

MODIFICATION OF PROTECTIVE COVENANTS

ROANOKE ESTATES

WHEREAS, Dial Construction Co., Inc., a Nebraska corporation, hereinafter called "Dial", and Kuno J. Bauermeister and Edna B. Bauermeister, husband and wife, placed of record certain Protective Covenants on certain property in the County of Douglas, State of Nebraska, which is more particularly described as follows:

Lots One (1) to Two Hundred Thirteen (213), inclusive, and Outlots One (1) through Six (6), inclusive, Roanoke Estates, all as surveyed, platted and recorded in Douglas County, Nebraska, and

WHEREAS, the said above-referred to Protective Covenants were recorded in Book 445 at Page 447 through 453, inclusive, of the Miscellaneous Records of Douglas County, Nebraska, and

WHEREAS, Paragraph 1 of said Protective Covenants states that not more than one single-family dwelling shall be permitted to remain on any one of said lots in Roanoke Estates, and

WHEREAS, Paragraph 12 of said Protective Covenants grants Dial the exclusive right to modify or waive the Protective Covenants, in whole or in part, as to any lot or lots in cases where, in Dial's discretion, Dial deems such modification or waiver to be necessary or advisable because of special circumstances, or to prevent hardship, or for any other reason considered sufficient by Dial, and

WHEREAS, Lot Eleven (11), Roanoke Estates, as surveyed, platted and recorded, in Douglas County, Nebraska, is considerably larger than the adjacent and surrounding lots in Roanoke Estates and a 15-foot permanent sewer and drainage easement, recorded in Book 620 at Page 587, of the Miscellaneous Records of Douglas County, Nebraska, has been placed upon Lot Eleven (11), and

WHEREAS, Dial desires to modify said Protective Covenants to allow Lot Eleven (11), Roanoke Estates, to be divided into two building lots each containing an area of greater than seventy-five hundred (7,500) square feet,

