

AMENDMENT TO DECLARATION
OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR APPLEWOOD HEIGHTS

The undersigned, HARRISON STREET JOINT VENTURE, a Nebraska Joint Venture, being the owner of all of the following described property, to-wit:

Lots 1-31, 34-42, 44-48, 50-61, 63, 65-68, 70-88, 91-94, 96, 97, 99-105, 110, 113-116, 125-136, 138-140, 142-169, 172, 173, 175, 178-181, and 182-213, Applewood Heights, a Subdivision, as surveyed, platted and recorded in Douglas County, Nebraska,

does hereby amend the Declaration of Covenants, Conditions and Restrictions, filed with respect to said property on November 5, 1980, and recorded in Book 641 of Miscellaneous Records at Pages 604 through 614, inclusive, in the Office of the Register of Deeds of Douglas County, Nebraska, pursuant to the power it reserved unto itself in Article VI (B), as follows:

1. Article III (W) is hereby deleted, and the following is substituted therefor:

“W. The front, side and rear yards of all Lots shall be sodded, and two (2) trees, each not less than two (2) inches in diameter, shall be planted in the yards within one (1) year from the date the foundation for the residence on the Lot is completed. At least one (1) of said trees shall be planted in the front yard of each residence, to be located between the front of the dwelling placed on the Lot and the front Lot line. No trees shall be planted in the dedicated street right-of-way located between the pavement and the Lot line. The trees referred to above shall be one of the following varieties:

Greenspire Linden
Marshall Seedless Ash
Skyline Honeylocust
Emerald Ash”

Except as so amended, the original Declaration of Covenants, Conditions and Restrictions for Applewood Heights shall remain in full force and effect.

IN WITNESS WHEREOF, the undersigned, HARRISON STREET JOINT VENTURE, has executed this Amendment to Declaration this 4th day of November, 1981.