

C. R. McCotter, the undersigned fee simple title holder of the following described property located in Hillsboro as follows:

Lots 1-2-6-7-8-9, south 56 feet of lot 11, all of lots 12-13-14-16-17-18-19-20-21-22-23, and the unplatted part of Hillsboro; located in the west  $\frac{1}{2}$  of the NE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$ ; see 22 Twp. 15 N. Range 12 E of the 6 P M in Douglas County Nebraska.

Agree to the provisions and restrictions contained herein, in the following Covenant--To Wit:

These Covenants are to run with the land and shall be binding on all parties and all persons claiming under them until January 1, 1983, at which time said Covenants shall be automatically extended for successive periods of 10 years unless by vote of a majority of the then owners of the lots it is agreed to change said covenants in whole or in part.

If the parties hereto, or any of them, or their heirs or assigns, shall violate or attempt to violate any of the Covenants herein it shall be lawful for any other person or persons owning any real property situated in said development or subdivision to prosecute any proceedings at law or in equity against the person or persons violating or attempting to violate any such Covenant and either to prevent him or them from so doing or to recover damages or other dues for such violation.

Invalidation of any one 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.

- A All lots in the tract shall be known and described as residential lots. No structure shall be erected, altered, placed, or permitted to remain on any residential building plot other than one detached single-family dwelling not to exceed two and one-half stories in height and a private garage for not more than three cars.
- B No building shall be located 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 residential building plot nearer than 50 feet to the front lot line, nor nearer than 10 feet to any side street line. No building, except a detached garage or other outbuilding located 100 feet or more from the front lot line, shall be located nearer than 10 feet to any side lot line.
- C No residential structure shall be erected or placed on any building plot, now platted, which plot has an area of less than 16,000 square feet or a width of less than 95 feet at the front building setback line. No structure shall be erected or placed on any now unplatted ground without having a minimum of 14,000 square feet or a width of not less than 75 feet at the front building setback line.
- D No noxious or offensive trade or 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.
- E No trailer, basement, tent, shack, garage, barn, or other outbuilding erected in the tract shall at any time be used as a residence temporarily or permanently, nor shall any structure of a temporarily or permanently, nor shall any structure of a temporary character be used as a residence except the land now unplatted (which later may become a part of Hillsboro) shall be not less than \$6500 with a minimum of width of 75 at the front building line.

- F No dwelling costing less than \$7500 shall be permitted on any lot in Hillsboro. The ground floor area of the main structure, exclusive of one-story open porches and garages, shall be not less than 1000 square feet in the case of a one-story structure nor less than 750 square feet in the case of a one and one-half, two, or two and one-half story structure.
- G An easement in reserved over the rear 5 feet of each lot for utility installation and maintenance.

IN WITNESS WHEREOF, I have hereunto set my hand this 8th day of April A. D. 1941.  
CR McCotter  
In Presence of:  
Helen Bone

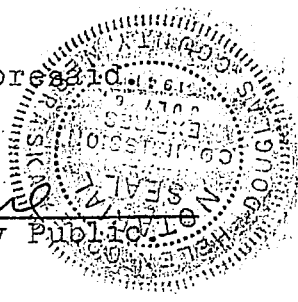
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STATE OF NEBRASKA  
Douglas County

On this 8th day of April A.D. 1941, before me a Notary Public in and for said County, personally came the above named CR McCotter who is personally known to me to be the identical person whose name is affixed to the above instrument and he acknowledged said instrument to be his voluntary act and deed.

WITNESS my hand and Notarial Seal the date last aforesaid.

Helen Bone  
Notary Public  
My commission expires July 6, 1941



6.

Entered in Numerical Index and Recorded in the Register of Deeds Office in Douglas County, Nebraska  
11 day April 1941 at 4:00 P.M. Thomas J. O'Connor, Register of Deeds.