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David Johnson
 REGISTER OF DEEDS
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COMPARED

**Amended Covenants and Restrictions, Cedar Creek Lake 1
 An Addition in Cass County, Nebraska
 Sept 2009
 General**

WHEREAS Cedar Creek Lake 1 is an Addition within the Incorporated Village of Cedar Creek, Cass County, Nebraska and, includes 123 lots numbered 87-123,184-220, 258-270, and 220A-255.

WHEREAS it is the intention of the lot owners that said addition be developed as a resort and residential district and,

WHEREAS it is the purpose of these restrictions to enhance the value, attractiveness and desirability of all properties and,

WHEREAS the original Cedar Creek Lakes Restrictive Covenants were filed in July 1965 for lakes 1,2,3,4 with an amendment filed in December 2000 by the said lot owners. And by Amendment filed 12 October 2005, where each lake shall create separate associations.

NOW THEREFORE, it is provided as follows:

The following Covenants and Restrictions which shall run with the land and be binding on all persons and property located upon Cedar Creek Lake number 1, Village of Cedar Creek, Cass County, Nebraska unless amended as hereinafter provided and,

Invalidation of any of these Covenants and Restrictions shall not affect the validity of those remaining which shall remain in force and effect and,

If any of the parties hereto, or their heirs, or their assigns shall violate or attempt to violate any of the covenants and restrictions herein, it shall be lawful for any other person or persons owning any real property in said addition or development to prosecute any proceedings at law or in equity against the person or persons violating or attempting to violate any such covenants and restrictions and either prevent or enjoin such violation or to recover damages or other dues for such violation.

The property owners of Lake 1 shall annually elect a Board of Directors for the association, consisting of persons, who are themselves owners of property upon Lake 1. Each lot shall automatically have membership in the lake association which governs the lake upon which the property is situated. Said membership shall automatically continue as long as the lot is owned. Each lot shall have one membership in the lake association, and each active membership (dues are current and no rule violation of twelve months) shall be entitled to one vote. A tenant may not be a voting member. When more than one person holds interest in any given lot, only one vote per lot will be accepted. When person(s) lease property on Lake 1, they shall abide by these covenants and restrictions as if they were a lot owner, with the exception they may not vote or hold office. The Association Board of Directors shall have authority to pass, adopt, and amend rules and regulations for the lake as expressed in the By-Laws.

The Covenants and Restrictions herein may be amended, added or revoked in whole or in part in the following manner: proposed amendments to these Covenants Restrictions shall be mailed to all lot owners at the last known address at least 30 days prior to a regular or special called meeting, a simple majority of all owners located on Lake 1 may affirmatively vote to amend, revoke or change said Covenants and Restrictions. Ballots shall be accepted in person at the meeting or by mail to the association mail box. Each lot shall be entitled to one vote. Upon proper passage, adoption, the amended Covenants and Restrictions shall be filed with the Cass County Register of Deeds to be in force.

Each lot shall be assessed annual dues of \$100.00 which are due April first of each year. These assessments shall be used to promote health, safety, welfare and recreation of the residents and for improvement and maintenance of park, boat ramp and lake. Examples include: to provide for property taxes and insurance for the park and boat ramp, for routine maintenance required to maintain a safe lake environment including water testing, chemicals for spraying to reduce algae, for routine meeting mailings and other items the association approves.

Capital Improvement projects which exceed the ability of the annual requirements and collected dues shall require a special assessment which shall be approved by a majority of all lot owners. The By-Laws shall describe the process to propose, discuss and vote on such assessments. All lots shall be bound by the voting results and the association shall have the permission and right to evoke legal remediation for unpaid assessments. Capital Improvements shall be clearly defined, and collected funds shall only be expended to the accomplishment of the specified project. Both annual and capital improvement assessments must be fixed at a uniform rate for all lots.

The annual dues and special assessments, together with interest, costs, and reasonable attorney fees, shall be a charge on the land and a continuing lien on each lot against which such an assessment is made.

It shall be the right of the association to borrow money for the purpose of improving common areas (park, ramp or lake). Any mortgage of the commons shall be approved by a majority of the members.

A fish fund from voluntary contributions may be maintained in the general fund to be used exclusively to promote fish activities. Such as stocking of fish, establishment of fish habitat, and other activities which support fishing in the lake.

