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Received - DIANE L. BATTIATO  
Register of Deeds, Douglas County, NE  
9/19/2012 11:15:37.48



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

**(Lots 1 through 50, inclusive, Pine Creek)**

This Amendment to Declaration of Covenants, Conditions and Restrictions of Pine Creek, a subdivision in Douglas County, Nebraska ("Amendment") is made effective this 11th day of September, 2012, by State Street Investments, LLC, a Nebraska limited liability company, as Declarant, and as the Owner of Lots 1 through 4, inclusive; Lots 7 through 20, inclusive; and Lots 25 through 50, inclusive, in Pine Creek, a subdivision as surveyed, platted and recorded in Douglas County, Nebraska, which represents more than seventy-five percent (75%) of the Lots set forth in the Declaration described below.

PRELIMINARY STATEMENT

WHEREAS, by that certain Declaration of Covenants, Conditions and Restrictions dated August 31, 2004, and recorded September 20, 2004, as Instrument No. 2004124146 in the Miscellaneous Records of the Register of Deeds of Douglas County, Nebraska (the "Declaration"), the Declarant imposed covenants, conditions and restrictions on Lots 1 through 50, inclusive, in Pine Creek, a subdivision as surveyed, platted and recorded in Douglas County, Nebraska; and

WHEREAS, the provisions of Article VII of the Declaration provide that the Declaration "may be amended or canceled by an instrument signed by the Declarant and not less than seventy-five percent (75%) of the Owners"; and

WHEREAS, the undersigned desires to amend the Declaration to provide for the deletion of certain Lots.

After recording, return to:  
John Q. Bachman  
PANSING HOGAN ERNST & BACHMAN LLP  
10250 Regency Circle, Suite 300  
Omaha, NE 68114

005186

NOW, THEREFORE, pursuant to the provisions for amendment contained in Article VII of the Declaration, the undersigned hereby amends the Declaration as follows:

1. Lots 25 through 50, inclusive, in Pine Creek, a subdivision as surveyed, platted and recorded in Douglas County, Nebraska, shall be deleted from and shall no longer be subject to the Declaration.

2. Article I, Section 3 of the Declaration is hereby deleted in its entirety and replaced with the following:

**Section 3.** "Properties" shall mean and refer to the real property described as follows:

Lots 1 through 24, inclusive, in Pine Creek, a subdivision as surveyed, platted and recorded in Douglas County, Nebraska, and such additional real properties as may hereafter be brought within the jurisdiction of the Association in accordance with the provisions of the Declaration.

3. Except as specifically amended herein, the Declaration shall remain in full force and effect as originally executed, acknowledged and recorded. Capitalized terms not specifically defined herein shall have the meanings set forth in the Declaration.

IN WITNESS WHEREOF, the undersigned, as Declarant and the Owner of more than seventy-five percent (75%) of the Lots, has executed this Amendment to be effective as of the date first set forth above.

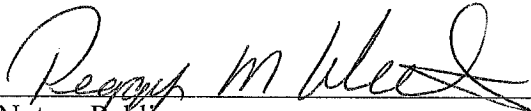
**STATE STREET INVESTMENTS, LLC,**  
a Nebraska limited liability company

By: PAVY LAND, LLC, a Nebraska limited liability company, Sole Member

By:   
\_\_\_\_\_  
John C. Allen, President

STATE OF NEBRASKA    )  
                                  ) ss.  
COUNTY OF DOUGLAS    )

The foregoing instrument was acknowledged before me this 14<sup>th</sup> day of September, 2012, by John C. Allen, President of PAVY LAND, LLC, a Nebraska limited liability company, sole member of STATE STREET INVESTMENTS, LLC, a Nebraska limited liability company, on behalf of the company.

  
\_\_\_\_\_  
Notary Public

