

20021651  
STATE OF NEBRASKA COUNTY OF WASHINGTON)SS  
ENTERED IN NUMERICAL INDEX AND FILED FOR RECORD  
THIS 13th DAY OF March A.D. 2002  
AT 9:11 O'CLOCK A M AND RECORDED IN BOOK  
360 AT PAGE 134-145  
COUNTY CLERK Charlotte Peterson  
DEPUTY Janet Madson

134

FILED

02 MAR 13 AM 9:11

CHARLOTTE L. PETERSEN  
WASHINGTON COUNTY, CLERK  
PLAID, NEBR.

Recorder	<input checked="" type="checkbox"/>
General	<input checked="" type="checkbox"/>
Numerical	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>
Photostat	<input checked="" type="checkbox"/>
Proton	<input checked="" type="checkbox"/>

**RATIFICATION AND AMENDMENT TO COVENANTS**

This is an Amendment to the Amended and Restated Declaration of Covenants, Restrictions, Conditions and Restrictions and Easements (hereinafter "the Covenants") of Allen Hills Subdivision dated March 1, 2002 and recorded on APRIL 4, 2000 in the office of the County Clerk of Washington County, Nebraska, where the same is located in Instrument No. 20001255 Book 315 Page 483, and is made by the undersigned, on behalf of the requisite Owners of Lots 1-63 of Allen Hills Subdivision, located in Washington County, Nebraska.

WHEREAS, Paragraph Y of the Covenants requires the approval of a majority of the owners of Lots subject to the Covenants to amend them; and,

WHEREAS, the undersigned owners of a majority of the Lots desire to amend the Covenants to provide for deletion of certain rights in the Declarant to amend or waive or modify the Covenants, and for Declarant veto of Design Review Committee objections to building plans in the Subdivision.

NOW, THEREFORE, the Covenants are deemed amended in the following manner:

**See attached Amendments to Covenants.**

Agreed to this 12TH day of March, 2002.

**CERTIFICATION**

The undersigned is the Chairman of the Board of Directors of Allen Hills Association, Inc., a Nebraska non-profit corporation, and hereby certifies that the foregoing Ratification and Amendment to Covenants has been authorized and approved by the attached owners.

1  
134

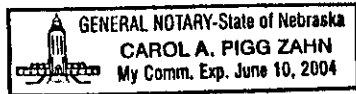
ALLEN HILLS ASSOCIATION, INC.,  
A Nebraska Non-Profit  
Corporation

BY Dennis J. Deyen  
Chairman

STATE OF NEBRASKA    )  
                                  )    ss  
COUNTY OF DOUGLAS    )

The foregoing Certification of Ratification and Amendment to By-Laws was acknowledged before me this 12<sup>th</sup> day of March, 2002 by Dennis J. Deyen, Chairman of the Board of Directors of Allen Hills Association, Inc., a Nebraska non-profit corporation, as his voluntary act and deed on behalf of said corporation.

Witness my hand and seal in Omaha in said County and State on the last date above-mentioned.



Carol A. Pigg Zahn  
NOTARY PUBLIC

Printed Name

Lot Owned

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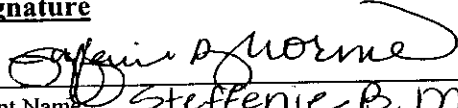

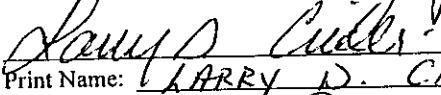
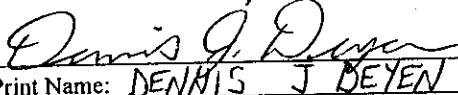
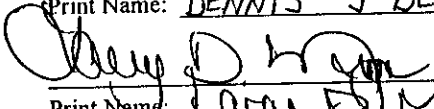
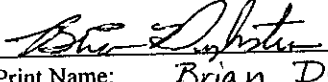
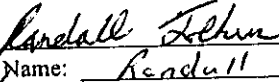
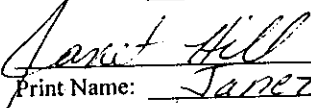

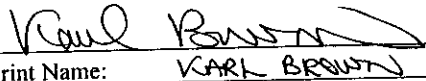
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Amendment #2: Declarant Waiver and Modification of Covenants.

The Amended and Restated Declaration of Covenants, Conditions, and Restrictions of the Subdivision would be amended to delete the following language in paragraph Y.

*So long as Declarant owns at least thirty-five percent (35%) of the Lots, the Declarant reserves the exclusive right, in his sole discretion, to modify or waive the covenants in this Declaration as to any Lot or Lots in cases where the Declarant deems it necessary or advisable in unusual circumstances or to prevent hardship.*

The Board of Directors recommends that you vote "yes" on Amendment #2. By voting "yes" you are indicating your approval of the above Amendment.

