

PROTECTIVE COVENANTS AND EASEMENT

Madeline Jacobson, owner of the following described tract of land, Eugene V. Jacobson, her husband, publish and declare said property subject to the following covenants:

to
Whom it may concern

These covenants are to run with the land and shall be binding on all present and future owners of all or any part of the following described real estate until January 1, 1990.

Lots 1 through 157 both inclusive, in Bel-Air Village, a subdivision in Douglas County, Nebraska.

If the present or future owners of any of said lots or their grantees, heirs or assigns, shall violate or attempt to violate any of these covenants, it shall be lawful for any other person or persons owning any part of said real estate to prosecute any proceedings at law or in equity against the person or persons violating or attempting to violate any such covenant and either to prevent him or them from doing so or to recover damages or other dues for such violation.

Invalidation of any of these covenants by judgement or court order shall in no way effect any of the other provisions, which shall remain in full force and effect.

A. Said lots shall be occupied and used for residential, single family dwellings exclusively, or for church or school purposes.

B. The ground floor area of any residence located in 2nd residential zoning shall be not less than 1300 square feet for a one story structure, and not less than 850 square feet for a one and one half story or two story structure.

C. The ground floor area of any residence located in 3rd residential zoning shall be not less than 1200 square feet for a one story structure, and not less than 850 square feet for a one and one half or two story structure.

D. The ground floor area of any residence located in 4th residential zoning shall be not less than 1000 square feet for a one story structure, and not less than 750 square feet for a one and one half or two story structure.

E. No building shall be located on any lot nearer to the front line nor any building except a detached garage, nearer to any side line than the city code of Omaha, Nebraska shall permit.

F. Any residential structure built must have a one car garage either attached or in basement.

G. Plans for structure to be built must be presented to Madeline Jacobson or to an appointed member of Bel-Air Realty Co. for inspection and approval before building is commenced.

H. A perpetual license is hereby reserved in favor of and granted to the Northwestern Bell Telephone Company and the Omaha Public Power District, their successors and assigns, to erect and operate, maintain, repair, and renew poles with necessary supports, sustaining wires, cross arms, guys and anchors and other instrumentalities and to extend thereon wires for the carrying and transmission of electric current for light, heat and power and for all telephone and telegraph and message service over and upon a five foot strip of land adjoining the rear ~~and side~~ lines of said lots in said addition; said license being granted for the use and benefit of all present and future owners of lots in said addition.

I. No trailer, basement, tent, shack, garage barn or other outbuilding erected on said real estate shall at any time be used as a residence temporarily or permanently, nor shall any structure of a temporary character be used as a residence.

J. No noxious or offensive trade or activity shall be carried on upon any plot nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood.

K. Each and every lot shall have an individual septic tank of not less than 1000 gallons in capacity and 200 lin. feet of lateral, and shall be in accordance with the City of Omaha and State of Nebraska Health and Sanitation Department and shall be inspected and approved by their appointed inspectors.

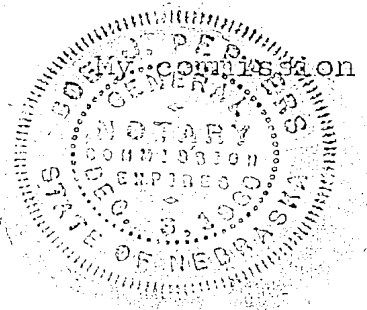
Dated this 19th day of May, 1959,

Signed Madeline Jacobson
Madeline Jacobson
Eugene V. Jacobson
Eugene V. Jacobson

Subscribed and sworn to me this 19th day of May, 1959, before the undersigned Notary Public within and for Douglas County, Nebraska.

Carl J. Reppert
Notary Public

My commission expires December 3, 1960.



21. ENTERED IN NUMERICAL INDEX AND RECORDED IN THE REGISTER OF DEEDS OFFICE IN DOUGLAS COUNTY, NEBRASKA
19 DAY May 1959 AT 2:03 P. M. THOMAS J. O'CONNOR, REGISTER OF DEEDS 41.75