

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

**SECOND 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 Lots 1 through 12, Block 1; Lot 1, Block 2; and Outlots B and C; Wandering Creek 3<sup>rd</sup> Addition; all located in Lincoln, Lancaster County, Nebraska ("Additional Property"); and

WHEREAS, Element Homes LLC, is the owner of Lots 1 and 2, Block 6, Wandering Creek 2<sup>nd</sup> Addition, Lincoln, Lancaster County, Nebraska; and

WHEREAS, Declarant desires to add the Additional Property to the definitions of "Townhome Lots", "RT 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, and amended by the First Amendment to 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 December 13, 2019, as Instrument No. 2019050713 (collectively the "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 "Townhome Lots", "RT 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.

WACR3

WACR2

2. Lots 1 and 2, Block 6, Wandering Creek 2<sup>nd</sup> Addition, Lincoln, Lancaster County, Nebraska, are hereby reclassified from "Interior Lots" to "Townhome Lots" and identified as such on Exhibit "A".


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

Executed this 19<sup>th</sup> day of June, 2020.

**"DECLARANT"**

**MATODOL, LLC**, a Nebraska limited liability company

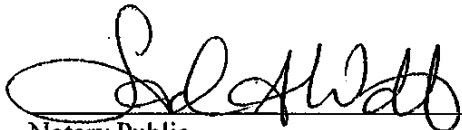
By: Olsson, Inc., a Nebraska corporation, as Manager

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

STATE OF NEBRASKA            )  
  ) ss.  
COUNTY OF LANCASTER        )

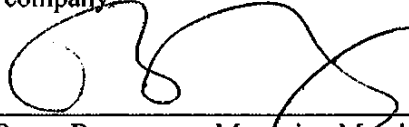
The foregoing instrument was acknowledged before me this 19<sup>th</sup> day of June, 2020, by Jeffrey S. Jenkins, as CFO of Olsson, Inc., a Nebraska corporation, as Manager of **Matodol, LLC**, a Nebraska limited liability company, on behalf of the Nebraska limited liability company.



  
\_\_\_\_\_  
Notary Public

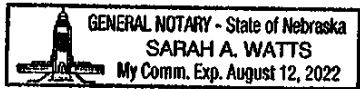
**OWNER OF LOTS 1 AND 2, BLOCK 6,  
WANDERING CREEK 2<sup>ND</sup> ADDITION**

**ELEMENT HOMES LLC**, a Nebraska limited liability company.

By:   
\_\_\_\_\_  
Roger Bumgarner, Managing Member

STATE OF NEBRASKA            )  
  ) ss.  
COUNTY OF LANCASTER        )

The foregoing instrument was acknowledged before me this 19<sup>th</sup> day of June, 2020 by Roger Bumgarner, as Managing Member of Element Homes LLC, a Nebraska limited liability company, on behalf of the limited liability company.




  
\_\_\_\_\_  
Notary Public

EXHIBIT "A"  
THE PROPERTY

WACR1  
WACR2

NATURE LOTS:

Lots 1-10, Block 1, Wandering Creek 1<sup>st</sup> Addition, Lincoln, Lancaster County, Nebraska

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

INTERIOR LOTS:

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

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

TOWNHOME LOTS:

Lots 1 and 2, Block 6, Wandering Creek 2<sup>nd</sup> Addition, Lincoln, Lancaster County, Nebraska

Lots 1 through 12, Block 1, Wandering Creek 3<sup>rd</sup> Addition, Lincoln, Lancaster County, Nebraska

WACR3

MULTI-FAMILY LOTS:

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

RT LOTS:

Lot 1, Block 2, Wandering Creek 3<sup>rd</sup> Addition, Lincoln, Lancaster County, Nebraska

COMMON AREA:

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

Outlot A, Wandering Creek 1<sup>st</sup> Addition, Lincoln, Lancaster County, Nebraska

Outlots C, D, and E, Wandering Creek 2<sup>nd</sup> Addition, Lincoln, Lancaster County, Nebraska

Outlots B and C, Wandering Creek 3<sup>rd</sup> Addition, Lincoln, Lancaster County, Nebraska