

After recording return to:
Seacrest & Kalkowski, PC, LLO
1128 Lincoln Mall, Suite 105
Lincoln, NE 68508

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**FIRST AMENDMENT TO
DECLARATION OF COVENANTS,
CONDITIONS, RESTRICTIONS AND EASEMENTS
FOR WANDERING CREEK**

WHEREAS, Matodol, LLC, a Nebraska limited liability company (“Declarant”), is the owner of Lot 1, Block 1; Lot 1, Block 2; and Lot 1, Block 3; and Outlots A, B and C; Wandering Creek Addition; and Lot 1, Block 1; Lots 1-12, Block 2; Lots 1-8, Block 3; Lots 1-11, Block 4; Lots 1-11, Block 5; Lots 1 and 2, Block 6, and Outlots C, D, E, F, H and I; Wandering Creek 2nd Addition; all located in Lincoln, Lancaster County, Nebraska (“Additional Property”); and

WHEREAS, Declarant desires to add the Additional Property to the definitions of “Nature Lots”, “Interior Lots”, Multi-Family Lots” and “Common Area” contained in the Declaration of Covenants, Conditions, Restrictions and Easements for Wandering Creek, which was filed of record with the Lancaster County, Nebraska Register of Deeds office on June 12, 2019, as Instrument No. 2019020431 (“Declaration”), making the Additional Property subject to the covenants, conditions, restrictions and easements contained in the Declaration; and

WHEREAS, the Declaration expressly reserves to Declarant the right to add contiguous similarly developed real estate to the Property by the Declarant’s recordation of an amendment adding the legal description of the additional real estate to the definition of “Property” contained in the Declaration.

NOW, THEREFORE, Declarant does hereby amend the Declaration as follows:

1. The terms “Nature Lots”, “Interior Lots”, “Multi-Family Lots” and “Common Area”, shall be deemed to include the Additional Property as identified and set forth on Exhibit “A”, which is attached hereto and incorporated herein by this reference, hereby subjecting the Additional Property to the covenants, conditions, restrictions and easements contained in the Declaration.

2. Notwithstanding Paragraphs 2 and 3 of Article IV of the Declaration, until Design Guidelines for Multi-Family Lots are added to the Declaration, all plans to construct, reconstruct or modify buildings on the Multi-family Lots showing the size, exterior material, design, color

WACR
WACR2

and plot plan for the building must be submitted to the Declarant for review and approval prior to the commencement of said construction, reconstruction or modification, and said approval shall not be unreasonably withheld, conditioned or delayed by Declarant if the building design is consistent with comparable Class A multi-family housing projects in the City of Lincoln, Nebraska.

3. All the remaining terms and provisions of the Declaration, as amended by this Amendment, shall remain in full force and effect.

Executed this 11th day of December, 2019.

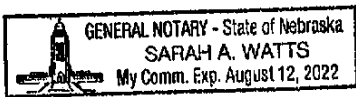
MATODOL, LLC, a Nebraska limited liability company

By: Olsson Inc., a Nebraska corporation, as Manager

By: Jeffrey S. Jenkins
Jeffrey S. Jenkins, CFO

STATE OF NEBRASKA)
) ss.
COUNTY OF LANCASTER)

The foregoing instrument was acknowledged before me this 11th day of December, 2019, by Jeffrey S. Jenkins, as CFO of Olsson, Inc., a Nebraska corporation, as Manager of **Matodol, LLC**, a Nebraska limited liability company, on behalf of the Nebraska limited liability company.



Sarah A. Watts
Notary Public

EXHIBIT "A"
THE PROPERTY

WACR1
WACR2

NATURE LOTS:

Lots 1-10, Block 1, Wandering Creek 1st Addition, Lincoln, Lancaster County, Nebraska

Lots 1-8, Block 3; Wandering Creek 2nd Addition, Lincoln, Lancaster County, Nebraska

INTERIOR LOTS:

Lots 1-11, Block 2, and Lots 1-9, Block 3, Wandering Creek 1st Addition, Lincoln, Lancaster County, Nebraska

Lot 1, Block 1; Lots 1-12, Block 2; Lots 1-11, Block 4; Lots 1-11, Block 5; Lots 1 and 2, Block 6; Wandering Creek 2nd Addition, Lincoln, Lancaster County, Nebraska

TOWNHOME LOTS:

None

MULTI-FAMILY LOTS:

Lot 1, Block 1; Lot 1, Block 2, and Lot 1, Block 3; Wandering Creek 2nd Addition, Lincoln, Lancaster County, Nebraska

RT LOTS:

Outlot D, Wandering Creek 1st Addition, Lincoln, Lancaster County, Nebraska

COMMON AREA:

Outlots A, B and C, Wandering Creek Addition, Lincoln, Lancaster County, Nebraska

Outlots A and C, Wandering Creek 1st Addition, Lincoln, Lancaster County, Nebraska

Outlots C, D, E, F, H and I; Wandering Creek 2nd Addition, Lincoln, Lancaster County, Nebraska

EXHIBIT "C"

**DESIGN GUIDELINES
FOR
MULTI-FAMILY LOTS**

To be defined by Declarant at a later date.