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( Fullenkamp, Wayne Johnson  
11440 W. Center Rd.  
Omaha, NE 68144  
V26550

## SECOND AMENDMENT TO PROTECTIVE COVENANTS

THIS SECOND AMENDMENT TO PROTECTIVE COVENANTS is made the date hereinafter set forth by Celebrity Townhomes, Inc., a Nebraska corporation, f/k/a Celebrity Townhomes, L.L.C., f/k/a Village Homes, L.L.C. ("Declarant").

### RECITALS

A. On May 25, 2000, a document entitled Declaration of Covenants, Conditions, and Restrictions of Westin Hills Replat Seven Townhomes (hereinafter the "Declaration") for Lots One (1) through Thirteen (13), inclusive, and Lots Nineteen (19) through Twenty-three (23), inclusive, all in WESTIN HILLS REPLAT SEVEN, a subdivision as surveyed, platted and recorded in Douglas County, Nebraska, Lots One (1) through Ten (10), inclusive, WESTIN HILLS REPLAT FORTY-FIVE (f/k/a Lots 14 - 18, Westin Hills Replat Seven), and Lots One (1) through Fourteen (14), inclusive, WESTIN HILLS REPLAT FORTY-NINE (f/k/a Lots 24 - 30, Westin Hills Replat Seven), subdivisions as surveyed, platted and recorded in Douglas County, Nebraska, was recorded by Village Homes, L.L.C., a Nebraska limited liability company, n/k/a Celebrity Townhomes, L.L.C., Declarant, in the office of the Register of Deeds of Douglas County, Nebraska as Miscellaneous Book 1339 Page 144. mc-43481  
mc-43456  
mc-43458

B. Article XII. Section 3. of the Declaration provides that the covenants and restrictions of the Declaration may be amended by the Declarant for a period of twenty (20) years following May 25, 2000.

NOW, THEREFORE, Declarant hereby declares that the Declaration recorded on May 25, 2000 at Miscellaneous Book 1339 Page 144 in the office of the Register of Deeds of Douglas County, Nebraska should be and hereby are amended in the following manner:

1. By deleting therefrom Article VI and adding in its place and stead the following:

### **ARTICLE VI** **Architectural Control**

No fence shall be commenced, erected or maintained upon the Properties, except fences erected by the Developer. Any fence erected by the Developer shall be maintained by the Owner or Owners of each Lot upon which the fence is placed, and when reasonably necessary shall be stained with similar color and/or replaced with fencing of equal quality as the original fence erected by Developer. No exterior painting shall be commenced upon the Properties except such painting as shall be approved by the Association. No building, wall or other structure shall be commenced, erected or maintained upon the Properties, nor shall any exterior addition to or change or alteration therein be made until the plans and specifications showing the nature, kind, shape, height, materials, color and location of the same shall have been submitted to and approved in writing as to harmony of external design and location in relation to surrounding structures and topography, and in relation to other trees, shrubs and plantings, by the Board of Directors of the Association, its successors or assigns, or by an architectural committee composed of three (3) or more representatives appointed by the Board. In the event said Board, or its designated committee, fails to act upon such design and location within thirty (30) days after said plans and specifications have been submitted to it, approval will not be required and this Article will be deemed to have been fully complied with. The Architectural Control referred to in this paragraph shall not be applicable to initial construction by the Declarant or any builder or Owner, the plans and specifications of which have been approved by the Declarant.

All other terms of said Declaration shall remain in full force and effect.

Dated this 22 day of May 2001.

CELEBRITY TOWNHOMES, INC., a Nebraska corporation,  
f/k/a Celebrity Townhomes, L.L.C., f/k/a Village Homes,  
L.L.C.,

By:   
CHAD LARSEN, Vice-President

STATE OF NEBRASKA        )  
  ) ss.  
COUNTY OF DOUGLAS     )

On this 22 day of May 2001, the foregoing instrument was acknowledged before me, a Notary Public, by Chad Larsen, Vice-President of Celebrity Townhomes, Inc., a Nebraska corporation, f/k/a Celebrity Townhomes, L.L.C., f/k/a Village Homes, L.L.C., acting on behalf of said corporation.

  
Notary Public

