

SECOND SUPPLEMENTARY DECLARATION
OF COVENANTS, CONDITIONS AND RESTRICTIONS

WHEREAS, the assignor of this Declarant, Black and Elliot Development Company, placed of record certain Covenants, Conditions and Restrictions on certain property in the County of Douglas, State of Nebraska, which is more particularly described in Exhibit "A", attached hereto and incorporated herein by reference and recorded in Book 564 at Page 589 of the Miscellaneous Records of Douglas County, Nebraska,

WHEREAS, this Declarant, Nebraska Service Corporation, a Nebraska corporation, the successor and assign of Black and Elliot Development Company, placed of record certain Supplementary Declaration of Covenants, Conditions and Restrictions on the property described in Exhibit "A" and recorded in Book 627 at Page 110 of the Miscellaneous Records of Douglas County, Nebraska,

WHEREAS, this Declarant is the owner of more than 90 percent of the Lots that are more particularly described on Exhibit "A",

WHEREAS, this Declarant is owner of the real property described as follows:

Lots Eighty-Seven (87) to One Hundred (100), inclusive, Escalante Hills Replat, a subdivision in Douglas County, Nebraska

WHEREAS, this Declarant, in order to preserve and promote a uniform residential development and to enhance the value and desirability of all of said Lots described on Exhibit "A" is desirous of annexing and including Lots Eighty-Seven (87) to One Hundred (100), inclusive, Escalante Hills, in and to said Covenants and subjecting the said premises to all the terms and conditions of said Covenants and Supplements thereto pursuant to Article VI thereof.

WHEREAS, this Declarant, in order to preserve and promote a uniform residential development and to enhance the value and desirability of all of said Lots, including the proposed Lots to be annexed, is desirous of defining the responsibility of Escalante Hills Homeowner's Association II, Inc., its successors and assigns concerning the maintenance of common area owned by Sanitary and

Improvement District No. 235 of Douglas County, Nebraska, and maintained by the Association for common use and enjoyment of all property owners within said District.

NOW, THEREFORE, in consideration of the foregoing preamble, the undersigned declare that the following property shall be annexed as set forth and further that the following easements, restrictions, covenants and conditions as herein expressed shall apply in amendment of, for addition to and in clarification of the easements, restrictions, covenants and conditions contained in the Declarations and supplemental Declarations to the extent, and only to the extent that the same are inconsistent therewith:

1. This Declarant, Nebraska Service Corporation, a Nebraska Corporation, does hereby annex, pursuant to Article VI of the aforesaid Covenants and Supplements thereto, the following real property, to-wit:

Lots Eighty-Seven (87) to One Hundred (100), inclusive, Escalante Hills Replat, a subdivision in Douglas County, Nebraska

and said real property shall be subject to all terms and conditions of said Covenants and Supplements thereto.

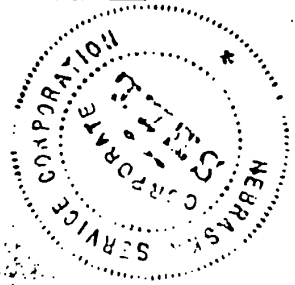
2. It is agreed that Escalante Hills Homeowner's Association II, Inc., its successors and assigns shall be solely responsible for the maintenance of that part of Lot Sixty-Two (62) and all of Lot Sixty-Six (66), Escalante Hills, a subdivision in Douglas County, Nebraska, said lots being more particularly described on Exhibit "B", attached hereto and incorporated herein by reference and all of Lot 160 and that part of Lot 159, Escalante Hills Replat, a subdivision in Douglas County, Nebraska, said lots being more particularly described in Exhibit "C", attached hereto and incorporated herein by reference.

Except as herein supplemented, all provisions of said Covenants, Conditions and Restrictions and Supplements thereto shall remain in full force and effect.

IN WITNESS WHEREOF, Nebraska Service Corporation, a Nebraska corporation, has executed these Second Supplementary Covenants this 2 day of May, 1980.

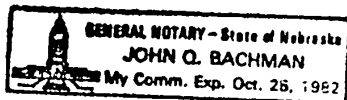
NEBRASKA SERVICE CORPORATION,
A Nebraska Corporation

By: Charles J. Leise
CHARLES J. LEISE
Vice-President




STATE OF NEBRASKA)
) SS
COUNTY OF DOUGLAS)


12th The foregoing instrument was acknowledged before me this 12th day of May, 1980, by Charles J. Leise, Vice-President of Nebraska Service Corporation, a Nebraska corporation, on behalf of the corporation.



John Q. Bachman
Notary Public

EXHIBIT "A"

All of Lots 1 through 44, inclusive, of Escalante Hills Replat II, a replat of Lot 67, Escalante Hills, a subdivision, in Douglas County, Nebraska, 

All of Lots 1 through 23, inclusive, a part of Lot 62 and Lot 66, of Escalante Hills subdivision, a subdivision in Douglas County, Nebraska, and 

All of Lots 1 through 50, inclusive, 55 through 86, inclusive, 111 through 120, inclusive, and 127 through 158, inclusive, a part of Lot 159 and Lot 160 of Escalante Hills Replat, a subdivision in Douglas County, Nebraska.

