

DEED RECORD No. 559

Witness my hand and Notarial Seal at Omaha, in said county the day and year last above written.

My commission expires the 6th day of November, 1934.

A. A. Cahow
Notary Public

E. A. Cahow
Notary Public.

State of Nebraska,)
County of Douglas,) ss.

Entered in Numerical Index and filed for Record in the Register of Deeds Office of said County, the 27th day of November, A. D. 1928, at 4:15 o'clock, P. M. Harry Pearce,

Register of Deeds.

Compared by me.

11. Warranty Deed

Dundee Realty Company
to
Edith K. Tark et al.

RESOLUTION

Omaha, Nebraska, July 27, 1928.

At a regularly called meeting of the Board of Directors of Dundee Realty Company held this day at the office of said Company in the City of Omaha, the following resolution was unanimously adopted:

RESOLVED, That the officers of Dundee Realty Company be and they are hereby authorized and directed to make, execute and deliver to Edith K. Tark an undivided one-fourth (1/4) interest, and to Marcelle H. Tark, an undivided three-fourths (3/4) interest in and to the following described real estate situate in the County of Douglas and State of Nebraska, to-wit:

Lot Twenty-eight (28), Block Twelve (12), Happy Hollow, an addition to the 18 the City of Omaha, as surveyed, platted and recorded.

Dundee Realty Company
Incorporated
City of Omaha
Nebraska

Charles C. George
President.

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That Dundee Realty Company, a corporation duly organized and existing under and by virtue of the laws of the State of Nebraska, of Omaha, Nebraska, in consideration of Fifteen Hundred (\$1,500.00) Dollars in hand paid, does hereby grant, bargain, sell, convey and confirm unto Edith K. Tark, of Douglas County, Nebraska, an undivided one-fourth (1/4) interest, and to Marcelle H. Tark, of Douglas County, Nebraska, an undivided three-fourths (3/4) interest in and to the following described real estate, situate in the County of Douglas and State of Nebraska, to-wit:

Lot Twenty-eight (28) Block Twelve (12) Happy Hollow, an addition to the City of Omaha, as surveyed, platted and recorded; subject to State, County and Regular City taxes for the year A. D., 1928 and all subsequent taxes; subject also to all special assessments levied against said premises for water mains, gas mains, curbing, guttering, and paving; subject also to all other special assessments levied or hereafter levied against said premises; together with all the tenements, hereditaments and appurtenances to the same belonging, and all the estate, title, claim or demand whatsoever of the said Dundee Realty Company of, in or to the same, or any part thereof;

TO HAVE AND TO HOLD the above described premises, with the appurtenances, unto the said

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Edith K. Tark and Marcelle H. Tark and to their heirs and assigns forever, subject to the following limitations, restrictions, conditions and covenants:

FIRST: The said premises shall be occupied and used for residence purposes exclusively from the date hereof until the first day of January, A. D., 1947.

SECOND: No building 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 premises within Forty (40) feet of the street line bordering said premises, except that an open porch and roof thereon or a terrace may be attached to the building between it and the said street line.

THIRD: No building shall be erected on said premises 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 must be built of brick, brick veneer, stucco, stone or some combination thereof, and the cost of such dwelling, exclusive of outbuildings shall not be less than Sixty-five Hundred (\$6,500.00) Dollars.

FOURTH: Garage or other outbuildings, if erected on said premises 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 (100) feet of the street line bordering said premises.

FIFTH: All dirt from the cellar, basement or other excavations on said premises during said period shall be removed from said premises and the general slope of said premises and terrace, after the buildings have been erected, shall remain substantially as it is at the date hereof.

SIXTH: This deed is given 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 premises along the rear boundary line of said lot.

SEVENTH: Said lot shall not be used as a building site within said period except as an entirety or as a part of and in connection with the lot or lots which adjoin said lot on the sides thereof, in which event the restrictions pertaining to such adjoining lot shall apply to this lot or parcel thereof as though this lot or parcel therein had originally been a part of such adjoining lot.

