

38-409

SARPY COUNTY NEB. *June 14 1962 AT 3:30 O'CLOCK P.M.*
FILED IN BOOK *31* OF *Final Recd* PAGE *402*
Charles W. Banker, Jr. REGISTER OF DEEDS *20 '62*

AMENDMENT
OF
PROTECTIVE AND RESTRICTIVE COVENANTS,
WESTMONT, A SUBDIVISION IN SARPY COUNTY, NEBRASKA

WHEREAS, the undersigned are the owners of all of the residential lots and blocks in Westmont, a subdivision in the County of Sarpy, State of Nebraska, except Lot 1, Block 4 of such subdivision, and are desirous of placing proper restrictions on the residential lots and blocks in said subdivision.

NOW, THEREFORE, the Protective and Restrictive Covenants are amended as follows:

A. By adding the following restrictions which in fact are identical with the minimum square footage requirements for dwellings in each of the respective classifications of zoning districts in areas zoned Residential in Sarpy County, Nebraska:

(1) R-1 District:

One floor residence.
1100 sq. ft. finished living area.
Multi-level sq. ft. finished living area.
The average finish grade elevation at exterior walls shall not be more than 48 inches above the finish floor of a habitable room. This does not apply to basement recreation rooms not intended for year-round occupancy, bathrooms, storage or utility rooms, etc. Total glass area, not less than 10 percent of floor area of room or space.

(2) R-2 District:

One floor residence.
1000 sq. ft. finished living area.
Multi-level residence.
1200 sq. ft. finished living area.
The average finish grade elevation at exterior walls shall not be more than 48 inches above the finish floor of a habitable room. This does not apply to basement recreation rooms not intended for year-round occupancy, bathrooms, storage or utility rooms, etc. Total glass area, not less than 10 percent of floor area of room or space.

(3) R-3 District:

One floor residence.
900 sq. ft. finished living area.
Multi-level residence.
1050 sq. ft. living area.
The average finish grade elevation at exterior walls shall not be more than 48 inches above the finish floor of a habitable room. This does not apply to basement recreation rooms not intended for year-round occupancy, bathrooms, storage or utility rooms, etc. Total glass area, not less than 10 percent of floor area of room or space.

(4) R-4 District:

One floor residence.

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750 sq. ft. finished living area.
Multi-level residence.

1000 sq. ft. finished living area.

The average finish grade elevation at exterior walls shall not be more than 48 inches above the finish floor of a habitable room. This does not apply to basement recreation rooms not intended for year-round occupancy, bathrooms, storage or utility rooms, etc. Total glass area not less than 10 percent of floor area of room or space.

Multi-family dwellings:

Efficiency Apt. -- 450 sq. ft. per unit.

One bedroom Apt. -- 550 sq. ft. per family unit.

Two bedroom Apt. -- 650 sq. ft. per family unit.

Three bedroom or more Apt. -- 750 sq. ft. per family unit.

No more than 50% of the apartments in a multi-family dwelling shall be efficiency apartments.

B. The amendment of the original restrictive covenant which was executed on the 12th day of December, 1966 and recorded the 14th day of December, 1966 is hereby repealed in its entirety.

G. Sidewalks shall be required for all residential lots except the following existing dwellings and church property:

- Lots 2 through 5, Block 1;
- Lots 3 through 9, 22 through 26, Block 2;
- Lots 3 through 8, Block 3; Lots 8, 10 and 15 through 17, Block 5;

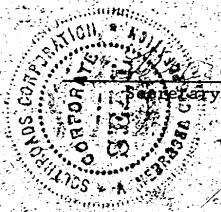
D. The first paragraph of the original protective and restrictive covenants, which immediately follows restriction (10) of same, is amended to read as follows:

These covenants shall run with the land and shall be binding on all present and future owners of all or any part of the above described real estate for a period of thirty-five years from the date these covenants are recorded. After such thirty-five year period, these covenants shall automatically be extended for an additional five years unless a majority of the then existing property owners execute an agreement that such covenants and restrictions shall no longer be in effect.

IN WITNESS WHEREOF, the undersigned, being all of the owners of all of said real estate, have caused these presents to be duly executed this 21st day of April, 1967.

SOUTHROADS CORPORATION

By Ted Petersen
Ted Petersen - President



38-411

QUALITY NATIONAL CORPORATION,

[Signature]
Secretary

By [Signature]
President

COUNTRYSIDE BUILDERS, INC.,

[Signature]
Secretary

By [Signature]
Frank Frandsen - President

NEBRASKA-IOWA LAND COMPANY

[Signature]
Secretary

By [Signature]
J. R. Swenson - President

STATE OF NEBRASKA)
COUNTY OF SARA))SS

On this 27 day of April, 1967, before me, the undersigned a Notary Public, duly commissioned and qualified for and residing in said county came TED PETERSEN, President of Southroads Corporation, to me known to be the identical person whose name is affixed to the foregoing instrument and acknowledged the same to be his voluntary act and deed as such officer and the voluntary act and deed of the Corporation and that the Corporate seal of the said Corporation was hereto affixed by its authority.

