



M

AMENDMENT TO
PROTECTIVE COVENANTS FOR SAGEWOOD POINTE

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

RECITALS

- A. On May 15, 2018 a document entitled Protective Covenants for Sagewood Pointe (hereinafter the "Declaration") was recorded against the property legally described as Lots 1 thru 79, inclusive, and Outlots A thru F, inclusive, Sagewood Pointe, a subdivision as surveyed, platted and recorded in Douglas County, Nebraska (collectively, the "Lots"), in the Office of the Register of Deeds of Douglas County, Nebraska as Instrument No. 2018036754.
- 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 deleted in its entirety and is replaced with the following to:

"5. Fences and Animal Shelters. Fences shall not be located on any Lot nearer to the street than the structure located on said Lot. Any fence installed on any Lot by the Declarant shall be maintained by the owner of such Lot, at the owner's sole expense and the owner shall keep such fence in good order and repair and replace the same with the same style and equal quality fence when and if reasonably necessary. Fencing shall be wood, vinyl or black vinyl chain link. Unless specifically approved by Declarant in writing, no other type of fencing, including chain link and wire fencing, shall be permitted in any instance. No stable, dog run, kennel or other shelter for any animal, livestock, fowl or poultry shall be erected, altered, placed or permitted to remain on any Lot. Notwithstanding anything herein to the contrary, no fencing shall be permitted on Lots 1 through 22, inclusive, Sagewood Pointe. In addition, notwithstanding anything herein to the

FULL 1

RETURN TO:
 FULLENKAMP, JOBEUN, ^{LS}
 JOHNSON & BELLER, LLP
 11440 WEST CENTER ROAD
 OMAHA, NEBRASKA 68144-4482
 ATTN: Mack Johnson

contrary, any fence constructed on Lots 23 through 33, inclusive, Sagewood Pointe, and any other "perimeter" lot which abuts 180th Street or Fort Street, and is otherwise permitted to have fencing, shall be six feet (6') in height, tan 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.

2. Amendment to Subsection d. of Paragraph 14. Subsection d of Paragraph 15 of the Declaration is hereby deleted in its entirety and is replaced with the following:

"d. an easement is hereby granted to the Association (defined herein), and its successors and assigns, to, in the sole and absolute discretion of the Association, plant, trim, maintain, replace or remove any landscaping and/or trees in and/or along the over a twenty-foot (20') wide strip of land abutting the rear property lines of Lots 7 through 22, inclusive, Sagewood Pointe, and within the 180th and/or Fort Street rights-of-way (collectively, the "Landscape Easement Area"). The Association shall be permitted reasonable access over, across and through Lots 7 through 22, inclusive, Sagewood Pointe, for the purposes of exercising its rights set forth herein;"

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

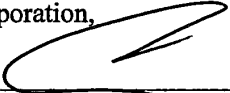
4. No Other Amendments. Except as set forth herein, the Declaration shall remain in full force and effect.

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

IN WITNESS WHEREOF, this Amendment was made this 29 day of July, 2020.

DECLARANT:

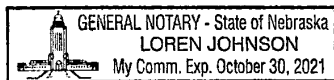
CELEBRITY HOMES, INC., a Nebraska corporation,

By: 
Chad Larsen, Vice-President

State of Nebraska)
)ss.
County of Douglas)

The foregoing instrument was acknowledged before me this 29 day of July, 2020, by Chad Larsen, Vice-President of Celebrity Homes, Inc., a Nebraska corporation, on behalf of the corporation.

SEAL




Notary Public

Exhibit A Perimeter Fence Design

