County

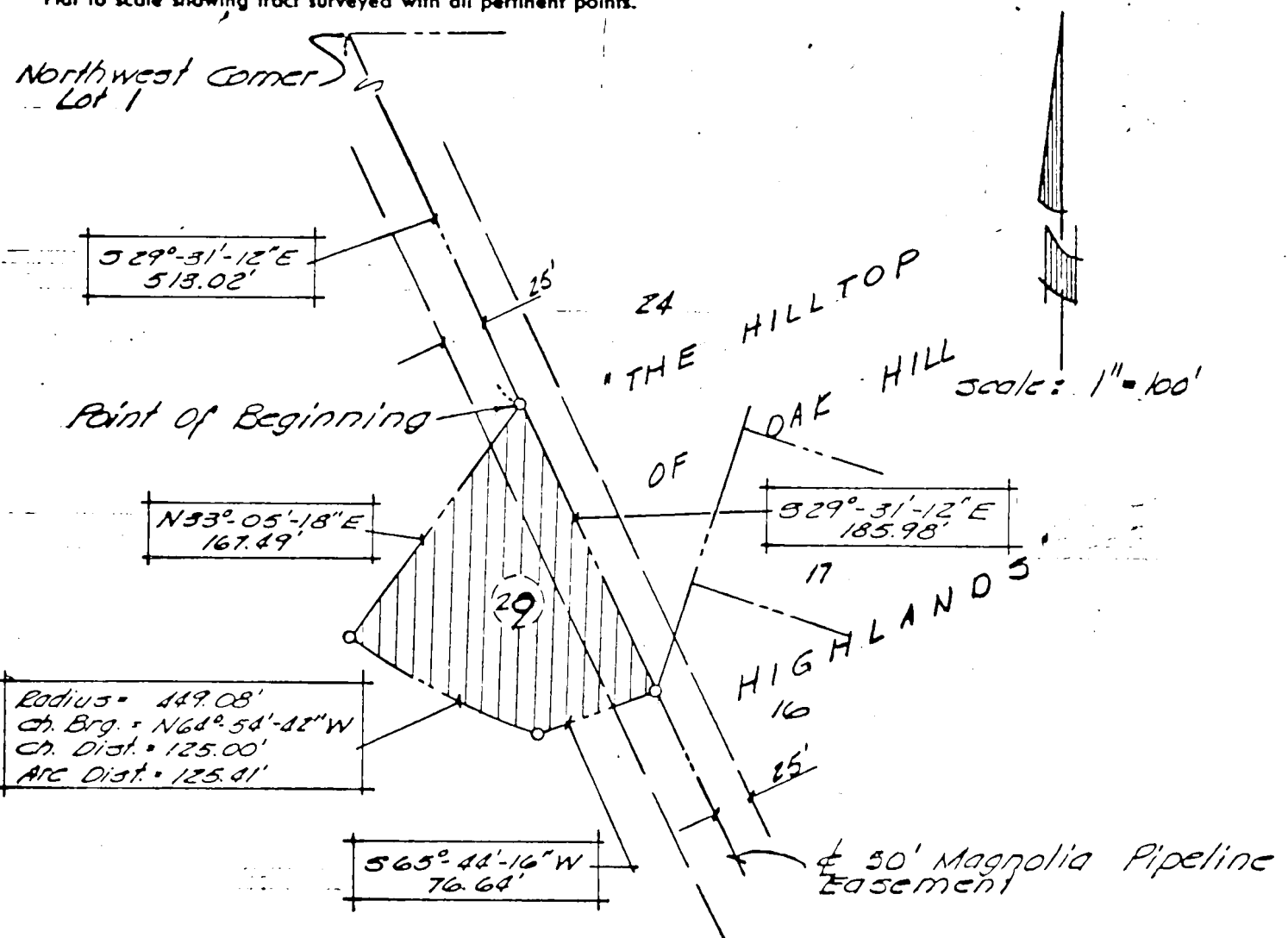
Field Notes:

LEGAL DESCRIPTION

That part of vacated Oak Hills of Millard II, a subdivision as surveyed, platted and recorded in Douglas County, Nebraska described as follows: Commencing at the Northwest corner of Lot 1, The Hilltop of Oak Hills Highlands, a subdivision as surveyed, platted and recorded; thence S 29° 31' 12" E (Assumed bearing) on the Westerly line of Lots 1, 23 and 24, said The Hilltop of Oak Hills Highlands, 513.02 feet to the point of beginning; thence continuing S 29° 31' 12" E on the Westerly line of said Lot 24, 185.98 feet to the most Southerly corner of said Lot 24; thence S 65° 44' 16" W, 76.64 feet; thence Northwesterly on a curve to the right (Radius being 449.08 feet, chord bearing N 64° 54' 42" W, chord distance 125.00 feet), an arc distance of 125.41 feet; thence N 33° 05' 18" E 167.49 feet to the point of beginning.
(Containing 17,828 square feet more or less)

(To be known as Lot 29, The Hilltop of Oak Hills Highlands ~~Highlands~~)

Plat to scale showing tract surveyed with all pertinent points.



