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RICHARD N TAKECH
REGISTER OF DEEDS
DOUGLAS COUNTY, NE

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SECOND AMENDMENT TO DECLARATION
OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS
OF BRIAR HILLS, A SUBDIVISION
IN DOUGLAS COUNTY, NEBRASKA

This Second Amendment to Declaration is made on the date hereinafter set forth by BRIAR HILLS DEVELOPMENT, L.L.P., a Nebraska limited liability partnership, hereinafter referred to as the "Declarant."

PRELIMINARY STATEMENT

By Declaration for Briar Hills, a Subdivision in Douglas County, Nebraska, filed July 27th, 1998, in Book 1257 at Page 1 of the Miscellaneous Records of the Register of Deeds of Douglas County, Nebraska, and the First Amendment to the Declaration of Covenants, Conditions, Restrictions and Easements, filed August 23, 2000, in Book 1349 at Page 187 of the Miscellaneous Records of the Register of Deeds of Douglas County, Nebraska, (herein referred to as the "Declaration"), Declarant subjected the following described lots to restrictions, covenants, conditions and easements:

> Lots 1 through 161, inclusive, Lots 165 through 295, inclusive, in Briar Hills, a Subdivision as surveyed, platted and recorded in Douglas County, Nebraska.

Declarant does hereby substitute, amend and restate the Declaration in the following particulars only:

1. The Declarant does hereby amend, restate and remove the following described lots from the restrictions, covenants, conditions and easements:

> Lots One Hundred Sixty Five (165) through One Hundred Eighty Nine (189), inclusive, Briar Hills, a Subdivision, as surveyed, platted and recorded in Douglas County, Nebraska.

2. The Declaration is in all other matters ratified and affirmed.

Brown & Wolff
One Bennington Place
1925 N. 120th Street
Omaha, NE 68154 1391

The Declarant has executed this SecondAmendment to Declaration as of this 31st day of August, 2000.

BRIAR HILLS DEVELOPMENT, L.L.P., a Nebraska limited liability partnership

By: BHD, L.L.C., a Nebraska limited liability company

By: Maurice M. Udes
Maurice M. Udes, Manager

By: B-4, L.L.C., a Nebraska limited liability company

By: Paul M. Brown
Paul M. Brown, Manager

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

On this 31st day of August, 2000, before me, the undersigned, a Notary Public in and for said County, personally appeared the above-named Maurice M. Udes, Manager of BHD, L.L.C., a Nebraska limited liability company, Partner of BRIAR HILLS DEVELOPMENT, L.L.P., a Nebraska limited liability partnership, to me known to be the identical persons named in the foregoing document and acknowledged the same to be his voluntary act and deed and the voluntary act and deed of the limited liability company.

GENERAL NOTARY-State of Nebraska
SCOTT M. BROWN
My Comm. Exp. Sept. 30, 2000

Notary Public

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

On this 31st day of August, 2000, before me, the undersigned, a Notary Public in and for said County, personally appeared the above-named Paul M. Brown, Manager of B-4, L.L.C., a Nebraska limited liability company, Partner of BRIAR HILLS DEVELOPMENT, L.L.P., a Nebraska limited liability partnership, to me known to be the identical persons named in the foregoing document and acknowledged the same to be his voluntary act and deed and the voluntary act and deed of the limited liability company.

GENERAL NOTARY-State of Nebraska
SCOTT M. BROWN
My Comm. Exp. Sept. 30, 2000

Notary Public