

No. : Avery Realty Company, Inc. : WAIVER AGREEMENT
 Misc. 26 : Corporate Seal : Filed May 19, 1960
 Page 439 : By Alfred Cascio, President :
 : Attest Katherine Cascio, Secy. :
 : : to :
 : Whom it May Concern :

We, the undersigned, for and in consideration of One (\$1.00) Dollar, for Mutual covenants and being the owners of Lots 16, 18, 22, 26, 29, 33 and 44, in Cascio's Subdivision #1, a subdivision, as surveyed, platted and recorded, being a subdivision of a part of Lot #1, Gregg's Choice Acres, in the North ½ of Section 26, Township 14 North, Range 13, East of the 6th P.M., in Sarpy County, Nebraska.

Do hereby cancel, annul, set aside and declare for naught, the protective covenants, amendments and waiver agreements previously signed and acquired by us and now in full force and effect. It being our intention that said covenants shall be of no further force and effect and shall not be binding in any way on the property herein described; and we and each of us agree to adopt the protective covenants as hereinafter set forth in a special instrument and attached herto.

Lot #16	William H. Charlton
	Sylvia C. Charlton
Lot #18	Jack M. Parrish
	Vivian L. Parrish
Lot #22	Sam J. Cascio
	Geneva Cascio
Lot #26	Robert G. Plummer
	Virginia E. Plummer
Lot #29	John J. Eickholt
	Evelyn F. Eickholt
Lot #33	Frederick P. Stowers
	Beverly J. Stowers
Lot #44	Marvin F. Manzel
	Margery M. Manzel

Furthermore, The Avery Realty Company, Inc., owners of all lots in Cascio Addition #1, Sarpy County, Nebraska, with the exception of Lots 16, 18, 22, 26, 29, 33 and 44, desires to join in the this waiver agreement and for valuable consideration, do hereby cancel, annul, set aside and declare for naught, the protective covenants, amendments and waiver agreements previously signed and acquired by us and now in full force and effect. It being the intention of the Avery Realty Company, Inc., that said covenants shall be of no further force and effect and shall not be binding in any way on the property herein described; and the Avery Realty Company, Inc. agrees by these presents to adopt the protective covenants as hereinafter set forth in a special instrument and attached hereto.

No Witness. Acknowledged May 10, 1960 by Alfred Cascio President, and Katherine Cascio, Secretary, of Avery Realty Company, Inc., in due form for said corporation, before F. H. Freeman, Notary Public, with general seal, Douglas County, Nebraska, Commission Expires April 29, 29, 1961.

No Witness. Acknowledged May 10, 1960 by William H. Charlton, Sylvia C. Charlton, Jack M. Parrish, Vivian L. Parrish, Sam J. Cascio Geneva Cascio, Robert G. Plummer, Virginia E. Plummer, John J. Eickholt Evelyn F. Eickholt, Frederick P. Stowers, Beverly J. Stowers, Marvin F. Manzel, Margery M. Manzel, the owners of Lots 16, 18, 22, 26, 29, 33, and 44, respectively, before F. H. Freeman Notary Public, with general seal, Sarpy County Nebraska, Commission expires April 29, 1961.

*SPECIAL INSTRUMENT

ALL THE WHEREABOUTS, FOR AND IN CONSIDERATION OF ONE
HUNDRED DOLLAR, FOR MUTUAL COVENANTS AND BEING THE OWNERS OF
LOTS 20, 21, 22, 23, 24, 30 AND 44, IN CASCIO'S SUBDIVISION #1,
AS SHOWN, AS SURVEYED, PLATTED AND RECORDED, BEING A SUB-
DIVISION OF A PART OF LOT #1, BREGG'S CHOICE ACRES, IN THE NORTH
1/2 OF SECTION 25, TOWNSHIP 14 NORTH, RANGE 13, EAST OF THE 6TH
P.M. IN GARDNER COUNTY, NEBRASKA.

DO HEREBY CANCEL, ANNUL, SET ASIDE AND DECLARE FOR NAUGHT,
THE PROTECTIVE COVENANTS, AMENDMENTS AND WAIVER AGREEMENTS PRE-
VIOUSLY SIGNED AND ACQUIRED BY US AND NOW IN FULL FORCE AND
EFFECT. IT BEING OUR INTENTION THAT SAID COVENANTS SHALL BE OF
NO FURTHER FORCE AND EFFECT AND SHALL NOT BE BINDING IN ANY WAY
ON THE PROPERTY HEREIN DESCRIBED; AND WE AND EACH OF US AGREE TO
ADOPT THE PROTECTIVE COVENANTS AS HEREINAFTER SET FORTH IN A
SPECIAL INSTRUMENT AND ATTACHED HERETO.

