

SECOND AMENDMENT TO
DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS
OF BENT CREEK, A SUBDIVISION IN DOUGLAS COUNTY, NEBRASKA

This Amendment to Declaration is made the 21st day of June, 1988, by MAENNER/FIRST LIMITED PARTNERSHIP, a Nebraska limited partnership, hereinafter referred to as the "Declarant".

PRELIMINARY STATEMENT

By Declaration of Covenants, Conditions, Restrictions and Easements of Bent Creek, a Subdivision in Douglas County, Nebraska dated May 21, 1987, as amended by First Amendment to Declaration of Covenants, Conditions, Restrictions and Easements of Bent Creek, a Subdivision in Douglas County, Nebraska dated July 31, 1987 (herein collectively the "Declaration"), the Declarant imposed covenants, conditions and restrictions on ~~lots 1 through 147, inclu-~~ sive in Bent Creek, a Subdivision in Douglas County, Nebraska. In Article IV, Paragraph 2, the Declarant reserved the right to amend the Declaration. Article II, Paragraph 3 of the Declaration provides as follows:

3. Additional Lots. Declarant reserves the right, without consent or approval of any Owner or Member, to expand the property to which this Declaration is applicable to include additional residential lots in any subdivision which is contiguous to any of the Lots. Such expansion may be affected from time to time by the Declarant by recordation with the Register of Deeds of Douglas County, Nebraska, of an Amendment of Declaration, executed and acknowledged by Declarant, setting forth the identity of the additional residential lots which shall become subject to this Declaration.

Declarant desires to expand the property subject to the Declaration to include Lots 148 through 349 and ~~Outlot A~~ in Bent Creek, Nebraska, and the Declaration.

WHEREFORE, the Declarant hereby amends the Declaration, as follows:

1. The Declarant hereby expands the property subject to the Declaration to include Lots 148 through 349 and Outlot A, inclusive, in Bent Creek, a Subdivision as surveyed, platted and recorded in Douglas County, Nebraska (herein the "Additional Lots"). Henceforth, the Additional Lots shall be considered to be and shall be included in the "Lots" for all purposes under the Declaration, and the owners of the Additional Lots shall be Members of the Bent Creek Homeowners Association with all rights, privileges and obligations accorded and accruing to Members of the Association. In clarification, and without limitation of the foregoing: (i) all of the Additional Lots shall have a minimum front setback of thirty (30) feet; (ii) references in the Declaration to "Bent Creek" shall be construed to include the Additional Lots; (iii) after expansion of the Declaration to include the Additional Lots, there shall be three hundred forty-seven (347) single family lots, two park lots and one outlot in Bent Creek; and (iv) the owner of each Additional Lot shall be an "owner" of a Lot, and a Member of the Association.

2. The Declarant hereby amends the Declaration by adding Paragraph 4A to Article II, as follows:

4A. Additional Responsibilities. In addition to the powers and duties described in Paragraph 4, the Association shall have the following responsibilities:

A. The Association may landscape, mow, and maintain Outlot A, the dedicated rights of way on north side of Cuming Street from 156th Street to the east boundary of Lot 230, and the dedicated right of way on the south side of Cuming Street from 156th Street to the east boundary of Lot 229.

B. The Association may landscape, mow, maintain and improve the park situated on Lots 148 and 349, Bent Creek, which is owned by Sanitary Improvement District No. 339 of Douglas County, Nebraska.

11026 F mac

RECEIVED
200 JUL -5 PM 4:08
GEORGE W. ...
REGISTER OF DEEDS
DOUGLAS COUNTY, NEBR.

SK 854 N C/O FEE 125.00
PG 376-377 N 9-2-88 DEL JK MC W.C.
OFFICE AV COMP FIB

