

**SECOND AMENDMENT TO DECLARATION OF PROTECTIVE COVENANTS,
CONDITIONS AND RESTRICTIONS PURSUANT TO THE
CONSERVATION AND PRESERVATION EASEMENT ACT**

THIS SECOND AMENDMENT is executed as of the ____ day of _____ 2008, by FIRETHORN GOLF COMPANY, LLC, a Nebraska limited liability company (hereinafter referred to as "Owner"), and the CITY OF LINCOLN, NEBRASKA, a municipal corporation (hereinafter referred to as "City").

WHEREAS, Owner is the owner of the real property legally described on Exhibit "A" attached hereto and incorporated herein by this reference (the "Real Property"); and

WHEREAS, the Real Property is subject to the Declaration of Protective Covenants, Conditions and Restrictions Pursuant to the Conservation and Preservation Easement Act recorded in the Office of the Register of Deeds of Lancaster County, Nebraska on September 23, 1998 as Instrument No. 98-049865 (the "Declaration"); and

WHEREAS, the parties desire to amend the Declaration to revise the legal description to partially release a portion of the Real Property.

NOW THEREFORE, for and in consideration of the recitals set forth above and the mutual representations, warranties and covenants set forth below, and other good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, and intending to be legally bound, the parties hereby agree to amend the Declaration as follows:

1. Real Property. The legal description of the Real Property is hereby amended to delete that portion of the Real Property legally described on Exhibit "B" attached hereto and incorporated herein by this reference. Upon recording this Amendment in the Office of the Register of Deeds of Lancaster County, Nebraska, that portion of the Real Property legally described on Exhibit "B" shall be released from the covenants, conditions and restrictions set forth in the Declaration.

2. Full Force and Effect. Except as modified by this Amendment, each of the covenants, conditions and restrictions set forth in the Declaration shall continue and be binding upon the parties hereto and upon their successors and assigns and upon each of them and all parties and all persons claiming under them.

EXHIBIT "A"

Legal Description of Real Property

Outlots F, H and J, Firethorn 27th Addition, Lancaster County, Nebraska.