Lot #16

WILLIAM H. CHARLTON

SYLVIA C. CHARLTON

Lot #18

JACK H. PARRISH

VIVIAN L. PARRISH

Lot #22

SAM J. CASCIO

GENEVA CASCIO

Lot #26

ROBERT G. FLUMMER

Virginia E. Plummer
VIRGINIA E. FLUMMER

Lot #29

JOHN W. FICKEHOLT

EVELYN F. FICKEHOLT

Lot #33

FREDERICK P. STOWERS

BEVERLY C. STOWERS

Lot #44

MARVIN F. MANZEL

MARGERY M. MANZEL

WITNESSES, THE AVERY REALTY COMPANY, INC., OWNERS OF ALL

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STATE OF NEBRASKA)
) SS:

ON THIS _____ DAY OF _____, 1960, BEFORE ME, THE UNDERSIGNED
NOTARY PUBLIC, PERSONALLY CAME _____

THE OWNERS OF LOTS _____

RESPECTIVELY, TO ME KNOWN TO BE THE IDENTICAL PERSON OR PERSONS WHOSE
NAME IS OR NAMES ARE AFFIXED TO THE FOREGOING INSTRUMENT AND
ACKNOWLEDGED THE EXECUTION THEREOF TO BE HIS, HER OR THEIR VOLUNTARY
ACT AND DEED.

WITNESS MY HAND AND NOTARIAL SEAL THE DAY AND YEAR LAST
WRITTEN ABOVE.

[Signature]

NOTARY PUBLIC

MY COMMISSION EXPIRES: April 29 - 1961

STATE OF NEBRASKA)
) SS:
COUNTY OF SARPY)

ON THIS _____ DAY OF _____, 1960, BEFORE ME, THE UNDERSIGNED,
A NOTARY PUBLIC, PERSONALLY CAME _____

THE OWNERS OF LOTS _____

RESPECTIVELY, TO ME KNOWN TO BE THE IDENTICAL PERSON OR PERSONS
WHOSE NAME IS OR NAMES ARE AFFIXED TO THE FOREGOING INSTRUMENT
AND ACKNOWLEDGED THE EXECUTION THEREOF TO BE HIS, HER OR THEIR
VOLUNTARY ACT AND DEED.

WITNESS MY HAND AND NOTARIAL SEAL THE DAY AND YEAR LAST
WRITTEN ABOVE.

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

26-439

WAIVER AGREEMENT

WE, THE UNDERSIGNED, FOR AND IN CONSIDERATION OF ONE (\$5.00) DOLLAR, FOR MUTUAL COVENANTS AND BEING THE OWNERS OF LOTS 16, 18, 22, 26, 29, 33 AND 44, IN CASCIO'S SUBDIVISION #1, A SUBDIVISION, AS SURVEYED, PLATTED AND RECORDED, BEING A SUBDIVISION OF A PART OF LOT #1, GREGG'S CHOICE ACRES, IN THE NORTH 1/4 OF SECTION 26, TOWNSHIP 14 NORTH, RANGE 13, EAST OF THE 6TH P.M., IN SARPY COUNTY, NEBRASKA:

DO HEREBY CANCEL, ANNUL, SET ASIDE AND DECLARE FOR NAUGHT, THE PROTECTIVE COVENANTS, AMENDMENTS AND WAIVER AGREEMENTS PREVIOUSLY SIGNED AND ACQUIRED BY US AND NOW IN FULL FORCE AND EFFECT. IT BEING OUR INTENTION THAT SAID COVENANTS SHALL BE OF NO FURTHER FORCE AND EFFECT AND SHALL NOT BE BINDING IN ANY WAY ON THE PROPERTY HEREIN DESCRIBED; AND WE AND EACH OF US AGREE TO ADOPT THE PROTECTIVE COVENANTS AS HEREINAFTER SET FORTH IN A SPECIAL INSTRUMENT AND ATTACHED HERETO.

