

FILED SARPY CO. NE.
INSTRUMENT NUMBER
2002-22056

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Glenn J. Bowring
REGISTER OF DEEDS

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Proof AK
Fee \$ 188.00
Ck ☒ 119.00
Cash ☐ 2824
Chg ☒ 69.00
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FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS,
RESTRICTIONS AND EASEMENTS OF SUGAR CREEK, A SUBDIVISION
IN SARPY COUNTY, NEBRASKA

This First Amendment is made to the Declaration of Covenants, Conditions, Restrictions and Easements of Sugar Creek, a subdivision in Sarpy County, Nebraska, filed October 26, 2001, as Instrument No. 2001-35162 in the Register of Deeds of Sarpy County, Nebraska (hereinafter referred to as the "Declaration") executed and filed by Sugar Creek, L.L.C., a Nebraska limited liability company (hereinafter referred to as the "Declarant").

PRELIMINARY STATEMENT

A. The Declarant is the owner of certain real property located within Sarpy County, Nebraska and described as follows:

Lots 1 through 30, inclusive; Lots 32 through 58, inclusive; and Lots 60 through 220, inclusive, all in Sugar Creek, a subdivision as surveyed, platted and recorded in Sarpy County, Nebraska, and replats thereof and additions thereto,

B. Declarant desires to amend the Declaration for purpose of expanding the property to which the Declaration is applicable to include additional residential lots as "Lots" subject to the Declaration, adding lots subject to the landscape buffer, and subject to each and all of the covenants, conditions, restrictions and easements as set forth in the Declaration, and the property being added as additional residential lots is also owned by the Declarant, and is described as follows:

Lots 221 - 358, inclusive, all in Sugar Creek, a subdivision as surveyed, platted and recorded in Sarpy County, Nebraska (hereinafter "Additional Lots"),

C. Declarant desires to provide for the preservation of the values and amenities of the Additional Lots, and for the maintenance of the character and residential integrity of the Additional Lots by encumbering and subjecting the Additional Lots to the covenants, conditions, restrictions and easements set forth in the Declaration,

D. Article III, Paragraph 3 and Article V, Paragraph 2 of the Declaration grants Declarant the authority to amend the Declaration, in its full and absolute discretion until October 24, 2011.

NOW, THEREFORE, pursuant to the authority granted to the Declarant in Article III,

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Paragraph 3 and Article V, Paragraph 2 of the Declaration, Declarant hereby amends and supplements the Declaration as follows:

1. Lots 221 - 358, inclusive, all in Sugar Creek, a subdivision as surveyed, platted and recorded in Sarpy County, Nebraska, shall be subject to the Declaration and to each and all of the covenants, conditions, restrictions and easements as set forth in the Declaration, and shall hereby be deemed to be "Lots" as such term is defined in the Declaration.

2. By deleting therefrom Article I, Paragraph 15 in its entirety and adding in its place and stead the following:

15. Except as provided hereinafter, fences shall be composed of wood, PVC or wrought iron unless other materials are specifically approved in writing by Declarant. No fence shall be of the chain link or wire types. No fences or walls shall exceed the height of six (6) feet. No fencing other than six (6) foot, wood, board-on-board fencing shall be installed on any side of any Lot abutting the park and/or trail within the Sugar Creek subdivision.

3. Article II, Paragraph 1 shall be amended to include Lots 342 - 358, inclusive, all in Sugar Creek, a subdivision as surveyed, platted and recorded in Sarpy County, Nebraska.

4. The Declaration is in all other matters ratified and affirmed.

5. Invalidity of any covenant by judgment or court order shall in no way affect any of the other provisions hereof, which shall remain in full force and effect.

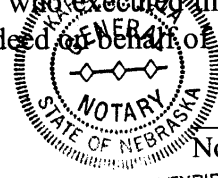
The Declarant has executed this First Amendment to Declaration as of this 31st day of May 2002.

SUGAR CREEK, L.L.C., a Nebraska limited liability company, "Declarant,"

Barbara Udes Shaw
Barbara Udes Shaw, Manager

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this 31st day of May 2002, by Barbara Udes Shaw, Manager of Sugar Creek, L.L.C., a Nebraska limited liability company, to me known to be the identical person who executed the foregoing instrument and acknowledged the same to be her voluntary act and deed on behalf of said limited liability company.



Karen K. Kuen
Notary Public

MY COMMISSION EXPIRES:
JULY 29, 2005