

BRUHN'S DEVELOPMENT COMPANY, INC.

TO

PROTECTIVE COVENANTS

WHOM IT MAY CONCERN

Bruhn Development Company, Inc., Owner of Lots 26 to 78 Bruhn Acres a Subdivision in Douglas County, Nebraska, being part of the South-west One-fourth (1/4) of Section Seventeen (17), Township Sixteen (16), Range Eleven (11), Douglas County, Nebraska, do hereby state, declare and publish that said Subdivision is and shall be owned, conveyed, and used under and subject to the following covenants, conditions, restrictions and easements. These covenants are to run with the land and shall be binding on all parties and all persons claiming under them until January 1, 1980, at the expiration of which time they shall automatically extend for successive periods of ten years, unless they are changed, in whole or in part, by written agreement among them the owners of the majority of said lots, executed and recorded in the manner provided by law.

William J. Davis

I.

No noxious or offensive trade or activity shall be conducted or permitted on any tract, nor shall anything be done or suffered thereon which may be or become an annoyance or nuisance.

II.

All tracts shall be used only for residential purposes. No structure shall be erected, altered, placed or permitted to remain on any tract except single family residences not to exceed two stories and one-half of thirty-five (35) feet in height, private garage and out-buildings incidental to the use of the residence.

III.

No trailer, basement, shack, tent, garage, barn or other outbuildings placed or erected on any tract shall at any time be used as a residence, nor shall any structure of a temporary character ever be used as a residence.

IV.

The main floor of all dwellings shall contain the following minimum square foot area, exclusive of garages and porches: 1,050 square feet for one story dwellings and 700 square feet for dwellings of more than one story.

V.

An easement is hereby reserved for the construction, maintenance, operation, repair and removal of underground sewer, water and gas lines across the five (5) feet adjoining the rear and side lines of each tract. All conveyances of any property in said Subdivision shall be subject to such easements.

VI.

There shall be a tract area of not less than 18,000 square feet per residence.

VII.

The front line of any main residence shall be not less than fifty (50) nor more than fifty-five (55) feet from the front lot line.

VIII.

No building shall be erected nearer than twenty (20) feet to any interior side tract line or side street line.

IX.

Dwellings constructed in another addition or location shall not be moved to any tract within this addition.

X.

Animals shall not be bred, raised or kept for commercial purposes, nor housed closer than 45 feet from any tract line nor bred, raised or kept in such a way as to constitute a nuisance to adjoining property owners.

XI.

Nothing contained in this instrument shall be construed as imposing any liability or any obligation for its enforcement upon the undersigned.

XII.

No garden or field crop shall be grown upon that portion of the tract nearer to the street than provided for minimum building setbacks.

XIII.

Corner lots irrespective of which way the dwelling faces, shall comply with front yard setback requirements in both streets.

XIV.

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

Dated this 11 day of February, 1960.

BRUHN'S DEVELOPMENT COMPANY, INC.

STATE OF NEBRASKA

COUNTY OF DOUGLAS

By: Carl Bucher President

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Attest: Robert Bruhn Secretary

On this 2 day of June, 1960, before me, a Notary Public in and for said County, personally came the above named Carl Bucher, President, and Robert Bruhn, Secretary of BRUHN'S DEVELOPMENT COMPANY, INC., who are personally known to me to be the identical persons whose names are affixed to the above instrument as President and Secretary of said Corporation, and they acknowledged said instrument to be their voluntary act and deed and the voluntary act and deed of said corporation.

WITNESS my hand and official seal the date last aforesaid.

Carl Bucher
Notary Public