

PROTECTIVE COVENANTS

BOOK 216 PAGE 981

KNOW ALL MEN BY THESE PRESENTS:

THIS INDENTURE made by and between the undersigned, in consideration of the protective covenants herein contained, and hereby mutually agree that:

1. These covenants are to run with the lands hereinafter described and shall be binding upon all parties hereto, their heirs, agents, executors and assigns, and all persons claiming any interest in, to, or under them, until January 1, 1970, at which time said covenants shall be automatically extended for successive periods of ten years unless by a vote of the majority of the then owners of lots in Kountze Place, an Addition to the City of Omaha, as surveyed, platted and recorded, Douglas County, Nebraska, shall agree to change said covenants in whole or in part.

2. It is further covenanted and agreed that if the parties hereto, or any of them, their heirs, executors and assigns, shall violate or attempt to violate any of the covenants herein contained, it shall be lawful for any other person or persons owning any real property situated in Kountze Place, an Addition to the City of Omaha, Douglas County, Nebraska, to prosecute any proceedings at law or in equity against the person or persons violating or attempting to violate any such covenant, and either to enjoin them from so doing or recover damages for such violations.

3. It is further covenanted and agreed that the lots hereinafter described shall not be sold by the owner thereof, or his agents, to any person or persons of any race other than those of the Caucasian race, nor shall any other person or persons other than those of the Caucasian race use or occupy any building or any lot hereinafter described.

4. It is further covenanted and agreed that no noxious or offensive trade or activity shall be carried on upon any lot hereinafter described, nor shall anything be done thereon that shall constitute an offense or a nuisance to the neighborhood.

The undersigned duly qualified property owners each for himself says: I have personally signed the instrument, and I am qualified to approve and sign as to the lot and block number in Kountze Place Addition to the City of Omaha as surveyed, platted, and recorded, in Douglas County, Nebraska.

APPROVED and SIGNED and ordered recorded as to Block 1 Kountze Place, an Addition to the City of Omaha, as surveyed, platted and recorded, Douglas County, Nebraska.

August 6th 1946

Frances Roering
F. Roering

APPROVED and SIGNED and ordered recorded as to Lot 5 Block 1 Kountze Place, an Addition to the City of Omaha, as surveyed, platted and recorded, Douglas County, Nebraska.

August 6th 1946

Alma Harris
A. E. Harris

APPROVED and SIGNED and ordered recorded as to Lot 1 Block 1 Kountze Place, an Addition to the City of Omaha, as surveyed, platted and recorded, Douglas County, Nebraska.

August 6th 1946

Joseph H. Howard

APPROVED and SIGNED and ordered recorded as to Lot 6
Block 1, Kountze Place, an Addition to the City of Omaha, as
surveyed, platted and recorded, Douglas County, Nebraska.

August 6th 1946

Fred H. Goodheart
1614 Loucutt St.

APPROVED and SIGNED and ordered recorded as to Lot 11-12
Block 1, Kountze Place, an Addition to the City of Omaha, as
surveyed, platted and recorded, Douglas County, Nebraska.

August 6th 1946

Jerry H. Hef
1627 Quincy St.

APPROVED and SIGNED and ordered recorded as to Lot 14-15
Block 12, Kountze Place, an Addition to the City of Omaha, as
surveyed, platted and recorded, Douglas County, Nebraska.

August 6th 1946

Arthur J. Hengeman
1677 West St.

APPROVED and SIGNED and ordered recorded as to Lot 1-2
Block 12, Kountze Place, an Addition to the City of Omaha, as
surveyed, platted and recorded, Douglas County, Nebraska.

August 6th 1946

Bert H. Hengeman
3016 - North 16th St.

APPROVED and SIGNED and ordered recorded as to Lot 1-2
Block 12, Kountze Place, an Addition to the City of Omaha, as
surveyed, platted and recorded, Douglas County, Nebraska.

August 6th 1946

Walter H. Hengeman
1614 Loucutt St.

APPROVED and SIGNED and ordered recorded as to Lot 8
Block 12, Kountze Place, an Addition to the City of Omaha, as
surveyed, platted and recorded, Douglas County, Nebraska.

