

30-605

RECORDED IN SARP COUNTY NEBR. *Nov 21 1962* AT 10 O'CLOCK A. M.

BY *Pauline Huff* COUNTY CLERK. *3:75*

PROTECTIVE COVENANTS

TO WHOM IT MAY CONCERN:

KNOW ALL MEN BY THESE PRESENTS: That

WHEREAS, the undersigned is the owner of Lots 1 to 58, inclusive, in Cascio's Addition #2, a Subdivision, as surveyed, platted and recorded in Sarpy County, Nebraska.

NOW, THEREFORE, the following restrictions and protective covenants are hereby placed on the above mentioned lots, to-wit:

1. The covenants and restrictions herein set forth shall be binding upon all persons for a period of 25 years from and after the date of recording of this instrument. At the expiration of said period, said covenants and restrictions shall automatically be extended for successive periods of ten (10) years unless they are changed in whole or in part by the vote of the majority of the owners of the lots.

2. All lots herein described shall be known as and described as "Residential Lots." No structure shall be erected, altered, placed or permitted to remain on any residential building plot other than one (1) or two (2) story detached single family dwellings, with a private garage for not more than three (3) cars; with necessary out-buildings, and no lot or parcel therein shall be improved, used or occupied by other than private one family residence purposes and there shall not be erected, placed or maintained on any of said lots any flats, duplexes, apartments, public garages, oil stations or any other buildings whatsoever, except single detached dwelling houses, to be used exclusively for one-family dwellings.

3. None of the said lots shall be re-subdivided into two or more smaller lots. Nothing in this paragraph shall restrict any lot owner from conveying any part of his lot to an adjoining lot owner, provided however, that no lot, as a result of such sale, shall be reduced to an area of less than 10,000 square feet.

4. The ground floor area of the main structure, exclusive of one-story open porches and garages, shall not be less than 1,000 square feet in the case of a one-story home, or less than 900 square feet in the case of a two-story structure.

5. All buildings shall comply with the zoning regulations and building codes of the County of Sarpy, Nebraska, and in any event no buildings shall be located on any residential building plot nearer than thirty-five (35) feet to the front lot line, nor nearer than seven and one-half (7½) feet to any side lot line, provided however, if Avery Realty Company, Inc., shall determine that said set-back requirements and side lot requirements as to any lot or lots in said addition are not adequate or satisfactory to the proper development of said addition, the corporation, by resolution may alter or change the same, provided said change or alteration shall conform to and with the building permit issued by the County of Sarpy.

6. No trailer, basement, tent, shack, garage or other out-building may be erected on any of the said lots at any time to be used as a residence, temporary or permanent, nor shall any structure of a temporary character be permitted as a residence. No old structures already built shall be moved onto any lot or building site within this addition.

7. For a period of five (5) years from the date of the recording of this agreement no building shall be erected, constructed, altered, placed or permitted to remain on any lot in said addition herein described until the plans and specifications have been approved in writing by Avery Realty Company, Inc. or agents or individuals designated by said corporation.

8. The title holder of each lot, vacant or improved, shall keep said lot free from weeds and debris, and shall not permit any noxious or offensive trade or activity to be carried on upon said lot, nor shall anything be done on said lot which may be or become an annoyance or nuisance to the neighborhood. No animals, livestock, or poultry of any kind shall be kept on any of said lots, except that dogs, cats or other household pets may be kept provided that they are not kept, maintained or bred for any commercial purposes.