



MISC 2006019708



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**AMENDMENT TO THE
AMENDED AND RESTATED
DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS
OF WALNUT POINTE PROPERTY OWNERS ASSOCIATION, INC.**

Received - DIANE L. BATTIATO
Register of Deeds, Douglas County, NE
2/23/2006 07:49:10.16



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THIS AMENDMENT is made on the date hereinafter set forth by the required number of property owners at a duly called meeting.

WITNESSETH:

WHEREAS, owners representing 2/3 of the owners of certain property in the City of Omaha, Douglas County, Nebraska, which is more particularly described as:

Lots 1 through 10, and 12 through 27, all inclusive, in Walnut Pointe, a Subdivision in Douglas County, Nebraska, as surveyed, platted and recorded

desire to Amend the Covenants relating to insurance.

NOW THEREFORE, ARTICLE V, INSURANCE, the first full paragraph, is changed to read, in part:

Section 1. The Association shall purchase and provide with respect to the improvements residential structures and other structures in an amount equal to one hundred percent (100%) of the full replacement value of said improvements, without deduction for depreciation or co-insurance, against losses by fire, lightening, wind storm and other perils covered by standard extended coverage endorsements, and insurance against such other hazards of Directors of the Association shall reasonably determine. Such insurance shall not cover personal property of any Owner of any Lot nor shall it cover interior walls, ceiling and floors or any cosmetic improvement such as painting or any alterations made by the Owner, it being the Owner's sole responsibility to provide such insurance coverage. The Board of Directors may reasonably require the Owner to purchase any such casualty and liability policies it deems are desirable for the Owner to purchase. The Owner shall be responsible for payment of any deductible amount related to an insurance claim made with respect to the Lot owned by each Owner. The Association, in addition to the foregoing, shall provide liability insurance for the Association and for its members with respect to the Common Area, and liability insurance for the protection of the Owner of any Lots shall be the responsibility of each Owner unless the Association shall vote otherwise. The amounts of such liability insurance maintained by individual owners shall be in

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amounts which are reasonably determined by the Directors and the Directors may require proof of such insurance. The Directors may also require that such liability insurance policies name the Association as an additional insured, if available under a particular policy. In the event any Owner fails to provide proof of the insurance or fails to pay for such liability insurance, the Board of Directors may pay for the cost of such insurance and treat it as an assessment against the Owner and Lot as provided above.

IN WITNESS WHEREOF the undersigned, being an authorized officer of the Association, certifies that this instrument was amended at a properly called meeting of the members of the Association and proof thereof is on file with the Association.

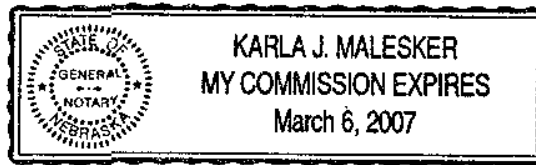
DATED this 9th day of February, 2006.

WALNUT POINTE PROPERTY OWNERS ASSOCIATION, INC.

By: M. Janet Barger-Lux

Its: PRESIDENT

STATE OF NEBRASKA)
)SS
COUNTY OF DOUGLAS)



The foregoing instrument was acknowledged before me on February 9, 2006 by M. Janet Barger-Lux of the Walnut Pointe Property Owners Association, Inc.

Karla J. Malesker
Notary Public

Return to:
Doug Ruge
14769 California St.
Omaha NE 68154