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By

RICHARD N TAKECHI
REGISTER OF DEEDS
DOUGLAS COUNTY, NE

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RECEIVED

FIRST AMENDMENT TO DECLARATION
OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS
OF TORREY PINES, A SUBDIVISION
IN DOUGLAS COUNTY, NEBRASKA

This First Amendment to Declaration is made on the date hereinafter set forth by BENNINGTON COMPANY, a Nebraska corporation, hereinafter referred to as the "Declarant."

PRELIMINARY STATEMENT

By Declaration for Torrey Pines, a Subdivision in Douglas County, Nebraska, dated March 20, 1996, filed March 21, 1996, in Book 1171 at Page 678 of the Miscellaneous Records of the Register of Deeds of Douglas County, Nebraska, (herein referred to as the "Declaration"), Declarant subjected the following described lots to restrictions, covenants, conditions and easements:

Lots 1 through 7, inclusive, Lots 46 through 80, inclusive, Lots 83 through 172, in Torrey Pines, a Subdivision as surveyed, platted and recorded in Douglas County, Nebraska; and Lots 1 through 31, inclusive, in Torrey Pines Replat 1, a Subdivision, as surveyed, platted and recorded in Douglas County, Nebraska; Lots 1 and 2, inclusive, in Torrey Pines Replat 2, a Subdivision as surveyed, platted and recorded in Douglas County, Nebraska.

mc-38763

mc-38764

mc-38765

Declarant does hereby substitute, amend and restate the Declaration in the following particulars only:

1. The Declarant does hereby amend, restate and remove the following described lots from the restrictions, covenants, conditions and easements:

10006
FEE 96.50 FB
C/P C/O COMP VP
DEL SCAN QB FV

Terry Pines
Lots six (6) through thirteen (13) Replat 1, inclusive, a
Subdivision, as surveyed, pletted and recorded in Douglas
County, Nebraska.

MC-38764

2. The Declaration is in all other matters ratified and affirmed.

The Declarant has executed this First Amendment to Declaration as of this 18th day of June, 1999.

BENNINGTON COMPANY, a Nebraska corporation, "Declarant"

By: *Barbara Udes Shaw*
Barbara Udes Shaw, President

STATE OF NEBRASKA)
) ss:
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this 18th day of June, 1999, by Barbara Udes Shaw, President of Bennington Company, a Nebraska corporation, on behalf of the company.

*State of Nebraska
City of Omaha
CPR - Exp. 3/1/2000
Scott Bunn*

[Signature]

Notary Public