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Received - DIANE L. BATTIATO
Register of Deeds, Douglas County, NE
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RETURN TO: See attached address

CHECK NUMBER

PREPARED BY AND
UPON RECORDING (RETURN TO:)

Kutak Rock LLP
1650 Farnam Street
Omaha, NE 68102-2186
Attn: B. Hans Ipson, Esq.

**THIRD AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS,
RESTRICTIONS AND EASEMENTS OF BENT CREEK, A SUBDIVISION IN DOUGLAS
COUNTY, NEBRASKA**

This THIRD AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS OF BENT CREEK ("Amendment") is made effective by the undersigned on this 15th day of December, 2016 (the "Effective Date").

RECITALS:

WHEREAS, Maenner/First Limited Partnership, a Nebraska limited partnership ("Maenner"), in its capacity as "Declarant", entered into that certain Declaration of Covenants, Conditions, Restrictions and Easements of Bent Creek, a Subdivision in Douglas County, Nebraska, dated as of May 21, 1987 and recorded on June 3, 1987 at Book 816, Page 590 in the Office of the Register of Deeds of Douglas County, Nebraska, as amended by that certain First Amendment to Declaration of Covenants, Conditions, Restrictions and Easements of Bent Creek, a Subdivision in Douglas County, Nebraska, dated as of July 31, 1987 and recorded on August 11, 1987 at Book 823, Page 472 in the aforesaid office, and as further amended by that certain Second Amendment to Declaration of Covenants, Conditions, Restrictions and Easements of Bent Creek, a Subdivision in Douglas County, Nebraska, dated as of June 29, 1988 and recorded on July 6, 1988 at Book 854, Page 376 in the aforesaid office (as amended, the "Declaration"), which Declaration encumbers certain real property further described on Exhibit "A" attached hereto and made a part hereof (collectively, the "Lots");

WHEREAS, Maenner, in its capacity as "Declarant", entered into that certain Notice of Termination of Status as Declarant, dated as of July 18, 1994 and recorded on August 10, 1994 at Book 1126, Page 592 in the aforesaid office, whereby Bent Creek Homeowners Association ("Bent Creek HOA") was appointed to serve as "Declarant" under the Declaration;

WHEREAS, Article IV (General Provisions), Section 2 of the original Declaration allows the Declaration to be amended by an instrument signed by the owners of not less than seventy-five percent (75%) of the Lots covered by the Declaration; and

WHEREAS, Bent Creek HOA, in its capacity as "Declarant", now desires to extend the term of the Declaration and such extension is agreeable to the undersigned, being the owners of more than seventy-five percent (75%) of the Lots encumbered by the Declaration.

AGREEMENT:

NOW, THEREFORE, in consideration of the agreements, covenants, conditions and restrictions contained in the Declaration and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Bent Creek HOA, in its capacity as "Declarant", and the undersigned owners of the Lots hereby amend the Declaration as follows:

1. Article IV (General Provisions), Section 2 of the original Declaration is hereby deleted in its entirety and replaced with the following:

"2. The agreements, covenants, conditions and restrictions contained in this Declaration shall run with and bind the land comprising the Lots for a term commencing on the date that this Declaration is recorded and ending on December 31, 2047; provided, however, that the term of this Declaration shall thereafter automatically renew for five (5) successive periods of five (5) years each unless this Declaration is earlier terminated in accordance with its terms. This Declaration may be amended or terminated by an instrument signed by the fee owners of not less than seventy-five percent (75%) of the Lots encumbered by this Declaration. No amendments to this Declaration in the manner set forth in this Section 2 shall be valid unless the same shall be placed of record in the Office of the Register of Deeds of Douglas County, Nebraska, duly executed and acknowledged by the fee owners of the requisite number of Lots herein provided, and such amendment shall have immediate effect upon recording as to all Lots."

2. The real property described on Exhibit "A" attached hereto and made a part hereof shall be deemed the Lots for all purposes under the Declaration, as amended hereby.

3. This Amendment amends the Declaration as set forth herein and is binding upon all Lots. To the extent not inconsistent herewith, all other agreements, covenants, conditions and restrictions of the Declaration shall remain in full force and effect. This Amendment may be executed in counterparts, each of which when taken together shall constitute one entire agreement.

[SIGNATURE PAGES FOLLOW]

EXHIBIT "A"

DESCRIPTION OF THE LOTS

Lots 1 through 349 and Outlot A, inclusive, in Bent Creek, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska, together with Lots 1 and 2, Bent Creek Replat One, an Administrative Subdivision of Lots 121 and 122.

IN WITNESS WHEREOF, Bent Creek HOA, in its capacity as "Declarant", and the undersigned owners of the Lots have each caused this Amendment to be entered into on the date first written above.

BENT CREEK HOA:

BENT CREEK HOMEOWNERS ASSOCIATION, a
Nebraska not-for-profit corporation

By: [Signature]
Name: Aaron Flug
Title: Treasurer

By: Heather Longnecker
Name: Heather Longnecker
Title: President

ACKNOWLEDGEMENT

STATE OF NEBRASKA)
) ss.
COUNTY OF Douglas)

The foregoing instrument was acknowledged before me on this 12 day of December, 2016 by Aaron Flug, the Treasurer of Bent Creek Homeowners Association, a Nebraska not-for-profit corporation, on behalf of the corporation.



[Signature]
Notary Public
My Commission Expires: 6-12-20

STATE OF NEBRASKA)
) ss.
COUNTY OF Douglas)

The foregoing instrument was acknowledged before me on this 2 day of December, 2016 by Heather Longnecker, the President of Bent Creek Homeowners Association, a Nebraska not-for-profit corporation, on behalf of the corporation.



[Signature]
Notary Public
My Commission Expires: 6-12-20