

PROTECTIVE COVENANTS

KNOW ALL MEN BY THESE PRESENTS: THAT LANCASTER INVESTMENT AND DEVELOPMENT COMPANY, INC. (A CORPORATION), BEING THE SOLE OWNER OF BLOCKS 1 TO 6, BOTH INCLUSIVE, HOLLYWOOD HEIGHTS, AN ADDITION TO LINCOLN, LANCASTER COUNTY, NEBRASKA, IN THE NORTHEAST QUARTER (NE $\frac{1}{4}$ ) OF SECTION 20, TOWNSHIP 10 NORTH, RANGE 7 EAST OF THE 6TH P.M., IN LANCASTER COUNTY, NEBRASKA, DOES HEREBY STATE, DECLARE AND PUBLISH THAT ALL LOTS CONTAINED IN SAID BLOCKS ARE AND SHALL BE OWNED, CONVEYED AND USED UNDER AND SUBJECT TO THE FOLLOWING COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS, NAMELY:

1. No Lots in said Subdivision shall be used or occupied for any purpose other than the purposes authorized by the valid ordinances, laws and regulations applicable thereto. On any lot to be used for residence purposes no structures shall be erected, altered, placed or permitted to remain other than one detached single family dwelling not to exceed two and one-half stories in height together with a private garage or carport, and such outbuildings as may be approved in writing by the undersigned.
2. No structure shall be erected or placed on any building plot or lot which has an area of less than 6,000 square feet nor a width of less than 50 square feet at the front building setback line.
3. No noxious or offensive activity shall be conducted or permitted on any lot, nor shall anything be done or suffered thereon which may be or become an annoyance or nuisance.
4. No trailer, basement, tent, shack, garage, barn or other outbuilding place or erected on any lot shall at any time be used as a residence, nor shall any structure of a temporary character ever be used as a residence.

5. NO PREFABRICATED OR PRECONSTRUCTED DWELLING HOUSES SHALL BE PLACED, ERECTED OR PERMITTED OR SUFFERED TO REMAIN UPON ANY LOT OR BUILDING PLOT TO BE USED FOR RESIDENTIAL PURPOSES.

6. THE MAIN FLOOR OF ALL DWELLINGS SHALL CONTAIN THE MINIMUM SQUARE FOOT AREA (EXCLUSIVE OF GARAGES AND PORCHES):

(A) ON LOTS 1 TO 8, INCLUSIVE, BLOCK 1, LOTS 9 TO 16, BLOCK 2, AND LOTS 1 TO 5, BLOCK 6 - 960 SQUARE FEET FOR A ONE-STORY DWELLING, AND 600 SQUARE FEET FOR DWELLINGS OF MORE THAN ONE STORY.

(B) ON ALL OTHER LOTS OTHER THAN SET FORTH IN SUB-PARAGRAPH (A) HEREOF - 720 SQUARE FEET FOR A ONE-STORY DWELLING.

7. THE MINIMUM BUILDING SETBACK LINES (INCLUDING ENCLOSED PORCHES AND ATTACHED GARAGES) SHALL BE AS FOLLOWS:

(A) FRONT YARD - 25 FEET.

(B) SIDE YARD - 5 FEET.

(C) CORNER LOTS OF DWELLING FACING TO THE EAST OR WEST, THE REQUIRED FRONT YARD SETBACK SHALL BE OBSERVED ON BOTH STREETS.

8. THE MAIN FLOOR GRADE ELEVATION OF ALL STRUCTURES SHALL CONFORM TO THE GRADE ELEVATION OF THE MAIN FLOOR OF THE ADJOINING STRUCTURES IN RATIO TO THE NOW ESTABLISHED AND EXISTING GRADE LINES OF THE STREETS AND IMPROVEMENTS.

9. NO FENCES SHOULD BE ERECTED, PLACED, PERMITTED OR SUFFERED TO REMAIN ON ANY LOT OF BUILDING PLOT NEARER THE FRONT LOT LINE THAN THE MINIMUM SETBACK AS HEREINAFORE SET FORTH UNLESS THE OWNER THEREOF SHALL FIRST HAVE OBTAINED THE WRITTEN CONSENT OF THE MAJORITY OF THE OWNERS OF THE THREE LOTS NEXT ADJOINING AND CONTIGUOUS TO SAID LOT ON BOTH SIDES THEREOF.