James D. Warner
Signature of Land Surveyor

DATE RECEIVED: _____

Date: 12-17-76

OFFICIAL ADDRESS: _____

BLDG. PERMIT NO. _____

EXHIBIT "E"



To The Office of
LOUIS E. LAMBERTY
County Surveyor and Engineer
Douglas County

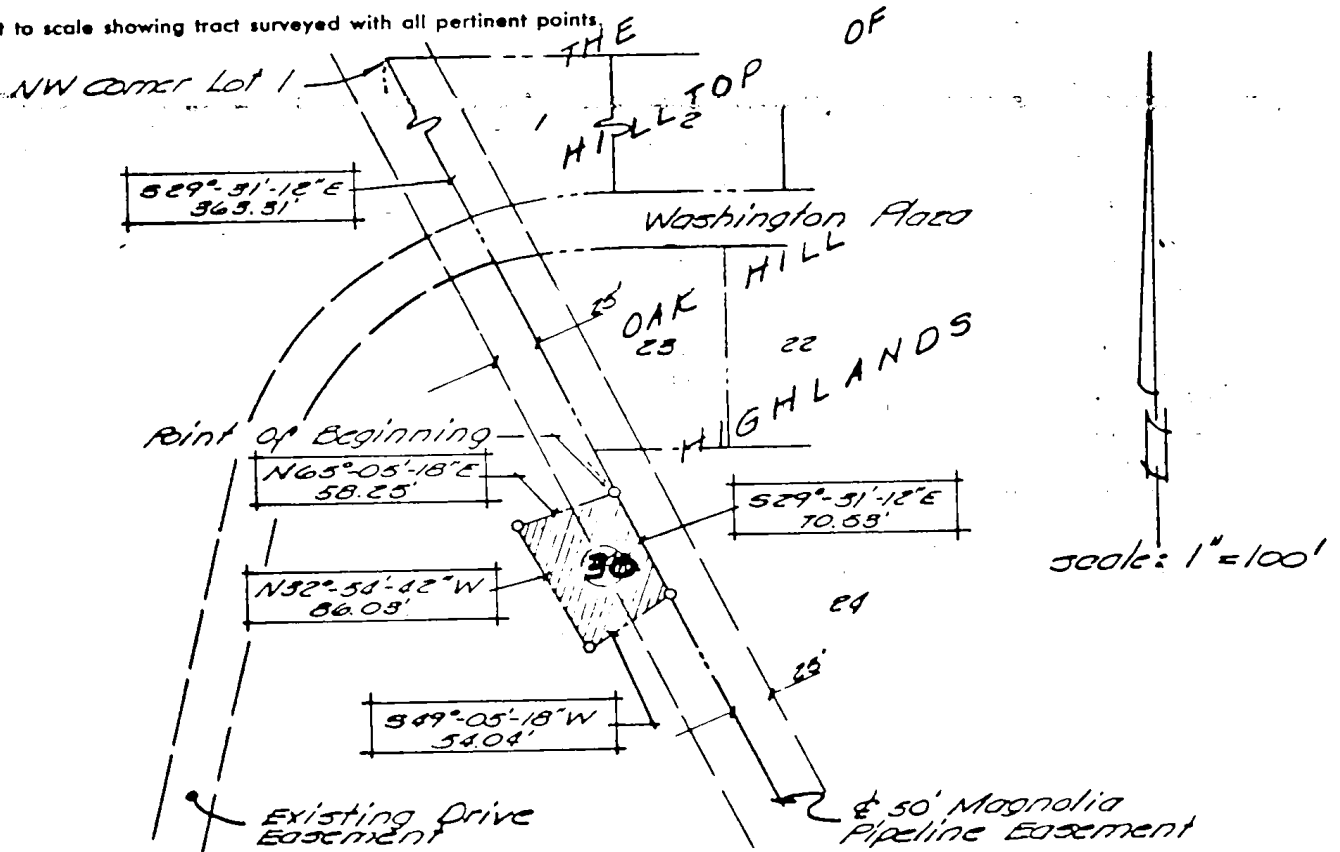
Field Notes:

LEGAL DESCRIPTION

That part of vacated Oak Hills of Millard II, a subdivision as surveyed, platted and recorded in Douglas County, Nebraska described as follows: Commencing at the Northwest corner of Lot 1, The Hilltop of Oak Hills Highlands, a subdivision as surveyed, platted and recorded; thence S 29° 31' 12" E (Assumed bearing) on the Westerly line of Lots 1, 23 and 24, said The Hilltop of Oak Hills Highlands, 363.31 feet to the point of beginning; thence continuing S 29° 31' 12" E on the Westerly line of said Lot 24, 70.53 feet; thence S 49° 05' 18" W, 54.04 feet; thence N 32° 54' 42" W, 86.03 feet; thence N 65° 05' 18" E, 58.25 feet to the point of beginning. (Containing 4,349 square feet more or less.)

(To be known as Lot ³⁰ ~~1~~ The Hilltop of Oak Hills Highlands ~~Lot 1~~)

Plat to scale showing tract surveyed with all pertinent points.



James D. Warner
Signature of Land Surveyor

DATE RECEIVED: _____

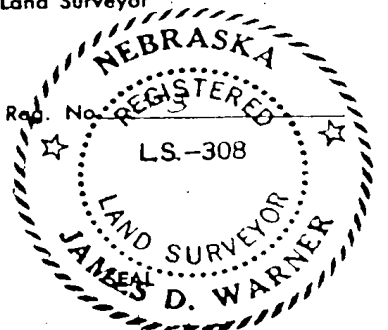
Date: DEC. 21, 1976

Reg. No. _____

OFFICIAL ADDRESS: _____

BLDG. PERMIT NO.: _____

EXHIBIT "B"



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1977 JAN 17 AM 8 40

C. MARSHALL REGISTER
REGISTER OF DEEDS
DOUGLAS COUNTY, NEBR.

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of 300

Plan 24-575

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