<u>Signature</u>	<u>Lot Owned</u>	<u>Yes</u>	<u>No</u>
 Print Name: <u>Steffenie B. Morine</u>	<u>46</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
 Print Name: <u>Mark Simpson</u>	<u>12</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
 Print Name: <u>HARRY D. CRIDER</u>	<u>60</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
 Print Name: <u>DENNIS J BEYEN</u>	<u>29</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
 Print Name: <u>Larry E Morgan</u>	<u>4</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
 Print Name: <u>Brian Dykstra</u>	<u>59</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
 Print Name: <u>Randall FALKER</u>	<u>33</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
 Print Name: <u>Janet Hill</u>	<u>47</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
 Print Name: <u>SCOTT A. HEVELONE</u>	<u>48</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
 Print Name: <u>KARL BROWN</u>	<u>58</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<u>Signature</u>	<u>Lot Owned</u>	<u>Yes</u>	<u>No</u>
<u>Ken Kautto</u> Print Name: <u>REN KAUTTO</u>	<u>5</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>Leslie Kautto</u> Print Name: <u>LESLIE KAUTTO</u>	<u>28</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>Randy Lambert</u> Print Name: <u>RANDY LAMBERT</u>	<u>26</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>Patricia E Hill</u> Print Name: <u>Patricia E Hill</u>	<u>57</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>Vincent Naimou</u> Print Name: <u>VINCENT NAIMOU</u>	<u>34</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>Tom Dunn</u> Print Name: <u>Tom Dunn</u>	<u>27</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>Daniel Franke</u> Print Name: <u>Daniel Franke</u>	<u>13</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>Lisa Yost</u> Print Name: <u>LISA YOST</u>	<u>16</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>Cheri Synadicki</u> Print Name: <u>Cheri Synadicki</u>	<u>21</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Print Name: _____	_____	<input type="checkbox"/>	<input type="checkbox"/>
Print Name: _____	_____	<input type="checkbox"/>	<input type="checkbox"/>
Print Name: _____	_____	<input type="checkbox"/>	<input type="checkbox"/>
Print Name: _____	_____	<input type="checkbox"/>	<input type="checkbox"/>
Print Name: _____	_____	<input type="checkbox"/>	<input type="checkbox"/>
Print Name: _____	_____	<input type="checkbox"/>	<input type="checkbox"/>

Amendment #1: Declarant on Design Review Committee

The Amended and Restated Declaration of Covenants, Conditions, and Restrictions of the Subdivision would be amended to delete the following language in paragraph U.

*Until such time as fifty eight (58) lots have been sold, Declarant shall be a member of the Committee and in all cases of disagreement between Declarant and other members of the Committee, Declarant shall make the final decision.*

The Board of Directors recommends that you vote "yes" on Amendment #1. By voting "yes" you are indicating your approval of the above Amendment.

<u>Signature</u>	<u>Lot Owned</u>	<u>Yes</u>	<u>No</u>
<u>Leslie Kautila</u> Print Name: <u>LESLIE KAUTILA</u>	<u>28</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>Ken Kautila</u> Print Name: <u>KEN KAUTILA</u>	<u>5</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>Karl Broun</u> Print Name: <u>KARL BROUN</u>	<u>58</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>Janet Hill</u> Print Name: <u>Janet Hill</u>	<u>47</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>Scott A. Hevelone</u> Print Name: <u>SCOTT A. HEVELONE</u>	<u>48</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>Glenda J. Deyen</u> Print Name: <u>Glenda DEYEN</u>	<u>29</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>Jean Crider</u> Print Name: <u>JEAN CRIDER</u>	<u>60</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>Ellen M. Simpson</u> Print Name: <u>Ellen M Simpson</u>	<u>12</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>Randall Folkers</u> Print Name: <u>Randall Folkers</u>	<u>33</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>Brian Dykstra</u> Print Name: <u>Brian Dykstra</u>	<u>59</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<u>Signature</u>	<u>Lot Owned</u>	<u>Yes</u>	<u>No</u>
<u><i>Randy Lambert</i></u> Print Name: <u>RANDY LAMBERT</u>	<u>26</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u><i>Patricia E Hill</i></u> Print Name: <u>Patricia E Hill</u>	<u>57</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u><i>Vincent Naimoli</i></u> Print Name: <u>VINCENT NAIMOLI</u>	<u>34</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u><i>Tom Duan</i></u> Print Name: <u>Tom Duan</u>	<u>27</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u><i>Dan Franke</i></u> Print Name: <u>Dan Franke</u>	<u>13</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u><i>Lisa Yost</i></u> Print Name: <u>Lisa Yost</u>	<u>16</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u><i>Cheri Synowicki</i></u> Print Name: <u>Cheri Synowicki</u>	<u>21</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u><i>Jack A. Morine</i></u> Print Name: <u>JACK A. MORINE</u>	<u>46</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u><i>Larry D. Morgan</i></u> Print Name: <u>LARRY D. Morgan</u>	<u>4</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
_____ Print Name: _____	_____	<input type="checkbox"/>	<input type="checkbox"/>
_____ Print Name: _____	_____	<input type="checkbox"/>	<input type="checkbox"/>
_____ Print Name: _____	_____	<input type="checkbox"/>	<input type="checkbox"/>
_____ Print Name: _____	_____	<input type="checkbox"/>	<input type="checkbox"/>
_____ Print Name: _____	_____	<input type="checkbox"/>	<input type="checkbox"/>
_____ Print Name: _____	_____	<input type="checkbox"/>	<input type="checkbox"/>
_____ Print Name: _____	_____	<input type="checkbox"/>	<input type="checkbox"/>