EXHIBIT B
1 of 2

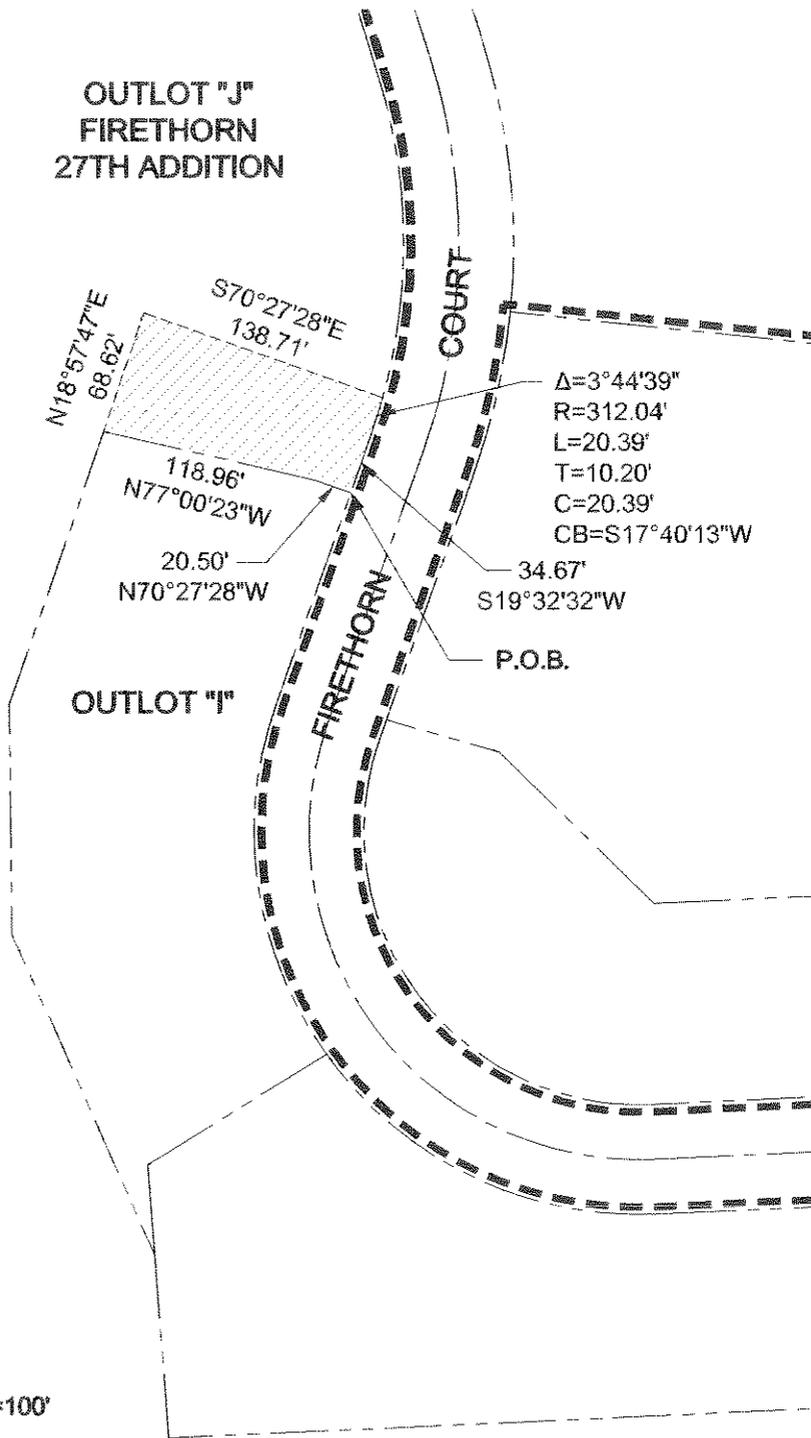
LEGAL DESCRIPTION

A LEGAL DESCRIPTION FOR A TRACT OF LAND COMPOSED OF A PORTION OF OUTLOT "J", FIRETHORN 27TH ADDITION, LOCATED IN THE SOUTHEAST QUARTER OF SECTION 2, TOWNSHIP 9 NORTH, RANGE 7 EAST OF THE 6TH P.M., CITY OF LINCOLN, LANCASTER COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF OUTLOT "I", FIRETHORN 27TH ADDITION, SAID POINT BEING A EAST CORNER OF SAID OUTLOT "J", SAID POINT BEING **THE TRUE POINT OF BEGINNING**; THENCE WESTERLY ALONG A NORTH LINE OF SAID OUTLOT "I", SAID LINE BEING A SOUTH LINE OF SAID OUTLOT "J", ON AN ASSUMED BEARING OF NORTH 70 DEGREES 27 MINUTES 28 SECONDS WEST, A DISTANCE OF 20.50 FEET TO A POINT; THENCE NORTH 77 DEGREES 00 MINUTES 23 SECONDS WEST ALONG A SOUTH LINE OF SAID OUTLOT "J", SAID LINE BEING A NORTH LINE OF SAID OUTLOT "I", A DISTANCE OF 118.96 FEET TO THE NORTHWEST CORNER OF SAID OUTLOT "I"; THENCE NORTH 18 DEGREES 57 MINUTES 47 SECONDS EAST, A DISTANCE OF 68.62 FEET TO A POINT; THENCE SOUTH 70 DEGREES 27 MINUTES 28 SECONDS EAST, A DISTANCE OF 138.71 FEET TO A POINT OF INTERSECTION WITH A EAST LINE OF SAID OUTLOT "J", SAID POINT BEING A POINT OF CURVATURE OF A NON-TANGENT CURVE IN A CLOCKWISE DIRECTION HAVING A RADIUS OF 312.04 FEET, A CENTRAL ANGLE OF 03 DEGREES 44 MINUTES 39 SECONDS, AN ARC DISTANCE OF 20.39 FEET ALONG A EAST LINE OF SAID OUTLOT "J", A TANGENT LENGTH OF 10.20 FEET, A CHORD BEARING OF SOUTH 17 DEGREES 40 MINUTES 13 SECONDS WEST, AND A CHORD DISTANCE OF 20.39 FEET TO A POINT OF TANGENCY; THENCE SOUTH 19 DEGREES 32 MINUTES 32 SECONDS WEST ALONG A EAST LINE OF SAID OUTLOT "J", A DISTANCE OF 34.67 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS A CALCULATED AREA OF 8,455.38 SQUARE FEET OR 0.19 ACRES, MORE OR LESS.

EXHIBIT B
2 of 2

OUTLOT "J"
FIRETHORN
27TH ADDITION



SCALE: 1"=100'