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FIRST AMENDMENT TO THE DECLARATION
OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS
OF BRIAR HILLS, A SUBDIVISION
IN DOUGLAS COUNTY, NEBRASKA

This First Amendment to Declaration is made to the Declaration of Covenants, Conditions, Restrictions and Easements of Briar Hills, a subdivision in Douglas County, Nebraska, filed July 27, 1998, in Book 1257 at Page 1 of the Miscellaneous Records of the Register of Deeds of Douglas County, Nebraska (the "Declaration") by Briar Hills Development, L.L.C., a Nebraska limited liability company, (hereinafter referred to as the "Declarant").

PRELIMINARY STATEMENT

A. The Declarant is the owner of certain real property located within Douglas County, Nebraska and described as follows:

Lots 1 through 161, inclusive, of Briar Hills, a subdivision as surveyed, platted and recorded in Douglas County, Nebraska.

Such lots are herein referred to collectively as the "Lots" and individually as each "Lot".

B. Declarant is the owner of additional residential lots adjacent to the Declaration Lots, which are legally described as follows:

Lots 165 through 295, inclusive, in Briar Hills, Second Platting, a subdivision as surveyed, platted and recorded in Douglas County, Nebraska (the "Additional Lots").

C. Declarant desires to amend the Declaration for purposes of including the Additional Lots as "Lots" subject to the Declaration and subject to each and all of the covenants, restrictions and easements as set forth in the Declaration.

D. Declarant desires to provide for the preservation of the values and amenities of the Additional Lots, and for the maintenance of the character and residential integrity of the Additional Lots by encumbering and subjecting the Additional Lots to the covenants, conditions, restriction and easements set forth in the Declaration.

NOW, THEREFORE, pursuant to the authority granted to the Declarant in Article V, Paragraph 2 of the Declaration, Declarant hereby amends and supplements the Declaration as follows:

Return to:
Brown & Wolff, P.C.
1925 No. 120th St.
Omaha, Nebraska 68154

1. Lots 165 through 295, inclusive, Briar Hills, Second Platting, a subdivision as surveyed, platted and recorded in Douglas County, Nebraska, shall be subject to the Declaration and to each and all of the covenants, conditions, restrictions, and easements as set forth in the Declaration, and shall hereby be deemed to be "Lots" as such term is defined in the Declaration.

2. Article I, Section 13, shall be deleted in its entirety and replaced with the following: "13. Construction of any Improvement shall be completed within one (1) year from the date of commencement of excavation or construction of the Improvement."

3. The Declaration is in all other matters ratified and affirmed.

4. Invalidation of any covenant by judgment or court order shall in no way affect any of the other provisions hereof, which shall remain in full force and effect.

The Declarant has executed this First Amendment to Declaration as of this 1st day of August, 2000.

BRIAR HILLS DEVELOPMENT, L.L.P., a Nebraska limited liability partnership

By: BHD, L.L.C., a Nebraska limited liability company

By: Maurice M. Udes
Maurice M. Udes, Manager

By: B-4, L.L.C., a Nebraska limited liability company

By: Paul M. Brown
Paul M. Brown, Manager

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

On this 1st day of August, 2000, before me, the undersigned, a Notary Public in and for said County, personally appeared the above-named Maurice M. Udes, Manager of BHD, L.L.C., a Nebraska limited liability company, Partner of BRIAR HILLS DEVELOPMENT, L.L.P., a Nebraska limited liability partnership, to me known to be the identical persons named in the foregoing document and acknowledged the same to be his voluntary act and deed and the voluntary act and deed of the limited liability company.

GENERAL NOTARY-State of Nebraska
SCOTT M. BROWN
My Comm. Exp. Sept. 30, 2000

Notary Public

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

On this 1st day of August, 2000, before me, the undersigned, a Notary Public in and for said County, personally appeared the above-named Paul M. Brown, Manager of B-4, L.L.C., a Nebraska limited liability company, Partner of BRIAR HILLS DEVELOPMENT, L.L.P., a Nebraska limited liability partnership, to me known to be the identical persons named in the foregoing document and acknowledged the same to be his voluntary act and deed and the voluntary act and deed of the limited liability company.

GENERAL NOTARY-State of Nebraska
SCOTT M. BROWN
My Comm. Exp. Sept. 30, 2000

Notary Public