



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

(Lots 1 through 279, inclusive, and
Outlots B through I, inclusive, Westbury Farm and
Outlots A and B, Westbury Farm Replat 1)

This SECOND AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS OF WESTBURY FARM, A SUBDIVISION IN DOUGLAS COUNTY, NEBRASKA ("Second Amendment") is made the 12th day of August, 2019, by WESTBURY FARM, LLC, a Nebraska limited liability company, hereinafter referred to as the "Declarant."

PRELIMINARY STATEMENT

By Declaration of Covenants, Conditions, Restrictions and Easements of Westbury Farm, a subdivision in Douglas County, Nebraska, dated July 12, 2018, and recorded on July 17, 2018, as Instrument No. 2018055795, in the records of the Register of Deeds of Douglas County, Nebraska (herein the "Declaration"), the Declarant imposed covenants, conditions and restrictions on Lots 1 through 279, inclusive, and Outlots A through I, inclusive, in Westbury Farm, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska. Outlot A, Westbury Farm has now been replatted into Outlots A and B, Westbury Farm Replat 1, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska.

The Declaration was amended by a First Amendment to Declaration of Covenants, Conditions, Restrictions and Easements of Westbury Farm, a subdivision in Douglas County, Nebraska, dated July 30, 2018, and recorded on July 31, 2018, as Instrument No. 2018059866, in the records of the Register of Deeds of Douglas County, Nebraska (herein the "First Amendment").

After recording, return to:
John Q. Bachman
PANSING HOGAN ERNST & BACHMAN LLP
10250 Regency Circle, Suite 300
Omaha, NE 68114

The Declaration and First Amendment are hereinafter collectively referred to as the "Declaration".

Declarant has considered amendment of the Declaration for the purpose of amending Article I, Section 4. Article IV, Section 2 of the Declaration allows the Declarant to amend the Declaration in any manner which it may determine in its full and absolute discretion for a period of five (5) years from the date of the Declaration.

NOW, THEREFORE, pursuant to the authority granted to the Declarant in Article IV, Section 2 of the Declaration, Declarant hereby amends the Declaration as follows:

1. Article I, Section 4 of the Declaration is hereby deleted in its entirety and the following Section 4 is substituted in place thereof:

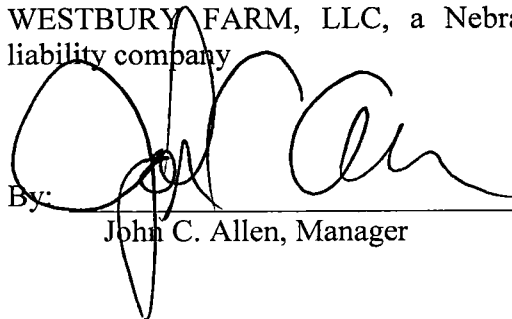
4. The exposed front foundation walls and any foundation walls facing any street of all main residential structures must be constructed of or faced with clay-fired brick or stone or other material approved by Declarant. All exposed side and rear concrete or concrete block foundation walls not facing a street must be covered with clay-fired brick, stone, siding or shall be painted. All driveways must be constructed of concrete, brick, paving stone, or laid stone. All foundations shall be constructed of concrete, concrete blocks, brick or stone. Fireplace chimneys shall be covered with wood or other material approved in writing by Declarant. Fireplace chimneys which face a street must be covered with brick or stone. Unless other materials are specifically approved by Declarant, the roof of all Improvements shall be covered with asphalt shingles (30 year heritage style and weathered wood in color). Notwithstanding the foregoing, black tone in color shingles, as approved in writing by Declarant, with respect to Lots 257 through 279 only, shall be permitted.

2. Except as amended herein, the Declaration shall remain in full force and effect as previously recorded.

IN WITNESS WHEREOF, the Declarant has caused this Second Amendment to be executed on the date and year first written above.

DECLARANT:

WESTBURY FARM, LLC, a Nebraska limited liability company

By:  _____

John C. Allen, Manager

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this 12th day of August, 2019, by John C. Allen, Manager of Westbury Farm, LLC, a Nebraska limited liability company, on behalf of the company.

V. Elaine Chapin
Notary Public

