DEED RECORD NO. 96

3264 1-THE AUGUSTINE CO., GRAND ISLAND, NEBR.

IN WITNESS WHEREOF, the said party of the first part has hereunto set his hand and seal the day and year above written.

Signed, sealed and delivered in presence of

Glenn E. Bulliss

STATE OF Nebraska)

Hall County

ss. On this lst day of July, A.D. 1948, before me, the undersigned C. T. Flower a Notary Public, duly commissioned and qualified for and resid-

ing in said county, personally came Glenn E. Bulliss, Single to me known to be the identical person whose name is affixed to the foregoing instrument as grantor and acknowledged the same to be his voluntary act and deed.

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

(SEAL)

C. T. Flower Notary Public.

My Commission expires the 9th day of September, 1949

Filed for record this 9 day of July, 1948 at 2;0'clock P.M.

Register of Deeds

RAINS' FIRST ADDITION TO THE CITY OF GRAND ISLAND, being a certain part of the West half of the Southwest quarter of Section four (4), Township Eleven (11), North of Range Nine (9), more particularly described as follows: Beginning at the point of intersection of the West line of said section, with the Northerly right-of-way line of the Chicago, Burlington & Quincy Railroad Company, such point being 959.2 feet North of the Southwest corner of said section; running thence North, along the West line of said section, 384.8 feet; running thence East, at right angles, 1314.4 feet, to the East line of the West half of the Southwest quarter of said section; running thence South, along the East line of the West half of the Southwest quarter of said section 759.3' to the Northerly right-of-way line of the Chicago, Burlington & Quincy Railroad Company, running thence Northwesterly along said right-of-way line, 1370.0 feet, to the point of beginning; except a roadway strip 40.0 feet wide along the West edge of such described tract.

DEDICATION OF RAINS' FIRST ADDITION TO THE CITY OF GRAND ISLAND KNOW ALL MEN BY THESE PRESENTS:

That, we, Kenneth C. Rains and Inez Stowe Rains, husband and wife, being the owners of that part of the West half of the Southwest quarter of Section 4, Township 11, North, Range 9, West of the 6th P.M., Hall County, Nebraska, described on the accompanying plat of a subdivision thereof, do hereby name such subdivision, "Rains First Addition to the City of Grand Island"; and we hereby dedicate to the use and benefit of the public, the streets and avenues as follows: Roberts Street, Rains Avenue, Thomas Avenue and Harry Avenue, together with an easement and right-of-way for sewers, light, gas, water and other utilities along the Northerly six feet of Lots 5 and 6, and along the Southerly six feet of Lots 4 and 7; and we hereby declare such accompanying plat to designate explicitly the land so laid out and to particularly describe the lots, blocks, streets and rights-of-way for utilities as belong to said Addition, and we do designate for lots and blocks, the numbers, and for streets and avenues, the names, set forth in said plat, and do acknowledge and confirm the dimensions of the lots and blocks and width of the streets, avenues, and rights-of-way for utilities to be exactly as set forth in and on such accompanying plat; and

WHEREAS, it is the desire of the aforesaid owners of the above described "Rains First Addition to the City of Grand Island", to sell the lots in said addition to purchasers who will construct, operate and maintain thereon, manufacturing, processing and other types of industrial plants, and to construct, operate and maintain buildings, warehouses, and installations for the sale of raw, manufactured and processed products, goods, wares and merchandise, and

WHEREAS, the owners of said lots desire to have certain restrictions made in the sale and use of said lots,

NOW THEREFORE, in consideration of the mutual benefits to be derived by the owners of said "Rains First Addition to the City of Grand Island" and any purchaser or purchasers, their heirs, administrators and assigns, it is hereby stipulated and agreed that the lots in said addition shall be sold, transferred and hereinafter conveyed subject to the following restrictions and conditions. to-wit: (1) There shall not be constructed, maintained or operated on any lot in said addition, any soap factory, rendering plant, meat packing plant, building or installation emitting objectionable odors or residue. (2) There shall not be constructed, maintained or operated on any lot in said addition, any used car business or junk yard. (3) There shall not be constructed, maintained or operated on any lot in said addition, any retail liquor business or establishment. (4) No lot in said addition shall be sold to anyone except a person of the Caucasion race. (5) Deeds or other instruments transferring or conveying any lot or lots in said addition shall be subject to the foregoing restrictions, whether or not specific reference is made to said restrictions in said deeds or other instruments. (6) This agreement shall be binding upon all purchasers of lots in said addition, their heirs, administrators and assigns. (7) The covenants and restrictions herein run with the land, and shall be binding on all persons, corporations, or others claiming owner-ship of said lots. If any purchaser or owner of any lot or lots shall violate, or attempt to violate any of the restrictions or covenants herein set forth, it shall be lawful for any other person or persons owning real estate in said addition to prosecute such proceedings at law or in equity against the person or persons violating or attempting to violate any covenant or restriction, and to either prevent him or them from doing any act in violation thereof, and to recover damages for such violation. (8) If any of the conditions or restrictions herein imposed are vitiated or declared void by a court of competent jurisdiction, the same shall not in any wise effect the other restrictions or covenants herein.

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<u>____</u>

THIS DEDICATION AND AGREEMENT, and the faithful performance of the terms thereof, shall be binding upon our heirs, administrators, assigns, grantees, and devisees, and upon the purchasers of any lot in said "Rains First Addition to the City of Grand Island".

