

FILED SARPY COUNTY NEBRASKA
INSTRUMENT NUMBER



2023-21457

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Deb Houghtaling
COUNTY CLERK/REGISTER OF DEEDS

Submitter: FULLENKAMP JOBEUN JOHNSON

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\$22.00

Pages: 3

By: lam



AMD

**SECOND AMENDMENT TO
PROTECTIVE COVENANTS FOR GILES POINTE**

THIS SECOND AMENDMENT TO PROTECTIVE COVENANTS FOR GILES POINTE (this "Amendment") is made on the date hereinafter set forth by CELEBRITY HOMES, INC., a Nebraska corporation.

RECITALS

- A. On April 4, 2023 a document entitled Protective Covenants for Giles Pointe (hereinafter the "Original Declaration") was recorded against the property legally described as Lots 1 thru 99, inclusive, a subdivision as surveyed, platted and recorded in Sarpy County, Nebraska (collectively, the "Lots"), in the Office of the Register of Deeds of Sarpy County, Nebraska as Instrument No. 2023-05597. The Original Declaration was amended by that certain Amendment to Protective Covenants for Giles Pointe recorded against the Lots on August 31, 2023, with the Office of the Register of Deeds of Sarpy County, Nebraska as Instrument No. 2023-16873 (the "First Amendment"; the First Amendment together with the Original Declaration, referred to herein as the "Declaration").
- B. Section 19 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.

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

1. Amendment to Paragraph 5. Paragraph 5 of the Declaration is hereby amended by deleting the last sentence in its entirety and replacing the same with the following:

"5. Notwithstanding anything herein to the contrary, any fence ("Boundary Fence") constructed on Lots 81 through 99, inclusive, Giles Pointe (the "Boundary Lots"), shall be six feet

RETURN TO:
FULLENKAMP JOBEUN,
JOHNSON & BELL, LLP
1144 WEST 10TH ROAD
OMAHA, NEBRASKA 68144-4482
ATTN: Mandy Anderson

(6') in height, white vinyl fencing, and shall be the same design as set forth on the attached Exhibit "A", it being the intent that such perimeter fencing be uniform in character and design. Declarant hereby declares that the Boundary Lots are subject to a permanent and non-exclusive easement in favor of the Association, over, across and through the Boundary Lots in order to maintain, repair and replace the Boundary Fence. Without limitation of the rights and easements granted by this Declaration, the Declarant or the Association may enter upon any of the Boundary Lots for the purpose of constructing, installing, repairing, maintaining, removing, and replacing the Boundary Fence. Notwithstanding the foregoing, the Owner of a Boundary Lot agrees to keep the Boundary Fence located on the respective Owner's Lot in good order and repair and is primarily responsible for the repair, replacement or maintenance of the Boundary Fence located on the Owner's Lot. The repair, replacement or maintenance responsibilities of the Association are not mandatory, but solely discretionary to the Association. Maintenance or repairs made to the Boundary Fence by the Association may be assessed to the Owner or the Lot upon which the fence is installed."

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


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

4. Indexing. This Amendment shall be recorded and indexed against each of the Lots.

IN WITNESS WHEREOF, this Amendment was made this 6 day of November, 2023.

DECLARANT:

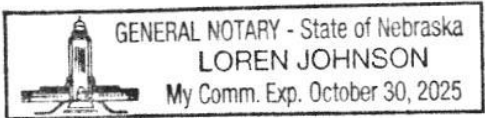
CELEBRITY HOMES, INC., a Nebraska corporation,

By: 
Chad Larsen, Vice-President

State of Nebraska)
)ss.
County of Douglas)

The foregoing instrument was acknowledged before me this 6 day of November, 2023, by Chad Larsen, Vice-President of Celebrity Homes, Inc., a Nebraska corporation, on behalf of the corporation.

