

December 29, 1971

R E S T R I C T I V E   C O V E N A N T S  
P E R T A I N I N G   T O   J O I N T   U S E   A N D   M A I N T E N A N C E   O F   C E R T A I N   D R I V E W A Y S   A N D  
S T O R A G E   S H E D S

The undersigned, in order to provide for the joint use and maintenance of certain storage sheds and driveways that are situated on common boundaries dividing, in each instance, two separate lots in Arnold Heights Replat, an Addition to the City of Lincoln, Lancaster County, Nebraska, do hereby make and establish the following restrictive covenants, which shall apply to the lots named herein, shall run with the land, and shall be binding upon the owners of record of the lots involved, until terminated as hereinafter provided.

DRIVEWAYS

1. Exhibit "A", which is annexed hereto and made a part hereof by reference, sets forth the street address and legal description of twenty-one (21) units, involving forty-two (42) lots in Arnold Heights Replat, each of which units contain a paved driveway which was intended for the common use of the occupants of the dwellings situated on both lots involved in each unit, which common driveway is divided at some point thereon by the common boundary between the two lots involved in the particular unit. The boundary line does not, in each instance, dissect the driveway in its center with the result that a larger portion of the driveway is situated on one of the two lots in each unit. The owners of record of each lot involved in each of the twenty-one (21) units listed on Exhibit "A" shall, as long as this covenant remains in effect with respect to such unit, have the joint and equal responsibility for the repair and maintenance of the driveway that is situated on the common boundary between the two lots involved in each unit, and for the removal of ice and snow therefrom. The owners of record of each lot situated within each unit, and those claiming by, through or under them, shall have the equal right to the use of the common driveway for the purpose of ingress and egress to and from their respective lots; provided however, that no one entitled to use the common driveway shall park any vehicle or other structure thereon or in any manner use such driveway so as to interfere with the use thereof, for the purposes of ingress and egress, of the other parties

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that shall be entitled to share in the joint use thereof.

STORAGE SHEDS

2. Exhibit "B", which is annexed hereto and made a part hereof by reference, is a list of forty-eight (48) units, each of which contains two lots on which there is a storage shed that is dissected by the common boundary between each lot in the unit. Each storage shed is rectangular in shape and contains a dividing partition located approximately in the center of each shed and extending from floor to ceiling, perpendicular to the long sides of each shed. Each shed has two entrances, with one entrance being situated on each lot within a particular unit, and providing access to one-half of each storage shed. The boundary line of the lots involved does not, in most instances, coincide with the partition dividing each storage shed into two halves. The owner of record of each lot on which the entrance is situated shall be responsible for the repair, maintenance and upkeep of the one-half of each shed through which access is gained from the entrance situated on such lot, and the owners of record shall be jointly responsible for the maintenance of the floor to ceiling partition dividing such storage shed. The owners of record of each particular lot within a unit, and those claiming by, through or under them, shall be entitled to use that half of each shed that is reached through the entrance situated on the particular lot that is owned by such owner of record.

AMENDMENT OR TERMINATION

3. The owners of record of each lot situated within a particular driveway or storage shed unit may amend or terminate the provisions of these restrictions with respect to such unit by filing an amendment or termination thereof, executed and acknowledged by the owners of record of each lot within such unit, in the Office of the Register of Deeds of Lancaster County, Nebraska; provided however that these restrictions shall not be terminated with respect to any storage shed on any particular unit unless and until the owners of record of each lot within the said unit have caused the shed situated therein to be removed and the surface of the land to be restored to a condition

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compatible with the adjoining land surface.

ENFORCEMENT

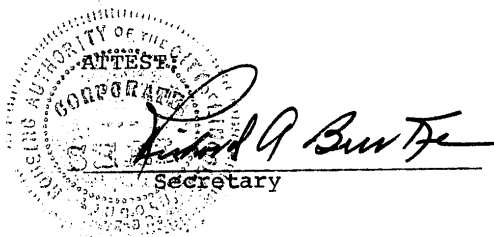
4. For a period of four (4) years from and after the date of these restrictions, they shall be subject to enforcement by specific enforcement instituted by and in the name of Housing Authority of the City of Lincoln. Thereafter, enforcement of these restrictions shall be accomplished only by the owners of record of the particular lots within a particular unit in which the alleged violation has occurred. These restrictions shall continue until terminated or amended as above provided.

UNITED STATES OF AMERICA  
NOT RESPONSIBLE FOR MAINTENANCE

5. Notwithstanding the foregoing, the provisions of Paragraph 1 shall not impose any obligation upon United States of America for the repair or maintenance of any driveway or for the removal of ice and snow therefrom, and the provisions of Paragraph 2 of these restrictions shall not impose any obligations upon United States of America for the repair, maintenance or upkeep of any storage shed nor for the maintenance of any partition dividing any storage shed.

