

118-229

5

PROTECTIVE COVENANTS

KNOW ALL MEN BY THESE PRESENTS: That Duane Larson Construction Co., being the owner of the following described real estate, to-wit: All of Carriage Hill First Addition, except Lot 19, Block 2, in Lincoln, Lancaster County, Nebraska, in order to establish a uniform plan for development and for and in consideration of inducing the purchase of said property, do hereby create, adopt and establish the following restrictions upon said real estate and property, to-wit:

I.

No lot shall be used except for residential purposes. No building shall be erected, altered, placed or permitted to remain on any lot other than single family dwellings and apartments according to the City of Lincoln zoning. No dwelling unit may be more than two stories in height.

II.

In any case, no single family dwelling unit shall be permitted on any lot described herein, having less than 1200 sq. ft. of floor area. Floor area meeting the City of Lincoln requirements for light, ventilation and habitable areas qualifies as floor area.

III.

No single family dwelling unit shall be permitted on any lot described herein, having less than 60% brick or stone exterior, exclusive of the foundation, windows and doors.

IV.

In any event, no building shall be located on any lot nearer than 30 feet to the front lot line, or side street line. No building shall be located nearer than 10 feet to any interior lot line. Any detached garages or accessory buildings shall conform with the City of Lincoln setback requirements.

For the purposes of this covenants, eaves, steps and open porches shall not be considered as a part of a building, provided however, that this shall not be construed to permit any portion of a building on a lot to encroach upon another lot.

V.

Easement for installation and maintenance of utilities and drainage facilities are reserved as shown on the recorded plat and over the real 5 feet of each lot.

VI.

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

VII.

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

VIII.

No structure of temporary character, trailer, basement, tent, shack, garage, barn or other outbuilding shall be erected upon, or used on any lot at any time as a residence, either temporarily or permanently.

IX.

Public concrete sidewalks, four feet wide and 4 inches thick shall be installed in front of each improved lot and on side street of improved corner lots.

MASC

5

X.
No animals, livestock or poultry of any kind shall be raised, bred or kept on any lot, except that dogs, cats, or other household pets may be kept, provided they are not kept, bred or maintained for any commercial purpose.

XI.
These covenants are to run with the land and shall be binding on all parties and all persons claiming under them for a period of twenty years from the date these covenants are recorded, after which time said covenants shall be automatically extended for successive periods of 10 years, unless an instrument signed by a majority of the then owners of the lots has been recorded, agreeing to change said covenants in whole or in part.

XII.
Enforcement shall be by proceedings at law or in equity against any person, or persons, violating or attempting to violate any covenant, either to restrain violations or to recover damages.

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

IN WITNESS WHEREOF, we have hereunto set our hands this 27 day of October, 1969.

DUANE LARSON CONSTRUCTION CO.

BY: F. Duane Larson
President

Duane L. Larson
Secretary



STATE OF NEBRASKA)
LANCASTER COUNTY) ss.

On this 27 day of October, 1969, before me the undersigned, a Notary Public in and for said county and state, personally came F. Duane Larson, President of Duane Larson Construction Co., to me personally known to be the president and identical person whose name is affixed to the above instrument and acknowledged the execution thereof to be his voluntary act and deed as such officer and the voluntary act and deed of said corporation and that the Corporate Seal of the said corporation was thereto affixed by its authority.

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



Duane L. Vanderbeek
Notary Public

Commission expires March 1, 1972

50

LANCASTER COUNTY NEBRASKA
FILED FOR RECORD IN
BOOK

1969 OCT 28 AM 10:21

Kenneth L. Thompson
REGISTER OF DEEDS

4700

INDEXED 29-325
GENERAL - 329
COMPARED 333
PAGES 337