

**HERBERT BROS. BUILDERS**

"Smart Buyers Prefer Herbert Homes"

LINCOLN, NEBRASKA

JACK HERBERT  
821 NO. 87TH STREET  
PHONE 8-8728

GLEN HERBERT  
825 NO. 88TH STREET  
PHONE 8-7890

PROTECTIVE COVENANTS AND RESTRICTIONS

The undersigned, Herbert Brothers, a partnership, being the owner of the following described real estate located in the City of Lincoln, County of Lancaster and State of Nebraska, to wit:

All of the lots and blocks in Herbert Brothers Third Addition to Skyline Terrace according to the plat recorded in the Register of Deeds' Office of Lancaster County,

does hereby create, adopt and establish the following restrictions against and upon the said above described real estate:

1. No lot shall be used except for residential purposes. No building shall be erected, altered, placed or permitted to remain on any lot other than:
  - (a) one detached single family dwelling, which shall in no case exceed 2-1/2 stories in height, and
  - (b) a private garage for not more than two cars for each dwelling.
2. The ground floor area of the mainstructure, exclusive of one story open porches and garages shall be not less than 800 square feet for a one story dwelling, nor less than 720 square feet for a dwelling of more than one story.
3. No building shall be located on any lot nearer than 25 feet to the front lot line. No building shall be located nearer than 5 feet to any side lot line, except that a garage or other permitted accessory building located 60 feet or more from the front lot line may be located not nearer than 2 feet from any such side lot line. For the purpose of this covenant, eaves, steps and open porches shall not be considered as a part of a building; provided, however, that this shall not be construed to permit any portion of a building on a lot to encroach on another lot.
4. No lot shall be re-subdivided into, nor shall any dwelling be placed on, any lot having a width of less than 50 feet at building set back line, or an area of less than 6000 square feet.
5. Five (5) feet easements for the construction and maintenance of sewers, conduits and pole lines are reserved as provided in the recorded Plat and Dedication.
6. No noxious or offensive activity shall be carried on upon any lot, nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood.
7. No structure of a temporary character, trailer, basement, tent, shack, barn or other out-building shall be used on any lot at any time as a residence either temporarily or permanently.
8. No animals, livestock or poultry of any kind shall be raised, bred or kept on any lot, except that dogs, cats or other household pets may be kept: provided that they are not kept, bred, or maintained for any commercial purpose.

# HERBERT BROS. BUILDERS

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LINCOLN, NEBRASKA

JACK HERBERT  
221 NO. 87TH STREET  
PHONE 6-6722

GLEN HERBERT  
225 NO. 86TH STREET  
PHONE 6-7590

## Protective Covenants, and Restrictions, cont'd.

9. No large commercial trucks may be left parked overnight in this area.
10. These covenants are to run with the land and shall be binding on all parties and all persons claiming under them for a period of 25 years from the date these covenants are recorded, after which time said covenants shall be automatically renewed for successive periods of 10 years unless an instrument signed by a majority of the then owners of the lots has been recorded agreeing to change said covenants in whole or in part.
11. Enforcement shall be by proceedings at law or in equity against any person or persons violating or attempting to violate any covenants either to restrain violation or to recover damages.
12. Invalidation of any one of these covenants by judgment or court order shall in no wise affect any of the other provisions, which shall remain in full force and effect.

Herbert Brothers, a Partnership

Jack Herbert a partner.

dated: 4/9/63

\_\_\_\_\_ a partner

INDEXED 27-394,376, 579  
GENERAL 383, 387, 390  
COMPARED *misc*  
PAGED 66

STATE OF NEBRASKA } ss  
Lancaster County }

Entered on numerical Index and  
filed for record in the Register of  
Deeds Office of said County the

3 day of APRIL 19 63

at 3 o'clock and 35

minutes P. M. and recorded in

Book \_\_\_\_\_ of \_\_\_\_\_

\_\_\_\_\_

Kenneth L. Ferguson

Deputy

By Herbert

4450