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FILED SARPY COUNTY NEBRASKA  
INSTRUMENT NUMBER

2016-06922

04/01/2016 2:48:52 PM

*Clay J. Dowling*

REGISTER OF DEEDS



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**FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS,  
RESTRICTIONS AND EASEMENTS FOR ROYAL VIEW APARTMENT COMMUNITY**

THIS FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS FOR ROYAL VIEW APARTMENT COMMUNITY (this "First Amendment") is made effective the 28<sup>th</sup> day of March, 2016 (the "Effective Date"), by GDI, LLC, a Nebraska limited liability company ("Declarant").

**RECITALS:**

WHEREAS, the Declarant, as the then owner of all of the real property within the Royal View Apartment Community, entered into that certain Declaration of Covenants, Conditions, Restrictions and Easements for Royal View Apartment Community recorded on September 30, 2015 as Instrument No. 2015-24257 with the Sarpy County, Nebraska Register of Deeds (the "Declaration");

WHEREAS, pursuant to and as permitted by Section 13.2 of the Declaration, the Declarant desires to amend the Declaration to: (i) include the lots being subdivided in Final Plat of Royal View Apartment Community Replat 1, (ii) repeal Exhibit "A" in its entirety and replace it with Exhibit "A" attached hereto; and (iii) repeal Exhibit "B" of the Declaration in its entirety and replace the same with Exhibit "B" attached hereto for the purposes of redefining the Net Acres in the Lots and the number of membership interests attributable to such Lots as set forth on Exhibit "B" attached hereto; and

WHEREAS, this First Amendment shall be filed of record against the following described real estate, to wit:

Lots 2 through 7, inclusive, Royal View Apartment Community, and Lots 1, 2, and Outlots "A", "B" and "C", Royal View Apartment Community Replat 1, a subdivision as surveyed, platted and recorded in Sarpy County, Nebraska (collectively, the "Property").

NOW, THEREFORE, in furtherance thereof, the Declarant hereby adopts, declares, and provides as follows:

PRE

A

1. Definitions. All capitalized terms used in this First Amendment shall have the meanings set forth in the Declaration except as otherwise defined herein.

2. Amendments.

A. Section 1.4:

Lot or Lots. "Lot" or "Lots" shall mean Lots 2 through 7, inclusive, Royal View Apartment Community, and Lots 1, 2 and Outlots "A", "B" and "C", Royal View Apartment Community Replat 1, a Subdivision as surveyed, platted and recorded in Sarpy County, Nebraska, or any subsequent administrative subdivision, replat, revision or amendment thereof. If any Lot is hereafter lawfully subdivided by administrative lot split, lot line adjustment, lot combination or otherwise, and approved by City, the Owner of the effected Lot shall record an instrument, which shall serve as an amendment to this Declaration, with copies attached thereto of the Land Surveyor's Certificate or Replat (in the event of a replatting approved by the Gretna City Council) recorded in the office of the Sarpy County Register of Deeds.

B. Exhibit "A" to the Declaration is hereby repealed in its entirety and replaced with Exhibit "A" attached hereto and incorporated herein by this reference.

C. Exhibit "B" to the Declaration is hereby repealed in its entirety and replaced with Exhibit "B" attached hereto.

3. No Other Amendment. Except as specifically set forth herein, the Declaration shall remain in full force and effect.

4. Binding Effect. This First Amendment shall be binding upon and inure to the benefit of the Property and every grantee of any interest in the Property or any portion thereof and every Owner of the Property or any portion thereof.

*[Remainder of page left intentionally blank; execution page follows.]*

B

IN WITNESS WHEREOF, the undersigned has executed this First Amendment on the day and year first above written.

