

25-5
25-5

AMENDMENT

70

PROTECTIVE COVENANTS AND EASEMENTS" executed by
BELLAVE CONSTRUCTION CO., for Lots One (1) to Forty-Seven (47), inclusive,
Avery Heights Addition, an addition in Sarpy County, Nebraska, as surveyed,
platted and recorded, and which were duly recorded in Sarpy County, Nebraska,
in Book 23, page 443, and amended in Book 24, Page 107, Sarpy County, Nebraska,
are hereby amended in the following particular:

Paragraph "B" in said Protective Covenants recorded in
Book 23, page 443 is hereby amended to read as follows:

"(B) In any event, no building shall be located on any lot
nearer than 25 feet to the front lot line or nearer
than 15 feet to any side street line. No building
shall be located nearer than 6 feet to any side lot
line, except that a three foot side yard shall be
permitted for a detached garage or other accessory
building located 50 feet or more from the main
building setback line. No dwelling shall be located
on any lot nearer than 25 feet to the rear lot line.
For the purposes of this covenant, eaves, steps and
open porches shall not be considered as a part of a
building, provided, however, that this shall not be
construed to permit any portion of a building on a
lot to encroach upon another lot."

All other provisions of said Covenants and Easements remain in full force and
effect as originally written.

Approved and executed by the following owners of Lots 1
to 47 in Avery Heights Addition in Sarpy County, Nebraska, as surveyed, platted
and recorded, this 20th day of March, 1959.

Property Owners

Walter L. Landon
Walter L. Landon

Ellen A. Landon
Ellen A. Landon

Joseph P. Novak
Joseph P. Novak

Gertrude F. Novak
Gertrude F. Novak

Richard H. Stafford
Richard H. Stafford

Stanley Stafford
Stanley Stafford

Clarence H. Kilker
Clarence H. Kilker

Helene F. Kilker
Helene F. Kilker

Descriptions of Property Owned

Lot 14, Avery Heights, Sarpy County, Nebraska.

Lot 14, Avery Heights, Sarpy County, Nebraska.

Lot 10, Avery Heights, Sarpy County, Nebraska.

Lot 10, Avery Heights, Sarpy County, Nebraska.

Lot 13, Avery Heights, Sarpy County, Nebraska.

Lot 13, Avery Heights, Sarpy County, Nebraska.

Lot 1, except the East 15 feet thereof, Avery
Heights, Sarpy County, Nebraska

Lot 1, except the East 15 feet thereof, Avery
Heights, Sarpy County, Nebraska

MISCELLANEOUS 25

24-107

AMENDMENT
TO
PROTECTIVE COVENANTS AND EASEMENTS

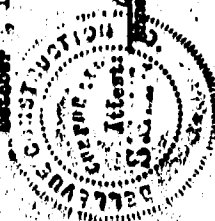
THE PROTECTIVE COVENANTS AND EASEMENTS executed by BELLEVUE CONSTRUCTION CO., for Lots One (1) to Forty-Seven (47), inclusive, Avery Heights, an Addition in Sarpy County, Nebraska, as surveyed, platted and recorded, and which were duly recorded in Sarpy County, Nebraska in Book 23, page 143, are hereby amended in the following particular:

Paragraph "A" in said instrument is hereby amended to read as follows:

"1. All lots in the tract shall be known and described as residential lots. No structures shall be erected, altered, placed or permitted to remain on any residential building plot other than one detached single-family dwelling not to exceed two stories in height and a private garage for not more than two (2) cars, except that multiple-family dwellings may be erected on lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35 and 36; and also private garages for each dwelling unit."

All other provisions of said Protective Covenants and Easements and amendments and amendments thereto remain in full force and effect as originally written.

Approved and executed by BELLEVUE CONSTRUCTION CO., the owner of Lots One (1) to Forty-Seven (47), both inclusive, in Avery Heights, an Addition in Sarpy County, Nebraska, as surveyed, platted and recorded, this 17th day of October, 1958.



BELLEVUE CONSTRUCTION CO.,

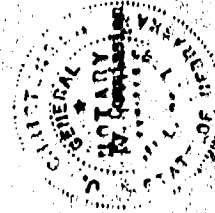
James S. Schwartz
James S. Schwartz, Secretary

U.S. P. Farber
U.S. P. Farber, Notary Public

STATE OF NEBRASKA)
COUNTY OF DOUGLAS) SS.

On this 17th day of October, A.D. 1958, before me, a Notary Public in and for said County, personally came the above named U. P. Farber, Vice President and James S. Schwartz, Secretary of BELLEVUE CONSTRUCTION CO., who are personally known to me to be the identical persons whose names are affixed to the above instrument and they acknowledged the said instrument to be their voluntary act and deed and the voluntary act and deed of said corporation.

WITNESS my hand and Notarial Seal the date last aforesaid.



My Commission expires July 25-1962.

Filed in Numerical Index and Recorded in the Register of Deeds office of Sarpy County, Nebraska
--- 14 day Oct 1958 at 10:45 AM, Geo. F. Nicholas, County Clerk 8/73 ---

MISCELLANEOUS 24