

2011-10914

04/28/2011 11:35:22 AM

*Floyd J. Dowling*

REGISTER OF DEEDS

COUNTER LM LM  
 VERIFY a-1  
 PROOF JP  
 FEES \$ 71.00  
 CHECK # 3536+3519+3545  
 CHG. \_\_\_\_\_ CASH \_\_\_\_\_  
 REFUND \_\_\_\_\_ CREDIT \_\_\_\_\_  
 SHORT \_\_\_\_\_ NCR \_\_\_\_\_



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

THIS FIRST AMENDMENT TO THE DECLARATION OF COVENANTS,  
CONDITIONS, AND RESTRICTIONS OF WALNUT CREEK HILLS TOWNHOMES  
(the "First 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 though 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 deleting therefrom Article XI, Section 3 and adding in its place and  
stead the following:

Section 3. Amendment. The covenants and restrictions of this  
Declaration shall run with and bind the land, for a term of twenty (20)  
years from the date this Declaration is originally recorded, after which

time they shall be automatically extended for successive periods of ten (10) years. This Declaration may be amended during the first twenty (20) years by the Declarant in its sole and absolute discretion or by an instrument signed by not less than seventy-five percent (75%) of the Lot Owners, and thereafter by an instrument signed by not less than seventy-five percent (75%) of the Lot Owners. Such amendments by the Declarant, may include, among other things, the inclusion of additional properties to this Declaration; the removal or detachment of any properties from this Declaration and the jurisdiction of the Association for the purpose of converting the use of said Lot or Lots to single family residential and, if applicable, including such Lot or Lots in the single family homeowners association created by Declarant; and an extension of time for which this Declaration is to run. Any amendment must be recorded.

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

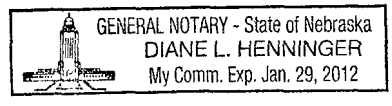
Dated this 3rd day of FEBRUARY, 2011.

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



2011-10914 B

**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