

RESTRICTIVE COVENANTS

AND

EASEMENTS

We, the undersigned, H. L. GAYER and HELEN M. GAYER, husband and wife, and HANS P. HARDER and OLGA HARDER, husband and wife, being respectively the fee owners of the following described real property, to-wit:

Lot 1, through and including Lot 14, and Lot 16 through and including Lot 30, Gayer Addition to the City of Papillion, as surveyed, platted and recorded, Sarpy County, Nebraska, and Lot 15 and Lot 31, Gayer Addition to the City of Papillion, as surveyed, platted and recorded, Sarpy County, Nebraska,

hereby make the following declarations as to limitations, restrictions and uses to which the above described lots may be put; hereby specifying that said declarations shall constitute covenants to run with all of the land as provided by law and shall be binding on all parties and all persons claiming under them, and for the benefit of and limitation upon all future owners of said lots; this declaration being designed for the purpose of keeping said addition desirable, uniform and suitable in all respects as herein specified:

1. Not more than one residence may be erected or placed on any one lot. All residences shall be single-family dwellings.
2. No trailer, basement, tent, shack, garage, barn, or other outbuildings erected or placed on any lot shall at any time be used as a residence, temporarily or permanently, nor shall any structure of a temporary character be used as a residence.
3. Any residence constructed shall have not less than 800 square feet of living space, exclusive of garage, porches and basement.
4. The front line of any building erected or placed on any lot shall be not less than 35 feet from the front line of the lot.

Witness my hand and seal this 24th day of May 1956 at Papillion, Nebraska.

5. No dwelling shall be erected or located on any lot nearer than 7 feet to the side line of said lot and rear yard accessory buildings or detached garages nearer than 2 feet from the side or rear lot line.

6. No detached garage or other outbuildings shall be erected on any lot within 65 feet of the front lot line.

7. When any residence shall have been erected on any lot, the owner of said lot shall cause said lot and that portion of the street abutting thereon not used for right-of-way purposes, to be seeded and suitably planted at the first planting season following the erection of said residence.

8. 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.

9. The above restrictions shall be and continue in force for a period of 25 years from the date hereof.

10. The owners, as their interests appear, hereby grant to Omaha Public Power District, a political subdivision of the State of Nebraska, and to Northwestern Bell Telephone Company, a corporation, and to their successors and assigns, a five-foot easement to construct, erect and maintain electric and telephone utilities, together with any necessary over-lane, along, across, over and under the rear and side boundary lines of Lot 1, through and including Lot 31, Gayer Addition to the City of Papillion, as surveyed, platted and recorded, Sarpy County, Nebraska. This easement shall be a perpetual easement.

11. The owners, as their interests appear, hereby grant to Peoples Natural Gas and its successors and assigns, a five-foot easement to lay, construct and maintain gas pipes and mains on, under, through and across the rear and side boundary lines of Lot 1, through and including Lot 31, Gayer Addition to the City of Papillion, as surveyed, platted and recorded, Sarpy County, Nebraska. This easement is to be a perpetual easement.

12. H. L. Gayer and Helen M. Gayer, the owners of the property as set forth above being Lot 1, through and including Lot 14, and Lot 16, through and including Lot 30, in Gayer Addition, hereby grant to the City of Papillion a perpetual

easement to lay, construct and maintain sanitary sewers on,
under, through and across the following described property,
to-wit:

The East 10 feet of Lots 7, 12, 13, 14, 16, 17 and 18,
and five feet along the southwest side boundary line
of Lot 17, and five feet along the northeast side
boundary line of Lot 18, all in Gayer Addition to the
City of Papillion, as surveyed, platted and recorded,
Sarpy County, Nebraska.

The owners and grantors as set forth above do hereby bind
their heirs, executors, administrators, successors and assigns
for the easements and on the restrictive covenants as herein
granted and set forth.

Dated at Papillion, Nebraska, this 24 day of

May, 1954

H. L. Gayer
H. L. Gayer

Helen M. Gayer
Helen M. Gayer

Hans P. Harder
Hans P. Harder

Olga Harder
Olga Harder

STATE OF NEBRASKA }

COUNTY OF SARPY }

On this 24 day of May, 1954, before me, the
undersigned, a Notary Public in and for the above county and
state, personally appeared H. L. Gayer and Helen M. Gayer,
husband and wife, and Hans P. Harder and Olga Harder, husband
and wife, to me known to be the identical persons who executed
the above and foregoing Restrictive Covenants and Easements,
and they acknowledged the same to be their voluntary act and
deed and the voluntary act and deed of each of them.

Witness my hand and Notarial Seal the day and year last

above written.



My commission expires: 5-18-1961

E. P. Pearson
Notary Public