



1322 179 MISC



19917 99 179-192

Nebr Doc Stamp Tax
Date
\$
By

REGISTER OF DEEDS
DOUGLAS COUNTY, NE

99 DEC 30 PM 3: 11

RECEIVED

[This Space Above is for Recording Data]

**AMENDMENT TO DECLARATION
OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS
OF AUTUMN GROVE, A SUBDIVISION
IN DOUGLAS COUNTY, NEBRASKA**

THIS AMENDMENT, made on the date hereinafter set forth, is made by HEARTHSTONE HOMES, INC., a Nebraska corporation, hereinafter referred to as the "Declarant."

RECITALS:

A. On March 25, 1999, HearthStone Homes, Inc., a Nebraska corporation, as Declarant, filed a Declaration of Covenants, Conditions, Restrictions and Easements of Autumn Grove, a Subdivision in Douglas County, Nebraska (hereinafter the "Declaration") in the office of the Register of Deeds of Douglas County, Nebraska at Book 1286 Page 625 of the Miscellaneous Records, a true and correct copy of which Declaration is attached hereto as Exhibit "A," against the following described real property:

Lots 1 - 199, inclusive, all in Autumn Grove a subdivision as surveyed, platted and recorded in Douglas County, Nebraska.

B. Article IV. Paragraph 2. of the Declaration provides that for a period of ten (10) years following March 18, 1999, the Declaration may be amended by the Declarant.

C. Declarant wishes to amend the Declaration in order to annex additional real property to the Declaration as provided by the Declaration and to clarify the legal description of lots 50 - 59, inclusive, 85 - 93, inclusive, and Lot 96, all in Autumn Grove, which, subsequent to the recording of the Declaration, were replatted into lots within Autumn Grove Replat One.

WITNESSETH:

NOW, THEREFORE, Declarant hereby declares that the Declaration recorded on March 25, 1999 at Book 1286 Page 625 in the Miscellaneous Records of the office of the Register of Deeds of Douglas County, Nebraska should be and hereby is amended by deleting therefrom the legal description on page one of the Declaration which reads as follows: "Lots 1 through 199, inclusive,

HEARTHSTONE HOMES
ATTN: JIM ECKER
8425 MADISON STREET
OMAHA, NE 68127

19917
FEE 1169⁵⁰ FB M1-01338
BKP C/O COMP
DEL SCAN FV

M1-01339

in Autumn Grove, a Subdivision, as surveyed, platted and recorded in Douglas County, Nebraska," and inserting in its place and stead the following:

Lots 1 through 49, inclusive, Lots 60 - 84, inclusive, Lots 94 - 95; Lots 97 - 199, inclusive, Lots 205 - 229, inclusive, Lots 252 - 255, inclusive, Lots 267 - 289, inclusive, and Lots 302 - 348, inclusive, all in Autumn Grove, a Subdivision, as surveyed, platted and recorded in Douglas County, Nebraska; and Lots 1 - 65, inclusive, all in Autumn Grove Replat One (formerly legally described as Lots 50 - 59, inclusive, Lots 85 - 93, inclusive, Lot 96, Lots 230 - 251, inclusive, Lots 256 - 266, inclusive, and Lots 290 - 301, inclusive, Autumn Grove).

All other statements in the Declaration shall remain in full force and effect.

IN WITNESS WHEREOF, the Declarant has caused these present to be executed this 30th day of December 1999.

HEARTHSTONE HOMES, INC., a
Nebraska corporation, Declarant,

By: [Signature]
John J. Smith, President

STATE OF NEBRASKA }
 } ss.
COUNTY OF DOUGLAS }

The foregoing instrument was acknowledged before me this 30 day of December 1999 by John J. Smith, President of HearthStone Homes, Inc., a Nebraska corporation, known to me to be the identical person who executed the above instrument and acknowledged the same to be his voluntary act and deed and the voluntary act and deed of said corporation.

Witness my hand and Notarial Seal this 30 day of December 1999.



[Signature]
Notary Public