

5438

## HERBERT BROS. BUILDERS

"Smart Buyers Prefer Herbert Homes"

LINCOLN, NEBRASKA 68510

*mail*  
JACK HERBERT  
840 SO. 84TH STREET  
PHONE 489-6088

GLEN HERBERT  
8440 A STREET  
PHONE 489-2336

The following Protective and Restrictive Covenants are created, adopted, and established for all the lots and blocks in Herbert Brothers' Indian Hills Third Addition to Lincoln, Lancaster County, Nebraska:

1. No building shall be erected, altered, placed or permitted to remain on any lot other than:
  - (a) one detached single family dwelling, which shall in no case exceed 3 stories, or 35 feet in height, and
  - (b) a private garage for not more than three cars for each dwelling, 1000 square feet or four stalls for a detached building.
2. The ground floor area of the main structure, exclusive of one story open porches and garages shall be no less than 1000 square feet for a one story dwelling, nor less than 800 square feet for a dwelling of more than one story.
3. No building shall be located on any lot nearer than 30 feet to the front lot line. No building shall be located nearer than 10 feet to any side lot line, except that a garage or other permitted accessory building located 60 feet or more from the front lot line may be located not nearer than 2 feet from any such side lot line. For the purpose of this covenant, eaves, steps and open porches shall not be considered as a part of a building; provided, however, that this shall not be construed to permit any portion of a building on a lot that may encroach on another lot.
4. No lot shall be re-subdivided into, nor shall any dwelling be placed on any lot having a width of less than 60 feet at building set back line, or an area of less than 9000 square feet.
5. Five (5) feet easements for the construction and maintenance of sewers, conduits, and lines are reserved as provided in the recorded Plat and Dedication.
6. No noxious or offensive activity shall be carried on upon any lot, nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood.
7. No animals, livestock or poultry of any kind shall be raised, bred or kept on any lot, except that dogs, cats or other household pets may be kept; provided that they are not kept, bred or maintained for any commercial purpose.
8. These covenants are to run with the land and shall be binding on all parties and all persons claiming under them for a period of 25 years from the date these covenants are recorded, after which time said covenants shall automatically renewed for successive periods of 10 years unless an instrument signed by a majority of the then owners of the lots has been recorded agreeing to change said covenants in whole or in part.
9. Enforcement shall be by proceedings at law or in equity against any person or persons violating or attempting to violate any covenant either to restrain violation or to recover damages.

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Herbert Brothers' Indian Hills 3rd Add'n. Protective & Restrictive Covenant, cont'd.

10. Invalidation of any of these covenants by judgment or court order shall in no wise affect any of the other provisions, which shall remain in full force and effect.

11. No building shall be erected of less than 25% brick, stone or Founders Concrete brick veneer.

12. No outside television antenna shall be erected after the availability of cable television service.

Herbert Brothers, a Partnership

Jack A. Herbert  
Jack A. Herbert

a partner

Glen E. Herbert  
Glen E. Herbert

a partner

State of Nebraska }  
Lancaster County } ss

Before me, a Notary Public qualified for said county, personally came JACK A. HERBERT and GLEN E. HERBERT, each a partner, known to me to be the identical persons who signed the foregoing instrument and acknowledged the execution thereof to be their voluntary act and deed.

Witness my hand and notarial seal on April 4, 1972.

Audrey L. Henderson  
Notary Public

My Commission expires: October 29, 1974.

LANCASTER COUNTY NEBR.  
Kenneth A. Ferguson  
REGISTER OF DEEDS

APR 4 3 13 PM '72

ENTLED ON  
NUMERICAL INDEX.  
FILED FOR RECORD AS:  
INST. NO. 72- 5438



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