WITNESS my hand and Notarial Seal the day and year last above written.

[Signature]
Notary Public

My Commission expires the 4th day of October, 1971.

STATE OF NEBRASKA)
COUNTY OF SARA))SS

On this 25 day of APRIL, 1967, before me, the undersigned a Notary Public, duly commissioned and qualified for and residing in said county came FRANK FRANDSEN, President of Countryside Builders, Inc., formerly known as Olson Builders, Inc., to me known to be the identical person whose name is affixed to the foregoing instrument and acknowledged the same to be his voluntary act and deed as such officer and the voluntary act and deed of the Corporation and that the Corporate seal of the Corporation was hereto affixed by its authority.

WITNESS my hand and Notarial Seal the day and year last above written.

[Signature]
Notary Public

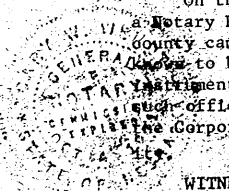
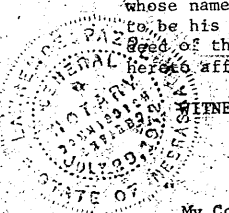
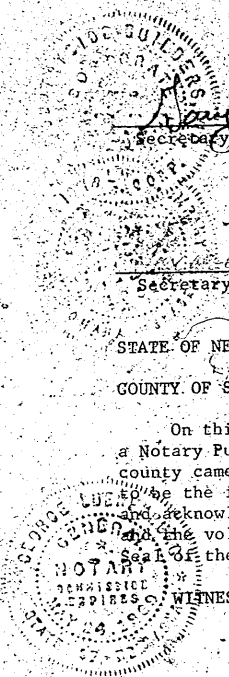
My Commission expires the 29th day of October, 1971.

STATE OF NEBRASKA)
COUNTY OF SARA))SS

On this 25 day of April, 1967, before me, the undersigned a Notary Public duly commissioned and qualified for and residing in said county came J. R. SWENSON, President of Nebraska-Iowa Land Company, to me known to be the identical person whose name is affixed to the foregoing instrument and acknowledged the same to be his voluntary act and deed as such officer and the voluntary act and deed of the Corporation and that the Corporate Seal of the said Corporation was hereto attached by its author-

WITNESS my hand and Notarial Seal the day and year last above written.

[Signature]
Notary Public



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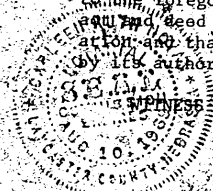
My Commission expires the 4th day of October, 1971.

STATE OF NEBRASKA)

)SS

COUNTY OF Lancaster

On this 16th day of May, 1967, before me, the undersigned, a Notary Public, duly commissioned and qualified for and residing in said county came Carl Rabe, President of Quality National Corporation, to me known to be the identical person whose name is affixed to the foregoing instrument and acknowledged the same to be his voluntary act and deed as such officer and the voluntary act and deed of the Corporation and that the Corporate Seal of the said corporation was hereto affixed by its authority.



Witness my hand and Notarial Seal the day and year first above written.

Carl Rabe
Notary Public

My Commission expires the 10th day of August, 1969.

EPISCOPAL DIOCESE OF NEBRASKA

By

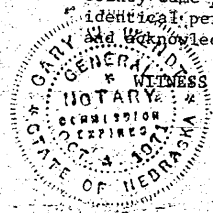
Russell T. Rauscher
President

STATE OF NEBRASKA)

)SS

COUNTY OF SARPY

On this 23rd day of May, 1967, before me, the undersigned a Notary Public, duly commissioned and qualified for and residing in said county came Russell T. Rauscher - Pres. to me known to be the identical person whose name is affixed to the foregoing instrument and acknowledged the same to be his voluntary act and deed.



Witness my hand and Notarial Seal the day and year first above written.

Carl Rabe
Notary Public

My Commission expires the 4th day of October, 1971.

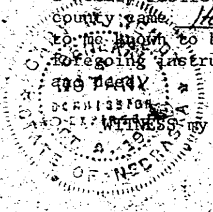
38-413

Herbert M. Poynter

STATE OF NEBRASKA)
)SS
COUNTY OF SARPY)

Retha M. Poynter

On this 25th day of April, 1967, before me, the undersigned a Notary Public, duly commissioned and qualified for and residing in said county, came Herbert M. Poynter + Retha M. Poynter to me known to be the identical persons whose names are affixed to the foregoing instrument and acknowledged the same to be their voluntary act



WITNESS my hand and Notarial Seal the day and year last above written.

