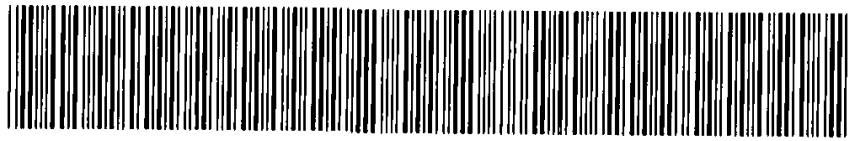


MISC 2013070232



JUL 11 2013 13:57 P 25

MISC
 25 FEE 154.⁰⁰ FB MI-40592
 RKP _____ C/D _____ COMP 80
 60 DFL _____ SCAN _____ FV _____

Received - DIANE L. BATTIATO
Register of Deeds, Douglas County, NE
7/11/2013 13:57:23.37



2013070232

After recording, please return to:

John M. Prosocki, Esq.
CROKER, HUCK, KASHER, DeWITT,
ANDERSON & GONDERINGER, L.L.C.
2120 South 72nd Street, Suite 1200
Omaha, NE 68124

**SECOND AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS,
RESTRICTIONS AND EASEMENTS OF WALNUT LAKE, A SUBDIVISION IN
DOUGLAS COUNTY, NEBRASKA**

This Second Amendment to Declaration of Covenants, Conditions, Restrictions and Easements of Walnut Lake, a Subdivision in Douglas County, Nebraska is made on the date hereinafter set forth by Pacesetter Homes, Inc., a Nebraska corporation (the "Declarant"), and the other undersigned owners of Lots (as defined in the Declaration) in Walnut Lake Replat I, a subdivision as surveyed, platted and recorded in Douglas County, Nebraska, which Declarant and other owners constitute the owners of not less than seventy-five percent (75%) of the Lots subject to the Declaration.

1. The Declarant executed a Declaration of Covenants, Conditions, Restrictions and Easements (the "Declaration") covering the real property described as: Lots 1 through 57, inclusive, and Outlots A, B and C, in Walnut Lake Replat I, a Subdivision in Douglas County, Nebraska. The Declaration was dated November 20, 2001, and was filed for record in the Office of the Register of Deeds of Douglas County, Nebraska on November 29, 2001 in Book 1410 at Pages 495 through 514, inclusive. Declarant previously amended the Declaration pursuant to a First Amendment to Declaration of Covenants, Conditions, Restrictions and Easements of Walnut Lake, a Subdivision in Douglas County, Nebraska dated June 6, 2002 and recorded June 10, 2002 in the Office of the Register of Deeds of Douglas County, Nebraska in Book 1444 at Pages 237 through 238, inclusive.

2. Under the terms and conditions of Article IV, Section 2 of the Declaration, the Declaration can be amended with the written consent of the owners of not less than seventy-five percent (75%) of the Lots subject to the Declaration.

v163414,

3. Pursuant to the power reserved in Article IV, Section 2 of the Declaration, the Declarant and other undersigned owners (constituting the owners of not less than seventy-five percent (75%) of the Lots covered by the Declaration), desire to amend the Declaration as hereinafter set forth.

4. The first paragraph of Article I, Section 2 of the Declaration is hereby amended to read, in its entirety, as follows:

2. No residence, building, fence, wall, driveway, sidewalk, patio, patio enclosure, deck, basketball backboard, dog house, tree house, flag pole, solar heating or cooling device, windmill or other external improvement including landscaping, above or below the ground (herein all referred to as any "Improvement") shall be constructed, reconstructed or remodeled, erected, placed or permitted to remain on any Lot, nor shall any grading or excavation for any Improvement be commenced, except for Improvements which have been approved by Declarant as follows:

5. Article I, Section 5 of the Declaration is hereby amended to read, in its entirety, as follows:

5. No advertising signs, billboards, unsightly objects or nuisances shall be erected, placed or permitted to remain on any Lot except one sign per Lot consisting of not more than six (6) square feet advertising a Lot or house as "For Sale"; nor shall the premises be used in any way for any purpose which may endanger the health or unreasonably disturb the owner or owners of any Lot or any resident thereof. Further, no business activities of any kind whatsoever shall be conducted on any Lot, except for home occupations as defined in the Zoning Code of the Municipal Code of the City of Omaha, Nebraska. Provided, however, this paragraph shall not apply to the business activities, signs and billboards, or the construction and maintenance of buildings, if any by Declarant, its agents or assigns, during the construction and sale of the Lots.

