

SUPPLEMENTARY DECLARATION

THIS SUPPLEMENTARY DECLARATION made April 29th, 1974 by GALAXY CONSTRUCTION CO., a Nebraska corporation, hereinafter called "Declarant",

W I T N E S S E T H:

WHEREAS, Declarant is the owner of the following described real estate (hereinafter referred to herein as "the premises") situated in Sarpy County, Nebraska, to-wit:

All of Lots 1 through 104 of Meadows Replat II (of Lot 6, The Meadows, a subdivision in Sarpy County, Nebraska, as surveyed, platted and recorded,

and

WHEREAS, Declarant, the owner of Lots 1 through 104, inclusive, of Meadows Replat II of Lot 6, The Meadows, a subdivision in Sarpy County, Nebraska, in order to preserve and promote the private residential character of said lots in accordance with a plan of development expressed therein, made and executed a certain Declaration of Covenants, easements, restrictions and conditions (hereinafter referred to as "Declaration") dated July 27 1973, ~~1974~~ and recorded at Page 645 through 645 H, inclusive, of Book 46 of the Miscellaneous Records of the Register of Deeds of Sarpy County, Nebraska, and

WHEREAS, Declarant, in order to preserve and promote the private residential character of the premises in accordance with the plan of development expressed in said Declaration is desirous of annexing the first above described premises to said Declaration and subjecting said premises to all the terms and conditions thereof in the manner provided in Section 4 of Article X of said Declaration;

NOW, THEREFORE, in consideration of the matters herein recited, Declarant does hereby declare as follows, to-wit:

ITEM I

A. THE PREMISES

1. Residential Property. Certain of the real property subject to this Supplementary Declaration and legally described as: All of Lots 1 through 104 of Meadows Replat II of Lot 6, The Meadows, a subdivision in Sarpy County, Nebraska, as surveyed, platted and recorded, is and will be acquired, conveyed, devised, inherited, sold or otherwise transferred and is and will be occupied and used subject to all and each of the conditions and other terms set out in this Supplementary Declaration and, pursuant to Section 4 of Article X thereof, to all conditions and other terms imposed upon any "Lot", as therein defined at Section 5 of Article I thereof in said Declaration, with the express additions and modifications set out in this Supplementary Declaration.

B. COMMON AREA EASEMENT

2. Covenants. Certain of the real property subject to this Supplementary Declaration, which property consists of all real property on the properties subject to this declaration exclusive of the real property on which is located any building, fenced patio or driveway originally located on the properties by Declarant or Declarant's assigns, if assignment be made pursuant to Section 7 of Article I of said Declaration, shall be and become "Common Area" as the term is

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defined in Section 4 of Article I of said Declaration. Said Common Area, though now owned by Declarant and notwithstanding subsequent conveyances to an owner will, during the term of these covenants, nevertheless be subject to an easement for the common use and enjoyment (as defined in the Declaration), and Declarant hereby and by these presents grants to said owners a right and easement of enjoyment in and to the common area which is located as above described on all Lots within the properties which easement shall be appurtenant to and shall pass with the title to every Lot, and will be and become subject to each and every restriction, easement and condition therein imposed upon the common area by said Declaration or as amended by Amendments to Declaration.

3. Association. The involved property is and will be, through January 1, 1990, or for such longer or other period as may otherwise be fixed, included in membership in Association as a benefit or burden running with and charge upon the ownership of each lot, pursuant to Article I through Article VII, inclusive, of said Declaration or as amended by Amendments to said Declaration.

IN WITNESS WHEREOF, Declarant has executed this Supplementary Declaration at Omaha, Douglas County, Nebraska.

Attest:

David J. Rab

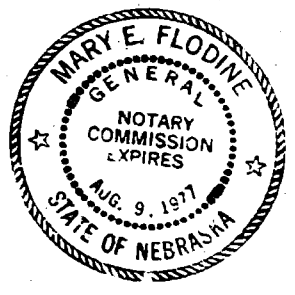
GALAXY CONSTRUCTION CO.,
a Nebraska corporation

By *Floyd J. Howerton*
President

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

Before me, a Notary Public qualified for said county and state, personally came FLOYD J. HOWERTON, President of Galaxy Construction Co., a corporation, to me personally know to be the President and the identical person whose name is affixed to the foregoing Supplementary Declaration, and acknowledged the execution thereof to be his voluntary act and deed and the voluntary act and deed of Galaxy Construction Co.

Witness my hand and Notarial Seal this 22nd day of April, 1974.



Mary E. Flodine
Notary Public