Gary Wendt
Notary Public

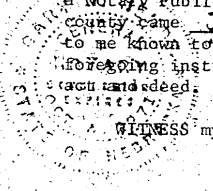
My Commission expires the 4th day of October, 1971.

Jack L. Davis

B. Joan Davis

STATE OF NEBRASKA)
)SS
COUNTY OF SARPY)

On this 25th day of April, 1967, before me, the undersigned a Notary Public, duly commissioned and qualified for and residing in said county, came Jack L. Davis + B. Joan Davis to me known to be the identical persons whose names are affixed to the foregoing instrument and acknowledged the same to be their voluntary act and deed.



WITNESS my hand and Notarial Seal the day and year last above written.

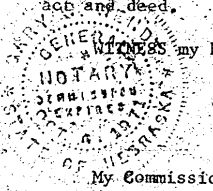
Gary Wendt
Notary Public

My Commission expires the 4th day of October, 1971.

Ronald L. Sluyter

STATE OF NEBRASKA)
)SS
COUNTY OF SARPY)

On this 26th day of April, 1967, before me, the undersigned a Notary Public, duly commissioned and qualified for and residing in said county, came Ronald L. Sluyter + CARA C. Sluyter to me known to be the identical persons whose names are affixed to the foregoing instrument and acknowledged the same to be their voluntary act and deed.



WITNESS my hand and Notarial Seal the day and year last above written.

Gary Wendt
Notary Public

My Commission expires the 4th day of October, 1971.

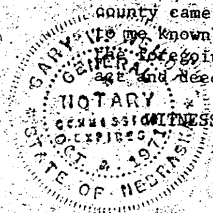
38-414

Gasta E. Elvasin

Grace M. Elvasin

STATE OF NEBRASKA)
)SS
COUNTY OF SARPY)

On this 28th day of April, 1967, before me, the undersigned a Notary Public, duly commissioned and qualified for and residing in said county came GASTA E. and GRACE M. ELVASIN who are known to be the identical persons whose names ARE affixed to the foregoing instrument and acknowledged the same to be THEIR voluntary act and deed.



WITNESS my hand and Notarial Seal the day and year last above written.

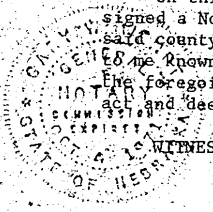
Gary W. Wendt
Notary Public

My Commission expires the 4th day of October, 1971.

Beverly Womack
M. J. Womack

STATE OF NEBRASKA)
)SS
COUNTY OF SARPY)

On this 30th day of April, 1967, before me, the undersigned a Notary Public, duly commissioned and qualified for and residing in said county came M. J. Womack + Beverly Womack H & W who are known to be the identical persons whose names ARE affixed to the foregoing instrument and acknowledged the same to be THEIR voluntary act and deed.



WITNESS my hand and Notarial Seal the day and year last above written.

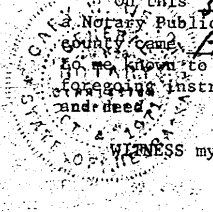
Gary W. Wendt
Notary Public

My Commission expires the 4th day of October, 1971.

Andrew A. Bayer
Marilyn A. Bayer

STATE OF NEBRASKA)
)SS
COUNTY OF SARPY)

On this 30th day of April, 1967, before me, the undersigned a Notary Public, duly commissioned and qualified for and residing in said county came Andrew A. Bayer + Marilyn A. Bayer H & W who are known to be the identical persons whose names ARE affixed to the foregoing instrument and acknowledged the same to be THEIR voluntary act and deed.



WITNESS my hand and Notarial Seal the day and year last above written.

Gary W. Wendt
Notary Public

My Commission expires the 4th day of October, 1971.

Merton P. Law 38-415

Carmen L. Law

STATE OF NEBRASKA)
)SS
COUNTY OF SARPY)

On this 30th day of April, 1967, before me, the undersigned a Notary Public, duly commissioned and qualified for and residing in said county came Merton P. Law + Carmen L. Law to me known to be the identical persons whose names are affixed to the foregoing instrument and acknowledged the same to be THEIR voluntary act and deed.

WITNESS my hand and Notarial Seal the day and year last above written.

Harry W. Wendt
Notary Public

My Commission expires the 4th day of October, 1971.

