

2011-21606

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FEES \$ 21.50
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09/02/2011 11:05:31 AM

Lloyd J. Dowding

REGISTER OF DEEDS



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FOR RECORDING
INFORMATION.**

**DOCUMENT STARTS ON
NEXT PAGE.**

LLOYD J. DOWDING

SARPY COUNTY REGISTER OF DEEDS

Steven J. Stastny, Deputy

1210 GOLDEN GATE DRIVE, STE 1109

PAPILLION, NE 68046-2895

402-593-5773

R+R

David L. Buel

Ellick, Jones, Buel,

Blazek + Longo

8805 Indian Hills Dr

Omaha, NE 68114 Ste 280

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**DECLARATION AND AGREEMENT
OF RESTRICTIVE COVENANTS**
Relating to Lots 28, 29, and 31 – Beacon View 2nd Addition

THIS DECLARATION AND AGREEMENT OF RESTRICTIVE COVENANTS is made this August 8, 2011 by Beacon View, Inc., a Nebraska corporation ("Beacon View") and relating solely to Lots 28, 29, and 31, Beacon View 2nd Addition, a subdivision in Sarpy County, Nebraska.

WITNESSETH:

WHEREAS, Beacon View intends to deed Lots 28, 29, and 31, Beacon View 2nd Addition, a subdivision in Sarpy County, Nebraska to the Bernard P. Taulborg and Janice M. Taulborg Revocable Trust (Lot 28), Patrick M. Brennan and Kimberly P. Brennan (Lot 29), and Lawrence E. Lawson, Jr. (Lot 31). These three lots are termed herein the "deeded lots". Before conveyance of the deeded lots to each indicated Grantee, Beacon View wishes to and does hereby restrict any building or improvement of these three lots as described herein, which restriction is specifically agreed to by each Grantee.

NOW THEREFORE, in consideration of the deed to each Grantee, this restriction is made and agreed to by each Grantee as follows:

Each Grantee has been and remains a lessee of a leased lot from Beacon View and has leasehold improvements on such leased lot. Each Grantee agrees that no building or improvement activity whatsoever can be made on the above described deeded lot being conveyed to Grantee unless and until there has been: (a) a termination of any such leasehold interest, agreed to by Beacon View, held by a Grantee, (b) a complete deconstruction and razing of such Grantee's existing leasehold improvements at the expense of Grantee or a plan for such deconstruction and razing which is approved in writing by Beacon View, and (c) Beacon View's written statement

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in a form which can be recorded with the Register of Deeds of Sarpy County that it agrees that the terms of this restriction are satisfied.

In the event of a violation of any of the provisions of this Declaration, Beacon View is authorized to institute any proceeding at law or in equity to abate or to prevent or enjoin any such violation

The provisions of this Declaration are imposed upon and made applicable to each of the deeded lots and shall run with ownership of each deeded lot and shall bind the respective heirs, legal representatives, successors or assigns of any kind of each Grantee. No delay in enforcing the provisions of this Declaration as to any breach or violation shall impair, damage or waive the right of any party entitled to enforce the same or obtain relief against or recover for the continuation or repetition of such breach or violation or any similar breach or violation thereof at any later time.

Dated this 8 day of August, 2011.

Beacon View, Inc.

Robert W. Schneider
President

Patrick M. Brennan
Patrick M. Brennan

Kimberly P. Brennan
Kimberly P. Brennan

Lawrence E. Lawson, Jr.
Bernard P. Taulborg and

The Janice Taulborg Revocable Trust

Bernard P. Taulborg
Trustee

2011-21606 C

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

On this 8th day of August, 2011, before me, a Notary Public, personally appeared the above-named Robert W. Schnaidt, of Beacon View, Inc. and signed the foregoing declaration and agreement in my presence and acknowledged the execution thereof to be his voluntary act and deed for the purposes therein set forth.



David L. Buelt

Notary Public

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

On this 20th day of August, 2011, before me, a Notary Public, personally appeared the above-named Patrick M. Brennan and Kimberly P. Brennan, and signed the foregoing declaration and agreement in my presence and acknowledged the execution thereof to be their voluntary act and deed for the purposes therein set forth.



David L. Buelt

Notary Public

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

On this 25 day of August, 2011, before me, a Notary Public, personally appeared the above-named Lawrence E. Lawson, Jr., and signed the foregoing declaration and agreement in my presence and acknowledged the execution thereof to be his voluntary act and deed for the purposes therein set forth.

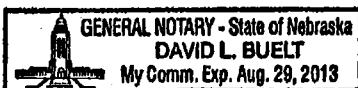


David L. Buelt

Notary Public

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

On this 10th day of August, 2011, before me, a Notary Public, personally appeared the above-named Bernard P. Taulborg, Trustee of the Bernard P. Taulborg and Janice M. Taulborg Revocable Trust, and signed the foregoing declaration and agreement in my presence and acknowledged the execution thereof to be his voluntary act and deed for the purposes therein set forth.



David L. Buelt

Notary Public