



MISC 2012031064



APR 02 2012 15:54 P 13

Fee amount: 73.50  
FB: 0C-42392  
COMP: LM

Received - DIANE L. BATTIATO  
Register of Deeds, Douglas County, NE  
04/02/2012 15:54:58.00



2012031064

WHEN RECORDED, MAIL TO:

filed as received

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR WEST DODGE STATION**

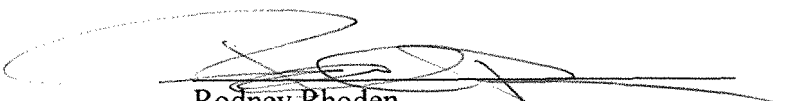
**THIS AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR WEST DODGE STATION** is made by Waite Development, LLP, a Nebraska limited liability partnership and Rodney Rhoden (together referred to as "Owner") as of November 30<sup>th</sup>, 2011, and is as follows:

**WITNESSETH:**

**WHEREAS**, 180 Dodge, L.L.C., an Iowa limited liability company, executed and recorded that Declaration of Covenants, Conditions and Restrictions for West Dodge Station recorded on June 28, 2005 as document no. 2005074928 of the records of Douglas County, Nebraska as amended by that Designation to Amend Declaration recorded on June 23, 2010 as document no. 2010055013 and that Amendment recorded on June 23, 2010 as document no. 2010055015 (collectively, the "Declaration"); and

-16- 11-113246



  
Rodney Rhoden

STATE OF NEBRASKA    )  
  ) ss  
County of Douglas     )

The foregoing instrument was acknowledged before me this 23 day of Nov, 2011 by Rodney Rhoden.

  
Notary Public

My Commission Expires: 3/23/15



TO BE INDEXED AGAINST THE FOLLOWING LEGAL DESCRIPTIONS:  
Lots 1, 2, 3, 7, 8, 9, 10 West Dodge Station **0c-42390**  
Lots 1 and 2 and Outlot 1, West Dodge Station Replat 1 **0c-42391**  
Lots 1 and 2, West Dodge Station Replat 2 **0c-42392**  
Lots 1 and 2, West Dodge Station Replat 5 **0c-42402**  
Lots 1, 2 and 3, West Dodge Station Replat 6 **0c-42403**  
All in Douglas County, Nebraska.




**CONSENT TO AMENDMENT OF DECLARATION OF COVENANTS, CONDITIONS  
AND RESTRICTIONS FOR WEST DODGE STATION**

180 Dodge, L.L.C., an Iowa limited liability company, executed and recorded that Declaration of Covenants, Conditions and Restrictions for West Dodge Station recorded on June 28, 2005 as document no. 2005074928 of the records of Douglas County, Nebraska (the "Declaration").

0c-42390

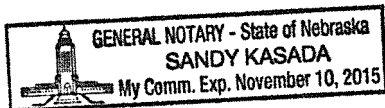
The undersigned is the Lot Owner of Lot 2, West Dodge Station, a subdivision as surveyed, platted and recorded in Douglas County, Nebraska (the "Lot"). The undersigned, as Owner of the Lot, hereby consents to the Amendment to Declaration of Covenants, Conditions and Restrictions for West Dodge Station to which this Consent is affixed that provides for the amendment of Section 2.6 (i) of the Declaration to permit franchised new vehicle dealership operations by adding the following to the end thereof: "and on Lots 1 and 2, West Dodge Station Replat 2 (formerly Lot 4 of West Dodge Station), and which has been or will be replatted as Lot 1, West Dodge Station Replat 7, a subdivision in Douglas County, Nebraska."

E & G Investments, LLC, a Nebraska limited liability company

By   
Name ELIAS J. ELIOPOULOS  
Its MEMBER

STATE OF NEBRASKA    )  
  ) ss  
County of Douglas     )

The foregoing instrument was acknowledged before me this 28<sup>th</sup> day of March, 2012 by Elias Eliopoulos, known to me to be a Member of E & G Investments, LLC, a Nebraska limited liability company, for and on behalf of said company.



Sandy Kasada  
Notary Public

My Commission Expires: 11-10-15





**AGREEMENT TO AMEND DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR WEST DODGE STATION**

180 Dodge, L.L.C., an Iowa limited liability company, executed and recorded that Declaration of Covenants, Conditions and Restrictions for West Dodge Station recorded on June 28, 2005 as document no. 2005074928 of the records of Douglas County, Nebraska as amended by that Designation to Amend Declaration recorded on June 23, 2010 as document no. 2010055013 and that Amendment recorded on June 23, 2010 as document no. 2010055015 (collectively, the "Declaration").

0c-42390

The undersigned is the Lot Owner of Lot 7, West Dodge Station \_\_\_\_\_ (the "Lot"). The undersigned, as Owner of the Lot, hereby agrees that Section 2.6 (i) of the Declaration is amended to permit franchised new vehicle dealership operations by adding the following to the end thereof: "and on Lots 1 and 2, West Dodge Station Replat 2 (formerly Lot 4 of West Dodge Station), and which has been or will be replatted as Lot 1, West Dodge Station Replat 7, a subdivision in Douglas County, Nebraska."

