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GEORGE J. BUGLEWICZ
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DOUGLAS COUNTY, NE

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James F. Kasher
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Omaha, NE 68124

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**FIRST AMENDMENT TO
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR ELK CREEK CROSSING, A SUBDIVISION
IN DOUGLAS COUNTY, NEBRASKA**

THIS FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS is made on the date hereinafter set forth by BENCHMARK HOMES, INC., a Nebraska corporation, hereinafter referred to as "Declarant".

W I T N E S S E T H:

WHEREAS, the undersigned is the Declarant under a certain Declaration of Covenants, Conditions and Restrictions for Elk Creek Crossing, 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 January 13, 1994, in Misc. Book 1108 at Pages 697 through 710, inclusive, and which governs Lots 1 through 147 and Outlot 1, Elk Creek Crossing, a subdivision as surveyed, platted and recorded in Douglas County, Nebraska; and

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 148 through 312, inclusive, and Outlots 2 and 3, in Elk Creek Crossing, a subdivision as surveyed, platted, and recorded in Douglas County, Nebraska;

and

WHEREAS, pursuant to the terms and conditions of Article VI, Section 4 of the Declaration, Declarant is desirous of subjecting the Properties to the easements, restrictions,