EXHIBIT "B"

A Part of Lot 62
Escalante Hills

A part of Lot 62, Escalante Hills, a subdivision located in part of the East 1/2 of the NE-1/4 of Section 5, Township 15 North, Range 12 East of the 6th P.M., Douglas County, Nebraska, lying within the following described boundary;

Beginning at the Southwest corner of said Escalante Hills; thence $N00^{\circ}12'10''E$ (assumed bearing) along the West line of said Escalante Hills, a distance of 506.90 feet to the Southwest corner of Lot 9, Escalante Hills; thence $N67^{\circ}14'54''E$ along the Southerly line of said Lot 9 Escalante Hills, a distance of 164.63 feet to a point on the Westerly right-of-way line of 112th Street; thence Southeasterly along said Westerly right-of-way line of 112th Street on a curve to the left with a radius of 373.91 feet, a distance of 46.48 feet, said curve having a long chord which bears $S26^{\circ}17'40''E$ a distance of 46.45 feet to the Northerly corner of Lot 10, Escalante Hills; thence $S60^{\circ}07'54''W$ along the Northerly line of said Lot 10, Escalante Hills, a distance of 80.94 feet to the Westerly corner of said Lot 10 Escalante Hills, said point also being the Northerly corner of Lot 11, Escalante Hills; thence $S12^{\circ}35'01''W$ along the Westerly line of said Lot 11, Escalante Hills and the Westerly line of Lot 12 Escalante Hills, a distance of 134.20 feet to the Southwest corner of said Lot 12 Escalante Hills, said point also being the Northwest corner of Lot 13, Escalante hills; thence $S00^{\circ}06'05''E$ along the West line of Lots 13 thru 16 inclusive, Escalante Hills, a distance of 282.50 feet to the Southwest corner of said Lot 16, Escalante Hills; thence $S89^{\circ}53'55''W$ along the South line of Lots 17 and 18, Escalante Hills, a distance of 240.00 feet to the Southeast corner of said Lot 18, Escalante Hills, thence $S00^{\circ}06'05''E$ a distance of 75.00 feet to a point on the South line of said Escalante Hills; thence $S89^{\circ}52'55''W$ along said South line of Escalante Hills, a distance of 315.40 feet to the Point of Beginning.

Lot 66
Escalante Hills

Lot 66, Escalante Hills, a subdivision in Douglas County, Nebraska

EXHIBIT "C"

Lot 160
Escalante Hills Replat

Lot 160, Escalante Hills Replat, a subdivision
in Douglas County, Nebraska

A Part of Lot 159
Escalante Hills Replat

All of Lot 159, Escalante Hills Replat, a subdivision
located in part of the East 1/2 of the NE-1/4 of Sec-
tion 5, Township 15 North, Range 12 East of the 6th
P.M., Douglas County, Nebraska, except that portion
lying within the following described boundary:

Beginning at the point of intersection of the Southerly
right-of-way line of Grande Avenue and the Westerly
right-of-way line of 109th Street; thence along said
Westerly right-of-way line of 109th Street on the follow-
ing described courses; thence Southwesterly on a curve
to the left with a radius of 105.67 feet, a distance
of 82.53 feet; said curve having a long chord which
bears S22°33'47"W (assumed bearing), a distance of
80.46 feet; thence S00°11'25"W a distance of 220.80
feet; thence Southwesterly on a curve to the right with
a radius of 322.37 feet, a distance of 154.73 feet,
said curve having a long chord which bears S13°56'24"W
a distance of 153.24 feet; thence S27°41'25"W a dis-
tance of 128.91 feet to the point of intersection of
said Westerly right-of-way line of 109th Street and the
Northerly right-of-way line of Larimore Avenue; thence
N62°18'35"W along said Northerly right-of-way line of
Larimore Avenue, a distance of 18.00 feet; thence con-
tinuing along said Northerly right-of-way line of
Larimore Avenue, Northwesterly, on a curve to the left
with a radius of 202.65 feet, a distance of 92.11 feet,
said curve having a long chord which bears N75°20'02"W, a
distance of 91.32 feet to the Southeast corner of Lot
100, Escalante Hills Replat; thence N17°39'47"W along the
Easterly line of said Lot 100, Escalante Hills Replat,
a distance of 108.40 feet to the Northeasterly corner
of said Lot 100 Escalante Hills Replat; thence
N19°06'31"E, a distance of 130.05 feet to the Southeast
corner of Lot 111, Escalante Hills Replat; thence
N30°57'50"W along the Easterly line said Lot 111
Escalante Hills Replat, a distance of 97.00 feet to the
Northeasterly corner of said Lot 111, Escalante Hills
Replat; thence N15°09'34"E, a distance of 36.07 feet
to the Southeasterly corner of Lot 120, Escalante Hills
Replat; thence N30°57'50"W along the Easterly line of
said Lot 120 Escalante Hills Replat, and the Northerly
extension thereof, a distance of 115.82 feet; thence
N29° 2'10"E a distance of 279.54 feet to a point on
said Southerly right-of-way line of Grande Avenue; thence
Southeasterly along said Southerly right-of-way line
of Grande Avenue, on a curve to the right with a radius
of 383.65 feet, a distance of 117.72 feet. Said curve
having a long chord which bears S53°51'01"E a distance
of 117.26 feet; thence S45°03'35"E along said Southerly
right-of-way line of Grande Avenue, a distance of 130.00
feet to the Point of Beginning.

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C. HAROLD CRITCHER
REGISTER OF DEEDS
DOUGLAS COUNTY, NEBR.

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