Pinnacle Bank, a \_\_\_\_\_

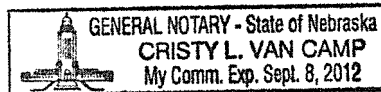
By Justin Horst  
Name Justin Horst  
Its CFO

STATE OF Nebraska )  
  ) ss  
County of Douglas )

The foregoing instrument was acknowledged before me this 22 day of March, 2012 by Justin Horst, known to me to be the CFO of Pinnacle Bank, a \_\_\_\_\_, for and on behalf of said Pinnacle Bank

Cristy L. Van Camp  
Notary Public

My Commission Expires: 9-8-2012





**AGREEMENT TO AMEND DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR WEST DODGE STATION**

180 Dodge, L.L.C., an Iowa limited liability company, executed and recorded that Declaration of Covenants, Conditions and Restrictions for West Dodge Station recorded on June 28, 2005 as document no. 2005074928 of the records of Douglas County, Nebraska as amended by that Designation to Amend Declaration recorded on June 23, 2010 as document no. 2010055013 and that Amendment recorded on June 23, 2010 as document no. 2010055015 (collectively, the "Declaration").

0c-42390

The undersigned is the Lot Owner of Lot 8, West Dodge Station        (the "Lot"). The undersigned, as Owner of the Lot, hereby agrees that Section 2.6 (i) of the Declaration is amended to permit franchised new vehicle dealership operations by adding the following to the end thereof: "and on Lots 1 and 2, West Dodge Station Replat 2 (formerly Lot 4 of West Dodge Station), and which has been or will be replatted as Lot 1, West Dodge Station Replat 7, a subdivision in Douglas County, Nebraska."

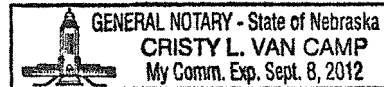
Pinnacle Bank a \_\_\_\_\_  
 By Justin Horst  
 Name Justin Horst  
 Its CFO

STATE OF Nebraska )  
 ) ss  
 County of Douglas )

The foregoing instrument was acknowledged before me this 22 day of March, 2012 by Justin Horst, known to me to be the CFO of Pinnacle Bank, a \_\_\_\_\_, for and on behalf of said Pinnacle Bank.

Cristy L. Van Camp  
 Notary Public

My Commission Expires: 9-8-2012



**AGREEMENT TO AMEND DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR WEST DODGE STATION**

180 Dodge, L.L.C., an Iowa limited liability company, executed and recorded that Declaration of Covenants, Conditions and Restrictions for West Dodge Station recorded on June 28, 2005 as document no. 2005074928 of the records of Douglas County, Nebraska as amended by that Designation to Amend Declaration recorded on June 23, 2010 as document no. 2010055013 and that Amendment recorded on June 23, 2010 as document no. 2010055015 (collectively, the "Declaration").

**0c-42390**

The undersigned is the Lot Owner of Lot 9, West Dodge Station \_\_\_\_\_ (the "Lot"). The undersigned, as Owner of the Lot, hereby agrees that Section 2.6 (i) of the Declaration is amended to permit franchised new vehicle dealership operations by adding the following to the end thereof: "and on Lots 1 and 2, West Dodge Station Replat 2 (formerly Lot 4 of West Dodge Station), and which has been or will be replatted as Lot 1, West Dodge Station Replat 7, a subdivision in Douglas County, Nebraska."

Pinnacle Bank, a \_\_\_\_\_

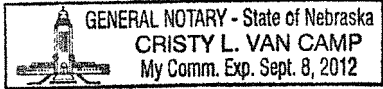
By \_\_\_\_\_  
Name Justin Horst  
Its CFO

STATE OF Nebraska )  
  ) ss  
County of Douglas )

The foregoing instrument was acknowledged before me this 22 day of March, 2012 by Justin Horst, known to me to be the CFO of Pinnacle Bank, a \_\_\_\_\_, for and on behalf of said Pinnacle Bank.

Cristy L. Van Camp  
Notary Public

My Commission Expires: 9-8-2012




**AGREEMENT TO AMEND DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR WEST DODGE STATION**

180 Dodge, L.L.C., an Iowa limited liability company, executed and recorded that Declaration of Covenants, Conditions and Restrictions for West Dodge Station recorded on June 28, 2005 as document no. 2005074928 of the records of Douglas County, Nebraska as amended by that Designation to Amend Declaration recorded on June 23, 2010 as document no. 2010055013 and that Amendment recorded on June 23, 2010 as document no. 2010055015 (collectively, the "Declaration").

