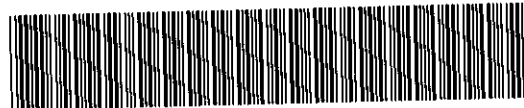


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RICHARD H. TAKECHI
REGISTER OF DEEDS
DOUGLAS COUNTY, NE

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

THIS FIRST AMENDMENT to the Declaration of Covenants, Conditions, Restrictions and Easements of West Shores, a Subdivision in Douglas County, Nebraska, dated February 15, 2001, and recorded on February 22, 2001 in Book 1370 at Pages 1-16 of the Miscellaneous Records of the Register of Deeds of Douglas County, Nebraska (the "Declaration"), is made on the date shown on the close of this instrument, by Century Development Company, L.L.C., a Nebraska limited liability company, who is the owner of the real property herein described and who is the Declarant under the Declaration.

WITNESSETH:

WHEREAS, Declarant is the owner of certain property in Douglas County, Nebraska, which was made subject to the Declaration and is more particularly described as follows:

Lots 1 through 242 and 246 through 294 in West Shores, a Subdivision in Douglas County, Nebraska (the "Property").

WHEREAS, Declarant desires to amend the Declaration and make the Property subject to the following amendments to the covenants, conditions, restrictions and easements set forth in the Declaration;

Return to: James E. Lang of Laughlin, Peterson & Lang, 11306 Davenport Street, Omaha, Nebraska 68154

NOW, THEREFORE, Declarant hereby declares that all of the Property hereinabove described shall be held, sold and conveyed subject to the following amendments to the easements, restrictions, covenants and conditions set forth in the Declaration and as amended herein, for the purpose of protecting the value and desirability of, and which shall run with all of said Property, and shall be binding on all parties having any right, title or interest in said Property or any part thereof, and their heirs, successors and assigns, and shall inure to the benefit of each owner thereof.

The Declaration is amended as follows:

1. Article I, subparagraph 2(b) shall be amended in its entirety to read as follows:

b. (DRB) shall review such plans in relation to the type and exterior of improvements constructed, or approved for construction, on neighboring Lots and in the surrounding area, and any general scheme or plans formulated by Declarant. In this regard, Declarant intends that the Lots shall be a developed residential community with homes constructed of high quality materials. No pre-manufactured homes of any kind, other atypical improvements and home designs such as dome houses, A-frame houses, and log houses will be allowed. The decision to approve or refuse approval of a proposed Improvement shall be exercised by Declarant to promote development of the Lots and to protect the values, character and residential quality of all Lots. If Declarant determines that the proposed Improvement will not protect and enhance the integrity and character of all the Lots and neighboring lots as a quality residential community, Declarant may refuse approval of the proposed Improvement.

2. Article I, Subparagraph 6, shall be amended in its entirety to read as follows:

6. All exposed foundation walls must be covered with material such as brick, stone, EFIS or material approved by (DRB). All driveways must be constructed of concrete, brick, paving stone, or laid stone. Fireplace chimneys shall be covered with materials approved by (DRB). The roof of all Improvements shall be covered with Wood cedar shingles or shakes, slate, tile, or simulated shakes, of at least a 40 year rated composition asphalt shingle of not less than 360 pounds per square, or other material approved by (DRB). The minimum roof pitch allowed on ranch or one and one-half story residences shall be 6/12. The residential siding types that

shall not be allowed are 4' X 8' - 4' X 9' vertical type panels and logs. Horizontal vinyl, steel, wood, or concrete lap siding is allowed so long as such lap siding does not exceed eight inches where exposed to weather, with only low sheen finishes being acceptable which must be approved by the (DRB). The Residential colors allowed shall be earthtones as approved by (DRB).

3. Article I, Subparagraph 15, shall be amended in its entirety to read as follows:

15. All fences and landscaping must be approved by the (DRB) or its assigns. Fence types not allowed are wood or chain link. Fence types allowed are iron, metal, or PVC. Fences are allowed only on side yards from the front dwelling line to no nearer than 75 feet from the rear lot line not to exceed six feet in height.

4. Article II, Subparagraphs 10 and 11, shall be amended in their entirety to read as follows:

10. Assessments for Extraordinary Costs. In addition to the dues, the Board of Directors may levy an assessment or assessments for the purpose of defraying, in whole or in part, the costs of any acquisition, construction, reconstruction, repair, painting, maintenance, improvement, or replacement of the Lake, Lake improvements and amenities, and of any Common Facility, including fixtures and personal property related thereto, and related facilities. The aggregate assessments in each calendar year shall be limited in amount to One Thousand and no/100 dollars (\$1,000.00) per Lot.

11. Excess Dues and Assessments. With the written approval of sixty percent (60%) of the Members of the Association, the Board of Directors may establish dues and/or assessments in excess of the maximums established in this Declaration.

5. Except as otherwise amended herein, all of the terms and conditions of the original Declaration shall remain in full force and effect as stated.

IN WITNESS WHEREOF, the undersigned, being the owner of all of the Property and being the Declarant, hereby adopts this first amendment to the Declaration for the Property described herein on this 9th day of October 2001.

