

After Recording Return To:  
Seacrest & Kalkowski, PC, LLO  
1128 Lincoln Mall, Ste. 105  
Lincoln, NE 68506

**FIRST AMENDMENT TO**  
**RESTRICTIVE COVENANTS**  
**Waverly Ridge Estates**

The undersigned, Declarant under the Restrictive Covenants Waverly Ridge Estates dated January 13, 2025, which is filed of record with the Lancaster County Register of Deeds as Instrument No. 2025001124 ("Covenants") against the Properties and Commons legally described on Exhibit "A" attached hereto and incorporated herein by this reference, pursuant to its authority under Paragraph 33 of the Covenants, does hereby amend and restate Paragraph 17 of the Covenants as follows:

17. MEMBERSHIP: The Corporation shall have three (3) classes of membership:

Class A membership shall include any Lot Owner of a Lot within the Single Family Properties except the Declarant and any successor in interest. Each Class A member of the Corporation shall be entitled to all the rights of membership and to one (1) vote for each Lot.

Class B membership shall include only the Declarant and any successor in interest. The Class B member shall be entitled to one hundred (100) votes for each Lot.

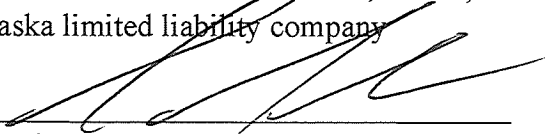
Class T membership shall include any Lot Owner of a Lot within the Townhome Properties except the Declarant and any successor in interest. Each Class T member of the Corporation shall be entitled to all the rights of membership, to one-half (1/2) vote for each Townhome Lot, and shall pay one-half (1/2) of the Class A dues and assessments.

All other terms and conditions of the Covenants, except as amended herein, remain in full force and effect. In the event of a conflict between the terms of this First Amendment and the terms of

the Covenants, the terms of this First Amendment shall control. Capitalized terms used herein and not defined herein have the same meaning as in the Covenants.

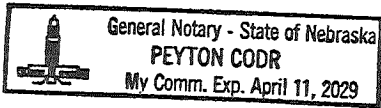
IN WITNESS WHEREOF, the undersigned Declarant has executed this First Amendment as of the date shown below.

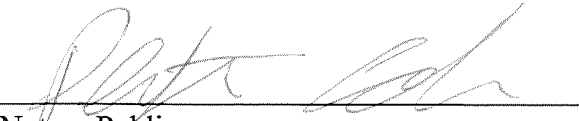
**SMETTER DEVELOPMENT, LLC**, a  
Nebraska limited liability company

By:   
Sean Smetter, Manager

STATE OF NEBRASKA                    )  
                                                          ) ss.  
COUNTY OF LANCASTER            )

The foregoing was acknowledged before me this 18 day of August, 2025, by Sean Smetter, Manager of **Smetter Development, LLC**, a Nebraska limited liability company, on behalf of the limited liability company.



  
Notary Public

**EXHIBIT "A"**

**THE PROPERTIES AND COMMONS**

Waverly Ridge Estates

Lots 4-14, Block 2, Lots 1-13, Block 3, Lots 1-2, Block 4, Lots 1-2, Block 5, Lots 1-9, Block 6, Lots 1-10, Block 7, Lots 1-14, Block 8, Lots 1-9, Block 9, Lots 19-35, Block 10, Lots 1-4, Block 12, and Lots 1-5, Block 13, Waverly Ridge Estates, Waverly, Lancaster County, Nebraska;

Lots 1-8, Block 1, Lots 1-3, Block 2, Lots 1-18, Block 10, and Lots 1-12, Block 11, Waverly Ridge Estates, Waverly, Lancaster County, Nebraska; and

Outlots A, B, D, E, F, G and H, Waverly Ridge Estates, Waverly, Lancaster County, Nebraska.