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**FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS,
RESTRICTIONS AND EASEMENTS FOR LAKE CUNNINGHAM VILLAGE**

THIS FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS FOR LAKE CUNNINGHAM VILLAGE (this "First Amendment") is made this 11th day of May, 2022 (the "Effective Date"), by GDR, LLC, f/k/a Graves Development Resources, a Nebraska limited liability company ("Declarant").

RECITALS:

WHEREAS, A1 Development, Inc., a Nebraska corporation ("A1 Development"), as owner of all of the real property within the Lake Cunningham Village subdivision in Douglas County, Nebraska, entered into that certain Declaration of Covenants, Conditions, Restrictions and Easements for Lake Cunningham Village dated October 27, 2020 and recorded in the Douglas County, Nebraska Register of Deeds Office on November 5, 2020 as Instrument No. 2020129018 (the "Declaration"); and

WHEREAS, A1 Development did assign to Declarant all of its rights, duties and obligations that it had as original declarant under the Declaration, as it relates to the Property (as defined in Section 5 herein), pursuant to that certain Assignment and Assumption of Declarant Rights dated October 14, 2021 and recorded in the Douglas County, Nebraska Register of Deeds Office on October 19, 2021 as Instrument No. 2021138002 (the "Assignment"); and

WHEREAS, pursuant to and as permitted by Section 12.02 of the Declaration, the Declarant desires to amend the Declaration to provide bulk internet service to the Lake Cunningham Village subdivision through the Lake Cunningham Village Homeowners Association.

NOW, THEREFORE, in furtherance thereof, the Declarant hereby adopts, declares, and provides as follows:

1. Definitions. All capitalized terms used in this First Amendment shall have the meanings set forth in the Declaration, except as otherwise defined herein.

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2. Amendment. Section 4.02 shall be repealed and replaced in its entirety as follows:

4.02 Purpose of Assessments. The Assessments levied by the Association shall be used exclusively to carry out the business and responsibilities of the Association including, but not limited to:

- (a) The acquisition, construction, management, maintenance, and care, repair, or replacement of the Common Area and services;
 - (b) Obtaining, managing, and maintaining services for the Property, or sections thereof including, as necessary, refuse collection;
 - (c) Promoting the recreation, health, safety, and welfare of the Members; and
 - (d) Providing for grass cutting and lawn maintenance of all Common Area, maintenance of all recreational areas and facilities, and maintenance of all private streets located on the Property; and
 - (e) All fees and charges for related internet services provided under a community internet system.
3. No Other Amendment. Except as specifically set forth herein, the Declaration shall remain in full force and effect.
4. Binding Effect. This First Amendment shall be binding upon and inure to the benefit of the Property and every grantee of any interest in the Property or any portion thereof and every Owner of the Property or any portion thereof.
5. Indexing. This First Amendment shall be indexed and recorded against the following described real estate, to-wit:

Lots 1 thru 168, inclusive, and Outlots "A" thru "L", inclusive, Lake Cunningham Village, a Subdivision as surveyed, platted and recorded in Douglas County, Nebraska (collectively, the "Property").

[Remainder of page left intentionally blank; execution page follows.]

IN WITNESS WHEREOF, the undersigned has executed this First Amendment on the day and year first above written.

G&A One, LLC,
a Nebraska limited liability company

By: Eugene Graves Jr
Name: Eugene Graves Jr
Title: Authorized Representative

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged, subscribed and sworn to before me by Eugene Graves Jr, the Authorized Representative of G&A One, LLC, a Nebraska limited liability company, on behalf of said limited liability company, this 11th day of March, 2022.



[Signature]
Notary Public