

PROTECTIVE COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS

October 29, 1954

THE UNDERSIGNED, Robert W. Dillon and Helen A. Dillon, Husband and Wife, being the owners of Lots 2 to 12, inclusive, Block 4 and all lots in block 3, Dillon's Fairacres Addition, an Addition to the City of Omaha, Douglas County, Nebraska, as surveyed, platted and recorded, do hereby state, declare and publish that all of said Lots are and shall be owned, conveyed, and held under and subject to the following, conditions, restrictions and easements, to wit:

1. All Lots above described now and in the future shall be used as residential Lots. Not more than one structure shall be built on any one of said lots, provided, however, this shall not prevent the use of a greater area than one lot as a single site.
2. No building shall be erected on said premises within Forty (40) feet of street line bordering said premises, nor within Seven (7) feet of the side lot lines.
3. The main floor of all single story and story and one half story dwellings shall cover a ground area of not less than 1200 square feet, exclusive of garages and porches, and the main floor of all dwellings of two or more stories shall cover a ground area of not less than 750 square feet, exclusive of garages and porches.
4. All dwellings shall have an attached garage large enough to house one car of standard size and of the same material and shall correspond in architecture with the dwelling.
5. A five foot easement across and along the rear and side boundary lines of each of said lots is hereby reserved for the construction, maintenance, operation and repair of sewer, gas, water, electric, and telephone lines.
6. No fence shall be built in the front yard beyond the front line of any dwelling.
7. The covenants and restrictions herein set forth shall run with the land, and be binding upon all persons for a period of Twenty-five (25) years after the date hereof. At the expiration of said period, they shall be automatically extended for successive periods of Ten (10) years unless they are changed, in whole or in part, by written agreement among the then owners of the majority of the said lots, executed and recorded in the manner provided by law.
8. Nothing contained in this instrument shall in any wise be construed as imposing upon the undersigned any liability, obligation, or requirement for its enforcement.
9. Each of the provisions herein is several and separable. Invalidation of any such provision by judgement, decree or order of any court, or otherwise, shall in no wise affect any other provision which shall remain in full force and effect.
10. Each and every provision hereof shall bind and inure to the benefit of the undersigned, its successors and assigns, and all its grantees, both immediate and remote, and shall run with the land for the benefit of and imposed upon all subsequent owners of each of the lots above described. The undersigned, as owner of the above described real estate, has platted and divided it into lots and blocks, and, by such plat and this declaration, makes public its general plan of improvement and development. All deeds of conveyance by the undersigned, its successors and assigns, or by its grantees, whether immediate or remote, shall be executed and delivered subject to these easements, restrictions, limitations, conditions, and covenants, and any and all purchasers may enforce them.

Signed this 29th day of October, AD. 1954

Robert W. Dillon

Helen A. Dillon

STATE OF NEBRASKA)
) SS.
COUNTY OF DOUGLAS)



On this 29th day of October, A.D. 1954, before me, a Notary Public, in and for said County, personally came the above named Robert W. Dillon and Helen A. Dillon, Husband and Wife, who are personally known to me to be the identical persons whose names are affixed to the above instrument as grantors and who have acknowledged said instrument to be their voluntary act and deed.

WITNESS my hand and Notarial Seal the date last aforesaid.

Paul C. Montgomery

My Commission expires on the 30 day of January, A.D. 1959

ENTERED IN NUMERICAL INDEX AND RECORDED IN THE REGISTER OF DEEDS OFFICE IN DOUGLAS COUNTY, NEBRASKA. 9.40
2 DAY, Nov 1954 AT 10:22 A.M. THOMAS J. O'CONNOR, REGISTER OF DEEDS.