

296
STATE OF NEBRASKA COUNTY OF WASHINGTON SS 000402717
ENTERED IN NUMERICAL INDEX AND FILED FOR RECORD
THIS 25th DAY OF May A.D. 2004
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438 AT PAGE 296-300
COUNTY CLERK Charlotte L. Petersen
DEPUTY Karen Madsen

FILED

04 MAY 25 PM 2:24

CHARLOTTE L. PETERSEN
WASHINGTON COUNTY CLERK
BLAIR, NEBR.

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General
Numerical
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SECOND AMENDED DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS
FOR JENSEN ACRES
BLAIR, WASHINGTON COUNTY, NEBRASKA

THIS DECLARATION made on the date hereinafter set forth by Jensen Well Company, hereinafter referred to as the "Declarant."

WHEREAS: Declarant is the owner and developer of certain real property known as Jensen Acres, legally described as Lots 1-4, Jensen Acres, Part of TL 166, 10-18-11, Washington County, Nebraska, hereinafter "Jensen Acres".

WHEREAS: Declarant intends to develop the real estate described hereinabove for residential purposes and to sell individual lots therein to third party purchasers for the construction of single family dwellings, and desires hereby to impose upon said real estate mutual and beneficial restrictions, covenants, conditions and charges under a general plan for the benefit of the owners of said real estate and future owners of the same.

WHEREAS: The Jeffrey L. Young and Carolyn M. Young are the owners of Lots 1 and 4 of Jensen Acres. Ted E. Maine and Lorraine L. Maine are the owners of Lot 2 of Jensen Acres. Michaela D. Esters is the owner of Lot 3 of Jensen Acres.

WHEREAS: On April 23, 1996, Declarant filed a Declaration of Covenants, Conditions and Restrictions for Jensen Acres, Blair, Washington County, Nebraska, hereinafter "Original Declaration" at the Washington County Clerk, Blair, Nebraska. On October 20, 2000, Declarant filed an Amended Declaration of Covenants, Conditions and Restrictions for Jensen Acres, Blair, Washington County, Nebraska, hereinafter, "First Amended Declaration" with the Washington County Clerk, Blair, Nebraska.

WHEREAS: This Declaration is intended to, and does revoke and replace the Original Declaration and the First Amended Declaration.

NOW, THEREFORE, in consideration of the premises, Declarant for himself, or his successors, assignees, and all future grantees, does hereby impose, create, and place upon the real estate described hereinabove the reservations, conditions, covenants and restrictions (all of which are hereby termed "Restrictions") contained hereinbelow.

Declarant further declares that said real estate is held and shall be held, conveyed, hypothecated or encumbered, leased, rented, used and occupied subject to provisions of this Declaration, all for which is declared to be in furtherance of a plan for the development, improvement, and sale of existing homes within said real estate and are established for the purpose of enhancing the value, desirability and attractiveness thereof.

The provisions of this Declaration are intended to create mutual equitable servitudes upon the real estate; to create reciprocal rights between the grantees thereof, their heirs and assigns and shall, as to the owners of any interest in said real estate, their heirs, successor and assigns, operate as covenants running with the land for the benefit of each and all other owners of said real estate and this shall be so even if said restrictions are omitted from any deed or instrument of conveyance of said lands, or any part thereof.

The Restrictions contemplated by this Declaration are herewith stated to be as follows:

- A. Each of said lots shall be used only for single-family residential purposes;