SECOND AMENDMENT TO
SUBDIVISION AGREEMENT
Coventry Replat 11 (Lots 1 thru 8)

THIS SECOND AMENDMENT TO SUBDIVISION AGREEMENT ("Second Amendment") is made this ____ day of ______________, 2019 ("Effective Date"), by and among AVG-CFM 204Q, LLC, and AVG-CFM Coventry Estates, LLC, a Nebraska limited liability company, (hereinafter referred to collectively as the "SUBDIVIDER"), the Coventry Homeowners Association, Inc., a Nebraska non-profit corporation (the "Association"), Sanitary and Improvement District No. 524 of Douglas County, Nebraska (the "District"), and the CITY OF OMAHA, NEBRASKA, a municipal corporation (hereinafter referred to as the “CITY”).

WITNESSETH:

WHEREAS, the Subdivider, District, Association and CITY entered into a Subdivision Agreement dated January 30, 2007, for the development of Coventry, the same having been approved by the City Council of Omaha on January 30, 2007, by Resolution No. 1074 (the “Subdivision Agreement”); and

WHEREAS, the Subdivider desires to amend the Subdivision Agreement to include the replatting of Lots 1, 2, 3 and 6, Coventry Replat 9 into Lots 1 through 8, Coventry Replat 11;

WHEREAS, the Subdivider has or will create the Association comprised of the property owners of Lots 1 through 74, inclusive, Lots 77 through 89, inclusive, and Outlots A and B, Coventry, and Lots 1 through 8, Coventry Replat 11; and

WHEREAS, the parties wish to agree upon the manner and the extent to which public funds may be expended in connection with public improvements to be constructed within the area to be developed or serving the area to be developed and the extent to which the contemplated public improvements specially benefit property in the area to be developed and to what extent the cost of same shall be specially assessed.

NOW, THEREFORE, in consideration of the foregoing recitals and the mutual promises and covenants hereinafter contained, the parties hereto agree as follows:

1. **Definitions:** Unless otherwise defined in this Second Amendment, all capitalized terms used in this Second Amendment shall have the same meaning set forth for such terms in the Subdivision Agreement.

2. **Amendments to Subdivision Agreement.** The Subdivision Agreement shall be amended, in part, as follows:

   A. Exhibit “A” to the Subdivision Agreement entitled “Final Plat” is hereby amended to the extent as shown on Exhibit “A-1” attached hereto and by this reference incorporated herein;
3. **Miscellaneous.**

   (a) **No Other Amendment.** Except as specifically set forth herein, the Subdivision Agreement shall remain in full force and effect.

   IN WITNESS WHEREOF, the Parties have executed this Amendment effective as of the day and year written above.

*(Signatures on Next Page)*
SUBDIVIDER:

AVG-CFM 204Q, LLC, a Nebraska limited liability company,

By: ______________________________________
Name: _____________________________________
Title: ______________________________________

AVG-CFM COVENTRY ESTATES, LLC, a Nebraska limited liability company,

By: ______________________________________
Name: _____________________________________
Title: ______________________________________

ASSOCIATION:

COVENTRY HOMEOWNERS ASSOCIATION, INC., a Nebraska non-profit corporation,

By: ______________________________________
Name: _____________________________________
Title: ______________________________________

DISTRICT:

SANITARY AND IMPROVEMENT DISTRICT NO. 524 OF DOUGLAS COUNTY, NEBRASKA, a Political Subdivision of the State of Nebraska,

By: ______________________________________
Name: _____________________________________
Title: Chairman
Attest:

By: ________________________________
Name: ______________________________
Title: Clerk

CITY:

CITY OF OMAHA, NEBRASKA, a Municipal corporation,

By: ________________________________
    Jean Stothert, Mayor

ATTEST:

By: ________________________________
    Elizabeth Butler, City Clerk

Approved as to Form and Content:

By: ________________________________
    Assistant City Attorney
COVENTRY REPLAT 11
LOTS 1 THRU 8

APPROVAL OF CITY PLANNING BOARD
THE PLAN OF SUBDIVISION REPLAT 11, LOTS 1 THRU 8 WAS APPROVED BY THE CITY PLANNING BOARD.

APPROVAL OF CITY ENGINEER OR OMHA
APPROVAL OF THE PLAN OF COVENTRY REPLAT 11, LOTS 1 THRU 4 AND 9 TO THE DESIGN STANDARDS.

APPROVAL OF OMHA CITY COUNCIL
APPROVAL OF OMHA CITY COUNCIL.

DOUGLAS COUNTY ENGINEER REVIEW
THE PLAN OF COVENTRY REPLAT 11, LOTS 1 THRU 8 WAS REVIEWED BY THE OFFICE OF THE DOUGLAS COUNTY ENGINEER.