SEAL

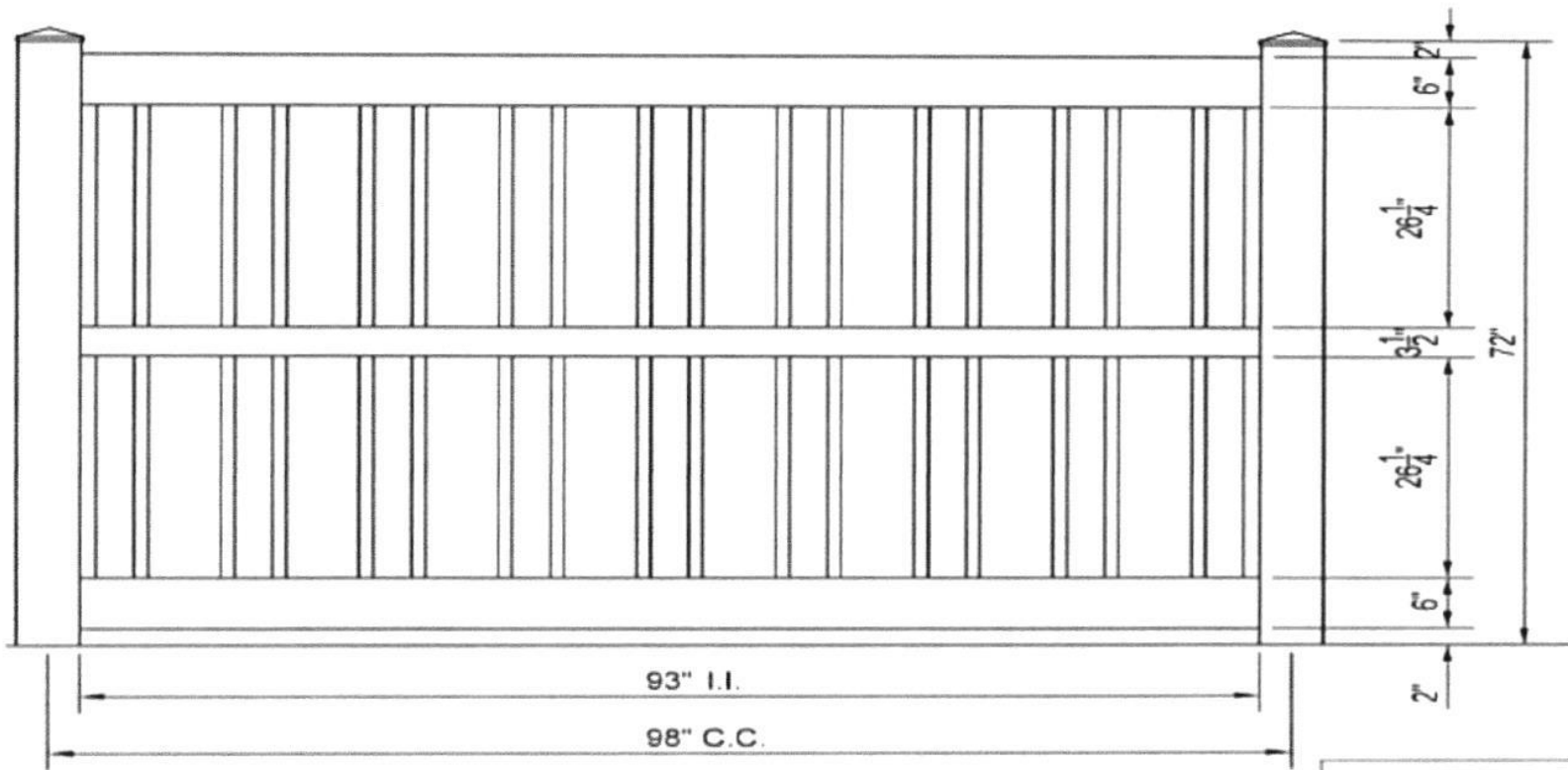



Notary Public

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

Exhibit “A”

Perimeter Fence Design



6' PICKET FENCE WITH ALTERNATING 3" AND 6" PICKETS WITH APPROX. 1" SPACING BETWEEN AND STANDARD POST CAPS