

Entered As Instrument No

0200705653

STATE OF NEBRASKA )  
COUNTY OF HALL ) ss

41.00

2007 JUL 5 AM 11 25

*Kathy Baack*  
REG OF DEEDS

CASH \_\_\_\_\_

CHECK 41.00

REFUNDS:

CASH \_\_\_\_\_

CHECK \_\_\_\_\_

*Patrick Brunk*

*PB Box 2280*

*Grand Island NE 68802*



200705653

RESERVED FOR REGISTER OF DEEDS RECORDING SPACE  
HALL COUNTY, NE

200705653

SECOND AMENDMENT  
AND MODIFICATION OF RESTRICTIVE COVENANTS

WHEREAS, an Agreement for Restrictive Covenants for property located in Section Twenty-Seven (27) Township Eleven (11) North, Range Nine (9), West of the 6<sup>th</sup> P.M., Hall County, Nebraska has heretofore been recorded on October 3, 1994, Instrument #94-108191 of the Miscellaneous Records on file at the Register of Deeds Office in Hall County, Nebraska.

WHEREAS, an Agreement to Modify Restrictive Covenants for property located in Section Twenty-Seven (27), Township Eleven (11) North, Range Nine (9), West of the 6<sup>th</sup> P.M., Hall County, Nebraska, was duly executed by the majority of the owners of said lots in said legal description was filed with the Register of Deeds Office, Hall County, Nebraska, on September 7, 2004, Instrument #200408936.

WHEREAS, pursuant to the Agreement to Modify Restrictive Covenants for property located in Section Twenty-Seven (27), Township Eleven (11) North, Range Nine (9), West of the 6<sup>th</sup> P.M., Hall County, Nebraska, filed with the Register of Deeds Office of Hall County, Nebraska, on September 7, 2004, Instrument #200408936, the real property to which the Restrictive Covenants apply to is as set forth in Exhibit "A" of said document and that the legal description as set forth in Exhibit "A", which is attached hereto, shall be the legal description to which the Second Amendment and Modification of Restrictive Covenants applies to.

WHEREAS, come the Undersigned consisting of two-thirds of the owners of said lots within the real property as identified in Exhibit "A" of the Agreement to Modify Restrictive Covenants, and attached hereto, seek to Amend and Modify the Restrictive Covenants as they currently exist.

NOW, THEREFORE, in consideration of the premises and of the mutual modification of restrictions as set forth hereinafter, the said parties hereto hereby consent and agree that the Restrictive Covenants for property located within the legal description as set forth in Exhibit "A" of the Agreement to Modify Restrictive Covenants filed on September 7, 2004, Instrument #200408936 of the Miscellaneous Records on file with the Register of Deeds Office, Hall County, Nebraska, are changed and modified in the following particulars, to wit:

1. That Paragraph 10 of the Agreement to Modify Restrictive Covenants which modified Paragraph 15 of the original Restrictive Covenant thereof is hereby amended to read as follows:

The lake on the property shall be owned by the lot owners. The lot owners hereby grant to themselves, family, guests, invitees and subsequent purchasers of the lots exclusive use of the entire area of the water over and above their lot for recreational purposes including swimming, fishing and boating.

Donald G. Razy  
DONALD G. RAZEY

  
RICK S. JOHNSON

  
DEBRA J. RAZEY

  
PATRICIA A. JOHNSON

Garry L. Williams  
GARRY L WILLIAMS

Scott Sahling  
SCOTT SAHLING

Jeanne S. Williams  
JEANNE S. WILLIAMS

MARY SAHLING

  
RYAN D. CROUCH

  
AMY ANDERSON JOHNSON

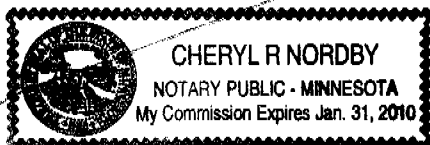
Lisa A. Crouch  
LISA A. CROUCH

Emily Anderson

STATE OF NEBRASKA           )  
                                       ) ss.  
~~COUNTY OF HALL~~           )

On this 23<sup>rd</sup> day of MAY, 2007, before me a Notary Public in and for the County of Hall and State of Nebraska, appeared, Donald G. Razey, to me known to be the identical person executing the above and foregoing Agreement, and he acknowledges the purpose therein set forth.

Witness my hand on the day and year first above written.



