

2011-10915

04/28/2011 11:35:23 AM

Floyd J. Dowling

REGISTER OF DEEDS

COUNTER LM P.F. LM
VERIFY LM D.F. LM
PROOF _____
FEES \$ 71.00
CHECK # 3536+3519+3545
CHG. _____ CASH _____
REFUND _____ CREDIT _____
SHORT _____ NCR _____



**SECOND AMENDMENT TO THE DECLARATION OF COVENANTS,
CONDITIONS, AND RESTRICTIONS OF WALNUT CREEK HILLS
TOWNHOMES**

THIS SECOND AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS OF WALNUT CREEK HILLS TOWNHOMES (the "Second Amendment") is made on the date hereinafter set forth by Celebrity Homes, Inc., a Nebraska corporation, f/k/a Celebrity Townhomes, Inc. (the "Declarant").

RECITALS

WHEREAS, the Declaration of Covenants, Conditions, and Restrictions of Walnut Creek Hills Townhomes ("Declaration") was recorded by Declarant in the office of the Register of Deeds of Sarpy County, Nebraska, on or about November 12, 2002, as Instrument Number 2002-45746 ("Original Declaration"); and

WHEREAS, the Original Declaration encumbers Lots 57 through 84, inclusive, and Lots 220 through 229, inclusive, in WALNUT CREEK HILLS, a subdivision as surveyed, platted and recorded in Sarpy County, Nebraska; and Lots 1 through 37, inclusive, WALNUT CREEK HILLS REPLAT ONE, a subdivision as surveyed, platted and recorded in Sarpy County, Nebraska; and

WHEREAS, Article XI, Section 3, of the Original Declaration provides that the covenants and restrictions of the Original Declaration may be amended by Declarant for a period of 20 years from the date the Original Declaration is recorded; and

WHEREAS, Declarant desires to amend the Original Declaration upon the terms and conditions stated herein.

NOW, THEREFORE, Declarant hereby declares that the Original Declaration should be and hereby is amended in the following manner:

1. By adding thereto and adding in its place and stead the following as Article III, Section 11:

Section 11. Special Assessments for Capital Improvements and Extraordinary Expenses. In addition to the annual assessments authorized above, the Association may levy, in any assessment year, a special

PLR

**THOMPSON
LAW OFFICE**

13906 Gold Circle, Suite 201
Omaha, NE 68144

assessment applicable to that year only for the purpose of defraying, in whole or in part, the cost of any construction, reconstruction, repair or replacement of a capital improvement upon the Common Area, including fixtures and personal property related thereto, or to account for the expenditure of any extraordinary and unanticipated expense of the Association, provided that any such assessment shall have the assent of two-thirds (2/3) of the votes of each class of members who are voting in person or by proxy at a meeting duly called for this purpose.

- 2. Except as specifically amended herein, the Original Declaration shall remain in full force and effect as originally executed with any amendments to date. The covenants and restrictions of this Second Amendment shall run with and bind the land described herein and shall have the same legal effect as the Original Declaration.

Dated this 3RD day of FEBRUARY, 2011.

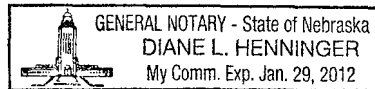
CELEBRITY HOMES, INC., a
Nebraska corporation,

By: [Signature]
CHAD LARSEN, Vice-President

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

On this 3rd day of February, 2011, the foregoing instrument was acknowledged before me, a Notary Public, by Chad Larsen, Vice-President of Celebrity Homes, Inc., a Nebraska corporation, acting on behalf of said corporation.

[Signature]
NOTARY PUBLIC



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SUBJECT LOTS

Lot 58 through 84 inclusive, and Lots 220 through 229 inclusive, Walnut Creek Hills

Lot 17 Walnut Creek Hills Replat Three being a replat of Lots 56, 57 and 230 through 248 inclusive and Lots 270 through 276 inclusive, Walnut Creek Hills

Lots 1A and 1B Walnut Creek Hills Replat Five being a replat of Lot 37, Walnut Creek Hills Replat One

Lots 1A and 1B and 2A and 2B Walnut Creek Replat Six being a replat of Lots 35 and 36, Walnut Creek Hills Replat One

Lots 1A and 1B and 2A and 2B Walnut Creek Replat Seven being a replat of Lot 10 and 11, Walnut Creek Hills Replat One

Lots 1A, 1B, 2A and 2B and 3A and 3B Walnut Creek Hills Replat Eight being a replat of Lots 26, 27 and 28, Walnut Creek Hills Replat One

Lots 1A, 1B, 2A, 2B, 3A, and 3B Walnut Creek Hills Replat Nine being a replat of Lot 24, 25, and 29, Walnut Creek Hills Replat One

Lots 1A, 1B, 2A, 2B, 3A and 3B Walnut Creek Hills of being Replat Ten being a replat of Lot 23, 30 and 31, Walnut Creek Hills Replat One

Lots 1A, 1B, 2A, 2B, 3A and 3B Walnut Creek Hills Replat Eleven being a replat of Lots 21, 22 and 32, Walnut Creek Hills Replat One

Lots 1A, 1B, 2A and 2B Walnut Creek Hills Replat Twelve being a replat of Lots 20 and 23, Walnut Creek Hills Replat One

Lots 1A, 1B, 2A and 2B Walnut Creek Hills Replat Thirteen being a replat of Lots 19 and 31, Walnut Creek Hills Replat One

Lots 1A, 1B, 2A, 2B, 3A and 3B Walnut Creek Hills Replat Fourteen being a replat of Lots 6, 7 and 13, Walnut Creek Hills Replat One

Lots 1A, 1B, 2A, 2B, 3A and 3B Walnut Creek Hills Replat Fifteen being a replat of Lots 8, 9 and 12, Walnut Creek Hills Replat One

Lots 1A, 1B, 2A and 2B Walnut Creek Hills Replat Sixteen being a replat of Lots 14 and 15, Walnut Creek Hills Replat One

Lots 1A, 1B, 2A and 2B Walnut Creek Hills Replat Seventeen being a replat of Lots 4 and 5, Walnut Creek Hills Replat One

Lots 1A, 1B, 2A, 2B, 3A and 3B Walnut Creek Hills Replat Eighteen being a replat of Lots 1, 2 and 3, Walnut Creek Hills Replat One

Lots 1A, 1B, 2A, 2B, 3A and 3B Walnut Creek Hills Replat Nineteen being a replat of Lots 16, 17 and 18, Walnut Creek Hills Replat One