RESTRICTIONS

1. The building zoning codes adopted by the Village of Cedar Creek shall govern all construction.

2. The Village of Cedar Creek adopted Ordinances governing open burning; pet leash laws, road speed limits, fire arms use, trash disposal and collection, use of off road vehicles on streets, alcohol sale, etc. shall govern.

3. Boat docks, boat lifts, boat houses, or any other type appendage shall be permitted in lake shores in accordance with the following restrictions and shall not impede boat traffic.

- a. Where distance from property line to property line across the lake is less than 100 feet no aforementioned items shall exceed 8 feet and shall not impede boat traffic
- b. Where distance from property line to property line across the lake is less than 125 feet no aforementioned items shall exceed 10 feet and shall not impede boat traffic
- c. Where distance from property line to property line across the lake is less than 150 feet no aforementioned items shall exceed 15 feet and shall not impede boat traffic
- d. Where distance from property line to property line across the lake is less than 175 feet no aforementioned items shall exceed 20 feet and shall not impede boat traffic
- e. Where distance from property line to property line across the lake is less than 200 feet no aforementioned items shall exceed 25 feet and shall not impede boat traffic
- f. Where distance from property line to property line across the lake is more than 200 feet, aforementioned items may exceed 25 feet with approval by Board of Directors when safety is not at risk.
- g. Boat docks, boat lifts, boat houses, or any other type appendage that were in place prior to September 18th 2006 shall be grandfathered by the Board of Directors.
 1. Items grand fathered may be repaired but not replaced without approval from Board of Directors.
- h. The Board of Directors may provide variance when requested by property owners. Requests must be complete with size and distance variance requested. Statement letters may be requested from other lot owners.

4. No alteration shall be made to the lake side of any property, including docks, boat houses, fences, tree plantings or other items which could be construed to obstruct the view or pleasure of other owners, without notification and written permission of the lot owners on either side.

5. Sea walls must be constructed in such a way as not to create a hazard to boaters nor force wake restrictions during high water.

6. All sewage and waste water from any lot on the lake shall be disposed of in septic tanks constructed and maintained to specifications and recommendations of the State of Nebraska Department of Environmental Quality.

7. No owner/lessee of any lot shall have the right to permit the use of boats not owned by such lot owner/lessee, and all boating privileges are restricted to lot owners/lessees and members of their immediate family.

8. Only outboard motors allowed. Motorboats on Lake 1 shall have motors not exceeding 90 horsepower. Any motor over 80 horsepower shall be 4-stroke. The motor shall be consistent with the boat manufacturer's rating for boat. Owners of boats with motors not factory fitted shall have a certified boat supplier/dealer verify that the motor meets boat manufacturer's requirements for that boat.

9. No jet skiis shall be allowed on Lake 1.

10. Rowboats, paddleboats, inflatable devices and swimming shall be limited to within twenty-five (25) feet of the shore when motor boats are in operation.

11. Boating privileges are restricted to one motorized boat in operation for each lot at any one time in the lake. Each boat, motorized and non-motorized shall be registered with the association and must display a sticker with the lot number attached clearly on the starboard side toward the rear of the boat.

12. All boat trailers shall be removed from the ramp area and parked on the owner's lot when not actually being used to launch or remove a boat from the water.

13. There shall be no storage of boats, equipment or other personal items on the park area. No dumping of waste, including yard waste shall be allowed on the park.

14. Even though lake 1 use is restricted to lot owners, the State of Nebraska Boating registration and operation regulations apply. All State of Nebraska fishing licensing and possession rules apply on lake 1.

15. Lighting which is a nuisance or hazard to other properties, or to those using the lake shall not be allowed.

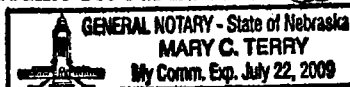
16. Boats and live wells must be washed prior to being put in the lake if they have been in any other water area.

IN WITNESS WHEREOF we have hereunto set our hands this 30 day of Sept., 2009

SIGNATURE BLOCK:

Charles W. Pauckert

President:-Cedar Creek, Lake 1 Association



Mary C. Terry

Charlotta J. Repp

Secretary/Treasurer -Cedar Creek, Lake 1 Association