6. Article I, Section 13 of the Declaration is hereby amended to read, in its entirety, as follows:

13. No swimming pool shall be erected, altered, placed or permitted to remain on any Lot. Outdoor spas, including above ground or below ground spas, are permitted only if approved in writing by the Declarant. No tennis courts shall be allowed on any Lot.

7. Article I, Section 25 of the Declaration is hereby amended to read, in its entirety, as follows:

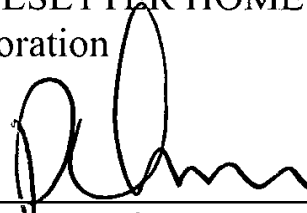
25. Each Owner must install an approved automatic yard sprinkler system at the time of construction of a Living Unit on the Owner's Lot, at Owner's expense.

8. In all other respects, the Declaration heretofore executed, as previously amended, is hereby ratified and confirmed in its original form.

IN WITNESS WHEREOF, the Declarant and the other undersigned owners have executed this Second Amendment to Declaration of Covenants, Conditions, Restrictions and Easements of Walnut Lake, a Subdivision in Douglas County, Nebraska effective as of the date of the last of the signatures below.

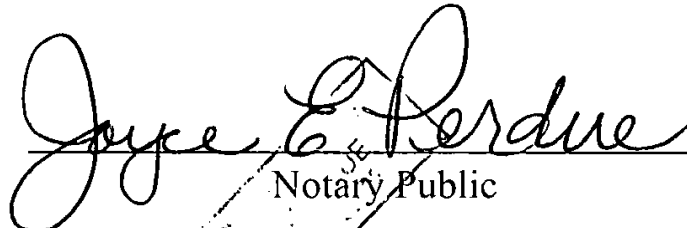
Lot Numbers: 1, 2, 5, 7, 10, 11, 12,
14, 15, 16, 17, 19, 20, 21, 22, 28,
31, 32, 38, 41, 44

PACESETTER HOMES, INC., a Nebraska
corporation

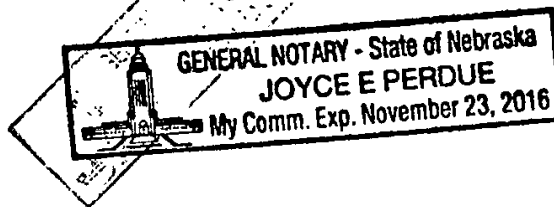
By: 
Dennis Van Moorlegem, Vice President

STATE OF NEBRASKA)
) SS:
DOUGLAS COUNTY)

The foregoing instrument was acknowledged before me this 9 day of July, 2013 by Dennis Van Moorlegem, personally known to me to be the Vice President of Pacesetter Homes, Inc., a Nebraska corporation, and acknowledged the same to be his voluntary act and deed and the voluntary act and deed of said corporation.


Notary Public

00352969.DOC



**Signature Page to Second Amendment to Declaration of Covenants, Conditions,
Restrictions and Easement of Walnut Lake, a Subdivision in Douglas County, Nebraska**

Lot Number: 4

Printed Name(s): Jerry D. Cose, Trustee
Signature(s): of The Jerry D. and Beverly J. Cose Revocable Trust

Jerry D. Cose
Trustee

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on 19 AUGUST 2011,
2011 by Jerry D. Cose, Trustee of the Jerry D. and Beverly J. Cose Revocable Trust



Evelyn Akpan
Notary Public

**Signature Page to Second Amendment to Declaration of Covenants, Conditions,
Restrictions and Easement of Walnut Lake, a Subdivision in Douglas County, Nebraska**

Lot Number: 9

Printed Name(s):

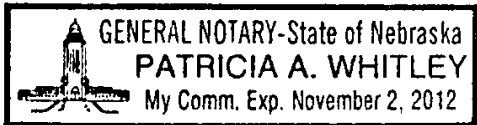
Marlee Vervaecke
Marlee Vervaecke
(DON VERVAECKE
Donald Vervaecke

Signature(s):

STATE OF NEBRASKA)
) ss.
COUNTY OF Douglas)

The foregoing instrument was acknowledged before me on August 25,
2011 by Donald M. Vervaecke Marlee L. Vervaecke.

Patricia A. Whitley
Notary Public



**Signature Page to Second Amendment to Declaration of Covenants, Conditions,
Restrictions and Easement of Walnut Lake, a Subdivision in Douglas County, Nebraska**

Lot Number: 18

Printed Name(s):

Signature(s):

Richard E Westcott
Barbara J Westcott
Richard E Westcott
Barbara J Westcott

STATE OF NEBRASKA)
) ss.
COUNTY OF Douglas)



The foregoing instrument was acknowledged before me on 8/25,
2011 by Richard E and Barbara J Westcott.

