



MISC 2003115343

RICHARD N. JANECH  
REGISTER OF DEEDS  
DOUGLAS COUNTY, NE



JUN 17 2003 15:58 P 3

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James F. Kasher, Esq.  
CROKER, HUCK, KASHER, DeWITT,  
ANDERSON & GONDERINGER, L.L.C.  
2120 South 72nd Street, Suite 1250  
Omaha, NE 68124

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BKP _____	C/O _____ COMP <i>[initials]</i>
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**THIRD AMENDMENT TO  
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS  
FOR THE GROVE, A SUBDIVISION  
IN DOUGLAS COUNTY, NEBRASKA**

THIS THIRD AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS is made on the date hereinafter set forth by ONE NINETY-TWO, LLC, a Nebraska limited liability company, hereinafter referred to as "Declarant".

**WITNESSETH:**

WHEREAS, the undersigned is the Declarant under a certain Declaration of Covenants, Conditions and Restrictions for The Grove, a subdivision in Douglas County, Nebraska (the "Declaration"), which Declaration was filed for record in the office of the Register of Deeds of Douglas County, Nebraska, on March 13, 2000, in Misc. Book 1330 at Pages 255 through 266, inclusive, and which governs Lots 1 through 101, inclusive, Lots 196, 197, and 198, and Outlots B through E, inclusive, in The Grove, a subdivision as surveyed, platted and recorded in Douglas County, Nebraska; and

WHEREAS, the undersigned is the Declarant under a certain First Amendment to Declaration of Covenants, Conditions, and Restrictions for The Grove, a subdivision in Douglas County, Nebraska (the "First Amendment to Declaration") which was filed for record in the office of the Register of Deeds of Douglas County, Nebraska, on May 17, 2001, in Misc. Book 1382 at Pages 206 through 207, inclusive, and which governs Lots 282 through 331, inclusive, in The Grove, a subdivision as surveyed, platted, and recorded in Douglas County, Nebraska; and

WHEREAS, the undersigned is the Declarant under a certain Second Amendment to Declaration of Covenants, Conditions, and Restrictions for The Grove, a subdivision in Douglas County, Nebraska (the "Second Amendment to Declaration") which was filed for record in the office of the Register of Deeds of Douglas County, Nebraska, on

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May 2, 2003, in Misc. Book 1514 at Pages 374 through 386, inclusive, and which governs Lots 334 through 340, inclusive, and Lots 343 through 444, inclusive, and Lots 1 and 2 in Replat 4, and Outlots Z, AA, BB and CC, all in The Grove, a subdivision as surveyed, platted, and recorded in Douglas County, Nebraska.

WHEREAS, Declarant is the owner of certain real estate hereinafter referred to as the "**Properties**" in the County of Douglas, State of Nebraska, described as follows:

Lots 447 through 668, inclusive, and Outlots DD, EE and FF,  
in The Grove, a subdivision as surveyed, platted, and recorded  
in Douglas County, Nebraska; and

WHEREAS, pursuant to the terms and conditions of Article VI, Section 3 of the Declaration, Declarant is desirous of subjecting the Properties to the easements, restrictions, covenants and conditions for use set forth in the Declaration for the purpose of protecting the value and desirability of the Properties; and

**NOW THEREFORE**, Declarant hereby declares that all of the Properties shall be held, sold and conveyed subject to the easements, restrictions, covenants and conditions set forth in the Declaration as if same had been included at the time of the execution and filing of the Declaration. In accordance with the terms of the Declaration, all of those time periods stated in the introductory paragraphs of the Declaration, as applicable under the Declaration, the First Amendment to Declaration, the Second Amendment to Declaration and this Third Amendment to Declaration shall be deemed to begin as of the filing date of this Third Amendment. It is the intent hereof that the time periods covering the Declaration and all of the Amendments thereto shall be the same, allowing for continuity among all of the Lots covered thereby.

FURTHER, the Declaration at Article I, Section 7 shall be amended to include the following Outlots:

Outlot DD:	Common facilities for path, sidewalk and/or green areas;
Outlot EE:	Common facilities for path, sidewalk and/or green areas;
Outlot FF:	Common facilities for path, sidewalk and/or green areas.

FURTHER, the Declaration at Article V, Section 2 shall be amended to include the following sentence:

The standard fence for any outside perimeter lot line of any Lot shall be six (6) feet tall natural wood cedar board on board, but, in any event, any fence and the location thereof must still be approved by the Declarant as provided in Article IV."

In all other respects, the Declaration heretofore executed, and all Amendments thereto, are hereby ratified and confirmed in their original form.

