

RESTRICTIONS FOR UNDERWOOD PARK ADDITION

Lots in Underwood Park Addition, the plat of which is recorded in Book 849 Page 271 in the Register of Deeds Office in the Douglas County Court House, Douglas County, Nebraska, are subject to the following restrictions which shall run with the land from the date hereof until January 1st, 1975.

- (1) All lots shall be used for residential purposes only and no lot may be resubdivided.
- (2) Only one single family dwelling may be erected on each lot and no dwelling shall be more than two stories in height. Any dwelling must have at least 672 square feet of ground floor space in the case of a one story structure and 600 square feet of ground floor space in the case of a one and a half or two story structure (exclusive of porches or garage), shall cost not less than \$3,500.00 and shall be built on a solid foundation (not pillars) and shall have wooden, slate or composition shingles on the roof, new standard wood siding or new asbestos shingle siding (imitation brick siding can not be used) and shall be painted with at least two coats of good standard outside house paint, if frame, or may be built of masonry. If cement block construction is used the exterior must be painted with a good concrete paint or stuccoed. On lots facing Cass Street the minimum ground floor space as defined above shall be 750 square feet for a one story dwelling and shall not cost less than \$4,500.00.
- (3) All dwellings shall be placed at least forty feet back from the front line of any lot (open porches and bay windows excepted) and if a corner lot all buildings shall be at least twenty feet back from the side street line and no building other than the dwelling (and garage if attached to the dwelling) shall be closer to the front lot line than the rear building line of the dwelling.
- (4) Any detached garage or outbuilding shall comply with the construction requirements for a dwelling except that it shall not be limited as to ground floor area nor need it be on a permanent foundation. No fence shall be constructed closer to the front lot line than the front building line of any dwelling.
- (5) Underwood Park has been zoned as a fourth residential district by the City of Omaha. There shall be no outdoor privies, septic tanks or cesspools. The restrictions contained in this contract do not apply to lots 185 to 188 inclusive or that part of lots 189 to 195 inclusive lying west of Cole Creek. Certain lots are subject to an easement for trunk line sanitary sewer as it now exists and the rear ten feet of lots 38, 39, 40, 41, 42, 117 and 118 is reserved by the seller as an easement for the operation and maintenance of a sewer line.
- (6) No building shall be moved onto any lot and no unused building materials, junk or rubbish shall be left exposed on any lot except during actual building operations.
- (7) No trailer, basement, tent, garage, barn or other outbuilding shall at any time be used as a residence temporarily or permanently, nor shall any residence of a temporary character be permitted.
- (8) A license is granted to the Northwestern Bell Telephone Company and the Omaha Public Power District, jointly, their successors, lessees, and assigns, to erect and operate, maintain, repair and renew poles with the necessary supports, sustaining wires, cross arms, guys and anchors, and other instrumentalities, and to extend thereon wires for carrying and transmission of electric current for lights, heat and power, and for all telephone, telegraph and message purposes for the use and benefit of the owners and occupants thereof along the rear and side boundary lines of Lots 1 to 124 and lots 140 to 184 inclusive, and, along the side boundary lines and along a line approximately 140 feet west of and parallel to the east boundary line of lots 125 to 139 and 189 to 205 inclusive.
- (9) No building shall be erected on any residential lot until the design thereof shall have been approved in writing by a committee appointed by S. J. Cullingham or elected by a majority of the owners of lots in this subdivision. However, if any such committee is not in existence at the time any such approval is sought, or if in existence, fails to disapprove the design of the proposed building within ten days after the same is submitted to it, then such approval will not be required provided such design and location on said lot conforms to and harmonizes with existing structures.

Dated at Omaha, Nebraska this 21st day of June, 1949.

Sidney J. Cullingham
Charlotte A. Cullingham

STATE OF NEBRASKA)
COUNTY OF DOUGLAS)

ss.

On this 21st day of June, A.D. 1949, before me, a Notary Public in and for said County, personally came the above named Sidney J. Cullingham and Charlotte A. Cullingham, husband and wife, who are personally known to me to be the identical persons whose names are affixed to the above instrument, and they acknowledged said instrument to be their voluntary act and deed.

WITNESS my hand and Notarial Seal the date last aforesaid.

Cecelia A. Anderson
Notary Public

My commission expires on the 14th day of Jan. A.D., 1953.



2. General
RECORDED IN THE PUBLIC RECORDS AND INDEXED BY THE REGISTER OF DEEDS OFFICE IN DOUGLAS COUNTY, NEBRASKA
21 DAY June 1949 AT 11:11 A.M. 1.95
WILLIAMS & SPENCER, REGISTER OF DEEDS