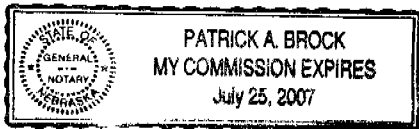
Cheryl D. Dorsley  
Notary Public

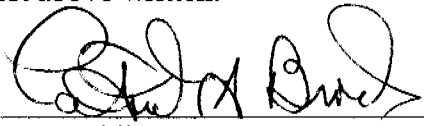
STATE OF NEBRASKA     )  
  ) ss.  
COUNTY OF HALL         )

200705653

On this 7 day of June, 2007, before me a Notary Public in and for the County of Hall and State of Nebraska, appeared, Debra J. Razey, to me known to be the identical person executing the above and foregoing Agreement, and she acknowledges the purpose therein set forth.

Witness my hand on the day and year first above written.

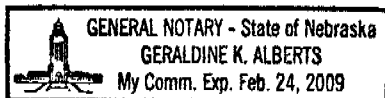


  
\_\_\_\_\_  
Notary Public

STATE OF NEBRASKA     )  
  ) ss.  
COUNTY OF HALL         )

On this 13<sup>th</sup> day of June, 2007, before me a Notary Public in and for the County of Hall and State of Nebraska, appeared, Rick S. Johnson, to me known to be the identical person executing the above and foregoing Agreement, and he acknowledges the purpose therein set forth.

Witness my hand on the day and year first above written.

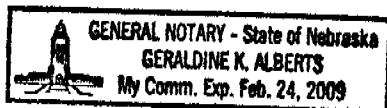


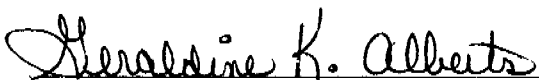
  
\_\_\_\_\_  
Notary Public

STATE OF NEBRASKA     )  
  ) ss.  
COUNTY OF HALL         )

On this 21<sup>st</sup> day of June, 2007, before me a Notary Public in and for the County of Hall and State of Nebraska, appeared, Patricia A. Johnson, to me known to be the identical person executing the above and foregoing Agreement, and she acknowledges the purpose therein set forth.

Witness my hand on the day and year first above written.



  
\_\_\_\_\_  
Notary Public

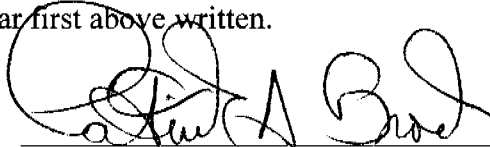
STATE OF NEBRASKA     )  
                                      ) ss.  
COUNTY OF HALL         )

200705653

On this 11 day of June, 2007, before me a Notary Public in and for the County of Hall and State of Nebraska, appeared, Garry L. Williams, to me known to be the identical person executing the above and foregoing Agreement, and he acknowledges the purpose therein set forth.

Witness my hand on the day and year first above written.

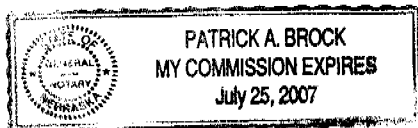


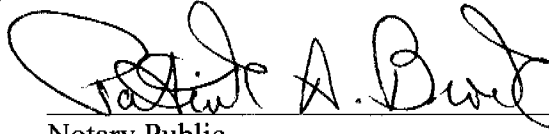
  
Notary Public

STATE OF NEBRASKA     )  
                                      ) ss.  
COUNTY OF HALL         )

On this 11 day of June, 2007, before me a Notary Public in and for the County of Hall and State of Nebraska, appeared, Jeanne S. Williams, to me known to be the identical person executing the above and foregoing Agreement, and she acknowledges the purpose therein set forth.

Witness my hand on the day and year first above written.



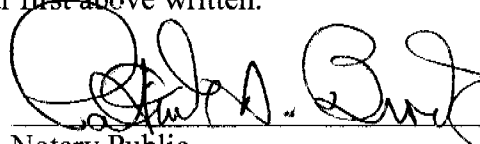
  
Notary Public

STATE OF NEBRASKA     )  
                                      ) ss.  
COUNTY OF HALL         )

On this 13 day of June, 2007, before me a Notary Public in and for the County of Hall and State of Nebraska, appeared, Scott Sahling, to me known to be the identical person executing the above and foregoing Agreement, and he acknowledges the purpose therein set forth.

Witness my hand on the day and year first above written.



  
Notary Public

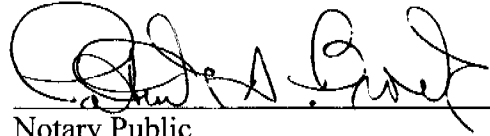
STATE OF NEBRASKA     )  
                                      ) ss.  
COUNTY OF HALL         )

200705653

On this 4 day of June, 2007, before me a Notary Public in and for the County of Hall and State of Nebraska, appeared, Mary Sahling, to me known to be the identical person executing the above and foregoing Agreement, and she acknowledges the purpose therein set forth.

