



MISC 2004147719



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 52 DEF SCAN FV

**RETURN RECORDED DOCUMENT TO:**

**MICHAEL C. CARTER, ESQ.**  
 11506 Nicholas Street, Suite 200  
 Omaha, NE 68154

Received - RICHARD TAKECHI  
 Register of Deeds, Douglas County, NE  
 11/12/2004 09:37:44.38



2004147719

*This Instrument Prepared by: Michael C. Carter, Esq., 11506 Nicholas St., Suite 200, Omaha, NE 68154*

**AMENDMENT TO  
 DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS  
 AND EASEMENTS FOR THE HOMES AT RIVER ROAD**

THIS AMENDMENT TO DECLARATION, made on this 9<sup>th</sup> day of November, 2004 pursuant to that certain Declaration of Covenants, Conditions, Restrictions and Easement dated March 1, 2004 and filed with the Register of Deeds in Douglas County, Nebraska at MISC. 2004028337 on March 3, 2004, (the "Declaration") by Homes at River Road L.L.C., a Nebraska limited liability company, hereinafter referred to as "Declarant."

**WITNESSETH:**

WHEREAS, Declarant is the owner of certain property in the County of Douglas, State of Nebraska, which is more particularly described as:

Lots 1-8, 20 and 21, The Homes At River Road, a subdivision as surveyed; and, Lots 1-6 The Homes at River Road Replat I, a subdivision as surveyed, platted and recorded in Douglas County, Nebraska.

WHEREAS, the Developer has made further sales and replats to the subdivision for which certain Lots are no longer included in the legal description.

WHEREAS, the Developer desires to amend the legal description of the aforementioned Declaration, as follows:

Lots 1 - 53, Homes at River Road, and Lots 1 - 6, Homes at River Road Replat I, being a replat of Lots 12 - 19 Homes at River Road, a subdivision as surveyed, platted and recorded in Douglas County, Nebraska.

Lot 8, Homes at River Road, now known as Lot 8A - 8B Homes at River Road.

NOW THEREFORE, Declarant hereby declares that all of the properties described above shall be held, sold and conveyed subject to the following easements, restrictions, covenants, and conditions, which are for the purpose of protecting the value and desirability of, and which shall run with, the real property and be binding on all parties having any right, title or interest in the described properties or any part thereof, their heirs, successors and assigns, and shall inure to the benefit of each owner thereof.

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IN WITNESS WHEREOF, the undersigned, being the Declarant herein, has hereunto set its hand and seal this 9<sup>th</sup> day of November, 2004.

Homes at River Road, L.L.C., a Nebraska limited liability company, Declarant

By: [Signature]  
Jess R Berglund, Managing Member

By: [Signature]  
Donald F. Day, Managing Member

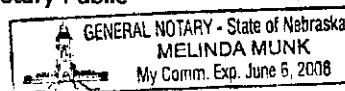
State of Nebraska )  
 ) ss.  
County of Douglas )

Before me, a Notary Public, in and for said county and state, personally came Jess Berglund, Managing Member of Homes at River Road, L.L.C., a Nebraska limited liability company, known to me to be the identical person who executed the above instrument and acknowledged the execution thereof to be his voluntary act and deed and the voluntary act and deed of said limited liability company.

Dated this 9<sup>th</sup> day of November, 2004.

[Signature]  
Notary Public

State of Nebraska )  
 ) ss.  
County of Douglas )



Before me, a Notary Public, in and for said county and state, personally came Donald F. Day, Managing Member of Homes at River Road, L.L.C., a Nebraska limited liability company, known to me to be the identical person who executed the above instrument and acknowledged the execution thereof to be his voluntary act and deed and the voluntary act and deed of said limited liability company.

Dated this 9<sup>th</sup> day of November, 2004.

[Signature]  
Notary Public

