

94-09574

AGREEMENT

THIS AGREEMENT, entered into this 30th day of JANUARY, 1992, by and between KENNETH L. STAHL, ELEANOR R. STAHL, BERYLE L. JOHNSTON and KATHLEEN H. JOHNSTON as Buyers and WESTERN HILLS, INC., a Nebraska Corporation, as Seller.

WITNESSETH:

WHEREAS, Western Hills, Inc., is the owner of various lots in Western Hills, a Subdivision in Sarpy County, Nebraska; and

WHEREAS, Kenneth L. Stahl, Eleanor R. Stahl, Beryle L. Johnston and Kathleen H. Johnston are the purchasers of Lots 169 and 170 located within said subdivision; and

WHEREAS, at this time, the developer, Western Hills, Inc., and/or Western Hills Partnership have not affixed covenants against the lots but do intend to do so; and

WHEREAS, the parties hereto want to effect transfer of the lots prior to the filing of the covenants, but wish to agree to certain terms and conditions with respect to Lots 169 and 170 when Western Hills, Inc., files its covenants.

NOW, THEREFORE, the Undersigned agree as follows:

1. Western Hills, Inc., will transfer Lots 169 and 170 to Kenneth L. Stahl, Eleanor R. Stahl, Beryle L. Johnston and Kathleen H. Johnston pursuant to the terms of their Purchase Agreement on file at Instrument No. 92-00174 of the Register of Deeds, Sarpy County, Nebraska.

2. Kenneth L. Stahl, Eleanor R. Stahl, Beryle L. Johnston and Kathleen H. Johnston agree that in the event they replat Lots



169 and 170, Western Hills Subdivision, to single-family housing, that they will upon completion and before they transfer any lots, adopt the identical covenants that are filed against the other single-family lots located within the Western Hills Subdivision of Sarpy County, Nebraska.

3. That in the event Lots 169 and 170 remain as "Condo" lots as shown on the plat that Kenneth L. Stahl, Eleanor R. Stahl, Beryle L. Johnston and Kathleen H. Johnston will adopt those provisions of the covenant to be filed against the single-family lots, as far as aesthetics are concerned, which include color requirements, shrubbery requirements, roof requirements and any other requirements with respect to the general appearance of the area.

DATED this 30th day of JANUARY, 1992.

Kenneth L. Stahl
Kenneth L. Stahl

WESTERN HILLS, INC.,

Eleanor R. Stahl
Eleanor R. Stahl

By Carol A. Davis
President

Beryle L. Johnston
Beryle L. Johnston

Kathleen H. Johnston
Kathleen H. Johnston

FILED - RECORDS NO.
INSTRUMENT NUMBER
94-09574

94 APR 27 AM 11:19

Carol A. Davis
REGISTER OF DEEDS

Proof	_____
D.E.	<u>7</u>
Ver.	_____
File	_____
Check	_____
Fee \$	<u>19.50</u>

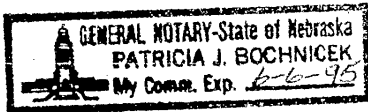
RECORDER NOTE

Indefinite Vestment
Hills Replat Lts 177 thru
185

94-09574B

STATE OF NEBRASKA)
) ss.
COUNTY OF SARPY)

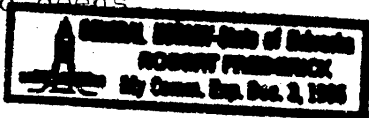
On this 30th day of JANUARY, 1992, before the undersigned, a Notary Public duly commissioned and qualified for said County, personally came KENNETH L. STAHL and ELEANOR R. STAHL, Husband and Wife, to me known to be the identical persons whose names are subscribed to the above and foregoing Agreement, and they acknowledged the execution thereof to be their voluntary acts and deeds.



Patricia J. Bochnicek
Notary Public

STATE OF NEBRASKA)
) ss.
COUNTY OF SARPY)

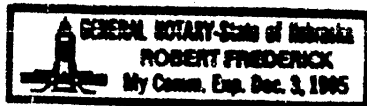
On this 30th day of JANUARY, 1992, before the undersigned, a Notary Public duly commissioned and qualified for said County, personally came BERYLE L. JOHNSTON and KATHLEEN H. JOHNSTON, Husband and Wife, to me known to be the identical persons whose names are subscribed to the above and foregoing Agreement, and they acknowledged the execution thereof to be their voluntary acts and deeds.



Robert Frederick
Notary Public

STATE OF NEBRASKA)
) ss.
COUNTY OF SARPY)

On this 30th day of JANUARY, 1992, before the undersigned, a Notary Public duly commissioned and qualified for said County, personally came Harold R. Young, Jr., as President of WESTERN HILLS, INC., to me known to be the identical person whose name is subscribed to the above and foregoing Agreement, and he acknowledged the execution thereof to be his voluntary act and deed as President of WESTERN HILLS, INC.



Robert Frederick
Notary Public