Witness my hand on the day and year first above written.

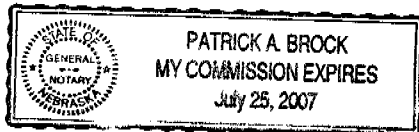


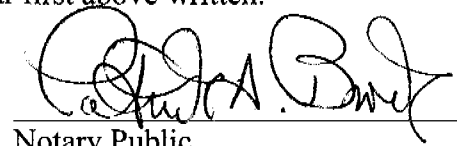
  
Notary Public

STATE OF NEBRASKA     )  
                                      ) ss.  
COUNTY OF HALL         )

On this 6 day of June, 2007, before me a Notary Public in and for the County of Hall and State of Nebraska, appeared, Ryan D. Crouch, to me known to be the identical person executing the above and foregoing Agreement, and he acknowledges the purpose therein set forth.

Witness my hand on the day and year first above written.

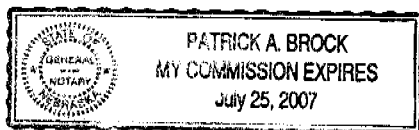


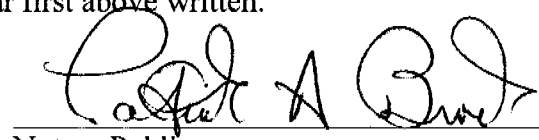
  
Notary Public

STATE OF NEBRASKA     )  
                                      ) ss.  
COUNTY OF HALL         )


On this 6 day of June, 2007, before me a Notary Public in and for the County of Hall and State of Nebraska, appeared, Lisa A. Crouch, to me known to be the identical person executing the above and foregoing Agreement, and she acknowledges the purpose therein set forth.

Witness my hand on the day and year first above written.



  
Notary Public

200705653

  
Notary Public

  
Notary Public

year first above written.