August 6th 1946

Edward T. Hengeman
Maudie Barnes

APPROVED and SIGNED and ordered recorded as to Lot 6
Block 12, Kountze Place, an Addition to the City of Omaha, as
surveyed, platted and recorded, Douglas County, Nebraska.

August 6th 1946

John W. Janssen

APPROVED and SIGNED and ordered recorded as to Lot 1-2
Block 12, Kountze Place, an Addition to the City of Omaha, as
surveyed, platted and recorded, Douglas County, Nebraska.

August 6th 1946

Walter Hengeman

APPROVED and SIGNED and ordered recorded as to Lot 9
Block 13, Kountze Place, an Addition to the City of Omaha, as
surveyed, platted and recorded, Douglas County, Nebraska.

August 6th 1946

Ralph Williams

APPROVED and SIGNED and ordered recorded as to Lot 14, Block 13, Kountze Place, an Addition to the City of Omaha, as surveyed, platted and recorded, Douglas County, Nebraska.

Carl Jagger

August 6th 1946

James Jagger

APPROVED and SIGNED and ordered recorded as to Lot 14, Block 13, Kountze Place, an Addition to the City of Omaha, as surveyed, platted and recorded, Douglas County, Nebraska.

Clara L. Kemp

August 6th 1946

Theresa L. Kemp

APPROVED and SIGNED and ordered recorded as to Lot 12, Block 13, Kountze Place, an Addition to the City of Omaha, as surveyed, platted and recorded, Douglas County, Nebraska.

Margaret L. Orr

August 6th 1946

STATE OF NEBRASKA)
) SS
COUNTY OF DOUGLAS)

On this 6th day of August, A.D. 1946, before me a Notary Public in and for said County, State of Nebraska, personally came the above named persons. It is further covenanted and agreed by the persons acknowledging this indenture, that we will not permit use or occupancy of our land or property by any persons other than of the caucasian race, and that this restriction shall be incorporated in all contracts for sale, leases, deeds or conveyances on all the property approved, signed and ordered recorded herein for the periods of time above stated.

Alma L. Kemp
Frances Poesing
Joseph H. Nowak
Edna M. Harris
Fred H. Goodheart
William H. Harrison
Gene J. Hutz
Edward T. Hudock
Maudie Barnes
John W. Saralisen
Margaret L. Orr
Margaret Williams

James J. Jagger
to me known to be the identical persons whose names are affixed to the foregoing instrument, and acknowledged the same to be their voluntary act and deed.

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

Roy W. Harrell
Notary Public

My commission expires *Sept 17 1947*

APPROVED and SIGNED and ordered recorded as to Lot 15
Block 13, Kountze Place, an Addition to the City of Omaha, as
surveyed, platted and recorded, Douglas County, Nebraska.

William J. Smith
Reva A. Smith

APPROVED and SIGNED and ordered recorded as to Lot 12-3
Block 13, Kountze Place, an Addition to the City of Omaha, as
surveyed, platted and recorded, Douglas County, Nebraska.

Roy R. Parish
Alice A. Parish

APPROVED and SIGNED and ordered recorded as to Lot
Block, Kountze Place, an Addition to the City of Omaha, as
surveyed, platted and recorded, Douglas County, Nebraska.

STATE OF NEBRASKA)
) SS.
COUNTY OF DOUGLAS)

Roy M. Harrold

being first
deposes and says that he is the circulator of the fore-
going instrument containing the above signatures, that each person
whose name appears on said Instrument personally signed the same in
the presence of the affiant, and that each signer has correctly
signed his name including the lot and block number, and ordered the
same recorded, and that each person was qualified to sign the same
and ~~understand~~ understood to each person, before he affixed his
signature, the ~~contents~~ effect and nature of said Instrument, and that
they acknowledged it was their voluntary act and deed. (S)

Roy M. Harrold
Circulator
Notary Public

Re

30 MAY 2 1946
INDEXED AND RECORDED IN THE REGISTER OF DEEDS OFFICE IN DOUGLAS COUNTY, NEBRASKA
THOMAS L. BROWN, REGISTRAR OF DEEDS 46