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Deb Houghtaling

COUNTY CLERK/REGISTER OF DEEDS

By: pm



AMD

**SECOND AMENDMENT TO
DECLARATION OF COVENANTS, CONDITIONS AND
RESTRICTIONS FOR FAIRVIEW SOUTH 2**

THIS SECOND AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR FAIRVIEW SOUTH 2 (this "Amendment") is made on the date hereinafter set forth by CELEBRITY HOMES, INC., a Nebraska corporation.

RECITALS

- A. On May 4, 2017 a document entitled Declaration of Covenants, Conditions and Restrictions for Fairview South 2 (hereinafter the "Original Declaration") was recorded against the property legally described as Lots 1 - 144, inclusive, Fairview South 2, a subdivision as surveyed, platted and recorded in Sarpy County, Nebraska, in the Office of the Register of Deeds of Sarpy County, Nebraska as Instrument No. 2017-09889.
- B. On August 16, 2019, a document entitled Amendment to Declaration of Covenants, Conditions and Restrictions for Fairview South 2 (hereinafter the "First Amendment"; the Original Declaration together with the First Amendment is hereinafter referred to as the "Declaration") was recorded in the Office of the Register of Deeds of Sarpy County, Nebraska as Instrument No. 2019-18732 against the property legally described as Lots 1 - 144, inclusive, Fairview South 2, a subdivision as surveyed, platted and recorded in Sarpy County, Nebraska and Lots 1 through 88, inclusive, Hyda Hills 2, a subdivision as surveyed, platted and recorded in Sarpy County, Nebraska, to subject Lots 1 through 88, inclusive, Hyda Hills 2 to the terms of the Declaration and permit/obligate the Owners (as that term is defined in the Declaration) of Lots 1 through 88, inclusive, Hyda Hills 2 to be Members (as that term is defined in the Declaration) of the Association (as that term is defined in the Declaration).
- C. Sections 19 and 20 of the Declaration provides that for a period of ten (10) years the Declarant has the exclusive right to amend, modify or supplement any portion of the Declaration, including the right to subject additional lots to the Declaration.

NOW, THEREFORE, Declarant hereby declares the Declaration shall be amended as follows:

- 1. Addition of Lots. Pursuant to the provisions of paragraph 19 of the Declaration, and paragraph 20 of the Declaration, the Declaration is hereby amended by subjecting the following lots to the terms of the Declaration, and the Owners (as that term is defined in the

RETURN TO:
FULLENKAMP, JOBEUN,
JOHNSON & BELLER, LLP
11440 WEST CENTER ROAD
OMAHA, NEBRASKA 68144-4482
ATTN: Mandy A.

Declaration) of the following additional lots shall be Members (as that term is defined in the Declaration) of the Association (as that term is defined in the Declaration) with all rights, privileges and obligations accorded or accruing to Members of the Association:

“Lots 88 through 176, inclusive, Hyda Hills 2, a subdivision as surveyed, platted and recorded in Sarpy County, Nebraska.”

2. Governing Law. This Amendment is made under and governed by the laws of the State of Nebraska.

3. Severability. Each provision of this Amendment and the application thereof are hereby declared to be independent of and severable from the remainder of this Amendment. If any provision contained herein shall be held to be invalid or to be unenforceable or not to run with the land, such holding shall not affect the validity or enforceability of the remainder of this Amendment.

4. No Other Amendments. Except as set forth herein, the Declaration shall remain in full force and effect.

5. Indexing. This Amendment shall be indexed against the following lots, to-wit:

Lots 1 - 144, inclusive, Fairview South 2, a subdivision as surveyed, platted and recorded in Sarpy County, Nebraska; and

Lots 1 through 176, inclusive, Hyda Hills 2, a subdivision as surveyed, platted and recorded in Sarpy County, Nebraska.

IN WITNESS WHEREOF, this Amendment was made this 13 day of November, 2020.

DECLARANT:

CELEBRITY HOMES, INC., a Nebraska corporation,

By: 
Chad Larsen, Vice-President

STATE OF NEBRASKA)
)SS.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this 13 day of November, 2010 by Chad Larsen, Vice-President of Celebrity Homes, Inc., a Nebraska corporation, on behalf of the corporation.

SEAL


Notary Public

