INDENTURE

KNOW ALL MEN BY THESE PRESENTS that Upland Homes, Inc., a Nebraska corporation, of Omaha, Nebraska, does by these presents hereby declare that all lots in Upland Park Addition to the City of Omaha, County of Douglas, State of Nebraska, as platted, surveyed and recorded, shall be and are subject to the following restrictions, which restrictions shall abide up to and until January 1, 1970, and all deeds executed by the undersigned shall be subject to said restrictions, to-wit:

A. All lots in said Upland Park Addition shall be known and described as residential lots, and no structures shall be erected, altered, placed or permitted to remain on any of said lots other than one detached single-family dwelling, not exceeding two stories in height together with a private garage for not more than two cars.

B. No buildings shall be erected, placed or altered on any of said lots in said Upland Park Addition which is not in conformity and harmony of external design with then existing structures in said subdivision.

C. No building shall be located on any of said lots nearer to the front lot line or nearer to the side street line than the building setback lines shown on the recorded plat. In any event, no building shall be located on any of said lots nearer than thirty (30) feet to the front lot line nor nearer than five (5) feet to any side lot line, and no building except a detached garage or other out-building located sixty-five (65) feet or more from the front lot line shall be located nearer than five (5) feet to any side lot line.

D. No noxious or offensive trade or activity shall be carried on upon any lot in said Upland Park Addition, nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood.

E. No trailer, basement, tent, shack, garage, barn, or other out-building erected on any of said lots shall at any time be used as a residence temporarily or permanently, nor shall any structure of a temporary character erected on any of said lots be used as a residence.

F. An easement is hereby reserved over the rear five (5) feet of each lot for utility installation and maintenance, including the right to construct and maintain thereon underground conduits or poles with overhead wires for the maintenance therein or thereon of power and telephone lines and service.

G. No lot or house erected on said premises may be sold or rented to anyone who is not a member of the white race.

It is further hereby declared as a restriction upon said properties that no fence shall be erected upon any of said lots prior to January 1, 1953, without a permit therefor being first obtained from John Latenser & Sons, Inc., Architects, Omaha, Nebraska.

IN WITNESS WHEREOF, Upland Homes, Inc., has caused these presents to be signed by its President and to have its seal affixed hereto duly attested by its Secretary, both of said officers thereunto duly authorized.

Done at Omaha, Nebraska, this 25th day of February, 1942.

UPLAND HOMES, INC.

Witness: Frances D. Jones

By A. W. Campbell
President

Attest: John P. McWha
Secretary

STATE OF NEBRASKA)
) SS
COUNTY OF DOUGLAS)

Now on this 25 day of February, 1942, before me, a Notary Public in and for said State and County, personally appeared A. W. Campbell and J. P. McWha, President and Secretary respectively of Upland Homes, Inc., who are personally known to me to be the identical persons whose names are affixed to the above Indenture 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 Notarial Seal at Omaha, Nebraska, the date last above mentioned.

Flay Kennedy
Notary Public

My Commission expires 9-6-47.

11.
Entered in Numerical Index and Recorded in the Register of Deeds Office in Douglas County, Nebraska
25 day February 1942 at 3:05 P.M. Thomas J. O'Connor, Register of Deeds.