COUNTY TREASURER CERTIFICATE

NOTES
1. ALL DRAWINGS AND PLANS ARE SUBJECT TO REVIEW AND APPROVAL OF THE SUBDIVISION ENGINEER AND OTHER APPLICABLE REGULATIONS.
2. ALL DRAWINGS AND PLANS ARE SUBJECT TO REVIEW AND APPROVAL OF THE CITY OF OMHA, CITY OF OMHA, OR OTHER APPLICABLE REGULATIONS.
3. ALL DRAWINGS AND PLANS ARE SUBJECT TO REVIEW AND APPROVAL OF THE CITY OF OMHA, CITY OF OMHA, OR OTHER APPLICABLE REGULATIONS.

SURVEYOR'S CERTIFICATE
THE SURVEYOR'S CERTIFICATE OF RECORDS MUST BE REVIEWED FOR ACCURACY IN THE SUBDIVISION ENGINEER AND OTHER APPLICABLE REGULATIONS.

Dated: ___________}

EXHIBIT A

SHEET

A1

THE PROPERTY AS DESCRIBED IN THE SURVEYOR'S CERTIFICATE AND EMBRACED IN THIS PLAT AS SHOWN BY THE RECORDS OF THIS OFFICE.

IN WITNESS WHEREOF, WE DO SET OUR HANDS AND OFFICIAL SEAL THE DATE LAST ASHERED.

TERRY L. ROTHANZL

DOUGLAS COUNTY TREASURER'S REVE:

COVENTRY REPLAT 11, LOTS 1 THRU 8 WAS APPROVED AND ACCEPTED BY THE CITY COUNCIL OF OMAHA, NEBRASKA.

APPROVAL OF CITY ENGINEER OF OMAHA:

I HEREBY CERTIFY THAT SUBDIVISIONS HAVE BEEN MADE FOR THE COMPLIANCE OF OMAHA, CITY COUNCIL OF OMAHA, NEBRASKA.

APPROVAL OF CITY PLANNING BOARD:

THIS PLAT OF COVENTRY REPLAT 11, LOTS 1 THRU 8 IS APPROVED BY THE CITY PLANNING BOARD.

APPROVAL OF OMAHA CITY COUNCIL:

I HEREBY CERTIFY THAT THIS SUBDIVISION IS APPROVED AND IS RECORDED.

SURVEYOR'S CERTIFICATION:

I HEREBY CERTIFY THAT THE DESCRIPTION OF PROPERTY SHOWN HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

DOUGLAS COUNTY ENGINEER'S REV:

THE PROPERTY AS DESCRIBED IN THE SURVEYOR'S CERTIFICATE AND EMBRACED IN THIS PLAT AS SHOWN BY THE RECORDS OF THE COUNTY.

surveyor's certificate

1. ALL INTERNAL LINES ARE RADIAL PERPENDICULAR UNLESS OTHERWISE NOTED AS EASEMENTS.
2. ALL INTERNAL LINES ARE RADIAL/PERPENDICULAR UNLESS OTHERWISE NOTED AS EXTERIOR LINES.
3. ALL INTERNAL LINES ARE RADIAL/PERPENDICULAR UNLESS OTHERWISE NOTED AS EASEMENTS.

NOTES:

COVENTRY REPLAT 11, LOTS 1 THRU 8 BEING A REPLAT OF LOTS 1 THRU 3 AND 6 OF COVENTRY REPLAT 9, IS A PLATTED AND RECORDED SUBDIVISION IN THE SOUTH PART OF THE CITY OF OMAHA, NEBRASKA.

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APPROVAL OF CITY PLANNING BOARD:

THIS PLAT OF COVENTRY REPLAT 11, LOTS 1 THRU 8 IS APPROVED BY THE CITY PLANNING BOARD.

APPROVAL OF OMAHA CITY COUNCIL:

I HEREBY CERTIFY THAT THIS SUBDIVISION IS APPROVED AND IS RECORDED.

SURVEYOR'S CERTIFICATION:

I HEREBY CERTIFY THAT THE DESCRIPTION OF PROPERTY SHOWN HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

DOUGLAS COUNTY ENGINEER'S REV:

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APPROVAL OF CITY PLANNING BOARD:

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APPROVAL OF OMAHA CITY COUNCIL:

I HEREBY CERTIFY THAT THIS SUBDIVISION IS APPROVED AND IS RECORDED.

SURVEYOR'S CERTIFICATION:

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DOUGLAS COUNTY ENGINEER'S REV:

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APPROVAL OF CITY PLANNING BOARD:

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APPROVAL OF OMAHA CITY COUNCIL:

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DOUGLAS COUNTY ENGINEER'S REV:

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APPROVAL OF OMAHA CITY COUNCIL:

I HEREBY CERTIFY THAT THIS SUBDIVISION IS APPROVED AND IS RECORDED.

SURVEYOR'S CERTIFICATION:

I HEREBY CERTIFY THAT THE DESCRIPTION OF PROPERTY SHOWN HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

DOUGLAS COUNTY ENGINEER'S REV:

THE PROPERTY AS DESCRIBED IN THE SURVEYOR'S CERTIFICATE AND EMBRACED IN THIS PLAT AS SHOWN BY THE RECORDS OF THE COUNTY.

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