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## NECTION

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444-1040. Watch the  
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### center plans celebration

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# 'You can't go home again'



**American writer Thomas Wolfe was right about this once stately Regency mansion. Godfather's founder Willy Thelsen built the home at 9800 Harney Parkway South in 1983. He sold it to Terry Watanabe, former owner of Oriental Trading Co., in 1995. Watanabe sold the property to a developer, who is razing the mansion to subdivide the land.**

## Asphalt shingles: Legal in Regency?

■ A homeowner's challenge to a neighborhood association's ban reaches the State Supreme Court.

By PAUL HÄMMEL  
WORLD-HERALD BUREAU

LINCOLN — The case of the wrongful roof in Regency made it to the state's highest court Wednesday.

The long-running legal skirmish began in December 2004, when the Regency Homes Association ordered that the asphalt composite roofing on Jeff Schrier's home be removed.

The association said the roofing didn't conform with amended covenants passed in 2002 that require wood shake or wood shingles, tile, slate or "other approved materials."

Schrier, who purchased the home from his father in 2005, has refused to comply with the roof rules in Regency, one of Omaha's most exclusive neighborhoods.

Schrier is a longtime car dealer. His home near 97th Street and Ascot Drive is currently valued at \$577,600 for tax purposes.

After losing before a Douglas County district judge and the Nebraska Court of Appeals, Schrier appealed to the Nebraska Supreme Court.

His attorney, Robert Mullin, told the high court on Wednesday that the amended cove-

nants were adopted by a minority of homeowners, rendering them invalid.

Mullin said the original Regency covenants, adopted in 1968, had no restrictions on roofing materials. He said homeowners, by law, cannot adopt "new and different" covenants. They can only "extend, modify or terminate" existing rules, he said.

Bruce Brodkey, attorney for the Regency homeowners, told the court that Schrier didn't have a shingle to stand on.

The 2002 amendments, Brodkey said, were adopted by the required majority — three-fourths — of members present at a homeowners' association meeting.

He said the original Regency covenants required homeowners to go before an "architectural control committee" before doing any alterations or construction to homes. The prohibition on asphalt shingles, he said, simply made existing rules more specific.

A phone message left with Schrier was not returned Wednesday afternoon. A ruling is not expected for several weeks.

Contact the writer:  
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## Man charged in assault on trooper

By KEVIN COLE  
WORLD-HERALD STAFF WRITER

Nov. 23.

A 23-year-old Omaha man has been charged in connection with an attempt to run over a Nebraska State Patrol trooper.

The man was charged last week with felony assault on an officer. He was being held in the Douglas County Jail on \$500,000 bail and must pay 10 percent of that, or \$50,000, to be released.

The man was taken into custody without incident at an Omaha residence, said Deb Collins, a patrol spokeswoman. The patrol released information on his arrest Wednesday.

Collins said the trooper had followed a speeding 2003 Chevrolet Impala from Interstate 680 to near 41st and G Streets shortly after midnight on


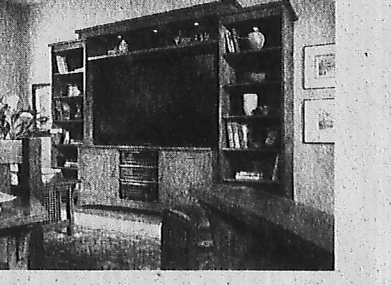
The Impala's driver and a passenger abandoned the car and ran off. The trooper was unable to catch either person. When he returned to his patrol car, the trooper heard gunshots and saw a white Chevrolet Tahoe speeding toward him.

The trooper drew his weapon and shouted for the driver to stop, jumping out of the way as the Tahoe accelerated toward him.

The trooper fired one shot, striking the driver's side door, Collins said.

The Tahoe eventually was found abandoned in Council Bluffs. Police learned that it had been stolen from a nightclub near 73rd and Farnam Streets.

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