IN WITNESS WHEREOF, the undersigned has caused these restrictions to be duly executed and acknowledged, with the intent that they shall be filed of record in the office of the Register of Deeds of Lancaster County, Nebraska, effective as of the day and year first above written.

HOUSING AUTHORITY OF THE CITY  
OF LINCOLN

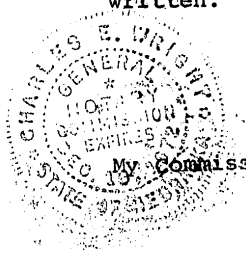


By Kenneth D. King  
Kenneth D. King, Chairman  
Board of Commissioners

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STATE OF NEBRASKA )  
                          ) ss.  
COUNTY OF LANCASTER )

On this 31<sup>st</sup> day of December, 1971, before me, the undersigned, a Notary Public duly commissioned and qualified for said State and County, personally came Kenneth D. King, who, being first duly sworn, upon his oath, acknowledged that he is the Chairman of the Board of Commissioners of the Housing Authority of the City of Lincoln; and he further acknowledged, that by virtue of his office, he is duly authorized by the Housing Authority of the City of Lincoln to execute the foregoing Restrictive Covenants; and he further acknowledged the execution of the foregoing Restrictive Covenants to be his voluntary act and deed and the voluntary act and deed of the Housing Authority of the City of Lincoln.

Witness my hand and notarial seal the day and year last above written.



*Charles E. Wright*  
Notary Public

My Commission expires 16 Dec. 1972.

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CONSENT OF UNITED STATES OF AMERICA

United States of America, acting by and through the Administrator of General Services, being the owner of record of legal title to certain lots in Arnold Heights Replat, an addition to the City of Lincoln, Lancaster County, Nebraska, which are being sold to Housing Authority of the City of Lincoln, pursuant to a contract dated July 30, 1970, does hereby consent to the foregoing restrictions pertaining to the joint use and maintenance of certain driveways and storage sheds that are set forth in the foregoing instrument.

Dated this 29<sup>th</sup> day of December, 1971.



UNITED STATES OF AMERICA,  
ACTING BY AND THROUGH THE  
ADMINISTRATOR OF GENERAL SERVICES

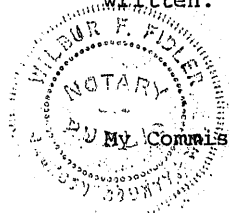
By Charles W. McKinney  
Charles W. McKinney  
Chief, Real Property Division  
Property Management & Disposal Service  
General Services Administration  
Region 6  
Kansas City, Missouri

Walter J. Sawyer  
(SEAL)

STATE OF MISSOURI )  
                          ) ss.  
COUNTY OF JACKSON )

On this 29<sup>th</sup> day of December, 1971, before me, the undersigned, a Notary Public duly commissioned and qualified for said State and County, personally came Charles W. McKinney, who, being first duly sworn, upon his oath, acknowledged that he is the Chief, Real Property Division, Property Management and Disposal Service of the General Services Administration, Region 6, which has offices in Kansas City, Missouri, and has jurisdiction over the area encompassed by Lancaster County, Nebraska; and he further acknowledged, that by virtue of his office, he is duly authorized by the Administrator of General Services to execute the foregoing Restrictive Covenants, in behalf of the United States of America acting by and through the Administrator of General Services; and he further acknowledged the execution of the foregoing Consent to be his voluntary act and deed and the voluntary act and deed of the United States of America acting by and through the Administrator of General Services.

Witness my hand and notarial seal the day and year last above written.



Wilbur F. Fidler  
Notary Public

My Commission expires August 14, 1972.

E X H I B I T "A"

