

2002 2867
STATE OF NEBRASKA COUNTY OF WASHINGTON S.S.
ENTERED IN NUMERICAL INDEX AND FILED FOR RECORD
THIS 7th DAY OF March A.D. 2002
AT 10:25 O'CLOCK A.M. AND RECORDED IN BOOK
3164 AT PAGE 593-596
COUNTY CLERK Charlotta L. Petersen
DEPUTY Jason Madson

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FILED

02 MAY -7 AM 10:05

CHARLOTTE L. PETERSEN
WASHINGTON COUNTY, CLERK
BLAIR, NEBR.

AMENDMENT TO
AMENDED AND RESTATED
DECLARATION
OF COVENANTS, CONDITIONS AND RESTRICTIONS

THIS DECLARATION is made as of the 1st day of April, 2002 by Heartland Acreage Developers, Inc., a Nebraska Corporation, hereinafter referred to as "Declarant."

WITNESSETH:

WHEREAS, this Amendment to the Amended and Restated Declaration of Covenants, Conditions and Restrictions (the "Covenants") consistent with the By-Laws of the Allen Hills Homeowners Association; and

WHEREAS, Declarant being the owner of at least thirty five percent (35%) of the Lots in the Subdivision by virtue of the provisions of the Declaration, hereby exercises its power to amend (see legal description attached hereto as Exhibit "A" hereto and by this reference made a part hereof).

WHEREFORE, the Amended and Restated Declaration of Covenants, Conditions and Restrictions made as of the 31st day of March, 2000, by Heartland Acreage Developers, Inc., a Nebraska corporation, be and hereby are amended as follows:

1. Section X is hereby deleted in its entirety and the following substituted therefore:

X. The Association shall, on an annual basis, project the cost and expense it anticipates will be incurred to perform the duties and obligations of the Association under these Covenants and under its Articles of Incorporation and the By-Laws. Such projected costs shall be assessed equally against all Lots in the Subdivision. An invoice for such amount shall be sent to the owner of each Lot on January 15th of each year. The initial assessment for calendar year 1998 shall be One Hundred Seventy Five and No/Dollars (\$175.00) per lot.

Declarant shall be responsible for all maintenance required by Section W until such time as thirty two (32) lots have been sold. Upon the sale of the thirty second (32nd) lot the Association shall assume all responsibility pursuant to Section W and its Articles of Incorporation and By-laws. Declarant shall remain responsible for all operational expenses in excess of the total annual assessments levied against the non-Declarant owned lots. Provided, however, that all lots not owned by the Declarant shall have an annual assessment of at least One Hundred Seventy Five and No/Dollars

APR 10 2002

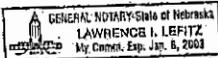
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Recorded _____
General _____
Numerical _____
Photostat _____
Printed _____

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

On this 29 day of APRIL, 2002, before me, the undersigned, a Notary Public in and for said county, personally came JEFF PREESS President of Heartland Acreage Developers, Inc., a Nebraska corporation, to me personally known to be _____ and identical person whose name is affixed to the above instrument and acknowledged the execution thereof to be his voluntary act and deed as such officer and the voluntary act and deed of said corporation.

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



Lawrence I. Lefitz
Notary Public

147186

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EXHIBIT "A"

As previously recorded in the Amended and Restated Declaration of Covenants,
Conditions and Restrictions on April 4, 2000 at Book 315, Page 472-483:

Lots 1-63, inclusive, in Allen Hills Subdivision, a subdivision of Washington
County, Nebraska (the "Property")

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