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Deb Houghtaling

COUNTY CLERK/REGISTER OF DEEDS

Submitter: OMNI TITLE SERVICES, LLC

S-File



Recording fees paid:

\$22.00

Pages: 3

By: LM

AMRC

After Recording Return to:

Lany A. Jobean, Esq.
Fullenkamp, Jobean, Johnson & Beller, LLP
11440 West Center Road, Suite C
Omaha, Nebraska 68144

[The Space Above Line is for Recording Data]

**FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS,
AND RESTRICTIONS FOR ASHBURY HILLS VILLAS**

THIS FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR ASHBURY HILLS VILLAS (this "First Amendment") is made effective the 28th day of May, 2024 (the "Effective Date"), by Ashbury Hills Development, LLC, a Nebraska limited liability company ("Declarant").

RECITALS:

WHEREAS, the Declarant, as the then owner of all of the real property within the Ashbury Hills subdivision, entered into that certain Declaration of Covenants, Conditions and Restrictions for Ashbury Hills Villas recorded on February 9, 2024 as Instrument No. 2024-02338 with the Sarpy County, Nebraska Register of Deeds (the "Declaration");

WHEREAS, pursuant to and as permitted by Article XII of the Declaration, the Declarant desires to amend the Declaration to withdraw certain Lots from the Declaration.

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.
2. Amendments.
 - A. Pursuant to and as permitted by Article XII of the Declaration, the Declarant hereby amends the Declaration to withdraw the following Lots from the Declaration:
 - i. Lots 235 thru 243, Lot 257, Lot 258, Lot 263 thru 283, inclusive, Ashbury Hills, a subdivision as surveyed, platted and recorded in Sarpy County, Nebraska.

After Recording Return to:

Larry A. Jobeun, Esq.
Fullenkamp, Jobeun, Johnson & Beller, LLP
11440 West Center Road, Suite C
Omaha, Nebraska 68144

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AND RESTRICTIONS FOR ASHBURY HILLS VILLAS**

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RECITALS:

WHEREAS, the Declarant, as the then owner of all of the real property within the Ashbury Hills subdivision, entered into that certain Declaration of Covenants, Conditions and Restrictions for Ashbury Hills Villas recorded on February 9, 2024 as Instrument No. 2024-02338 with the Sarpy County, Nebraska Register of Deeds (the "Declaration");

WHEREAS, pursuant to and as permitted by Article XII of the Declaration, the Declarant desires to amend the Declaration to withdraw certain Lots from the Declaration.

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.

2. Amendments.

A. Pursuant to and as permitted by Article XII of the Declaration, the Declarant hereby amends the Declaration to withdraw the following Lots from the Declaration:

i. Lots 235 thru 243, Lot 257, Lot 258, Lot 263 thru 283, inclusive, Ashbury Hills, a subdivision as surveyed, platted and recorded in Sarpy County, Nebraska.

3. No Other Amendment. Except as specifically set forth herein, the Declaration shall remain in full force and effect.

4. Indexing. This First Amendment shall be indexed against the following lots within the Ashbury Hills Subdivision: Lots 235 thru 243, Lot 257, Lot 258, Lot 263 thru 283, inclusive, Ashbury Hills, a subdivision as surveyed, platted and recorded in Sarpy County, Nebraska.

[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.

DECLARANT:

ASHBURY HILLS DEVELOPMENT, LLC, a
Nebraska limited liability company,

By: *Robert W. Katt*
Name: *Robert W. Katt*
Title: *mgr.*

STATE OF NEBRASKA)
) ss.
COUNTY OF SARPY)

The foregoing instrument was acknowledged, subscribed and sworn to before me by *Robert W. Katt*, known to me to be the *manager* of Ashbury Hills Development, LLC, a Nebraska limited liability company, on behalf of said limited liability company, this *28* day of *May*, 2024.

[Seal]



Kristin Vanis
Notary Public