IN WITNESS WHEREOF, we have hereunto set our hands this 16th day of June, A. D., 1948.

Kenneth C. Rains Inez Stowe Rains

DEED RECORD NO. 96

3264 1-THE AUGUSTINE CO. GRAND ISLAND, NEBR.

State of Nebraska) ss County of Hall)

On this 16th day of June, 1948, personally appeared before me, Kenneth C. Rains and Inez Stowe Rains, husband and wife, to me known to be the identical persons who executed the foregoing Dedication and agreement, and each acknowledged the execution thereof to be their voluntary act and deed for the purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and notarial seal the day and year last above written. (SEAL) Donald H. Weaver

My commission expires December 1, 1951.

I hereby certify that on the 16th day of June, 1948, I accurately surveyed Rains First Addition to the City of Grand Island, and that the lots, blocks, streets, avenues, and rights-ofway are well and accurately staked off and marked. The dimensions of each lot and block and width of each street, avenue and right-of-way, were surveyed, staked off and marked in exact conformity to and in accordance with the within map and plat. Each block and lot bears its own number and a round 3/4" x 16" iron rod was driven at each corner of each lot.

I further certify that such survey was made with reference to known monuments and within the boundaries of and upon the tract of land herein above described.

> L. R. Rudd Surveyor

> > F. S. White City Clerk

Fichard Bueng

Notary Public

Accepted and approved by 16th day of June, 1948.	the	Mayor	and	City	Council	this
16th day of June, 1948. B. J. Cunningham				CORP)		
Mayor				CALI		

Filed for record this 9 day of July, 1948, at 4 o'clock P.M.

KNOW ALL MEN BY THESE PRESENTS:

We, Annabel Boyden Simanek formerly Annabel Boyden Davies and Max E. Simanek, wife and husband, each in her and his own right, and as spouse of the other, of the County of Bernalillo and State of New Mexico; Henry B. Boyden, Jr., and Jo Boyden, husband and wife, each in his and her own right, and as spouse of the other, of the County of Jefferson and State of Nebraska; and Eva Boyden, a single person, of the County of Hall and State of Nebraska for and in consideration of the sum of One Dollar and other good and sufficient consideration in hand paid do hereby grant, bargain, sell, convey and confirm unto Julius Gutschow and Emma Gutschow, husband and wife, as Joint Tenants and not as tenants in common of the County of Hall and State of Nebraska the following described real estate situated in _ in Hall County, and State of Nebraska to-wit:

The Northeast Quarter (NE1) of Section Thirty-five (35), in Township Twelve (12), Range Ten (10), West of the 6th P.M., in Hall County, Nebraska

It being the intention of the grantees herein that in the event of the death of either of them the entire fee title shall then vest in the survivor.

TO HAVE AND TO HOLD the premises above described, together with all the Tenements, Hereditaments and appurtenances thereunto belonging, unto the said Julius Gutschow and Emma Gutschow and to the heirs and assigns of the survivor or to their assigns forever.

And we do hereby covenant with the said Grantees and with their heirs and assigns, that we are lawfully seized of said premises; that they are free from encumbrance with no exceptions; that we have good right and lawful authority to sell the same; and we do hereby covenant to warrant and defend the title to said premises against the lawful claims of all persons whomsoever.

And the said grantors hereby relinguish all right, title, claim and interest in and to the above described premises.

Signed this 5th day of June, A.D. 1948.

	(\$24.20 I.R. Stamps)	Jo Boyden
48.	(Cancelled)	Henry B. Boyden, Jr.
	(Annabel Boyden Simanek
		Max E. Simanek

In Presence of

STATE OF NEW MEXICO)On this 5th day of June, A.D. 1948, before me, the undersigned) ss.) ss.BERNALILLO County)Banita Boyd a Notary Public, duly commissioned and qualified for and residing in said county, personally came Annabel Boyden Simanek and Max E. Simanek, wife and husband, each in her and his own right.
and as spouse of the other, to me known to be the identical persons whose names are affixed to the foregoing instrument as grantors and acknowledged the same to be their voluntary act and deed.
Witness my hand and Notarial Seal the day and year last above written. (SEAL) <u>Benita Boyd</u> Notary Public.
My commission expires the 22 day of June, 1948
STATE OF NEBRASKA)) ss. On this 9th day of June, A.D. 1948 before me, the undersigned Gertrude Weyer a Notary Public, duly commissioned and qualified for and residing in said county, personally came Henry B. Boyden, Jr., and Jo Boyden, husband and wife, each in his and her own right, and as spouse of the other, to me known to be the identical persons whose names are affixed to the foregoing instrument as grantors and acknowledged the same to be their voluntary act and deed.
Witness my hand and Notarial Seal the day and year last above written. (SEAL) <u>Gertrude Weyer</u> Notary Public. My Commission expires the 23rd day of February, 1953
STATE OF NEBRASKA) On this 12th day of June, A. D., 1948, before me, the undersigned, Harry HALL COUNTY SS. Grimminger a Notary Public, duly commissioned and qualified for and re- HALL COUNTY SS. Grimminger a Notary Public, duly commissioned and qualified for and re- known to be the identical person whose name is affixed to the foregoing instrument as grantor and acknowledged the same to be her voluntary act and deed. Witness my hand and Notarial Seal the day and year last above written. Harry Grimminger Notary Public My commission expires the 1 day of August, 1951 (SEAL) Filed for record this 10 day of July, 1948 at 11:50 o'clock A.M. Michard Buerg
Register of Deeds By Educker