10. No GARDEN OR FIELD CROPS SHALL BE GROWN UPON THAT PORTION OF ANY LOT NEARER TO THE STREET THAN PROVIDED FOR MINIMUM BUILDING SETBACK LINES; AND NO TREES, SHRUBS, HEDGES OR OTHER PLANTS SHALL BE MAINTAINED OR PERMITTED IN SUCH PROXIMITY TO ANY LOT LINES AS WILL INTERFERE WITH THE USE AND MAINTENANCE OF ANY STREET OR WALK OR UNOBSTRUCTED VIEW AT STREET INTERSECTIONS SUFFICIENT FOR THE SAFETY OF PEDESTRIANS AND VEHICLES.

11. COVENANTS AND RESTRICTIONS HEREIN SET FORTH SHALL RUN WITH THE LAND AND SHALL BE BINDING UPON ALL PERSONS FOR A PERIOD OF TWENTY-FIVE (25) YEARS AFTER THE DATE HEREOF; AT THE EXPIRATION OF WHICH TIME THEY SHALL AUTOMATICALLY EXTENDED FOR SUCCESSIVE PERIODS OF TEN (10) YEARS UNLESS THEY ARE CHANGED IN WHOLE OR IN PART BY WRITTEN AGREEMENT AMONG THE OWNERS OF A MAJORITY OF SAID LOTS, EXECUTED AND RECORDED IN A MANNER REQUIRED BY LAW.

12. IF ANY PERSON SHALL VIOLATE OR ATTEMPT TO VIOLATE ANY OF THE COVENANTS HEREIN CONTAINED, ANY OTHER PERSON OR PERSONS OWING OR OCCUPYING ANY OF THE PROPERTY HEREIN DESCRIBED SHALL HAVE THE RIGHT TO COMMENCE OR PROSECUTE ANY PROPER PROCEEDINGS AT LAW OR IN EQUITY, CIVIL OR CRIMINAL, AGAINST ANY PERSON OR PERSONS VIOLATING OR ATTEMPTING TO VIOLATE ANY SUCH COVENANTS AND EITHER TO PREVENT HIM OR THEM FROM SO DOING OR TO RECOVER DAMAGES OR OTHER DUES FOR SUCH VIOLATION. NOTHING CONTAINED IN THIS INSTRUMENT SHALL IN ANY WISE BE CONSTRUED AS IMPOSING ANY LIABILITY OR OBLIGATION FOR ITS ENFORCEMENT UPON THE UNDERSIGNED.

13. EACH OF THE PROVISIONS HEREOF IS SEVERAL AND SEPARABLE. INVALIDATION OF ANY SUCH PROVISION BY A JUDGMENT, DECREE OR ORDER OF ANY COURT, OR OTHERWISE, SHALL IN NO WISE AFFECT ANY OF THE OTHER PROVISIONS, WHICH SHALL REMAIN IN FULL FORCE AND EFFECT.

LANCASTER INVESTMENT AND  
DEVELOPMENT COMPANY, INC.  
(A CORPORATION)

103-1804  
*Carl A. Miller*  
 VICE PRESIDENT

ON THIS 30<sup>th</sup> DAY OF Aug., 1955, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY, PERSONALLY CAME JAMES H. LITTLE, PRESIDENT, AND RALPH A. MILLER, VICE PRESIDENT OF THE LANCASTER INVESTMENT AND DEVELOPMENT AND DEVELOPMENT COMPANY, INC. (A CORPORATION), TO ME PERSONALLY KNOWN TO BE THE PRESIDENT AND VICE PRESIDENT AND THE IDENTICAL PERSONS WHOSE NAMES ARE AFFIXED TO THE ABOVE INSTRUMENT, AND ACKNOWLEDGED THE EXECUTION THEREOF TO THEIR VOLUNTARY ACT AND DEED AS SUCH OFFICERS AND THE VOLUNTARY ACT AND DEED OF THE SAID LANCASTER INVESTMENT AND DEVELOPMENT COMPANY, INC. (A CORPORATION), AND THAT THE CORPORATE SEAL OF THE SAID LANCASTER INVESTMENT AND DEVELOPMENT COMPANY, INC. (A CORPORATION), WAS THERETO AFFIXED IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND SEAL OF OFFICE.

