
AMENDMENT TO "THE PLANTATION" PROTECTIVE COVENANTS

This agreement and amendment to the protective covenants of "The Plantation" is made between KENNETH R. SPAUSTAT and ELIZABETH J. SPAUSTAT, husband and wife, herein "SPAUSTAT" whether one or more, and the undersigned owners of at least 75% of the lots in "The Plantation," a subdivision, platted and recorded in Douglas County, Nebraska.

RECITALS

- 1. Spaustat is the owner of Lot 12, The Plantation, a subdivision, platted and recorded in Douglas County, Nebraska.
- 2. That Lot is subject to the Protective Covenants recorded in Book 575 of Miscellaneous Records at Page 649 in the office of the Register of Deeds of Douglas County, Nebraska.
- 3. Paragraph K. of the protective covenants provides, in part:

"No building shall be located on any lot..... more than 120 feet away from the front lot line."

- 4. Because of the topography of Lot 12, the set back of the proposed residential building will exceed 120 feet, all as indicated on Exhibit A, attached hereto and made a part hereof.
- 5. Spaustat desires the written approval of the undersigned owners of at least 75% of the lots in the subdivision for the above-described variation of the protective covenants as to Lot 12, and for no other purpose.

AGREEMENT

Having made the above recitals and for and in consideration of the mutual promises and consideration of the parties hereto, it is now agreed as follows:

- (a) For ONE & NO/100 DOLLAR (\$1.00) and other valuable consideration received from Spaustat, the undersigned owners of the lots in "The Plantation" hereby consent to amend the Protective Covenants.
- (b) The Protective Covenants be, and are hereby amended to provide a different set-back for Lot 12, The Plantation, a subdivision, platted and recorded in Douglas County, Nebraska; that said set back will exceed 120 feet, all as described in Exhibit A, attached hereto and made a part hereof. That the Spaustats, their heirs, successors, grantees, and assigns may erect and maintain a dwelling on that Lot 12 with a set back which will exceed 120 feet as presently provided in said covenants, as though the original restrictive covenant's requirements had never been made as to Lot 12.
- (c) That said covenant are so changed and modified as above-provided, otherwise to remain in full force and effect.

IN WITNESS WHEREOF the parties have executed and acknowledged this agreement on the dates indicated.

Kenneth R. Spaustat
KENNETH R. SPAUSTAT

Elizabeth J. Spaustat
ELIZABETH J. SPAUSTAT

STATE OF NEBRASKA/COUNTY OF DOUGLAS:

Acknowledged before me on April 11, 1988, Kenneth R. Spaustat and Elizabeth J. Spaustat, husband and

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8533 MISC

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FEE \$500.00
1/10 MC WE
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