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COVENANTS

Stewart A. Smith, Hazel I. Smith, Warren D. Whitaker, Ellen Whitaker, Clark Jenson, June Jenson, Darrell L. Jensen, Lynne I. Jensen, Anita M. Peters and John B. Peters, being the owners of Pioneer Hills Subdivision in Section 7, Township 17 North, Range 12 East of the 6th P.M., Washington County, Nebraska, do hereby declare that all lots within the above described subdivision shall henceforth be owned, held, used and conveyed subject to the following conditions, restrictions and covenants:

- A. Said lots shall be used only for single family residential purposes except such lots or portions thereof, as may hereafter be conveyed or dedicated by the undersigned for public, church, educational or nonprofit recreational uses.
- B. No structure shall be erected, altered, placed or permitted to remain on any "residential building plot", as hereinafter defined other than one detached single family dwelling not to exceed two stories in height, with attached garage for not less than two cars or attached car port enclosed on two sides for not more than two cars.
- C. No residential structure shall be erected on any building lot which is smaller in area than the original platted numbered lot on which it is erected.

STATE OF NEBRASKA, COUNTY OF WASHINGTON SS 1238
 ENTERED IN NUMERICAL INDEX AND FILED FOR RECORD
 THIS 31st DAY OF July A.D. 1973
 AT 3:37 O'CLOCK P.M. AND RECORDED IN BOOK
 71 AT PAGE 567-572
 COUNTY CLERK Charlotte L. Petersen
 DEPUTY Elizabeth May

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FILED
 1973 JUL 31 PM 3:37
 COUNTY CLERK
 WASHINGTON COUNTY

D. No noxious or offensive trade or activity shall be carried on upon any plot nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood. No posters or advertising signs of any kind (except residential "For Sale" signs not exceeding 6 square feet in area) shall be erected on any building plot. The above restriction as to signs does not apply to signs erected by the undersigned and its agents in the development and sale of the land. All excavations, including utility trenches, shall be kept filled, compacted and maintained by the then owner of each plot and in no event will the undersigned or its agents and associated entities be or become liable for such work or maintenance or for any claims arising from such excavations.

E. No trailer, tent, shack, junk cars or temporary structure shall be placed or erected on said real estate. Only the main residential structure may be occupied as a dwelling.

F. The ground floor enclosed living area of main residential structures, exclusive of open porches, open breezeways, basements and garage shall be not less than the following minimum sizes:

1. 1,200 square feet for one story dwellings.
2. 1,200 square feet for split-level dwellings.
3. 1,000 square feet for one and a half or two story dwelling on the ground floor.

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G. Grading of lots in preparation for construction of dwellings on said lots shall be kept to a minimum and the natural contours of the land shall be preserved where feasible.

H. Number of animals allowed will be on a unit basis per acre:

	<u>Units Assigned Per Animal</u>	<u>Five Acre Lot</u>	<u>Ten Acre Lot</u>
Horses	2.5	2	4
Sheep	.7	7	14
Lambs (Less than 1 yr.)	.5	10	20
Cattle	2.5	2	4
Calves (less than 1 yr.)	1.25	4	8
Swine	0	0	0

The total combined units of various classes of livestock shall not exceed 1 unit per acre.

5 Acres

Example I
2 horses = 5 units
1 horse + 2 calves = 5 units
1 steer + 5 lambs = 5 units

10 Acres

Example II
4 horses = 10 units
2 horses + 1 steer + 2 calves = 10 units
1 horse + 1 steer + 5 sheep + 3 lambs = 10 units

Household pets are allowed but no kennels are permitted of a commercial nature.

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- I. One out building per platted Lot will be permitted for storage and/or shelter of livestock. The smallest out building permitted will not be less than 400 square feet in area. The largest out building permitted on any platted lot will be the basic 400 square foot building with 100 square feet additional for each acre of ground in the platted lot.

Examples: 4 acre tract - 400 square foot base + 400 square feet at 100 square feet per acre = 800 square feet maximum.

10 acre tract - 400 square foot base + 1000 square feet at 100 square feet per acre = 1400 square feet maximum.

- J. Dwellings constructed in another location shall not be moved to any lot within Pioneer Hills.
- K. Prior to commencement of construction of any structures, the plans therefore (including elevations) must be submitted to and approved by the developers.
- L. These covenants, restrictions and conditions shall run with the land and continue until January 1, 1983, after which time they shall be automatically extended for successive periods of five years, unless an instrument signed by a majority of the then owners of said land shall have been recorded in the office of the County Clerk of Washington County, Nebraska, agreeing to change same in whole or in part.

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- M. If any person, firm or corporation shall violate or attempt to violate any provisions hereof, any owner of real estate in such addition shall be empowered and entitled to bring any action or proceeding to prevent or restrain the continuance of such attempt or violation or to recover damages occasioned thereby.
- N. If any provisions hereof shall be adjudged unlawful or unenforcible, same shall in no manner affect or change the other provisions hereof, which shall remain in full force and effect.

Signed this 1st day of April A.D., 1973.

Stewart A. Smith
STEWART A. SMITH

Hazel M. Smith
HAZEL M. SMITH

Warren D. Whitaker
WARREN D. WHITAKER

Ellen Whitaker
ELLEN WHITAKER

Clark Jensen
CLARK JENSON

June Jensen
JUNE JENSON

Darrel L. Jensen
DARREL L. JENSEN

Lynne I. Jensen
LYNNE I. JENSEN

John B. Peters
JOHN B. PETERS

Anita M. Peters
ANITA M. PETERS

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STATE OF NEBRASKA)
WASHINGTON COUNTY) :ss:

On the 1st day of April A.D., 1973, before me a General Notary Public, personally appeared Stewart A. Smith, Hazel I. Smith, Warren D. Whitaker, Ellen Whitaker, Clark Jenson, June Jenson, Darrell L. Jensen, Lynne I. Jensen, John B. Peters, and Anita M. Peters, who are personally known to me to be the identical persons whose names are affixed on the foregoing instrument, and they acknowledge the signing of said instrument to be their voluntary act and deed.

Witness my hand and official seal at Blair, Washington County, Nebraska the date last aforesaid.



Joe A. Hayden
Notary Public

My commission expires the 19th day of May A.D., 1975.

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