EIGHTH: The conditions and covenants aforesaid are in pursuance of a general plan for the development and improvement of Blocks 10, 11 and 12, in said Happy Hollow and each of the conditions and covenants aforesaid shall run with and bind the premises herein described and every part thereof and be binding upon every person who shall be the owner thereof during said period and are and shall be for the benefit of each and all lots in said blocks and shall be enforceable by any and all owners of any and all of said lots and by the grantor herein.

NINTH: By accepting this deed the said Edith K. Tark and Marcelle H. Tark hereby bind themselves, their heirs, executors, administrators, assigns and grantees, to observe and perform all the conditions hereinbefore mentioned, as fully as though they had signed these presents.

And the said Dundee Realty Company for itself and its successors, does covenant with the said Edith K. Tark and Marcelle H. Tark and with their heirs and assigns, that it is lawfully seized of said premises, that they are free from encumbrance, except as above stated, and that it has good right and lawful authority to sell the same and that it will and its successors shall warrant and defend the same unto the said Edith K. Tark and Marcelle H. Tark and their heirs and assigns forever, against the lawful claims of all persons whomsoever, except as hereinbefore provided.

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IN WITNESS WHEREOF, said Dundee Realty Company has caused these presents to be signed by its President and Secretary and its Corporate Seal to be hereunto affixed in accordance with a Resolution of the Board of Directors of said Dundee Realty Company, this 7th day of July, A. D. 1928.

In Presence of
Roderick D. Clark

*Dundee
Realty
Company
Incorporated
Omaha
Nebraska*

DUNDEE REALTY COMPANY
By Charles G. George, President.
Attest Ross B. Towle, Secretary.

State of Nebraska)
County of Douglas) ss.

On this 7th day of July, A. D., 1928, before me, a Notary Public, duly commissioned and qualified in and for said County, personally came the above named Charles G. George, President and Ross B. Towle, Secretary of said Dundee Realty Company, who are personally known to me to be the identical persons whose names are affixed to the above deed as President and Secretary of said Corporation, and they acknowledged said instrument to be their own voluntary act and deed and the voluntary act and deed of said Corporation.

WITNESS my hand and official seal at Omaha in said County, the date last aforesaid.

*Roderick
D. Clark
July 29, 1928*

Roderick D. Clark
Notary Public.

My commission expires on the 29 day of July, A. D., 1931.

State of Nebraska,)
County of Douglas,) ss.

Entered in Numerical Index and filed for Record in the Register of Deeds Office of said County, the 30th day of November, A. D. 1928, at 3:05 o'clock, P. M.
Harry Pearce,
Register of Deeds.

Compared by W&R.

14. Warranty Deed

The Conservative Savings & Loan Association

to
John M. Virgin

THIS INSTRUMENT, made this 26th day of November A. D., 1928, between The Conservative Savings and Loan Association of Omaha, Nebraska, a corporation organized and existing under

and by virtue of the laws of the State of Nebraska party of the first part, and John M. Virgin of the County of Douglas and State of Nebraska, party of the second part.

WITNESSETH, That the said party of the first part, for and in consideration of the sum of Eight Hundred Twenty-five (825) Dollars, in hand paid, receipt whereof is hereby acknowledged, has sold and by these presents does grant, convey and confirm unto the said party of the second part, the following described premises, situated in Douglas County, and State of Nebraska, to-wit:

All of the East Thirty-nine (39) feet of Lots Fifteen (15) and Sixteen (16) in Block (6) in Wilcox First Addition to the City of Omaha, as surveyed, platted and recorded; subject to all taxes or installments of same not delinquent on June 30th, 1928, including the State and County taxes for the year 1928.

TO HAVE AND TO HOLD the premises above described, together with all the Tenements, Easements and Appurtenances thereunto belonging, unto the said John M. Virgin.