WITNESS MY HAND AND NOTARIAL SEAL AT LINCOLN, NEBRASKA,  
IN SAID COUNTY THE DAY AND YEAR LAST ABOVE WRITTEN.

MY COMMISSION EXPIRES THE 22 DAY OF Nov., 1960

NOTARY PUBLIC

INDEXED  
SERIALIZED  
CONFIRMED  
PAGED

2-5-56-513  
517-518-519-520-521-522-523-524-525-526-527-528-529-530-531-532-533-534-535-536-537-538-539-540-541-542-543-544-545-546-547-548-549-550-551-552-553-554-555-556-557-558-559-560-561-562-563-564-565-566-567-568-569-570-571-572-573-574-575-576-577-578-579-580-581-582-583-584-585-586-587-588-589-590-591-592-593-594-595-596-597-598-599-600-601-602-603-604-605-606-607-608-609-610-611-612-613-614-615-616-617-618-619-620-621-622-623-624-625-626-627-628-629-630-631-632-633-634-635-636-637-638-639-640-641-642-643-644-645-646-647-648-649-650-651-652-653-654-655-656-657-658-659-660-661-662-663-664-665-666-667-668-669-670-671-672-673-674-675-676-677-678-679-680-681-682-683-684-685-686-687-688-689-690-691-692-693-694-695-696-697-698-699-700-701-702-703-704-705-706-707-708-709-710-711-712-713-714-715-716-717-718-719-720-721-722-723-724-725-726-727-728-729-730-731-732-733-734-735-736-737-738-739-740-741-742-743-744-745-746-747-748-749-750-751-752-753-754-755-756-757-758-759-760-761-762-763-764-765-766-767-768-769-770-771-772-773-774-775-776-777-778-779-780-781-782-783-784-785-786-787-788-789-790-791-792-793-794-795-796-797-798-799-800-801-802-803-804-805-806-807-808-809-810-811-812-813-814-815-816-817-818-819-820-821-822-823-824-825-826-827-828-829-830-831-832-833-834-835-836-837-838-839-840-841-842-843-844-845-846-847-848-849-850-851-852-853-854-855-856-857-858-859-860-861-862-863-864-865-866-867-868-869-870-871-872-873-874-875-876-877-878-879-880-881-882-883-884-885-886-887-888-889-890-891-892-893-894-895-896-897-898-899-900-901-902-903-904-905-906-907-908-909-910-911-912-913-914-915-916-917-918-919-920-921-922-923-924-925-926-927-928-929-930-931-932-933-934-935-936-937-938-939-940-941-942-943-944-945-946-947-948-949-950-951-952-953-954-955-956-957-958-959-960-961-962-963-964-965-966-967-968-969-970-971-972-973-974-975-976-977-978-979-980-981-982-983-984-985-986-987-988-989-990-991-992-993-994-995-996-997-998-999-1000

STATE OF NEBRASKA }  
Lancaster County } ss.  
Entered on numerical index and  
filed for record in the Register of  
Deeds Office of said County the  
22 day of August 1955  
at 3 o'clock and recorded in  
minutes 11, and recorded in  
Book of  
of page  
Register of Deeds  
Deputy

LAW OFFICES  
OF  
DEAN AND BOYLES  
1235 N STREET  
LINCOLN, NEBRASKA

AFFIDAVIT

State of Nebraska )  
Lancaster County ) ss.

Geraldine P. Shaw, being first duly sworn upon oath deposes and says she is the daughter of Floyd M. Lytle and Hazel M. Lytle, to whom James L. Davies and wife, Kate conveyed the following described lands in Lancaster County, Nebraska, to-wit: West 40 feet of the South 85 feet of Lot 11, Block 48, Dawson's Addition to South Lincoln, in Lincoln, Lancaster County, Nebraska, by warranty deed, dated January 14, 1946 and recorded in Book 365 of deeds on Page 305, in the Register of Deeds office of Lancaster County, and that her father, whose full name was Floyd Melvin Lytle departed this life on May 17, 1954;

Affiant further states that the only property, real or personal, owned by her father at the time of his death was his joint interest in the above described real estate and that a fair value of the above described real estate at that time was \$9250.00.

Dated this 29th day of August, 1955.

*Geraldine Shaw*

Subscribed and sworn to before me this 29th day of August, 1955

My commission expires

May 22 1957.

*Mary A. ...*  
Notary Public

30  
August 1955  
A. M. ...  
Register of Deeds  
Deputy