

MISCELLANEOUS RECORD No. 11

ERVIN PETERSON ET AL :
to :
WHOM IT MAY CONCERN :
Protect.Covenants \$1.75 Pd.:

Filed September 26, 1941, at 5 o'clock P.M.

Ervin Peterson
County Clerk

PROTECTIVE COVENANTS

Whom it may Concern

Future conveyance of the following described property is herewith made subject to Protective Covenants by the owners thereof as follows: Lots to be used for residence purposes only. No structure shall be erected, altered, placed, or permitted to remain on any lot, other than one, detached, single-family dwelling not to exceed two stories in height, and a private garage for not more than two cars.

No building shall be located on any of these lots nearer than 25 feet to the front lot line.

No building, except a garage or other outbuilding, located 60 or more feet from the front lot line, shall be nearer than 5 feet to any side lot line.

No residence shall be erected or placed on any of these lots which lot has an area of less than 4,500 square feet nor a width of less than 45 feet at the front building set-back line.

No noxious or offensive trade or activity shall be carried on upon any lot nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood.

No persons of any race other than the Caucasian race shall use or occupy any building or any lot, except that this covenant shall not prevent occupancy by domestic servants of a different race domiciled with an owner or tenant.

No trailer, basement, tent, shack, garage, barn or other outbuilding erected in the tract shall at any time be used as a residence temporarily or permanently, nor shall any structure of a temporary character be used as a residence.

No dwelling costing less than \$2,500 shall be permitted on any lot. The ground-floor area of the main structure, exclusive of one-story porches and garages, shall be not less than 500 square feet in the case of a one-story structure. An easement is reserved over the rear five feet of each lot for utility installation and maintenance.

These covenants are to run with the land and shall be binding on all the parties and all persons claiming 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 then owners of the lots it is agreed to change the said covenants in whole or in part.

If the parties hereto or any of them or their heirs, or assigns, shall violate or attempt to violate any of the covenants herein it shall be lawful for any other person or persons owning any real property situated in said development or subdivision 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 prevent him or them from so doing or to recover damages or other dues for such violation.

Invalidation of any one of these covenants by judgment or court order shall in no wise affect any of the other provisions which shall remain in full force and effect.

DATED September 24, 1941. Covers lots 7 to 12 inclusive, Block 123, and Lots 1 to 6, inclusive, Block 110, Village of Bellevue, Sarpy County, Nebraska.

BY Ervin Peterson
OWNER

Approved and signed as to Lots 1 to 6, inclusive, Block 123, Village of Bellevue, Sarpy County, Nebraska.

BY Marie Daily
OWNER

STATE OF NEBRASKA) ss
COUNTY OF DOUGLAS)

On this 25th day of September, A. D. 1941, before me the undersigned, a Notary Public, duly commissioned and qualified for and residing in said county, personally came Marie Daily to me known to be the identical person(s) whose name(s) is affixed to the foregoing instrument and acknowledged the same to be her voluntary act and deed.

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

E. R. LEIGH NOTARIAL SEAL *
DOUGLAS COUNTY, NEBRASKA *

COMMISSION EXPIRES MAR. 22, 1944*

My commission expires March 22, 1944.
STATE OF NEBRASKA)

ss
COUNTY OF DOUGLAS)

On this 24th day of September, A. D., 1941 before me, the undersigned, a Notary Public duly commissioned and qualified for and residing in said County, personally came Ervin Peterson, to me known to be the identical person whose name is affixed to the foregoing instrument and acknowledged the same to be his voluntary act and deed.

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

ELVIRA M. WURSTER NOTARIAL SEAL *

DOUGLAS COUNTY NEBRASKA *

COMMISSION EXPIRES FEB. 19, 1942*

My commission expires February 19, 1942.

Elvira M. Wurster
Notary Public.