

200500297  
STATE OF NEBRASKA COUNTY OF WASHINGTON)SS  
ENTERED IN NUMERICAL INDEX AND FILED FOR RECORD  
THIS 20th DAY OF January, A.D. 2005  
AT 10:14 O'CLOCK A.M. AND RECORDED IN BOOK  
455 AT PAGE 799-800  
COUNTY CLERK (Charlotte L. Peterson)  
DEPUTY (Karin Madors)

799

Recorded   
General \_\_\_\_\_  
Numerical   
Photostat \_\_\_\_\_  
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FILED

05 JAN 20 AM 10:14

CHARLOTTE L. PETERSEN  
WASHINGTON COUNTY CLERK  
BLAIR, NEBR.

**SECOND AMENDED DECLARATION  
OF COVENANTS, CONDITIONS AND RESTRICTIONS**

THIS DECLARATION is made as of the \_\_\_ day of January, 2005, by  
Wayne W. Dein, a single person and Catharine M. Dein, a single person,  
hereinafter referred to as the "Declarant",

**WITNESSETH:**

WHEREAS, the Amended Declaration of Covenants, Conditions and  
Restrictions was dated January 19, 1999, and filed of record on January 19, 1999,  
in Book 295 at Pages 586-590; and

WHEREAS, Paragraph C of the Amended Declaration of Covenants,  
Conditions and Restrictions states that "No residential structure shall be erected or  
placed on any building plot which has an area of less than 10.01 acres, ..."; and  
originally Tract "J", now known as Tax Lot 53 in Section 32, Township 18 North,  
Range 12 East of the 6th P.M., Washington County, Nebraska, was part of the  
original plat of Dein Hills and that said lot contains 7.32 acres; and

NOW THEREFORE, in considerations of the premises, Declarant pursuant  
to Paragraph V of the Amended Declaration of Covenants, Conditions and  
Restrictions which states, "Declarant may waive any of the above covenants in the  
event of a showing of hardship by any owner in the sincere effort of complying  
with these covenants" hereby state that Tax Lot 53 shall be an exception to  
Paragraph C of the Amended Declaration of Covenants, Conditions and  
Restrictions, and as said lot was originally platted as 7.32 acres the owner thereof  
may build a single family dwelling on said Lot. That said Tax Lot 53 is subject to  
all other provisions of the Amended Declaration of Covenants, Conditions and  
Restrictions dated January 19, 1999, except Paragraph C to which this said Lot is  
an exception.

IN WITNESS WHEREOF, the Declarant has caused this Second Amended  
Declaration to be duly executed the date and year first abovesaid.

Wayne W. Dein  
Wayne W. Dein

Catharine M. Dein  
Catharine M. Dein

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STATE OF NEBRASKA )  
 ) ss.  
COUNTY OF Washington )

On this 18 day of January, 2005, before me, the undersigned, a notary public in and for said county, personally came Wayne W. Dein, known to me to be the same person whose name is affixed to the above instrument and acknowledged the execution thereof to be his voluntary act and deed.

WITNESS my hand and Notarial Seal the day and year last above written.



*Elizabeth J. Worsfold*  
Notary Public

STATE OF NEBRASKA )  
 9 ) ss.  
COUNTY OF WASHINGTON )

On this 19 day of January, 2005, before me, the undersigned, a notary public in and for said county, personally came Catharine M. Dein, known to me to be the same person whose name is affixed to the above instrument and acknowledged the execution thereof to be her voluntary act and deed.

WITNESS my hand and Notarial Seal the day and year last above written.



*Nile K. Johnson*  
Notary Public