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MISC 2007065036



JUN 11 2007 08:02 P 1

SECOND AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR PINEY CREEK, A SUBDIVISION IN DOUGLAS COUNTY, NEBRASKA

Received - DIANE L. BATTIATO
Register of Deeds, Douglas County, NE
6/11/2007 08:02:43.36
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THIS SECOND AMENDMENT TO DECLARATION made on the date hereinafter set forth, by Piney Creek, Inc., a Nebraska corporation ("Declarant").

PRELIMINARY STATEMENT

WHEREAS, the Declarant is the owner of the following described real property: lots 1-8, and 10 Piney Creek replat AND lots 27-29, 41, 42, 44-46, 58, 60-63, 75-77, 79-82, 96-99, 101-105, and 111 Piney Creek, which have been divided, in Piney Creek, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska; and

WHEREAS, the Declarant has filed an original Declaration of Covenants, Conditions, and Restrictions for the affected lots on April 16, 2001 under Instrument Number 1378-332 AND a First Amendment to the Declaration of Covenants for the affected lots on December 26, 2006 under Instrument Number 2006146174; and

WHEREAS the Declarant wishes to amend Article III, A. 2., as it relates to front setback requirements.

NOW, THEREFORE, the Declarant hereby declares that said Lots shall be held, sold, and conveyed subject to the following amended restriction:

ARTICLE III
RESTRICTIONS FOR RESIDENTIAL DWELLINGS

- 2. All lots shall have a front setback of at least thirty (30) feet; all other setbacks shall comply with the set back requirements of the Zoning Code of the current governing municipality.

The Declarant ratifies and restates all covenants, conditions, restrictions and easements for the Piney Creek Subdivision in Douglas County, Nebraska other than as amended herein.

IN WITNESS WHEREOF, the Declarant has caused these presents to be executed this 7th day of June, 2007.

ATTEST:

JeAnn Sudbeck, Secretary

PINEY CREEK, INC., a Nebraska Corporation

Melvin J. Sudbeck, Its President

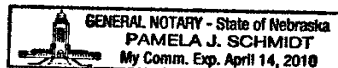
STATE OF NEBRASKA)
COUNTY OF SARPY)

On this 7th day of June, 2007, before me, a Notary Public, duly commissioned and qualified in and for said County, appeared Melvin J. Sudbeck, personally known by me to be the President of Piney Creek, Inc., and JeAnn Sudbeck, personally known by me to be the Secretary of said corporation, and the identical persons whose names are affixed to the foregoing instrument, and they acknowledged the execution thereof to be their voluntary act and deed.

WITNESS my hand and Notarial Seal the day and year last above written

Return to:
Piney Creek
16255 Woodland Drive
Omaha, NE 68136

Notary Public



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