Kathy Shudak
Notary Public

Signature Page to Second Amendment to Declaration of Covenants, Conditions, Restrictions and Easement of Walnut Lake, a Subdivision in Douglas County, Nebraska

Lot Number: 23

Printed Name(s): Jean A. Meyers

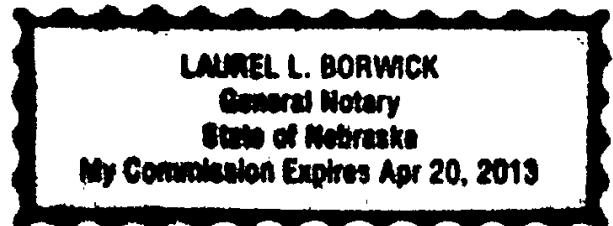
Signature(s): _____

Jean A. Meyers

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on August 30,
2011 by Jean A. Meyers

Laurel L. Borwick
Notary Public



**Signature Page to Second Amendment to Declaration of Covenants, Conditions,
Restrictions and Easement of Walnut Lake, a Subdivision in Douglas County, Nebraska**

Lot Number: 24

Printed Name(s): LARRY KOOM

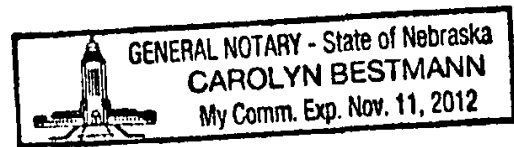
Signature(s): Georgine Koom
Larry Koom

Georgine Koom

STATE OF NEBRASKA)
) ss.
COUNTY OF Douglas)

The foregoing instrument was acknowledged before me on August 30,
2011 by Larry R. Koom Georgina S. Koom

Carolyn Bestmann
Notary Public



Signature Page to Second Amendment to Declaration of Covenants, Conditions, Restrictions and Easements of Walnut Lake, a Subdivision in Douglas County, Nebraska.

Lot Number: 26

Printed Name(s): CLEO W. ROBINSON JR

Carol D. Robinson

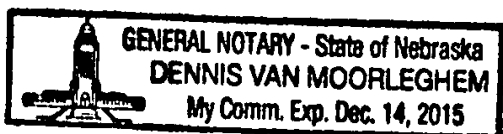
Signature(s): [Handwritten Signature]
[Handwritten Signature]

STATE OF NEBRASKA)
COUNTY OF Douglas) ss.
)

The foregoing instrument was acknowledged before me on May 3 2012,
2012 by Cleo W. Robinson, Jr. and Carol D. Robinson.

[Handwritten Signature]

Notary Public



**Signature Page to Second Amendment to Declaration of Covenants, Conditions,
Restrictions and Easement of Walnut Lake, a Subdivision in Douglas County, Nebraska**

Lot Number: 34

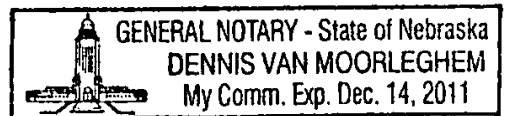
Printed Name(s): Stanley J. Zbylut

Signature(s): Ruth A. Sauser

[Handwritten Signature]
Ruth A. Sauser

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on 9/12/11,
2011 by Stanley J. Zbylut Ruth A. Sauser



[Handwritten Signature]
Notary Public

Signature Page to Second Amendment to Declaration of Covenants, Conditions, Restrictions and Easement of Walnut Lake, a Subdivision in Douglas County, Nebraska

Lot Number: 35

Printed Name(s):

Dennis A. Gray
Linda A. Gray

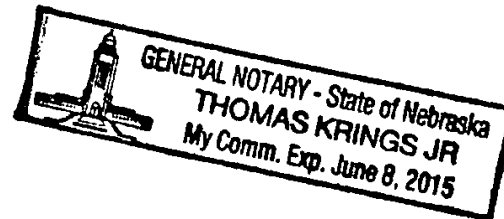
Signature(s):

Dennis A. Gray
Linda A. Gray

STATE OF NEBRASKA)
) ss.
COUNTY OF Douglas)

The foregoing instrument was acknowledged before me on August 18th,
2011 by Dennis A. Gray Linda A. Gray

Thomas Krings Jr
Notary Public



**Signature Page to Second Amendment to Declaration of Covenants, Conditions,
Restrictions and Easement of Walnut Lake, a Subdivision in Douglas County, Nebraska**

