

MISCELLANEOUS RECORD, No. 85

12. Affidavit

Harlean C. Fetters)
 to) STATE OF NEBRASKA)
)))ss.
 Whom It May Concern) COUNTY OF DOUGLAS)

I, Harlean C. Fetters, of the City of Omaha, being first duly sworn, upon oath do depose and say that I am familiar with the title to Lots One (1), Two (2), Twenty (20), Twenty-one (21) and Twenty-two (22) in Block Fourteen (14) in Hanscom Place, in the City of Omaha, Douglas County, Nebraska; that said lots were once owned by my mother, Harriet Curtis.

Affiant further states that Harriet Curtis, who appears as grantee in the Warranty Deed from Mortimer D. Hyde, conveying the above described premises and recorded Jan. 11, 1883, in Book 44 of Deeds, at Page 555 of the records of said County, is the same and identical person as Harriet E. Curtis, whose name appears throughout certain Guardianship proceedings relating to the above described property, in which proceedings, my father, John J. Curtis, husband of the said Harriet Curtis, or Harriet E. Curtis, was her Guardian.

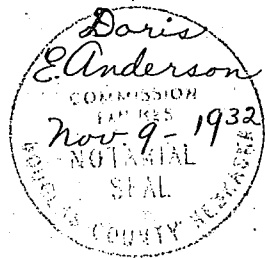
And further affiant saith not.

Harlean C. Fetters

Subscribed in my presence and sworn to before me this 13 day of
 April, A. D. 1929.

Doris E. Anderson
 Notary Public.

My commission expires Nov. 9-1932.



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 15th
 day of April, A. D. 1929, at 1:45 o'clock, P.M.

Harry Pearce,

Register of Deeds.

Compared by W&R.

13. Agreement

Dundee Realty Company et al)
 to)
 Whom it may concern,)

RESOLUTION *gr*
 Omaha, Nebraska,
 April 1, 1929.

At the regular monthly meeting of the Board of Trustees of Dundee Presbyterian Congregation of Dundee, Nebraska, a Corporation, held this day in said church building in the City of Omaha, Nebraska, the following resolution was unanimously adopted:

RESOLVED, By the Board of Trustees of Dundee Presbyterian Congregation of Dundee, Nebraska, a corporation, that Fred H. Bristol, Chairman of said Board of Trustees, be and is hereby authorized and empowered to sign for and on behalf of this corporation a certain agreement executed Febr. 6th, 1929, by and between Dundee Realty Company, a corporation, T. H. Maenner Company, a corporation, Dundee Presbyterian Congregation of Dundee, Nebraska, a corporation, and Henry B. Ramsey and Blanche R. Ramsey, whereby it is agreed that the building line for all lots in Happy Hollow Addition abutting on the North Side of Underwood Avenue shall be changed from a distance of Thirty-five (35) feet North of said Underwood Avenue to a distance of Thirty (30) feet North of said Underwood Avenue.

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I, J. L. Doan, Secretary of the Board of Trustees of Dundee Presbyterian Congregation of Dundee, Nebraska, do hereby certify that the above resolution was duly adopted by the Board of Trustees of said Congregation on the 1st day of April, 1929.

J. L. Doan
Secretary.

RESOLUTION

Omaha, Nebraska, February 15th, 1929.

At a regularly called meeting of the Board of Directors of T. H. Maenner Co., held this day at the office of said Company in the City of Omaha, the following resolution was unanimously adopted;

RESOLVED, By the Board of Directors of the T. H. Maenner Co., a corporation of Omaha, Douglas County, Nebraska, that T. H. Maenner, President of said Company be and he is hereby authorized and empowered to sign for and on behalf of this Corporation, and in the name of the Corporation, a certain agreement executed February 15th, 1929 by and between said T. H. Maenner Co., a corporation, Dundee Realty Company, a corporation, Dundee Presbyterian Congregation of Dundee, Nebraska, a corporation, and Henry B. Ramsey and Blanche R. Ramsey, whereby it is agreed that the building line for all lots in Happy Hollow Addition abutting on the North Side of Underwood Avenue shall be changed from a distance of Thirty-five (35) feet North of said Underwood Avenue to a distance of Thirty (30) feet North of said Underwood Avenue.

