



1115 024 MISC



03746 94 024-053

D. C. Bradford
BRADFORD, COENEN & WELSH
1850 First National Center
1620 Dodge Street
Omaha, Nebraska 68102-1505

PARTIAL RELEASE AND AMENDMENT
TO PROTECTIVE COVENANTS AND EASEMENTS

THIS PARTIAL RELEASE AND AMENDMENT TO PROTECTIVE COVENANTS AND EASEMENTS, made on the date hereinafter set forth by the undersigned, owners of a majority of the lots comprising the real property hereinafter described,

WITNESSETH:

WHEREAS, certain Protective Covenants and Easements dated November 22, 1954, running with the land on the real estate hereinafter described were recorded on the 23rd day of November, 1954, in Book 293 at Page 489 of the Miscellaneous Records in the Office of the Register of Deeds for Douglas County, Nebraska, to-wit:

Lots One (1) to Twelve (12), inclusive, Block One (1);
Lots One (1) to Ten (10), inclusive, Block Two (2);
Lots One (1) to Ten (10), inclusive, Block Three (3);
Lots One (1) to Ten (10), inclusive, Block Four (4);
and Lots One (1) to Nine (9), inclusive, Block Five (5),
all in Westchester Second Addition, a subdivision, now an addition to the City of Omaha, Douglas County, Nebraska;

and,

WHEREAS, the undersigned, being the owners of a majority of said above-described lots desire to partially release and amend said Protective Covenants and Easements with respect to one of said lots only, viz., Lot Seven (7), Block Five (5), in said Westchester Second Addition, as hereinafter provided.

NOW, THEREFORE, the undersigned owners hereby declare that subparagraph (a) of Paragraph 1 of said Protective Covenants and Easements is hereby amended to provide that the height restriction of one and a half stories for the detached single family dwelling on said Lot Seven (7), Block Five (5), shall be changed to two stories in height.

Said Protective Covenants and Easements dated November 22, 1954, and recorded as aforesaid, shall be and hereby are declared to be and remain in full force and effect, except as herein

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GEORGE J. BUGLEWICZ
REGISTER OF DEEDS
DOUGLAS COUNTY

specifically released and amended with respect to said Lot Seven (7), Block Five (5) only.

IN WITNESS WHEREOF the undersigned, being the owners of a majority of said above-described lots, have executed this Partial Release and Amendment to said Protective Covenants and Easements on the dates hereinafter indicated.

Lot No. Block No.
 7 5

Steven J. Kutilek
Steven J. Kutilek, Owner
Anne Marie Kutilek
Anne Marie Kutilek, Owner

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)



NOTARIAL SEAL AFFIXED
REGISTER OF DEEDS

The foregoing instrument was acknowledged before me on the 20 day of March, 1994, by Steven J. Kutilek and Anne Marie Kutilek.

Fae M Sterba
Notary Public

Lot No. Block No.
 2 1

Lee M Myers

Lee M. Myers Owner

Barbara B Myers

Barbara B. Myers Owner

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

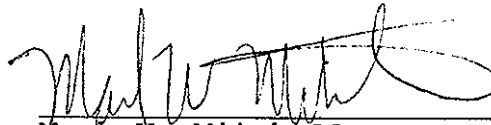


The foregoing instrument was acknowledged before me on the 20 day of March, 1994, by Lee M. Myers and Barbara B. Myers.

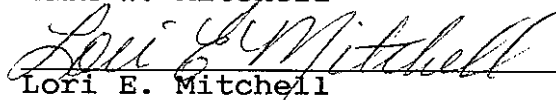
Fae M Sterba

Notary Public

Lot No. Block No.
 3 1

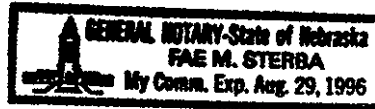


Mark W. Mitchell Owner

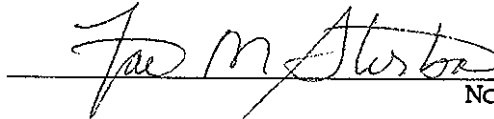


Lori E. Mitchell Owner

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

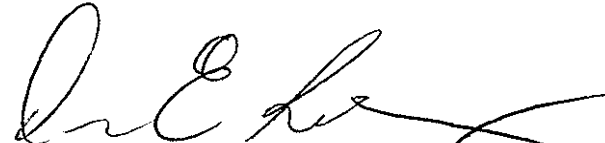


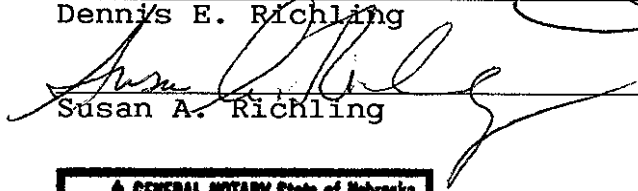
The foregoing instrument was acknowledged before me on the 20 day of March, 1994, by Mark W. Mitchell and Lori E. Mitchell.



Notary Public

Lot No. Block No.
5 1



Dennis E. Richling Owner


Susan A. Richling Owner

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)



The foregoing instrument was acknowledged before me on the 20 day of March, 1994, by Dennis E. Richling and Susan A. Richling.


Notary Public

Lot No. 6 Block No. 4

Chris Shehan
Owner
(J. Christopher Shehan)
Owner

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)



NOTARIAL SEAL AFFIXED
REGISTER OF DEEDS.

The foregoing instrument was acknowledged before me on the 20
day of March, 1994, by J. Christopher Shehan

Fae M. Sterba
Notary Public

Lot No. _____ Block No. _____

Owner

Owner

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the ____
day of March, 1994, by _____

Notary Public

Lot No. _____ Block No. _____

Owner

Owner

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the ____
day of March, 1994, by _____

Notary Public

Lot No. 10 Block No. 3

Thomas R. Hickey Owner

Owner

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)



The foregoing instrument was acknowledged before me on the 20
day of March, 1994, by Thomas R. Hickey

Fae M. Sterba
Notary Public

Lot No. _____ Block No. _____

Owner

Owner

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the ____
day of March, 1994, by _____

Notary Public

Lot No. _____ Block No. _____

Owner

Owner

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the ____
day of March, 1994, by _____

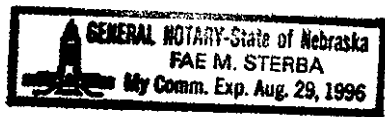
Notary Public

Lot No. 3 Block No. 2

Gertrude B. Crosby
Gertrude B. Crosby Owner

Owner

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)



The foregoing instrument was acknowledged before me on the 24
day of March, 1994, by Gertrude B. Crosby

Fae M. Sterba
Notary Public

Lot No. _____ Block No. _____

Owner

Owner

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the ____
day of March, 1994, by _____

Notary Public

Lot No. _____ Block No. _____

Owner

Owner

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the ____
day of March, 1994, by _____

Notary Public

Lot No. Block No.
10 1

Fred E. Kelly
Fred E. Kelly Owner

Mary Lou Kelly
Mary Lou Kelly Owner

Mary Lou Kelly

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)



The foregoing instrument was acknowledged before me on the 24
day of March, 1994, by Fred E. and Mary Lou Kelly

Fae M. Sterba
Notary Public

Lot No. Block No.

Owner

Owner

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the ____
day of March, 1994, by _____

Notary Public

Lot No. Block No.

Owner

Owner

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the ____
day of March, 1994, by _____

Notary Public