



**2020-41713**

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Recording fees paid:

**\$34.00**

**Deb Houghtaling**

Pages: 5

COUNTY CLERK/REGISTER OF DEEDS

By: JB

Submitter: WOODS & AITKEN, LLP - LINCOLN

S-File



AMRC

**Please Return To: Michael D. Matejka, Woods & Aitken LLP, 10250 Regency Circle, Suite 525, Omaha, NE 68114**

**SECOND AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS,  
RESTRICTIONS AND EASEMENTS  
PLAMBECK ADDITION REPLAT 1**

THIS SECOND AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS PLAMBECK ADDITION REPLAT 1 ("Second Amendment") is made effective on this 4th day of December, 2020 ("Effective Date").

WHEREAS, the Declaration of Covenants, Conditions, Restrictions and Easements Plambeck Addition Replat 1 ("Declaration") was recorded on May 29, 2020, in the office of the Register of Deeds of Sarpy County, Nebraska, as Instrument No. 2020-14384 and the First Amendment to Declaration of Covenants, Conditions, Restrictions and Easements Plambeck Addition Replat 1 was recorded on August 5, 2020, in the office of the Register of Deeds of Sarpy County, Nebraska, as Instrument No. 2020-23996 upon the real property now described as shown on Exhibit "B: attached hereto; and

WHEREAS, Declarant desires to amend the Declaration as set forth in this Second Amendment.

NOW, THEREFORE the Declaration is amended as follows:

1. The references to the Outlot in the Declaration shall mean Outlot A, Plambeck Addition Replat 2, a subdivision as surveyed, platted and recorded in Sarpy County, Nebraska.

2. The following is added to Section 4.1 of the Declaration:

Lot 1, Plambeck Addition Replat 2 shall be treated as being 3.56 Net Acres for all purposes under this Declaration notwithstanding that it is larger than 3.56 Net Acres.

3. Exhibit "A" to the Declaration is hereby deleted in its entirety and replaced with the Exhibit "A" attached hereto.

4. Exhibit "D" to the Declaration is hereby deleted in its entirety and replaced with the Exhibit "D" attached hereto.

5. The following is added to the Declaration as Section 7.9:

7.9 Sidewalks. Each Owner shall be responsible for the construction and maintenance, including but not limited to the removal of snow and ice, of all sidewalks upon its Lot and within any adjacent public right-of-ways.

6. Except as amended by this Second Amendment, the Declaration is hereby ratified and affirmed in all respects.

IN WITNESS WHEREOF, this Second Amendment is adopted effective as of the Effective Date.

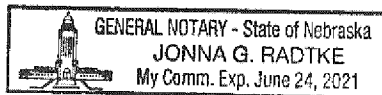
LKM INVESTMENTS, LLC, a Nebraska limited liability company, Declarant,

By: Michael P. Earl, mgr  
Michael Earl, Manager

STATE OF NEBRASKA            )  
  ) ss.  
COUNTY OF DOUGLAS        )

Before me, the undersigned Notary Public in and for said county and state, appeared Michael Earl, the Manager of LKM Investments, LLC, a Nebraska limited liability company, known to me to be the identical person who executed the above instrument and acknowledged the execution thereof to be his voluntary act and deed on behalf of said company.

WITNESS my hand and Notarial Seal this 4th day of December, 2020.



Jonna G. Radtke  
Notary Public

**EXHIBIT "A"**

**ASSOCIATION MEMBERSHIP**

<u>Lots in Replat 1</u>	<u>Net Acres</u>	<u>Number of Memberships</u>	<u>Percentage</u>
1	1.52	2	14.93 %
3	1.53	2	15.03 %
4	1.07	1	10.51 %
5	.76	1	7.47 %
6	1.74	2	17.09 %
<u>Lots in Replat 2</u>			
1	3.56	4	34.97 %
Totals:	10.18	12	100.00%

**EXHIBIT "B"**

LOTS 1, 3, 4, 5, AND 6, PLAMBECK ADDITION REPLAT 1, A SUBDIVISION AS SURVEYED, PLATTED AND RECORDED IN SARPY COUNTY, NEBRASKA; AND

LOT 1 AND OUTLOT A, PLAMBECK ADDITION REPLAT 2, A SUBDIVISION AS SURVEYED, PLATTED AND RECORDED IN SARPY COUNTY, NEBRASKA

**EXHIBIT "D"**

**STORM WATER FACILITY ASSESSMENTS**

Lot Number	Cost
1, Replat 1	\$ 47,676.89
1, Replat 2	\$111,684.60
3, Replat 1	\$ 47,990.55
4, Replat 1	\$ 33,562.02
5, Replat 1	\$ 23,838.44
6, Replat 1	<u>\$ 54,577.49</u>
	<u>\$319,330.00</u>

All amounts due shall bear interest at a rate per annum (not to exceed the maximum rate of interest allowed by law) equal to five percent (5%) more than the Prime Rate from September 1, 2020 (and shall fluctuate thereafter as the Prime Rate changes from time to time) until date of payment.