I, L. E. Harbert, Secretary of the T. H. Maenner Co. of Omaha, Nebraska, do hereby certify that the above resolution was duly adopted by the Board of Directors of said Company on the 15th day of February, A. D., 1929.



L. E. Harbert
Secretary.

RESOLUTION

Omaha, Nebraska, February 6th, 1929.

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, By the Board of Directors of the Dundee Realty Company a corporation of Omaha, Douglas County, Nebraska, that Charles C. George, President of said Company, be and he is hereby authorized and empowered to sign for and on behalf of this Corporation, and in the name of the Corporation, a certain agreement executed February 6th, 1929 by and between said Dundee Realty Company, a corporation, T. H. Maenner Company, a corporation, Dundee Presbyterian Congregation of Dundee, Nebraska, a corporation, and Henry B. Ramsey and Blanche R. Ramsey, whereby it is agreed that the building line for all lots in Happy Hollow Addition abutting on the North side of Underwood Avenue shall be changed from a distance of Thirty-five (35) feet North of said Underwood Avenue to a distance of Thirty (30) feet North of said Underwood Avenue.

I, Bertha J. Anderson, Secretary of the Dundee Realty Company, of Omaha, Nebraska, do hereby certify that the above resolution was duly adopted by the Board of Directors of said Company on the 6th day of February, A. D., 1929.

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*Dundee
Realty Company
Incorporated
Seal
Omaha
Nebraska*

Bertha J. Anderson
Secretary.

AGREEMENT

THIS INSTRUMENT executed this 6th day of February, 1929, by and between Dundee Realty Company, a corporation, T. H. Maenner Company, a corporation, Dundee Presbyterian Congregation of Dundee, Nebraska, a corporation, and Henry B. Ramsey and Blanche R. Ramsey, WITNESSETH:

WHEREAS the said Dundee Realty Company is the owner of Lots six (6) and seven (7) in Block twenty (20); Lots seven (7) and eight (8) in Block twenty-one (21); and Lot eight (8) in Block twenty-two; and

T. H. Maenner Company is the owner of Lot nine (9) in Block twenty-two (22); Lots fourteen (14) and fifteen (15) in Block Twenty-three (23); Lots Seventeen (17) and eighteen (18) in Block twenty-four (24); and Lots twenty (20) and twenty-one (21) in Block twenty-five (25); and

Dundee Presbyterian Congregation of Dundee, Nebraska, is the owner of Lots three (3) and four (4) in Block Nineteen (19); and

Henry B. Ramsey is the owner of Lot Five (5) in Block twenty (20), and Blanche R. Ramsey, is the wife of the said Henry B. Ramsey;

All of said lots being in Happy Hollow, an addition to the City of Omaha, Douglas County, Nebraska, as surveyed, platted and recorded, and said lots are the sole and only lots in said Happy Hollow Addition abutting on North side of Underwood Avenue, and

WHEREAS in certain recorded instruments and in certain deed and contracts the building line for said lots in respect to said Underwood Avenue is placed at thirty-five (35) feet North of said Underwood Avenue, and it is the desire of the parties hereto to change said building line from a distance of thirty-five (35) feet North of said Underwood Avenue to a distance of thirty (30) feet North of said Underwood Avenue, and the parties hereto being the sole and only persons interested or who can be affected by said change;

Now Therefore, in consideration of these mutual promises and agreement, it is hereby agreed by and between the parties hereto that the said building line for said lots in respect to said Underwood Avenue shall be changed from a distance of thirty-five (35) feet North of Underwood Avenue as provided in said instruments as aforesaid to a distance of thirty (30) feet North of said Underwood Avenue, and that from date hereof said building line for buildings to be constructed upon said lots is and shall be a line thirty (30) feet North from said Underwood Avenue.

IN WITNESS WHEREOF the said parties corporate hereto have caused this instrument to be executed by their respective officers and their corporate seals hereto affixed, and the said Henry B. Ramsey and Blanche R. Ramsey have set their hands all on the date and year first above written.

