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FILED SARPY CO. NE.  
INSTRUMENT NUMBER

**2018-10758**

2018 May 18 09:19:38 AM

*Lloyd J. Dowling*

REGISTER OF DEEDS



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THE ABOVE SPACE IS RESERVED FOR THE REGISTER OF DEEDS RECORDING INFORMATION

After recording return to:  
Elizabeth A. Sevcik, Esq.  
Croker, Huck, Kasher, DeWitt,  
Anderson & Gonderinger, L.L.C.  
2120 South 72<sup>nd</sup> Street, Suite 1200  
Omaha, Nebraska 68124

**THIS PAGE INCLUDED  
FOR INDEXING**

**SECOND AMENDMENT TO DECLARATION  
OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS  
OF COVINGTON 2, A SUBDIVISION  
IN SARPY COUNTY, NEBRASKA**

THIS SECOND AMENDMENT is made to the Declarations of Covenants, Conditions, Restrictions, and Easements for Covington 2, dated October 27, 2015, and recorded with the Sarpy County Register of Deeds on October 28, 2015, as Instrument No. 2015-26437, by McCune Development, L.L.C., a Nebraska Limited Liability Company (the "Declarant").

**PRELIMINARY STATEMENT**

A. The Declaration was made by the Declarant in connection with the development of real estate legally described as follows:

Lots 1 through 63, all inclusive, in Covington 2, a subdivision as surveyed, platted and recorded in Sarpy County, Nebraska.

B. The Declarant desires to include additional property in the Association.

C. The Declarant has or will transfer Outlot B, in Covington 2, and Tax Lot 3 in Section 31, Township 14 North, Range 11 East of the 6<sup>th</sup> P.M., in Sarpy County, NE, to the Association and desires to make clear that such outlots are Common Facilities and subject to the Declaration.

NOW, THEREFORE, pursuant to the authority granted to the Declarant in Article III, Section 3, and Article V, Section 3, the Declaration is hereby amended as follows:

1. Pursuant to the authority granted to the Declarant in Article III, Section 3 of the Declaration, Declarant hereby expands the property subject to the Declaration to include the following additional Lots, the Owners of which shall be Members of the Association:

Lots 64 through 105, all inclusive, in Covington 2, a subdivision as surveyed, platted and recorded in Sarpy County, Nebraska.

2. Outlot B, in Covington 2, a subdivision as surveyed, platted and recorded in Sarpy County, NE and Tax Lot 3 in Section 31, Township 14 North, Range 11 East of the 6<sup>th</sup> P.M., in Sarpy County, NE have been or will be conveyed to the Association and are Common Facilities for the Covington 2 subdivision. Declarant hereby amends the Declaration to include in the definition of Common Facilities the following properties, which shall be subject to the Declaration:

Outlot B, in Covington 2, a subdivision as surveyed, platted and recorded in Sarpy County, NE; and

Tax Lot 3 in Section 31, Township 14 North, Range 11 East of the 6<sup>th</sup> P.M., in Sarpy County, NE, more particularly described as follows:

Beginning at the center of Section 31, Township 14 N, Range 11 East of the 6<sup>th</sup> P.M., Sarpy County, Nebraska; thence South 2°46'23" E 1321.75 feet; thence South 87°27'20" West 50.00 feet; thence North 2°46'23" West 50.00 feet; thence North 87°27'20" East 50.00 feet; thence South 2°46'23" East 50.00 feet to the point of beginning.

3. Article I Section 2(A) is hereby amended to add the following sentence at the end of the subsection: "Concurrent with submission of the plans, the Owner shall notify the Declarant of the Owner's mailing address."

4. The last sentence of Article I Section 11 is hereby amended to provide: "All Lots shall be fully sodded or hydro seeded at the time of completion of the Improvements."

5. The first sentence of Article I Section 19 is hereby amended to provide: "Any exterior air conditioning condenser unit shall be placed in the rear yard or a side yard so as not to be visible from the street."

6. The second sentence of Article III Section 2 is hereby amended to provide: "The Association shall include further phases of Covington 2 as may be developed by the Declarant."

7. Subsection A. of Article III Section 10 is hereby amended to state: "Two Hundred Dollars (\$200.00) per Lot"

8. Article IV is hereby amended to refer to Black Hill Gas rather than People's Natural Gas.

9. Except as specifically modified and set forth herein, the provisions of the Declaration shall remain in full force and effect.

10. Any capitalized term used but not defined herein shall have the meaning ascribed to it in the Declaration.

IN WITNESS WHEREOF, Declarant has executed this Second Amendment as of the 8 day of ~~April~~ <sup>May</sup>, 2018.

McCune Development, L.L.C., a Nebraska Limited Liability Company, "Declarant"

By:  \_\_\_\_\_  
Manager

STATE OF NEBRASKA     )  
                                  Douglas     ) ss:  
COUNTY OF ~~SARPY~~     )

The foregoing instrument was acknowledged before me this 8 day of <sup>May</sup>~~April~~, 2018, by Paul S. McCune, personally known to me to be the Manager of McCune Development, L.L.C., a Nebraska limited liability company, for and on behalf of the corporation.

Martin Pelster  
Notary Public