Carl A. Bump  
Notary Public

A tract of land comprising parts of Lots Two (2), Three (3) and Four (4), Island, together with the accretion land thereto; part of the Lot Eleven (11) Birch Subdivision; and all of the Northeast Quarter of the Southwest Quarter (NE  $\frac{1}{4}$  SW  $\frac{1}{4}$ ), all of the above being situated in part of the North Half of the Southwest Quarter (N  $\frac{1}{2}$  SW  $\frac{1}{4}$ ); part of the East Half of the Northwest Quarter (E  $\frac{1}{2}$  NW  $\frac{1}{4}$ ); and part of the West Half of the Northeast Quarter (W  $\frac{1}{2}$  NE  $\frac{1}{4}$ ), all in Section Twenty Seven (27), Township eleven (11) North, Range Nine (9) West of the 6<sup>th</sup> P.M. in Hall County, Nebraska, more particularly described as follows: Beginning at a point on the east line of the West Half of the Northeast Quarter (W  $\frac{1}{2}$  NE  $\frac{1}{4}$ ), said point being Three Hundred Twenty One and Twenty Five Hundredths (321.25) feet south of the northeast corner of said West Half of the Northeast Quarter (W  $\frac{1}{2}$  NE  $\frac{1}{4}$ ); thence southerly along said east line of the West Half of the Northeast Quarter (W  $\frac{1}{2}$  NE  $\frac{1}{4}$ ), a distance of Two Thousand Five Hundred Forty and Seventy Two Hundredths (2,540.72) feet, to the southeast corner of said West Half of the Northeast Quarter (W  $\frac{1}{2}$  NE  $\frac{1}{4}$ ); thence westerly along the south line of said West Half of the Northeast Quarter (W  $\frac{1}{2}$  NE  $\frac{1}{4}$ ), a distance of One Thousand Three Hundred Twelve and Eighty Two Hundredths (1,312.82) feet, to the center of said Section Twenty Seven (27); thence southerly along the east line of said Northeast Quarter of the Southwest Quarter (NE  $\frac{1}{4}$  SW  $\frac{1}{4}$ ), a distance of One Thousand Three Hundred Twenty Two and Forty Two Hundredths (1,322.42) feet, to the southeast corner of said Northeast Quarter of the Southwest Quarter (NE  $\frac{1}{4}$  SW  $\frac{1}{4}$ ); thence westerly along the south line of the North Half of the Southwest Quarter (N  $\frac{1}{2}$  SW  $\frac{1}{4}$ ), a distance of One Thousand Nine Hundred Forty Four and Eighty Three Hundredths (1,944.83) feet, to a point Six Hundred Sixty (660.0) feet east of the southwest corner of said North Half of the Southwest Quarter (N  $\frac{1}{2}$  SW  $\frac{1}{4}$ ); thence deflecting right 88°40' 40" and running northerly, a distance of Six Hundred Sixty One (661.0) feet; thence deflecting left 88°49' 30" and running westerly, a distance of Two Hundred Twenty Seven and Four Tenths (227.4) feet; thence running northerly along a line Four Hundred Thirty Three (433.0) feet east of and parallel to the west line of said Section Twenty Seven (27), a distance of Six Hundred Fifty Three and Fifteen Hundredths (653.15) feet, to a point on the north line of said Southwest Quarter (SW  $\frac{1}{4}$ ); thence easterly along said north line of the Southwest Quarter (SW  $\frac{1}{4}$ ), a distance of Eight Hundred Seventy Three and Fifty Two Hundredths (873.52) feet, to the southeast corner of Lot Thirty Four (34), Matthews Subdivision; thence northerly along the east line of said Lot Thirty Four (34), a distance of Six Hundred Twenty Six and Three Hundredths (626.03) feet; thence deflecting right 76°06' 20" and running northeasterly, a distance of Eight and Five Tenths (8.5) feet; thence deflecting right 05°21' and running northeasterly, a distance of One Hundred Forty Two and Nine Tenths (142.9) feet; thence deflecting left 44°31' and running northeasterly a distance of Three Hundred Seventy Eight and Eighty Three Hundredths (378.83) feet; thence deflecting right 31°34' and running northeasterly, a distance of Two Hundred Eighteen and Eighty Five Hundredths (218.85) feet, to a point on a westerly line of Lot Eleven (11), Birch Subdivision; thence southerly along said westerly line of Lot Eleven (11), a distance of Twenty Four and Twenty Six Hundredths (24.26) feet, to a point One Hundred Sixty Five (165.0) feet north of a southwesterly corner of said Lot Eleven (11); thence running northeasterly parallel to the southeasterly line of said Lot Eleven (11), a distance of Eight Hundred Thirty Eight and Sixty Three Hundredths (838.63) feet, to the east line of said Lot Eleven (11), also being the westerly line of said Northeast Quarter (NE  $\frac{1}{4}$ ); thence northerly along said westerly line of the Northeast Quarter (NE  $\frac{1}{4}$ ), a distance of Thirty and Thirty Four Hundredths (30.34) feet, to a point on the centerline of the North Channel of the Platte River, said point being One Thousand Three Hundred Sixty Five and Sixteen Hundredths (1,365.16) feet south of the northwest corner of said Northeast Quarter (NE  $\frac{1}{4}$ ); thence deflecting right 53°30' 40" and running northeasterly along said centerline, a distance of Two Hundred Forty Six (246.0) feet; thence deflecting left 12°26' 40" and running northeasterly along said centerline a distance of Eight Hundred Ninety Nine and Seventy Nine Hundredths (899.79) feet; thence deflecting right 30°16' 20" and running northeasterly along said centerline, a distance of Seventy Two and Eighty Five Hundredths (72.85) feet; thence deflecting right 19°35' 50" and running northeasterly along said centerline, a distance of One Hundred Sixty Six and Twenty Four Hundredths (166.24) feet; thence deflecting left 21°10' 20" and running northeasterly along said centerline, a distance of Two Hundred Fifty One and Eighty Four Hundredths (251.84) feet; thence deflecting left 41°03' 40" and running northeasterly along said centerline a distance of One Hundred Sixteen and Thirteen Hundredths (116.13) feet, to the POINT OF BEGINNING.

A tract of land comprising a part of the West Half of the Southeast Quarter (W  $\frac{1}{2}$  SE  $\frac{1}{4}$ ) of Section 27, Township 11 North, Range 9 West of the 6<sup>th</sup> P.M., Hall County, Nebraska, said tract being more particularly described as follows. Beginning with reference to the Northwest corner of said W  $\frac{1}{2}$  SE  $\frac{1}{4}$ ; thence running S 00°57' 18" E on the West line of said W  $\frac{1}{2}$  SE  $\frac{1}{4}$  for a distance of 788.94 feet to the actual POINT OF BEGINNING; thence continuing S 00°57' 18" E on the West line of said W  $\frac{1}{2}$  SE  $\frac{1}{4}$  for 279.98 feet; thence N 56°50' 07" E for 568.42 feet; thence N 87°45' 01" E for 772.78 feet; thence N 01°03' 33" W for 471.71 feet; thence N 89°46' 37" W for 489.11 feet; thence S 00°47' 08" E for 129.00 feet; thence S 61°47' 17" W for 858.61 feet to the POINT OF BEGINNING.