



MISC 2009017749



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Received - DIANE L. BATTIATO
Register of Deeds, Douglas County, NE
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**FIRST AMENDMENT TO THE
DECLARATION OF COVENANTS, CONDITIONS,
RESTRICTIONS AND EASEMENTS OF
LOTS 1 – 91, INCLUSIVE, NEWPORT HILL,
A SUBDIVISION IN DOUGLAS COUNTY, NEBRASKA**

THIS FIRST AMENDMENT is made this 19th day of February, 2009 by NS – Newhill, LLC, a Nebraska limited liability company (hereinafter referred to as the “Declarant”).

RECITALS

A. On November 21, 2007 a document entitled Declaration of Covenants, Conditions, Restrictions and Easements of Lots 1 – 91, Inclusive, Newport Hill, a subdivision in Douglas County, Nebraska, was recorded against Lots 1 – 91, inclusive, Newport Hill, all as surveyed, platted and recorded in Douglas County, Nebraska, in the Register of Deeds, Douglas County as Instrument No. 2007130251 (hereinafter referred to as the "Declaration").

B. The Declarant is defined as Declarant under the Declaration and pursuant to Article IV, Paragraph 2 has the exclusive right to Amend the Declaration and Declarant desires to amend the Declaration.

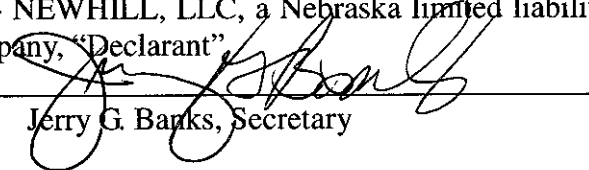
NOW, THEREFORE, the Declarant does hereby amend the Declaration as follows:

1. By deleting in its entirety Article I, Paragraph 12 in its entirety and replacing it with the following:

12. No fence shall be permitted unless approved of in writing by Declarant after submission of fencing plans. No fence shall be permitted to extend beyond the front line of a main residential structure. Unless other materials are specifically approved in writing by Declarant, fences shall only be composed of wrought iron or aluminum, except that plastic vinyl coated P.V.C. Design designated by Declarant may be utilized to enclose dog runs, hot tubs, swimming pools or other uses approved by Declarant. No fences or walls shall exceed a height of six (6) feet. Any fences, hedges or mass planted shrubs installed by or at the direction of the Declarant shall not be subject to the provisions of this paragraph.

IN WITNESS WHEREOF, this First Amendment to Declaration was executed the day first written above.

NS - NEWHILL, LLC, a Nebraska limited liability company, “Declarant”

By:  _____

Jerry G. Banks, Secretary

FULLENKAMP, DOYLE & JOBEUN
11440 WEST CENTER ROAD
OMAHA, NEBRASKA 68144-4482
Anni BCO

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)



The foregoing instrument was acknowledged before me this 19^m day of February 2009 by Jerry G. Banks, as Secretary of NS - Newhill, LLC, a Nebraska limited liability company, on behalf of said limited liability company.

Cassandra K. Petersen
Notary Public