140

PROXY FORM

I, Brad + Jody Sawtelle, LOT 55  
(print names of owners)

DESIGNATE THE ACTING BOARD OF DIRECTORS OF THE ALLEN HILLS  
HOMEOWNERS ASSOCIATION, THE RIGHT TO VOTE ON MY BEHALF,  
IN MY ABSENCE, AT THE 2002 ANNUAL HOMEOWNERS ASSOCIATION MEETING  
HELD ON TUESDAY, MARCH 12, 2002.

SIGNED: Jody J. Sawtelle  
(signatures of owners)

DATED: 3/12/02

140

141

PROXY FORM

I, Phil & Rebecca McGuire Lot 36  
(print names of owners)

DESIGNATE THE ACTING BOARD OF DIRECTORS OF THE ALLEN HILLS  
HOMEOWNERS ASSOCIATION, THE RIGHT TO VOTE ON MY BEHALF,  
IN MY ABSENCE, AT THE 2002 ANNUAL HOMEOWNERS ASSOCIATION MEETING  
HELD ON TUESDAY, MARCH 12, 2002.

SIGNED: Rebecca McGuire  
(signatures of owners)

DATED: 3/10/02

141



142

PROXY FORM

I, Doug and Teresa A. Cafferty, Lot 14  
(print names of owners)

DESIGNATE THE ACTING BOARD OF DIRECTORS OF THE ALLEN HILLS  
HOMEOWNERS ASSOCIATION, THE RIGHT TO VOTE ON MY BEHALF,  
IN MY ABSENCE, AT THE 2002 ANNUAL HOMEOWNERS ASSOCIATION MEETING  
HELD ON TUESDAY, MARCH 12, 2002.

SIGNED: Doug A. Cafferty Teresa M. Cafferty  
(signatures of owners)

DATED: 3-12-02

142

PROXY FORM

I. Cynthia Foreman LOT 63  
(print names of owners)

DESIGNATE THE ACTING BOARD OF DIRECTORS OF THE ALLEN HILLS  
HOMEOWNERS ASSOCIATION, THE RIGHT TO VOTE ON MY BEHALF,  
IN MY ABSENCE, AT THE 2002 ANNUAL HOMEOWNERS ASSOCIATION MEETING  
HELD ON TUESDAY, MARCH 12, 2002.

SIGNED: Cynthia Foreman  
(signatures of owners)

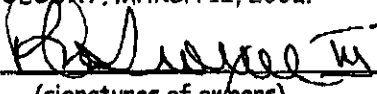
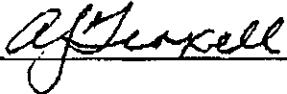
DATED: 3/10/02.

PROXY FORM

I. R.A. TROXELL, III LOT 52  
(print names of owners)

A.J. TROXELL

DESIGNATE THE ACTING BOARD OF DIRECTORS OF THE ALLEN HILLS  
HOMEOWNERS ASSOCIATION, THE RIGHT TO VOTE ON MY BEHALF,  
IN MY ABSENCE, AT THE 2002 ANNUAL HOMEOWNERS ASSOCIATION MEETING  
HELD ON TUESDAY, MARCH 12, 2002.


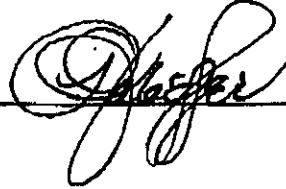
SIGNED:    
(signatures of owners)

DATED: 3/8/02

PROXY FORM

I, John + Pam Habegger LOT 2  
(print names of owners)

DESIGNATE THE ACTING BOARD OF DIRECTORS OF THE ALLEN HILLS  
HOMEOWNERS ASSOCIATION, THE RIGHT TO VOTE ON MY BEHALF,  
IN MY ABSENCE, AT THE 2002 ANNUAL HOMEOWNERS ASSOCIATION MEETING  
HELD ON TUESDAY, MARCH 12, 2002.

SIGNED:    
(signatures of owners)

DATED: 3/10/02

PLEASE FAX THE ISSUES TO BE  
VOTED ON TO (402) 933-7722 OR  
BY E-MAIL jhabeg@worldnet.att.net.

I will NOT BE ABLE TO ATTEND AS I  
will BE OUT OF TOWN THE 11<sup>TH</sup>-17<sup>TH</sup> OF  
MARCH. I MAY BE REACHED BY E-MAIL  
OR CELL PHONE (402) 319-9672.

Thank you.