

SECOND AMENDMENT TO DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS

THIS Second Amendment to the Declaration of Covenants, Conditions and Restrictions of the Allen Hills Subdivision is made and entered into this 30th day of April 1999 by Heartland Acreage Developers, Inc., a Nebraska corporation, hereinafter referred to as "Declarant".

WITNESSETH:

WHEREAS, Declarant is the developer of the Allen Hills Subdivision more particularly described as lots 1-63, inclusive, in Allen Hills Subdivision, a subdivision of Washington County, Nebraska, and

WHEREAS, pursuant to the terms and provisions of the Declaration of Covenants, Conditions and Restrictions recorded against the Allen Hills Subdivision at Book 285 Pages 8-19 on June 30th, 1998, in the land records of Washington County, Nebraska, Declarant being the owner of at least thirty-five percent (35%) of the lots in such subdivision, hereby amends the Declaration of Covenants, Conditions and Restrictions ("Declaration") as follows:

- 1. By deleting §D (2) in its entirety and substituting the following:

"2. One and one-half story houses shall contain a minimum of 1,700 square feet in total area above the basement level, exclusive of garage area. Two story houses shall contain a minimum of 2,000 square feet in total area above the basement level, exclusive of garage area. For the purpose of these covenants, two-story height shall, when the basement wall is exposed above finished grade, be measured from the basement ceiling on the exposed side(s) to the eave of the structure on the same side(s). Area means finished habitable space, measured to the exterior of the enclosing walls, and does not include porches, stoops, breezeways, courtyards, patios, decks, basements, garages or carports. The basement will not be considered a story even if it is 100% above grade on one or more sides and essentially below grade on the other sides."

- 2. By deleting §U in its entirety and substituting the following:

"U. Prior to the commencement of construction of any improvement on any residential building lot, a plot plan and a complete set of the plans and specifications therefor, including elevations and proposed septic system, shall be submitted to the Committee for approval. The Committee shall be composed of members of the Association appointed as provided in the Bylaws. The review shall be conducted in a manner to

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 AUG 10 2000
 CLERK OF DISTRICT COURT
 WASHINGTON COUNTY, NEBRASKA

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