A. J. Bayard

Margaret Bayard

STATE OF NEBRASKA)
)SS
COUNTY OF SARPY)

On this 30th day of April, 1967, before me, the undersigned a Notary Public, duly commissioned and qualified for and residing in said county came A. J. Bayard + Margaret Bayard H & W to me known to be the identical persons whose names are affixed to the foregoing instrument and acknowledged the same to be THEIR voluntary act and deed.

WITNESS my hand and Notarial Seal the day and year last above written.

Harry W. Wendt
Notary Public

My Commission expires the 4th day of October, 1971.

Joseph Koras

Mary Lou Koras

STATE OF NEBRASKA)
)SS
COUNTY OF SARPY)

On this 30th day of April, 1967, before me, the undersigned a Notary Public, duly commissioned and qualified for and residing in said county came Joseph Koras + Mary Lou Koras H & W to me known to be the identical persons whose names are affixed to the foregoing instrument and acknowledged the same to be THEIR voluntary act and deed.

WITNESS my hand and Notarial Seal the day and year last above written.

Harry W. Wendt
Notary Public

My Commission expires the 4th day of October, 1971.

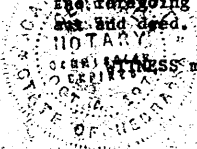
38-416

James L Gartin
Wella Gartin

STATE OF NEBRASKA)
)SS
COUNTY OF SARPY)

On this 30th day of April, 1967, before me, the undersigned a Notary Public, duly commissioned and qualified for and residing in said county came James L Gartin & Wella Gartin to me known to be the identical person s whose name s ARC affixed to the foregoing instrument and acknowledged the same to be their voluntary act and deed.

WITNESS my hand and Notarial Seal the day and year last above written.



Gary Wendt
Notary Public

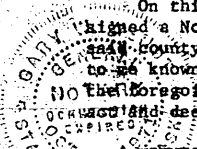
My Commission expires the 4th day of October, 1971.

H.W. Clark
Florence A. Clark

STATE OF NEBRASKA)
)SS
COUNTY OF SARPY)

On this 30th day of April, 1967, before me, the undersigned a Notary Public, duly commissioned and qualified for and residing in said county came H.W. Clark & Florence A. Clark H & W to me known to be the identical person s whose name s ARC affixed to the foregoing instrument and acknowledged the same to be their voluntary act and deed.

WITNESS my hand and Notarial Seal the day and year last above written.



Gary Wendt
Notary Public

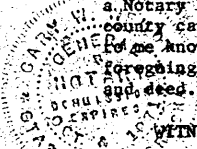
My Commission expires the 4th day of October, 1971.

Frank S. Donovan
Grace S. Donovan

STATE OF NEBRASKA)
)SS
COUNTY OF SARPY)

On this 8th day of May, 1967, before me, the undersigned a Notary Public, duly commissioned and qualified for and residing in said county came Frank S. Donovan & Grace S. Donovan H & W to me known to be the identical person s whose name s ARC affixed to the foregoing instrument and acknowledged the same to be their voluntary act and deed.

WITNESS my hand and Notarial Seal the day and year last above written.



Gary Wendt
Notary Public

My Commission expires the 4th day of October, 1971.

38-417

Charles L. Oden
Gloria J. Oden

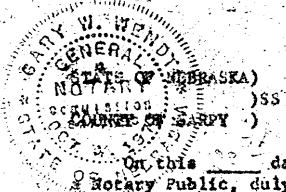
STATE OF NEBRASKA)
)SS
COUNTY OF SARPY)

On this 24th day of MAY, 1967, before me, the undersigned a Notary Public, duly commissioned and qualified for and residing in said county came Charles L. & Gloria J. Oden to me known to be the identical persons whose names are affixed to the foregoing instrument and acknowledged the same to be THEIR voluntary act and deed.



WITNESS my hand and Notarial Seal the day and year last above written.
Gary W. Wendt
Notary Public
My Commission expires the 4th day of October, 1971.

Michael G. Bellison
Mary Lou Bellison



On this ___ day of May, 1967, before me, the undersigned a Notary Public, duly commissioned and qualified for and residing in said county came Michael G. Bellison & Mary Lou Bellison to me known to be the identical persons whose names are affixed to the foregoing instrument and acknowledged the same to be THEIR voluntary act and deed.

WITNESS my hand and Notarial Seal the day and year last above written.
Gary W. Wendt
Notary Public
My Commission expires the 4th day of October, 1971.

STATE OF NEBRASKA)
)SS
COUNTY OF SARPY)

On this ___ day of _____, 1967, before me, the undersigned a Notary Public, duly commissioned and qualified for and residing in said county came _____ to me known to be the identical person whose name _____ affixed to the foregoing instrument and acknowledged the same to be _____ voluntary act and deed.

WITNESS my hand and Notarial Seal the day and year last above written.

Notary Public
My Commission expires the 4th day of October, 1971.