Lot Number: 36

Printed Name(s): STEVEN A. RILEY

Signature(s): [Handwritten Signature]

Kathy E. Riley
[Handwritten Signature]
Kathy E. Riley

STATE OF NEBRASKA)
) ss.
COUNTY OF Douglas)

The foregoing instrument was acknowledged before me on 8-22-,
2011 by Steven A. Riley Kathy E. Riley

Angela K. Suchy
Notary Public

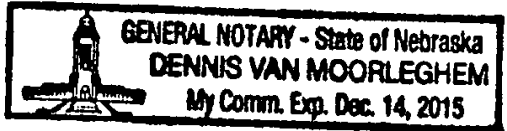


Signature Page to Second Amendment to Declaration of Covenants, Conditions, Restrictions and Easements of Walnut Lake, a Subdivision in Douglas County, Nebraska.

Lot Number: 40 Printed Name(s): M K Gates
Wayne G Gates
Signature(s): M K Gates
Wayne G Gates

STATE OF NEBRASKA)
COUNTY OF Platte) ss.
)

The foregoing instrument was acknowledged before me on May 3, 2012,
2012 by Wayne G. Gates and M. K. Gates.



[Signature]
Notary Public

Signature Page to Second Amendment to Declaration of Covenants, Conditions, Restrictions and Easement of Walnut Lake, a Subdivision in Douglas County, Nebraska

Lot Number: 43

Printed Name(s):

Carol J Godbout

Signature(s):

Raymond E Godbout

Carol J Godbout

Raymond E Godbout

STATE OF NEBRASKA)

COUNTY OF Douglas) ss.

The foregoing instrument was acknowledged before me on Aug 27th, 2011 by Raymond E. Godbout Carol J. Godbout

Sunshine M Fonda

Notary Public



**Signature Page to Second Amendment to Declaration of Covenants, Conditions,
Restrictions and Easement of Walnut Lake, a Subdivision in Douglas County, Nebraska**

Lot Number: 45

Printed Name(s): Michael W Freeland
Judith K Freeland

Signature(s): *Michael W Freeland*
Judith K Freeland

STATE OF NEBRASKA)
) ss.
COUNTY OF Douglas

The foregoing instrument was acknowledged before me on 10-3-11,
2011 by Michael W. Freeland Judith K. Freeland

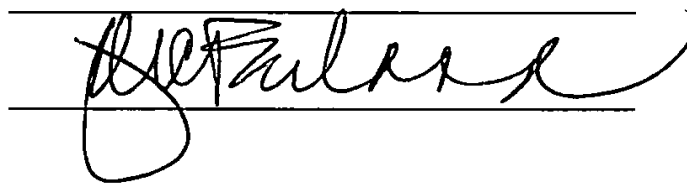
Kristi Taylor
Notary Public



Signature Page to Second Amendment to Declaration of Covenants, Conditions, Restrictions and Easements of Walnut Lake, a Subdivision in Douglas County, Nebraska.

Lot Number: 46 & 47

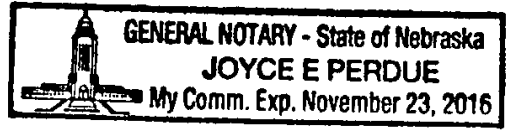
Printed Name(s): Jeanette McFarland

Signature(s): 

STATE OF NEBRASKA)
COUNTY OF Sarpy) ss.
)

The foregoing instrument was acknowledged before me on June 20,
2013 by Jeanette McFarland.

Joyce E. Perdue
Notary Public



Signature Page to Second Amendment to Declaration of Covenants, Conditions, Restrictions and Easement of Walnut Lake, a Subdivision in Douglas County, Nebraska

Lot Number: 50

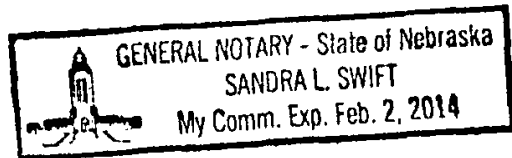
Printed Name(s):

Karen Hegge Trustee

Signature(s):

[Handwritten Signature] Trustee

STATE OF NEBRASKA)
 DOUGLAS) ss.
COUNTY OF NE)

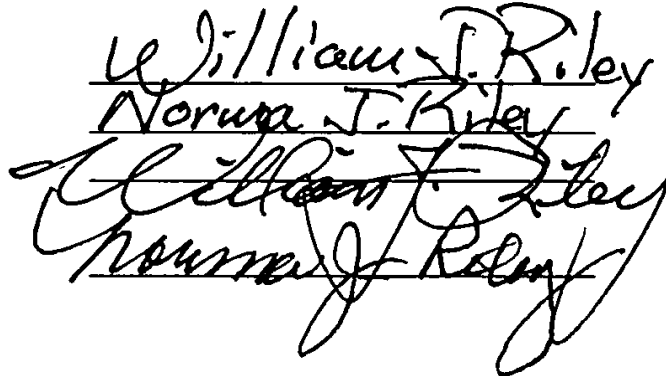


The foregoing instrument was acknowledged before me on 9.30.2011,
2011 by Karen S. Hegge, Trustee of the Karen S. Hegge Revocable Trust.

