

AMENDMENT TO PROTECTIVE COVENANTS

COMES NOW Lloyd Pettegrew d/b/a Lloyd Pettegrew Realty, Designee, of Cornhusker Homes Company, says that Lloyd Pettegrew Realty is the successor of Lloyd Pettegrew Realty, Inc., and hereby amends Paragraph 8 of the "Amended Protective Covenants" heretofore executed by said Cornhusker Homes Company, and others under date of September 3, 1965, which said "Amended Protective Covenants" were recorded in Book 444 at Page 409 of the Miscellaneous Records in the office of the Register of Deeds of Douglas County, Nebraska, and Paragraph 8 of the "Amendment to Protective Covenants" heretofore executed by said Cornhusker Homes Company under date of October 17, 1969, which said "Amendment to Protective Covenants" were recorded in Book 483 at Page 223 of the Miscellaneous Records in the office of the Register of Deeds of Douglas County, Nebraska, so that said Paragraph 8 shall read as follows:

8. No fences shall be erected or permitted to remain in front of the minimum set-back line for main residential structures. Fences may be erected to the rear of said set-back line, but the maximum height above ground level of any fencing shall be six feet, except fencing for swimming pools and tennis courts, which maximum height above ground level shall be twelve feet. No hedges, row of bushes or row of trees (except foundation plantings) shall be planted or permitted to remain in front of said minimum building set-back line unless said plantings have received the prior written approval of the party designated in Paragraph 7 hereof. No outside sign boards or signs of any kind and no outside radio television, or electronic antenna or aerial shall be erected or placed on any "buildable plot" or upon any structure erected thereon, without the prior written approval of the party designated in Paragraph 7 above. No outside above-ground or uncovered trash or garbage piles, burners, receptacles or incinerators shall be erected, placed or permitted on any of said real estate. All fuel tanks must be buried beneath ground level. Septic tank systems shall have a minimum capacity of 1,000 gallons with a minimum of 300 lineal feet of leach lines or its equivalent. No noxious or offensive activity shall be carried on upon any part of said real estate, nor shall anything be done thereon which may be or become an annoyance or nuisance to other owners or occupants of said real estate. No trailer, basement, basement house, tent, shack, barn or other outbuilding erected on said real estate 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 building constructed in another area or addition may be moved on to or permitted to remain on any lot in this subdivision. No animals, livestock or poultry of any kind shall be raised, brought or kept on said real estate, except that dogs and cats not maintained for any commercial purpose are permitted, and provided that riding horses or ponies shall be permitted only with a written authorization from Cornhusker Homes, or its Designee."

Said "Amended Protective Covenants" and this instrument shall run with the land and shall be binding upon all present and future owners of all or any part of the following described real estate until January 1, 1995: Lot One Hundred (100) to One Hundred Sixty (160) both inclusive in Heavenly Acres Replat, a subdivision in Douglas County, Nebraska.

Executed this 17 day of October, 1976.

LLOYD PETTEGREW, d/b/a LLOYD PETTEGREW REALTY,

STATE OF NEBRASKA,)
: ss.
COUNTY OF DOUGLAS,)

On the day and year last above written before me the undersigned Notary Public personally came Lloyd R. Pettegrew to me personally known to be the owner of and doing business as Lloyd Pettegrew Realty, Designee, and the identical person whose name is affixed to the foregoing instrument and acknowledged the execution thereof to be his voluntary act and deed.

WITNESS my hand and notarial seal at Omaha in said County the day and year last above written.

GENERAL NOTARY - State of Nebr.
JOHN G. LAKOS
My Comm. Exp. Oct. 27, 1979

DOUGLAS COUNTY, NEBR.
REGISTER OF DEEDS
444 N. 10th St.
OMAHA, NEBR.

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