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COVENANT WITH THE CITY OF LINCOLN

WHEREAS, MEARL G. TURNER, a single widow, hereinafter referred to as "Mrs. Turner", is the owner of Lot 166, Irregular Tract in the Northwest Quarter of Section 8, Township 10 North, Range 7 East of the Sixth P.M., Lincoln, Lancaster County, Nebraska; and,

WHEREAS, Mrs. Turner contemplates developing said lot into a residential-industrial complex; and,

WHEREAS, it has been deemed necessary to the proper development of said lot that Mrs. Turner covenant with the City of Lincoln, Nebraska, a municipal corporation, hereinafter referred to as "City", to perform certain acts relevant to said development;

NOW THEREFORE, Mrs. Turner hereby covenants with City as follows:

1. Mrs. Turner hereby covenants that prior to January 1, 1970, she will, on the twenty-foot strip of land hereinafter described, plant plants, shrubbery, or trees, or any combination thereof in such a manner as to form a screen between the real estate on either side thereof, and will thereafter maintain said vegetation. The establishment and maintenance of said vegetation, including the selection and planting pattern of the same, shall be as directed by and subject to the approval of City. Mrs. Turner shall bear all costs of purchasing, maintaining, and replacing said vegetation. City is hereby granted access rights to said twenty-foot strip of land so that City may at any time inspect such vegetation. The said twenty-foot strip is the twenty feet of land immediately to the left, or easterly, of a line proceeding southerly from a point on the north line of said Lot 166 which is 725 feet easterly of the northwest corner of said lot, said line then running

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southerly parallel with the east lot line of Lot 166 a distance of 650 feet, thence right in a southwesterly direction at an angle of 45 degrees to an intersection with the common lot line of Lots 166 and 131, thence southeasterly on the common lot line of Lots 166 and 131 to the west right of way line of 48th Street, all within the City of Lincoln, Nebraska.

This covenant shall run with the land included in the twenty-foot strip of land aforesaid and with that land in Lot 166 within 100 feet of said twenty-foot strip of land except that said covenant shall not run with that portion of Lot 166 described as follows:

Beginning at the northwest corner of Lot 166, thence easterly along the north line of Lot 166 a distance of 725 feet, thence south parallel with the east lot line of Lot 166, a distance of 650 feet, thence right in a southwesterly direction an an angle of 45 degrees to an intersection with the common lot line of Lots 166 and 131, thence in a northwesterly direction along the common lot line of Lots 166 and 131 to the centerline of 44th Street, thence north along the centerline of 44th Street to the point of beginning.

Dated this 6 day of November, 1968.

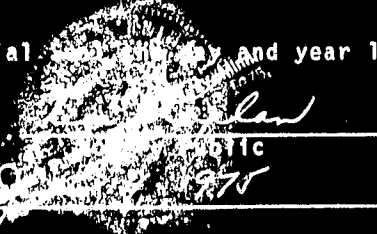
Mearl G. Turner
Mearl G. Turner

STATE OF Minnesota)
Hennepin COUNTY) SS.

On this 6 day of November, 1968, before me, the undersigned, a Notary Public duly commissioned and qualified for said County, personally came MEARL G. TURNER, a single widow, to me known to be the identical person whose name is affixed to the foregoing instrument, and acknowledged the execution thereof to be her voluntary act and deed.

WITNESS my hand and Notarial Seal this 6 day and year last above written.

My Commission expires: Jan 1 1970



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MISCELLANEOUS RECORDS

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1968 NOV - 8 PM 1:01

REGISTER OF DEEDS
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AFFIDAVIT

State of Nebraska)
) SS
Lancaster county)

I, William R. Swearingen, being first duly sworn on oath, depose and sayeth:

That I am well acquainted with Mary Genevieve Dutton, Grantee in the Warranty Deed at Entry 62 dated September 18th, 1951 conveying lot 164, Irregular tracts in SE 1/4 SW 1/4 of section 32, Twp 10, Range 7, Lancaster county, Nebraska, and Mary H. Dutton Grantor in the warranty deed at entry 67, dated October 7, 1968, conveying lots 335 and 336 of Irregular tracts in the SW 1/4 of section 32, twp 10, range 7, Lancaster county, Nebraska.

I further state that Mary Genevieve Dutton, and Mary H. Dutton are one and the same person.

Further, affiant sayeth not.

[Signature]
Affiant

Subscribed and sworn to before me this 7 day of November, 1968.

[Signature]
Notary Public

commission expires: May 7, 1969.

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