



BK 0980 PG 146-147



MISC 1991 19796

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FIRST AMENDMENT TO DECLARATION
FOR MISSION HILLS, A SUBDIVISION
IN DOUGLAS COUNTY, NEBRASKA

This First Amendment to Declaration is made on the date hereinafter set forth by TORCO INVESTMENTS, INC., a Nebraska corporation, hereinafter referred to as the "Declarant".

PRELIMINARY STATEMENT

By Declaration for Mission Hills, a subdivision in Douglas County, Nebraska, dated October 30, 1990, and recorded at Book 944, Page 28 through 39 of the Miscellaneous Records of the Register of Deeds of Douglas County, Nebraska (herein referred to as the "Declaration"), Declarant subjected the following described lots to restrictions, covenants, conditions and easements:

Lots 6 through 161, inclusive, in Mission Hills, a Subdivision, as surveyed, platted and recorded in Douglas County, Nebraska.

Article VI, Paragraph B of the Declaration provides as follows:

The covenants and restrictions of this Declaration shall run with and bind the land for a term of twenty five (25) years from the date this Declaration is recorded. This Declaration may be amended by the Declarant, or any person, firm, corporation, partnership or entity designated in writing by the Declarant, in any manner it shall determine in its full and absolute discretion for a period of eight (8) years from the date hereof. Thereafter this Declaration may be amended by an instrument signed by the owners of not less than seventy five percent (75%) of the lots in the Properties.

Declarant does hereby substitute, amend and restate the Declaration in the following particulars only:

1. The Declarant does hereby delete in its entirety the first sentence of Article II, Paragraph G, and replaces the first sentence with the following:

No fences may be built forward of the rear wall of the residential structure and, under no circumstances, closer to any adjoining street than the property line.

The remainder of Article II, Paragraph G shall remain unchanged.

2. The Declarant does hereby delete in its entirety the second sentence of Article II, Paragraph M, and replaces the second sentence with the following:

No garbage, trash can receptacle, or container shall be permitted to remain outside of any residential structure for a continuous time period in excess of eight (8) hours.

The remainder of Article II, Paragraph M shall remain unchanged.

3. The Declaration is in all other matters ratified and affirmed.

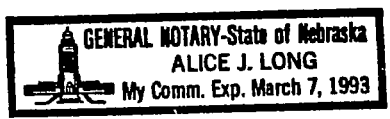
This Declarant has executed this First Amendment to Declaration as of the 30th day of September, 1991.

TORCO INVESTMENTS, INC.,

By Gerald L. Torczon
President

STATE OF NEBRASKA)
COUNTY OF DOUGLAS) ss.:

The foregoing First Amendment to Declaration was acknowledged before me this 30th day of September, 1991, by GERALD L. TORCZON, President of Torco Investments, Inc., on behalf of the corporation.



Alice J. Long
Notary Public

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GEORGE J. NOBLEWICZ
REGISTER OF DEEDS
DOUGLAS COUNTY, NE