



BK 1444 PG 237-238



MISC 2002 13187

RICHARD N. TAKECHI  
REGISTER OF DEEDS  
DOUGLAS COUNTY, NE

2002 JUN 10 PM 1:15

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Omaha, NE 68124

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**FIRST AMENDMENT TO DECLARATION OF COVENANTS,  
CONDITIONS, RESTRICTIONS AND EASEMENTS OF  
WALNUT LAKE, A SUBDIVISION IN DOUGLAS COUNTY, NEBRASKA**

This First Amendment to Declaration of Covenants, Conditions, Restrictions and Easements of Walnut Lake, a Subdivision in Douglas County, Nebraska (the "Declaration") is made on the date hereinafter set forth by Pacesetter Homes, Inc., a Nebraska corporation, hereinafter referred to as "Declarant".

1. The Declarant executed a Declaration of Covenants, Conditions, Restrictions and Easements covering the real property described as: Lots 1 through 57, inclusive, and Out Lots A, B and C, in Walnut Lake Replat I, a Subdivision in Douglas County, Nebraska. The Declaration was dated November 20, 2001, and was filed for record in the Office of the Register of Deeds of Douglas County, Nebraska on November 29, 2001 in Book 1410 at Pages 495 through 514, inclusive.

2. Pursuant to the terms and conditions of Article IV, Section 2 of the Declaration, Declarant, for a period of five (5) years from the date of the Declaration, reserved the right to amend the Declaration.

3. Declarant hereby amends Article II, Section 9 of the Declaration to read as follows:

9. Maximum Annual Dues. Unless excess dues have been authorized by the Members in accordance with Section 11 below, the aggregate dues which may become due and payable in any year shall not exceed the greater of:

- (a) For Lots 1, 2, 3, 5 and 7-37, inclusive, One Hundred Fifty Dollars and No/100ths (\$150.00) per lot, per month; for

Lots 4, 6 and 38-44, inclusive, and Lot 47, One Hundred Seventy Dollars and No/100ths (\$170.00) per lot per month; for Lots 45, 46 and 48-57, inclusive, One Hundred Ninety Dollars and No/100 (\$190.00) per lot, per month.

- (b) In each calendar year beginning on and after January 1, 2003, One Hundred Ten percent (110%) of the aggregate dues charged in the previous calendar year.

In all other respects, the Declaration heretofore executed is hereby ratified and confirmed in its original form.

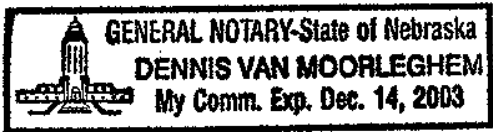
IN WITNESS WHEREOF, Declarant has executed this First Amendment to Declaration of Covenants, Conditions, Restrictions and Easements of Walnut Lake, a Subdivision in Douglas County, Nebraska this 6 day of JUNE, 2002.

PACESETTER HOMES, INC. a Nebraska corporation

By: *Ralph J. Heavrin*  
Ralph J. Heavrin, President

STATE OF NEBRASKA      )  
  ) SS:  
DOUGLAS COUNTY        )

The foregoing instrument was acknowledged before me this 6 day of JUNE, 2002 by Ralph J. Heavrin, President of Pacesetter Homes, Inc., a Nebraska corporation, on behalf of the corporation.



*Dennis Van Moorleghem*  
Notary Public

108169.1

RETURN: REGENCY HOMES  
1002 50131 AVE  
OMAHA, NE 68138  
895-9200