ARNOLD HEIGHTS REPLAT, LIST OF UNITS UTILIZING A COMMON DRIVEWAY

Unit Number	Legal Description of the two lots involved in each unit	Street Address of the two lots involved in each unit
1	✓ Lot 8 Block 17 ✓ Lot 9 Block 17	3720 N. W. 54 3800 N. W. 54
2	✓ Lot 10 Block 17 ✓ Lot 11 Block 17	3810 N. W. 54 3820 N. W. 54
3	✓ Lot 6 Block 17 ✓ Lot 7 Block 17	3700 N. W. 54 3710 N. W. 54
4	✓ Lot 29 Block 16 ✓ Lot 30 Block 16	3710 N. W. 53 3720 N. W. 53
5	✓ Lot 31 Block 16 ✓ Lot 32 Block 16	3730 N. W. 53 3800 N. W. 53
6	✓ Lot 9 Block 18 ✓ Lot 8 Block 18	3901 Castle Circle 3911 Castle Circle
7	✓ Lot 40 Block 7 ✓ Lot 41, Block 7	4000 Lindsey Circle 4006 Lindsey Circle
8	✓ Lot 42 Block 7 ✓ Lot 43 Block 7	4012 Lindsey Circle 4018 Lindsey Circle
9	✓ Lot 47 Block 7 ✓ Lot 46 Block 7	4021 Lindsey Circle 4027 Lindsey Circle
10	✓ Lot 51 Block 7 ✓ Lot 52 Block 7	4010 N. W. 54 4020 N. W. 54
11	✓ Lot 53 Block 7 ✓ Lot 54 Block 7	4030 N. W. 54 4040 N. W. 54
12	✓ Lot 60 Block 7 ✓ Lot 61 Block 7	4210 N. W. 54 4220 N. W. 54
13	✓ Lot 15 Block 1 ✓ Lot 14 Block 1	4501 N. W. 54 4511 N. W. 54
14	✓ Lot 5 Block 1 ✓ Lot 6 Block 1	5400 Wilkins Circle 5410 Wilkins Circle
15	✓ Lot 7 Block 1 ✓ Lot 8 Block 1	5420 Wilkins Circle 5430 Wilkins Circle
16	✓ Lot 10 Block 1 ✓ Lot 9 Block 1	5421 Wilkins Circle 5431 Wilkins Circle
17	✓ Lot 18 Block 5 ✓ Lot 19 Block 5	4420 N. W. 54 4430 N. W. 54
18	✓ Lot 21, Block 5 ✓ Lot 22 Block 5	4510 N. W. 54 4520 N. W. 54
19	✓ Lot 14 Block 5 ✓ Lot 15 Block 5	5310 W. Superior 5320 W. Superior
20	✓ Lot 11 Block 5 ✓ Lot 12 Block 5	5344 Vance 5354 Vance
21	✓ Lot 14 Block 6 ✓ Lot 13 Block 6	5227 Vance 5301 Vance

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E X H I B I T "B"

ARNOLD HEIGHTS REPLAT

LIST OF UNITS CONTAINING LOTS WITH A COMMON STORAGE SHED

<u>Unit Number</u>	<u>Legal Description of the two lots involved in each unit</u>	<u>Street Address of the two lots involved in each unit</u>
1 *	Lot 21 Block 22 Lot 20 Block 22	4800 West Kingsley 4810 West Kingsley
2 *	Lot 18 Block 22 Lot 17 Block 22	4900 West Kingsley 4910 West Kingsley
3	Lot 16 Block 22 Lot 15 Block 22	4920 West Kingsley 4930 West Kingsley
4 *	Lot 28 Block 23 Lot 27 Block 23	5130 West Kingsley 5200 West Kingsley
5 *	Lot 26 Block 23 Lot 25 Block 23	5210 West Kingsley 5220 West Kingsley
6	Lot 24 Block 23 Lot 23 Block 23	5230 West Kingsley 5240 West Kingsley
7	Lot 22 Block 23 Lot 21 Block 23	5300 West Kingsley 5310 West Kingsley
8 *	Lot 20 Block 23 Lot 19 Block 23	5320 West Kingsley 5330 West Kingsley
9	Lot 17 Block 23 Lot 16 Block 23	5416 West Kingsley 5326 West Kingsley
10	Lot 15 Block 23 Lot 14 Block 23	5500 West Kingsley 5510 West Kingsley
11 *	Lot 28 Block 24 Lot 27 Block 24	5211 West Kingsley 5221 West Kingsley
12	Lot 25 Block 24 Lot 24 Block 24	5317 West Kingsley 5327 West Kingsley
13	Lot 23 Block 24 Lot 22 Block 24	5337 West Kingsley 5401 West Kingsley
14 *	Lot 21 Block 24 Lot 20 Block 24	5411 West Kingsley 5421 West Kingsley
15 *	Lot 8 Block 24 Lot 9 Block 24	5220 West Zeamer 5230 West Zeamer
16	Lot 10 Block 24 Lot 11 Block 24	5300 West Zeamer 5310 West Zeamer
17 *	Lot 18 Block 24 Lot 19 Block 24	5440 West Zeamer 5450 West Zeamer
18 *	Lot 6 Block 24 Lot 5 Block 24	3001 N. W. 52nd 3007 N. W. 52nd
19	Lot 4 Block 24 Lot 3 Block 24	3015 N. W. 52nd 3021 N. W. 52nd
20 *	Lot 2 Block 24 Lot 1 Block 24	3027 N. W. 52nd 3033 N. W. 52nd