[Handwritten Signature]
Notary Public

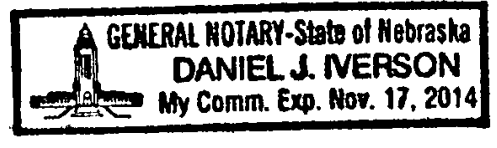
Signature Page to Second Amendment to Declaration of Covenants, Conditions, Restrictions and Easement of Walnut Lake, a Subdivision in Douglas County, Nebraska

Lot Number: 51

Printed Name(s): William J. Riley
Norma J. Riley
Signature(s): 

STATE OF NEBRASKA)
) ss.
COUNTY OF Douglas)

The foregoing instrument was acknowledged before me on August 28th, 2011 by William J. Riley Norma J. Riley.




Notary Public

Signature Page to Second Amendment to Declaration of Covenants, Conditions, Restrictions and Easement of Walnut Lake, a Subdivision in Douglas County, Nebraska

Lot Number: 52

Printed Name(s):

J. R. STANKO

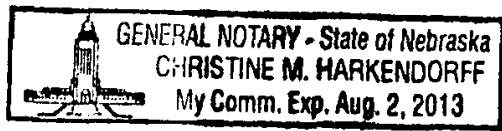
Signature(s):

TRACY B. STANKO
[Handwritten signature]
Tracy B. Stanko

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on August 29,
2011 by J. R. Stanko Tracy B. Stanko

Christine M. Harkendorff
Notary Public



Signature Page to Second Amendment to Declaration of Covenants, Conditions, Restrictions and Easement of Walnut Lake, a Subdivision in Douglas County, Nebraska

Lot Number: 53

Printed Name(s):

Daniel P. Chesire

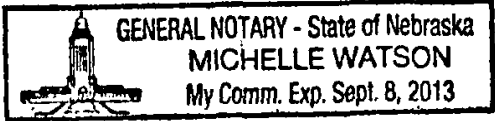
Signature(s):

Nora L. Chesire
[Signature]
Nora L. Chesire

STATE OF NEBRASKA)
) ss.
COUNTY OF Douglas)

The foregoing instrument was acknowledged before me on 22 August,
2011 by Daniel P. Chesire Nora L. Chesire

Michelle Watson
Notary Public



Signature Page to Second Amendment to Declaration of Covenants, Conditions, Restrictions and Easement of Walnut Lake, a Subdivision in Douglas County, Nebraska

Lot Number: 55

Printed Name(s): Kathy L. Andersen

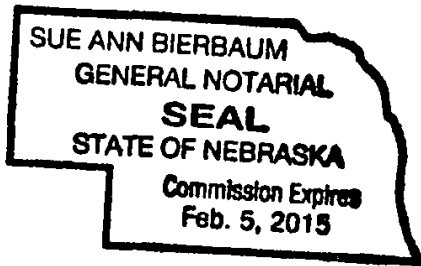
Signature(s):

Kathy L. Andersen

STATE OF NEBRASKA)
COUNTY OF Douglas) ss.

The foregoing instrument was acknowledged before me on Aug 22, 2011,
2011 by Kathy L. Andersen

Sue Ann Bierbaum
Notary Public



Signature Page to Second Amendment to Declaration of Covenants, Conditions, Restrictions and Easement of Walnut Lake, a Subdivision in Douglas County, Nebraska

Lot Number: 57

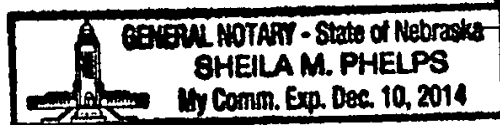
Printed Name(s):

Amy Friedman
Amy Friedman

Signature(s):

STATE OF NEBRASKA)
) ss.
COUNTY OF Douglas

The foregoing instrument was acknowledged before me on August 18,
2011 by Amy Friedman



Sheila M. Phelps
Notary Public