

FILED SARPY CO. NE.
INSTRUMENT NUMBER
2006-34296

2006 OCT -4 A 11:54 9

Glenn J. Dowling
REGISTER OF DEEDS

COUNTER 50 C.E. Sm
VERIFY ah D.E. P
PROOF LM
FEES \$ 22.00
CHECK # 1028
CHG _____ CASH _____
REFUND ✓ CREDIT _____
SHORT _____ NCR _____

**FIRST AMENDMENT TO THE DECLARATION
OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR ORCHARD VALLEY, A SUBDIVISION IN
SARPY COUNTY, NEBRASKA**

THIS FIRST AMENDMENT TO DECLARATION made on the date hereinafter set forth, by Orchard Valley, Inc., a Nebraska corporation ("Declarant").

PRELIMINARY STATEMENT

WHEREAS, the Declarant is the owner of the following described real property: Lots 1 through 37 (excluding lots 14, 27, and 32), which have been divided, in Orchard Valley, a subdivision, as surveyed, platted and recorded in Sarpy County, Nebraska; and

WHEREAS, the Declarant has filed an original Declaration of Covenants, Conditions and Restrictions for the affected lots on June 23, 2005 under Instrument Number 2005-20843; and

WHEREAS the Declarant wished to amend Article III, B., 2., as it relates to brick on street side of exposed foundation on corner lots.

NOW, THEREFORE, the Declarant hereby declares that said Lots shall be held, sold, and conveyed subject to the following amended restriction:

ARTICLE III
RESTRICTIONS FOR RESIDENTIAL DWELLINGS

- B. General Restrictions. All dwelling units described above shall comply with the following restrictions.
1. All dwellings shall, as a minimum, have attached, built in, or enclosed, side-by-side two car garages.
 2. Exposed portions of the foundation on the front and sides of each dwelling adjacent to a street are to be covered with clay-fired brick or stone.

The Declarant ratifies and restates all covenants, conditions, restrictions and easements for the Orchard Valley Subdivision in Sarpy County, Nebraska other than as amended herein.

IN WITNESS WHEREOF, the Declarant has caused these presents to be executed this 3rd day of October, 2006.

ATTEST:

ORCHARD VALLEY, INC., a Nebraska Corporation

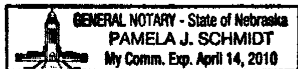
JeAnn Sudbeck
JeAnn Sudbeck, Secretary

Melvin J. Sudbeck
Melvin J. Sudbeck, Its President

STATE OF NEBRASKA)
COUNTY OF Douglas)

On this 3rd day of October, 2006, before me, a Notary Public, duly commissioned and qualified in and for said County, appeared Melvin J. Sudbeck, personally known by me to be the President of Orchard Valley, Inc., and JeAnn Sudbeck, personally known by me to be the Secretary of said corporation, and the identical persons whose names are affixed to the foregoing instrument, and they acknowledged the execution thereof to be their voluntary act and deed.

WITNESS my hand and Notarial Seal the day and year last above written.



Pamela J. Schmidt
Notary Public

per
Orchard Valley, Inc
1655 Woodland Dr.
Omaha NE 68136