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EXHIBIT B

<u>Unit Number</u>	<u>Legal Description of the two lots involved in each unit</u>	<u>Street Address of the two lots involved in each unit</u>
21 *	Lot 13 Block 25 Lot 12 Block 25	5101 West Kingsley 5111 West Kingsley
22 *	Lot 4 Block 25 Lot 5 Block 25	5020 West Zeamer 5100 West Zeamer
23	Lot 3 Block 25	5000 West Zeamer 5010 West Zeamer
24	Lot 9 Block 25 Lot 10 Block 25	3020 N. W. 52nd 3030 N. W. 52nd
25	Lot 23 Block 25 Lot 22 Block 25	3011 N. W. 49th 3021 N. W. 49th
26 *	Lot 20 Block 25 Lot 19 Block 25	4911 West Crow 4921 West Crow
27 *	Lot 15 Block 25 Lot 14 Block 25	5031 West Crow 5041 West Crow
28	Lot 17 Block 25 Lot 18 Block 25	5011 West Crow 5001 West Crow
29	Lot 19 Block 26 Lot 18 Block 26	4901 West Kingsley 4911 West Kingsley
30 *	Lot 17 Block 26 Lot 16 Block 26	4921 West Kingsley 4931 West Kingsley
31	Lot 6 Block 26 Lot 7 Block 26	4910 West Crow 4920 West Crow
32 *	Lot 8 Block 26 Lot 9 Block 26	4930 West Crow 5000 West Crow
33	Lot 10 Block 26 Lot 11 Block 26	5010 West Crow 5020 West Crow
34 *	Lot 5 Block 26 Lot 4 Block 26	3101 N. W. 49th 3111 N. W. 49th
35	Lot 8 Block 27 Lot 7 Block 27	3100 N. W. 49th 3110 N. W. 49th
36 *	Lot 6 Block 27 Lot 5 Block 27	3120 N. W. 49th 3130 N. W. 49th
37	Lot 4 Block 27 Lot 3 Block 27	3200 N. W. 49th 3210 N. W. 49th
38	Lot 2 Block 28 Lot 1 Block 28	3016 N. W. 49th 3026 N. W. 49th
39 *	Lot 35 Block 28 Lot 36 Block 28	5501 West Kingsley 5511 West Kingsley
40 *	Lot 4 Block 28 Lot 5 Block 28	4901 West Zeamer 4907 West Zeamer
41	Lot 7 Block 28 Lot 8 Block 28	5001 West Zeamer 5011 West Zeamer
42 *	Lot 10 Block 28 Lot 11 Block 28	5031 West Zeamer 5101 West Zeamer



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EXHIBIT 3

<u>Unit Number</u>	<u>Legal Description of the two lots involved in each unit</u>	<u>Street Address of the two lots involved in each unit</u>
43	✓ Lot 12 Block 28 ✓ Lot 13 Block 28	5111 West Zeamer 5121 West Zeamer
44 *	✓ Lot 15 Block 28 ✓ Lot 16 Block 28	5141 West Zeamer 5201 West Zeamer
45	✓ Lot 18 Block 28 ✓ Lot 19 Block 28	5221 West Zeamer 5231 West Zeamer
46	✓ Lot 20 Block 28 ✓ Lot 21 Block 28	5241 West Zeamer 5301 West Zeamer
47 *	✓ Lot 25 Block 28 ✓ Lot 26 Block 28	5341 West Zeamer 5401 West Zeamer
48 *	✓ Lot 28 Block 28 ✓ Lot 29 Block 28	5421 West Zeamer 5427 West Zeamer
49	✓ Lot 30 Block 28 ✓ Lot 31 Block 28	5433 West Zeamer 5439 West Zeamer

\*In each unit marked with an \*, the storage shed is situated with the long sides of the shed perpendicular to the Street at the front of the two lots on which the shed is situated.

INDEXED 30-9, 13, 29, 33.  
MICRO-FILED 41-53-57-61-116  
GENERAL 120-124-160-164-168  
172-176-180-184-188  
192-196-200-204-208  
M220.

LANCASTER COUNTY NEBR.  
*Kenneth W. Ferguson*  
RECORDS & DEEDS

JAN 4 3 20 PM '72

EMERSON  
NUMERICAL INDEX.  
FILED FOR RECORD AS:

INST. NO. 72-175

\$33.25

F.T.I.