Lot #16

William H. Charlton

WILLIAM H. CHARLTON

Sylvia C. Charlton

SYLVIA C. CHARLTON

Lot #18

Jack H. Parrish

JACK H. PARRISH

Vivian L. Parrish

VIVIAN L. PARRISH

Sam J. Cascio

SAM J. CASCIO

Lot #22

Geneva Cascio

GENEVA CASCIO

Lot #26

Robert C. Plummer

ROBERT C. PLUMMER

Virginia E. Plummer

VIRGINIA E. PLUMMER

Lot #29

John J. Eickholt

JOHN J. EICKHOLT

Evelyn F. Eickholt

EVELYN F. EICKHOLT

Lot #33

Frederick P. Stowers

FREDERICK P. STOWERS

Beverly J. Stowers

BEVERLY J. STOWERS

Lot #44

Marvin F. Manzel

MARVIN F. MANZEL

Margery M. Manzel

MARGERY M. MANZEL

FURTHERMORE, THE AVERY REALTY COMPANY, INC., OWNERS OF ALL

26-440

LOTS IN CASCIO ADDITION #1, SARPY COUNTY, NEBRASKA, WITH THE EXCEPTION OF LOTS 16, 18, 22, 26, 29, 33 AND 44, DESIRES TO JOIN IN THIS WAIVER AGREEMENT AND FOR VALUABLE CONSIDERATION, DO HEREBY CANCEL, ANNUL, SET ASIDE AND DECLARE FOR NAUGHT, THE PROTECTIVE COVENANTS, AMENDMENTS AND WAIVER AGREEMENTS PREVIOUSLY SIGNED AND ACQUIRED BY US AND NOW IN FULL FORCE AND EFFECT. IT BEING THE INTENTION OF THE AVERY REALTY COMPANY, INC., THAT SAID COVENANTS SHALL BE OF NO FURTHER FORCE AND EFFECT AND SHALL NOT BE BINDING IN ANY WAY ON THE PROPERTY HEREIN DESCRIBED, AND THE AVERY REALTY COMPANY, INC. AGREES BY THESE PRESENTS TO ADOPT THE PROTECTIVE COVENANTS AS HERINAFTER SET FORTH IN A SPECIAL INSTRUMENT AND ATTACHED HERETO.

AVERY REALTY COMPANY, INC.

By Alfred Casco
PRESIDENT

ATTEST:

Katherine Casco
(Secy)

STATE OF NEBRASKA }
DOUGLAS } SS:
COUNTY OF SARPY }

ON THIS 16th DAY OF MAY, 1960, BEFORE ME, A NOTARY PUBLIC, DULY COMMISSIONED AND QUALIFIED IN AND FOR SAID COUNTY, PERSONALLY CAME THE ABOVE NAMED Alfred Casco PRESIDENT, AND Katherine Casco SECRETARY OF AVERY REALTY COMPANY, INC.

WHO ARE PERSONALLY KNOWN TO ME TO BE THE IDENTICAL PERSONS WHOSE NAMES ARE AFFIXED TO THE ABOVE AGREEMENT AS PRESIDENT AND SECRETARY OF SAID CORPORATION AND THEY ACKNOWLEDGED THE INSTRUMENT TO BE THEIR VOLUNTARY ACT AND DEED AND THE VOLUNTARY ACT AND DEED OF SAID CORPORATION.

WITNESS MY HAND AND OFFICIAL SEAL, AT Omaha, NE IN THE SAID COUNTY, THE DATE AFORESAID.

J. H. Freeman
NOTARY PUBLIC

My Commission Expires: April 29 - 1961



STATE OF NEBRASKA }
COUNTY OF SARPY } SS:

ON THIS 10th DAY OF May, 1960, BEFORE ME, THE UNDERSIGNED,
A NOTARY PUBLIC, PERSONALLY CAME William H. Oberlin, John C. Chertok,

Paul M. Parrish, Virginia L. Parrish, Sam J. Cassio, Geneva Cassio,
Robert G. Hamma, Virginia E. Hamma, John J. Eckhart, Evelyn F. Eckhart,
Frederic P. Stowers, Beverly J. Stowers, Marvin F. Menzel and Margaret M. Menzel

THE OWNERS OF LOTS 16, 18, 21, 26, 29, 33 and 44
RESPECTIVELY, TO ME KNOWN TO BE THE IDENTICAL PERSON OR PERSONS WHOSE
NAME IS OR NAMES ARE AFFIXED TO THE FOREGOING INSTRUMENT AND
ACKNOWLEDGED THE EXECUTION THEREOF TO BE HIS, HER OR THEIR VOLUN-
TARY ACT AND DEED.



WITNESS MY HAND AND NOTARIAL SEAL THE DAY AND YEAR LAST
WRITTEN ABOVE.

W. H. Oberlin
NOTARY PUBLIC

MY COMMISSION EXPIRES: April 29 - 1961

STATE OF NEBRASKA }
COUNTY OF SARPY } SS:

ON THIS _____ DAY OF _____ 1960, BEFORE ME, THE UNDERSIGNED,
A NOTARY PUBLIC, PERSONALLY CAME _____

THE OWNERS OF LOTS _____
RESPECTIVELY, TO ME KNOWN TO BE THE IDENTICAL PERSON OR PERSONS
WHOSE NAME IS OR NAMES ARE AFFIXED TO THE FOREGOING INSTRUMENT
AND ACKNOWLEDGED THE EXECUTION THEREOF TO BE HIS, HER OR THEIR
VOLUNTARY ACT AND DEED.

WITNESS MY HAND AND NOTARIAL SEAL THE DAY AND YEAR LAST
WRITTEN ABOVE.

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____