

LAW OFFICES
MORSEMAN & MAXWELL
OMAHA

AGREEMENT

WHEREAS, JUANITA B. PETERSON is owner in fee of the following described real estate, to-wit:

West 90 feet of Lot 23, and East 40 feet of Lot 24, Fairacres, except the North 10 feet thereof,

and

WHEREAS, LINN P. CAMPBELL and BEULAH B. CAMPBELL are owners in fee as joint tenants and not as tenants in common of the following described real estate, to-wit:

West 140 feet of the East 180 feet of the South 310 feet of Lot 24 in Fairacres,

and

WHEREAS, WILLIAM A. SAWTELL is the owner in fee of the following described real estate, to-wit:

East 110 feet of the South 310 feet of Lot 14 and the West 20 feet of the South 310 feet of Lot 24, in Fairacres,

and

WHEREAS, REED HOLDING COMPANY, a corporation organized under the laws of the State of Nebraska, is owner in fee of the following described real estate, to-wit:

Lot 14, except East 110 feet, and except that part taken for Underwood Avenue, in Fairacres,

and

WHEREAS, the owners of the four above mentioned parcels of real estate are desirous by mutual covenants, of restricting the use of said real estate as hereinafter set forth,

NOW, THEREFORE, in consideration of the premises and the mutual promises herein set forth, IT IS MUTUALLY AGREED by and between the parties hereto:

1. The above mentioned parcels of real estate shall be occupied and used for residence purposes exclusively from the date hereof until the first day of January, 1950.

2. No building on any of the above mentioned parcels of real estate, nor any part nor projection thereof, except the cornice of the roof, shall at any time within said period be erected or located on said parcels of real estate North of a line parallel to and 185 feet North of the South line of said parcels, except that an open porch and roof thereon or a terrace may be attached to the building North of said line.

3. No building shall be erected on any of said parcels of real estate within said period other than a single detached dwelling built thereon, with necessary outbuildings, and such dwelling shall not be less than one and one-half stories in height and the cost of such dwelling, exclusive of outbuildings, shall not be less than Ten Thousand and no/100 Dollars (\$10,000.00).

4. Garage or other outbuildings, if erected on any of said parcels of real estate during said period and if detached from the dwelling, must be built of the same material and shall correspond in architecture with the dwelling and shall not be built within one hundred and twenty-five (125) feet of Underwood Avenue.

5. Subject to the right of the Nebraska Power Company and the Northwestern Bell Telephone Company, their successors, lessees and assigns, to construct and maintain underground conduits in, and a joint pole line over and upon the rear boundary line of said above mentioned parcels of real estate.

6. Each of the conditions and covenants aforesaid shall run with and bind each of said parcels of real estate herein described and every part thereof, and be binding upon all persons who shall be the owners thereof during said period and the parties hereto bind themselves, their executors, administrators, assigns, or successors in interest, or grantees, to observe and perform all the conditions and restrictions hereinbefore mentioned.

IN TESTIMONY WHEREOF we have hereunto set our hands this 4th day of October, 1940.

Juan Peterson
Berulah B. Campbell
Juanita B. Peterson
Emery O. Peterson
WAS William A. Sawtell
HVS Helmer F. Sawtell

REED HOLDING COMPANY,

By Arthur S. Rogers
President.

ATTEST:

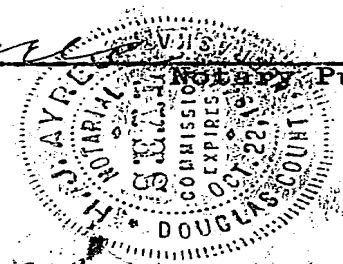
Mary Joseph King
Secretary.

STATE OF NEBRASKA,)
) SS.
COUNTY OF DOUGLAS.)

On this 8th day of October, 1940, before me, a Notary Public, duly commissioned and qualified in and for said County, personally came the above named JUANITA B. PETERSON and EMERY O. PETERSON, wife and husband, who are personally known to me to be the identical persons whose names are affixed to the above instrument, and they acknowledged said instrument to be their voluntary act and deed.

WITNESS MY HAND and Notarial Seal, the day and year last above written.

My commission expires Oct 22 1944.
Arthur S. Rogers Notary Public.



STATE OF NEBRASKA,)
)SS.
 COUNTY OF DOUGLAS.)

On this 4th day of October, 1940, before me, a Notary Public, duly commissioned and qualified in and for said County, personally came the above named LINN P. CAMPBELL and BEULAH B. CAMPBELL, husband and wife, who are personally known to me to be the identical persons whose names are affixed to the above instrument, and they acknowledged said instrument to be their voluntary act and deed.

WITNESS MY HAND and Notarial Seal, the day and year last above written.

Elaine E. Hiatt

Notary Public.

My commission expires March 29, 1942.

STATE OF NEBRASKA,)
)SS.
 COUNTY OF DOUGLAS.)

On this 11th day of October, 1940, before me, a Notary Public, duly commissioned and qualified in and for said County, personally came the above named WILLIAM A. SAWTELL and HELEN F. SAWTELL, husband and wife, who are personally known to me to be the identical persons whose names are affixed to the above instrument, and they acknowledged said instrument to be their voluntary act and deed.

WITNESS MY HAND and Notarial Seal, the day and year last above written.

A. J. Ayres

Notary Public.

My commission expires Oct 22 - 1944.

STATE OF NEBRASKA,)
)SS.
 COUNTY OF DOUGLAS.)

On this 29th day of November, 1940, before me, a Notary Public, duly commissioned and qualified in and for said County, personally came the above named ARTHUR S. ROGERS, President, and Mary George King, Secretary, of Reed Holding Company, 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 Notarial Seal, the day and year last above written.

B. C. Fowler

Notary Public.

My commission expires Jan'y 12th 1946.

2.

Entered to General Index and Recorded in the Register of Deeds Office in Douglas County, Nebraska
30th November 1940 at 10:00 A.M. Thomas J. O'Connor, Register of Deeds