

CR 7/8/48.
OK 8/13.

PROTECTIVE COVENANTS

THESE COVENANTS ARE to run with the land and shall be binding on all parties and all persons claiming under them until January 1, 1968 at which time said Covenants shall be automatically extended for successive periods of ten years unless by vote of a majority of the then owners of the lots it is agreed to change said Covenants in whole or in part.

If the parties hereto, or any of them, or their heirs or assigns shall violate or attempt, to violate any of the Covenants herein, it shall be lawful for any other person or persons owning any real property situated in said developments or subdivision to prosecute any proceedings at law or in equity against the person or persons violating or attempting to violate any such Covenant and either to prevent him or them from so doing or to recover damages or other dues for such violation.

Invalidation of any of these Covenants by judgement or court order shall in no wise affect any of the other provisions which shall remain in full force and effect:-

A. All lots in the tract shall be known and described as residential lots. No structure shall be erected, altered, placed or permitted to remain on any residential building plot other than one detached single-family dwelling not to exceed two stories in height and a private garage for not more than two cars.

B. No persons of any race other than the Caucasian race shall use or occupy any building or any lot, except that this Covenants shall not prevent occupancy by domestic servants or a different race domiciled with an owner or tenant.

C. No building shall be erected nearer to the front lot line nor nearer to the side street line than the building set back lines shown on the recorded plat. In any event no building shall be located on any residential building plot nearer than 35 feet to the front lot line, nor nearer than 5 feet to any side street line. No building, except a detached garage or other outbuilding located 65 feet or more from the front lot line shall be located nearer than 5 feet to any side lot line. No residence or attached appurtenance shall be erected on any lot farther than 40 feet from the front lot line.

D. No residential structure shall be erected or placed on any building plot, which plot has an area or less than 6000 square feet or a width of less than 50 feet at the front building setback line.

E. No noxious or offensive trade or 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.

F. No trailer, basement, tent, shack, garage, barn, or other outbuilding erected in the tract 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.

G. The ground floor area of the main structure, exclusive of one-story open porches and garages, shall be not less than 850 square feet in the case of a one-story structure and 750 square feet in the case of a $1\frac{1}{2}$ or 2-story structure.

H. An easement is reserved over the rear 5 feet of each lot for utility installation and maintenance.

Above covenants apply to the following Legal Description; Lots 4; 6; 8; 10; 11; 12; 13; 14; 15; 16; 18; 19; Kellys Addition an addition to the city of Omaha, Douglas County Nebraska as surveyed platted and recorded. To Lots 1, 2, 3, 4, 6, 7, 9, Millers Sub-division of Lots 10 & 21 in Sub-Division of Lots 1, 2, 3, 4, 5, & 6; Blk 1 in Washington Hill.

APPROVED and SIGNED as to: Property with the following description:

Eunice C. Woodyard

Signature

STATE OF NEBRASKA)
) as
COUNTY OF DOUGLAS)

On this 9 day of July, 1948, before me the undersigned, a Notary Public duly commissioned and qualified for and residing in said county personally came Eunice C. Woodyard

to me known to be the identical persons whose names are affixed to the foregoing protective Covenants, and acknowledged the same to be their voluntary act and deed.

Witness my hand and notarial seal this 9th day of July, 1948

W. C. Fox
Notary Public



Commission expires April 26, 1952.

1.
ENTERED IN NUMERICAL INDEX AND RECORDED IN THE REGISTER OF DEEDS OFFICE IN DOUGLAS COUNTY, NEBRASKA
20 DAY July 1948 AT 8:55 A. THOMAS J. O'CONNOR, REGISTER OF DEEDS

3.95