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RETURN RECORDED DOCUMENT TO:

MICHAEL C. CARTER, ESQ.
11506 Nicholas Street, Suite 200
Omaha, NE 68154

Received - DIANE L. BATTIATO
Register of Deeds, Douglas County, NE
6/21/2005 11:47:01.53



2005071293

This Instrument Prepared by: Michael C. Carter, Esq., 11506 Nicholas St., Suite 200, Omaha, NE 68154

**SECOND AMENDMENT TO
DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS
AND EASEMENTS FOR THE HOMES AT RIVER ROAD**

THIS SECOND AMENDMENT TO DECLARATION, made on this 15th day of June, 2005 pursuant to that certain Declaration of Covenants, Conditions, Restrictions and Easement dated March 1, 2004 and filed with the Register of Deeds in Douglas County, Nebraska at MISC. 2004028337 on March 4, 2004, (the "Declaration") and whose First Amendment was filed in the Miscellaneous #2004147719 on November 12, 2004, in the office of the Registrar of Douglas County, Nebraska, by Homes at River Road L.L.C., a Nebraska limited liability company, hereinafter referred to as "Declarant."

WITNESSETH:

WHEREAS, Declarant is the owner of certain property in the County of Douglas, State of Nebraska, which is more particularly described as:

Lots 1-8, 20 and 21, The Homes At River Road, a subdivision as surveyed; and, Lots 1-6 The Homes at River Road Replat I, a subdivision as surveyed, platted and recorded in Douglas County, Nebraska; and Lots 1 - 53, Homes at River Road, and Lots 1 - 6, Homes at River Road Replat I, being a replat of Lots 12 - 19 Homes at River Road, a subdivision as surveyed, platted and recorded in Douglas County, Nebraska.

WHEREAS, the Developer has made further replats to the subdivision for which additional Lots are added in the legal description.

WHEREAS, the Developer desires to amend the legal description of the aforementioned Declaration, as follows:

Lots 54 through 110 and Outlots B, C, D and E,, Homes at River Road, 1st ^{Addition} /, a subdivision as surveyed, platted and recorded in Douglas County, Nebraska.

NOW THEREFORE, Declarant hereby declares that all of the properties described above shall be held, sold and conveyed subject to the following easements, restrictions, covenants, and conditions, which are for the purpose of protecting the value and desirability of, and which shall run with, the real

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property and be binding on all parties having any right, title or interest in the described properties or any part thereof, their heirs, successors and assigns, and shall inure to the benefit of each owner thereof.

IN WITNESS WHEREOF, the undersigned, being the Declarant herein, has hereunto set its hand and seal this 15th day of June, 2005.

Homes at River Road, L.L.C., a Nebraska limited liability company, Declarant

By: [Signature]
Karla LeMaster, Managing Member

By: [Signature]
Donald F. Day, Managing Member

State of Nebraska)
) ss.
County of Douglas)

Before me, a Notary Public, in and for said county and state, personally came Karla LeMaster, Managing Member of Homes at River Road, L.L.C., a Nebraska limited liability company, known to me to be the identical person who executed the above instrument and acknowledged the execution thereof to be his voluntary act and deed and the voluntary act and deed of said limited liability company.

Dated this 15th day of June, 2005.

[Signature]
Notary Public
GENERAL NOTARY - State of Nebraska
MELINDA MUNK
My Comm. Exp. June 6, 2006

State of Nebraska)
) ss.
County of Douglas)

Before me, a Notary Public, in and for said county and state, personally came Donald F. Day, Managing Member of Homes at River Road, L.L.C., a Nebraska limited liability company, known to me to be the identical person who executed the above instrument and acknowledged the execution thereof to be his voluntary act and deed and the voluntary act and deed of said limited liability company.

Dated this 15th day of June, 2005.

[Signature]
Notary Public
GENERAL NOTARY - State of Nebraska
MELINDA MUNK
My Comm. Exp. June 6, 2006