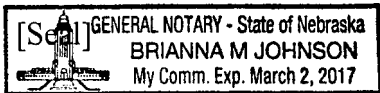
**DECLARANT:**

**GDI, LLC**, a Nebraska limited liability company;

By: [Signature]  
Name: Jesse Calabretto  
Title: Member

STATE OF NEBRASKA     )  
  ) ss.  
COUNTY OF DOUGLAS    )

The foregoing instrument was acknowledged, subscribed and sworn to before me by Jesse Calabretto, known to me to be the member of GDI, LLC, a Nebraska limited liability company, on behalf of said limited liability company, this 28<sup>th</sup> day of March, 2016.



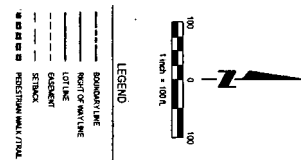
[Signature]  
Notary Public

C

**EXHIBIT "A"**

(Attached – 2 pages)

S



1. CROSS WALKING DISTANCE ALLOWED BETWEEN LOT 18 AND LOT 2.  
2. P.U.O. TO INCLUDE FRONT 1/2 AC. LOT 78 AND LOT 11, LOT 13, 2, 4, 5, 6, 8, 7.
3. FRONT AND SETBACK: 25' STREET WARD SETBACK: 25'  
FRONT YARD SETBACK: 17.5' REAR YARD SETBACK: 25'  
MAX HEIGHT: 40'
4. LOT TO CONTAIN:  
BUILDING: 1-20K  
MAXIMUM LOT AREA: 10,000 S.F.  
MAXIMUM LOT AREA PER 1,000 S.F.  
MAXIMUM SETBACK: 100 FT  
MAXIMUM FRONT AND SETBACK: 100 FT  
MAXIMUM FRONT YARD SETBACK: 17.5'  
MAXIMUM REAR YARD SETBACK: 25'
5. LOT TO CONTAIN:  
BUILDING: 1-20K  
MAXIMUM LOT AREA: 10,000 S.F.  
MAXIMUM LOT AREA PER 1,000 S.F.  
MAXIMUM SETBACK: 100 FT  
MAXIMUM FRONT AND SETBACK: 100 FT  
MAXIMUM FRONT YARD SETBACK: 17.5'  
MAXIMUM REAR YARD SETBACK: 25'
6. LOT TO CONTAIN:  
BUILDING: 1-20K  
MAXIMUM LOT AREA: 10,000 S.F.  
MAXIMUM LOT AREA PER 1,000 S.F.  
MAXIMUM SETBACK: 100 FT  
MAXIMUM FRONT AND SETBACK: 100 FT  
MAXIMUM FRONT YARD SETBACK: 17.5'  
MAXIMUM REAR YARD SETBACK: 25'

[illegible]

Proj No: P2014.104.002	Revisions	
Date: 01/21/2016	No	Description
Designed By: KJH	Date	Description
Drawn By: MMH		
Scale: 1"=100'		
Sheet 1 of 3		

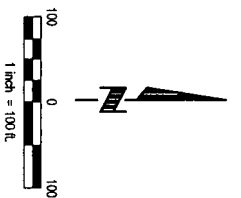
**SITE PLAN  
EXHIBIT A**


ROYAL VIEW APARTMENT COMMUNITY  
PLANNED UNIT DEVELOPMENT  
GRETNA, NEBRASKA



**E & A CONSULTING GROUP, INC.**  
Engineering • Planning • Environmental & Field Services

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Phone: 402.895.4700 • Fax: 402.895.3599  
[www.83cc.com](http://www.83cc.com)



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**EXHIBIT "B"**  
**ASSOCIATION MEMBERSHIPS**

<u>Lot</u>	<u>Net Acres</u>	<u>Number of Memberships</u>	<u>Percentage</u>
2	1.462	1	8.25%
3	9.270	9	52.23%
4	1.016	1	5.73%
5	1.026	1	5.79%
6	1.169	1	6.60%
7	1.279	1	7.22%
1, Replat 1	1.684	2	9.51%
2, Replat 1	0.811	1	4.58%
Totals	17.717	17	100%