0c-42403

The undersigned is the Lot Owner of Lot 1, West Dodge Station Replat 6 (the "Lot"). The undersigned, as Owner of the Lot, hereby agrees that Section 2.6 (i) of the Declaration is amended to permit franchised new vehicle dealership operations by adding the following to the end thereof: "and on Lots 1 and 2, West Dodge Station Replat 2 (formerly Lot 4 of West Dodge Station), and which has been or will be replatted as Lot 1, West Dodge Station Replat 7, a subdivision in Douglas County, Nebraska."

OMAHABTS, LLC  
 A Colorado limited liability company,  
 d/b/a WDS Office Building, LLC in the State of Nebraska,  
 By: McWhinney Real Estate Services, Inc.  
 A Colorado corporation,  
 Its Manager

  
 Name: Dean Barber  
 Its: VP of Development

STATE OF Colorado )  
 ) ss  
 County of Werner )

The foregoing instrument was acknowledged before me this 16<sup>th</sup> day of January, 2010 by DEAN BARBER, known to me to be the Vice President of Development, a "filed as is", for and on behalf of said manager of OMAHABTS, LLC.

VONEEN MACKLIN  
 NOTARY PUBLIC  
 STATE OF COLORADO  
 My Comm. Exp. 01/15/2016

Voneen Macklin  
 Notary Public

My Commission Expires: 1/15/16

**AGREEMENT TO AMEND DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR WEST DODGE STATION**


180 Dodge, L.L.C., an Iowa limited liability company, executed and recorded that Declaration of Covenants, Conditions and Restrictions for West Dodge Station recorded on June 28, 2005 as document no. 2005074928 of the records of Douglas County, Nebraska as amended by that Designation to Amend Declaration recorded on June 23, 2010 as document no. 2010055013 and that Amendment recorded on June 23, 2010 as document no: 2010055015 (collectively, the "Declaration").

The undersigned is the Lot Owner of Lot 2, West Dodge Station Replat 6 (the "Lot"). The undersigned, as Owner of the Lot, hereby agrees that Section 2.6 (i) of the Declaration is amended to permit franchised new vehicle dealership operations by adding the following to the end thereof: "and on Lots 1 and 2, West Dodge Station Replat 2 (formerly Lot 4 of West Dodge Station), and which has been or will be replatted as Lot 1, West Dodge Station Replat 7, a subdivision in Douglas County, Nebraska."

0c-42403

OMAHABTS, LLC  
 A Colorado limited liability company,  
 d/b/a WDS Office Building, LLC in the State of Nebraska,  
 By: McWhinney Real Estate Services, Inc.  
 A Colorado corporation,  
 Its Manager

STATE OF Colorado )  
 )  
 County of LaPlume ) ss

  
 Name: Dean Barber  
 Its: VP of Development

The foregoing instrument was acknowledged before me this 12<sup>th</sup> day of January, 2011 by DEAN BARBER, known to me to be the Vice President of Development, a \_\_\_\_\_, for and on behalf of said manager of OmahaBTS, LLC

VONEEN MACKLIN  
 NOTARY PUBLIC  
 STATE OF COLORADO  
 My Comm. Exp. 01/15/2018

Voneen Macklin  
 Notary Public

My Commission Expires: 1/15/16

**AGREEMENT TO AMEND DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR WEST DODGE STATION**


180 Dodge, L.L.C., an Iowa limited liability company, executed and recorded that Declaration of Covenants, Conditions and Restrictions for West Dodge Station recorded on June 28, 2005 as document no. 2005074928 of the records of Douglas County, Nebraska as amended by that Designation to Amend Declaration recorded on June 23, 2010 as document no. 2010055013 and that Amendment recorded on June 23, 2010 as document no. 2010055015 (collectively, the "Declaration").

0c-42403

The undersigned is the Lot Owner of Lot 3, West Dodge Station Replat 6 (the "Lot"). The undersigned, as Owner of the Lot, hereby agrees that Section 2.6 (i) of the Declaration is amended to permit franchised new vehicle dealership operations by adding the following to the end thereof: "and on Lots 1 and 2, West Dodge Station Replat 2 (formerly Lot 4 of West Dodge Station), and which has been or will be replatted as Lot 1, West Dodge Station Replat 7, a subdivision in Douglas County, Nebraska."

OMAHABTS, LLC  
 A Colorado limited liability company,  
 d/b/a WDS Office Building, LLC in the State of Nebraska,  
 By: McWhinney Real Estate Services, Inc.  
 A Colorado corporation,  
 Its Manager

STATE OF COLORADO )  
 ) ss  
 County of WELLS )

  
 Name: Dean Barber  
 Its: VP at Developer

The foregoing instrument was acknowledged before me this 16<sup>th</sup> day of January, ~~2011~~ <sup>2012</sup> by DEAN BARBER, known to me to be the Vice President of Development, a \_\_\_\_\_, for and on behalf of said manager of OMAHABTS, LLC.

VONEEN MACKLIN  
 NOTARY PUBLIC  
 STATE OF COLORADO  
 My Comm. Exp. 01/15/2016

Voneen Macklin  
 Notary Public

My Commission Expires: 1/15/16