T. R. Huston
Witness

*Dundee
Realty
Company
Incorporated
Seal
Omaha
Nebraska*

DUNDEE REALTY COMPANY

By Charles C. George, President

Lida E. Harbert
Witness

*T. H.
Maenner
Co.
Corporate
Seal
Omaha
Nebraska*

T. H. MAENNER COMPANY

By T. H. Maenner, President

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254593-OMAHA PRINTING CO., OMAHA

Lida E. Harbert
Witness

DUNDEE PRESBYTERIAN CONGREGATION
OF DUNDEE, NEBRASKA,

By Fred H. Bristol
Chairman of the Board of Trustees

A. Hallquist
Witness

Henry B. Ramsey

A. Hallquist
Witness

Blanche R. Ramsey

State of Nebraska)
County of Douglas)SS

On this 6th day of February 1929, before me, a notary public in and for said County and State, personally appeared the above named Charles C. George, to me personally known to be the president of Dundee Realty Company, a corporation, and he acknowledged the foregoing instrument to be his voluntary act and deed and the voluntary act and deed of said Dundee Realty Company.

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

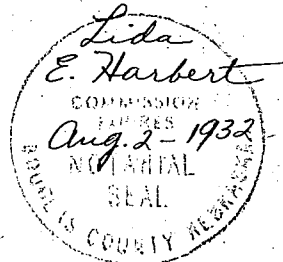


T. R. Huston
Notary Public.

State of Nebraska,)
County of Douglas,)SS

On this 15 day of February 1929, before me, a Notary Public in and for said County and State, personally appeared the above named T. H. Maenner, to me personally known to be the president of T. H. Maenner Company, a corporation, and he acknowledged the foregoing instrument to be his voluntary act and deed and the voluntary act and deed of said T. H. Maenner Company.

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

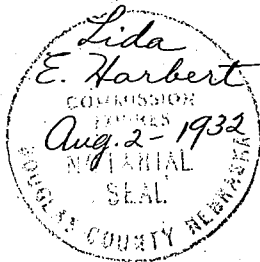


Lida E. Harbert
Notary Public.

State of Nebraska,)
County of Douglas,)SS

On this 2nd day of April, 1929, before me, a notary public in and for said County and State, personally appeared the above named Fred H. Bristol to me personally known to be the Chairman of the Board of Trustees of Dundee Presbyterian Congregation of Dundee, Nebraska, a corporation, and he acknowledged the foregoing instrument to be his voluntary act and deed and the voluntary act and deed of said Dundee Presbyterian Congregation of Dundee, Nebraska.

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



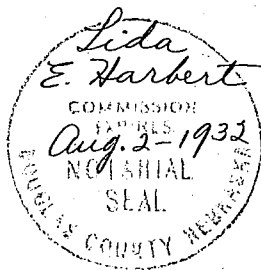
Lida E. Harbert
Notary Public.

MISCELLANEOUS RECORD, No. 85

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

On this 6th day of February, 1929, before me, a Notary Public in and for said County and State, personally appeared the above named Henry B. Ramsey and Blanche R. Ramsey, husband and wife, to me personally known to be the identical persons whose names are affixed to the foregoing instrument and they acknowledged the execution of said instrument to be their voluntary act and deed.

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



Lida E. Harbert
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 15th day of April, A. D. 1929, at 3:00 o'clock, P.M.
Harry Pearce,

Register of Deeds.

Compared by W&R.

14. Affidavit

John H. Bexten

to

Whom It May Concern

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

I, John H. Bexten being first duly sworn, depose and say

that I was well and personally acquainted with Mary E. Kountze, Lina Kountze Brown, Mary Kountze Skinner and Florence Kountze Best, four of the five heirs at law and devisees of Charles B. Kountze, deceased, who were grantors in a certain deed to Harold Kountze, the remaining heir at law and devisee of said Charles B. Kountze, deceased, dated January 6, 1913, recorded March 20, 1913 in Book 368 of Deeds at Page 122, Records of Douglas County, Nebraska, conveying Lots 5 and 6, Block 16 in Kountze Third Addition to the City of Omaha, Douglas County, Nebraska, and other lands, and I know of my own personal knowledge that none of the spouses of the above named heirs of Charles B. Kountze, deceased, were residents of the State of Nebraska and that the property described in said deed is not now and never has been their homestead.

And further affiant sayeth not.

John H. Bexten

Subscribed in my presence and sworn to before me this 12 day of April, 1929.



Martin E. Larson
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 15th day of April, A. D. 1929, at 4:05 o'clock, P.M.
Harry Pearce,

Register of Deeds.

Compared by W&R.