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PROTECTIVE COVENANTS

KNOW ALL MEN BY THESE PRESENTS, THAT WHEREAS THE UNDERSIGNED IS THE OWNER OF LOTS 1 THROUGH 39 OF MISSION HEIGHTS ADDITION "C", AN ADDITION TO THE CITY OF BELLEVUE, SARPY COUNTY, NEBRASKA.

NOW THEREFORE, THE FOLLOWING RESTRICTIONS AND PROTECTIVE COVENANTS ARE HEREBY PLACED ON SAID LOTS:

1. NO LOT SHALL BE USED EXCEPT FOR RESIDENTIAL PURPOSES. NO BUILDING SHALL BE ERECTED, ALTERED, PLACED, USED OR PERMITTED TO REMAIN ON ANY LOT OTHER THAN ONE DETACHED SINGLE FAMILY DWELLING NOT TO EXCEED TWO STORIES IN HEIGHT AND A PRIVATE GARAGE FOR NOT MORE THAN THREE CARS.

2. IN ANY CASE, NO DWELLING SHALL BE PERMITTED ON ANY LOT DESCRIBED HEREIN, HAVING A GROUND FLOOR SQUARE FOOT AREA OF LESS THAN 960 SQUARE FEET IN THE CASE OF A ONE-STORY STRUCTURE OR THE TOTAL USABLE FLOOR AREA EXCLUSIVE OF BASEMENT AREA SHALL BE NOT LESS THAN 1,200 SQUARE FEET IN THE CASE OF A TWO STORY STRUCTURE, EXCLUSIVE OF PORCHES AND GARAGES.

3. IN ANY EVENT, NO BUILDING SHALL BE LOCATED ON ANY LOT NEARER THAN 25 FEET TO FRONT LOT LINE, OR NEARER THAN 15 FEET TO ANY SIDE STREET LINE. NO BUILDING SHALL BE LOCATED NEARER THAN 5 FEET TO AN INTERIOR LOT LINE, EXCEPT THAT A 3 FOOT SIDE YARD SHALL BE PERMITTED FOR A GARAGE OR OTHER ACCESSORY BUILDING LOCATED 10 FEET BACK OF THE MAIN RESIDENTIAL BUILDING. IF MISSION HOMES, INC. SHALL DETERMINE THAT SAID SET BACK OR SIDE YARD REQUIREMENTS AS TO ANY LOT OR LOTS IN SAID ADDITION ARE NOT ADEQUATE OR SATISFACTORY TO THE BEST DEVELOPMENT OF THE ADDITION, THE SAID CORPORATION, BY RESOLUTION MAY ALTER OR CHANGE THE SAME, PROVIDED SAID CHANGE OR ALTERATION SHALL CONFORM TO AND WITH THE BUILDING PERMIT ISSUED BY THE CITY OF BELLEVUE. 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 UPON ANOTHER LOT.

4. NO DWELLING SHALL BE ERECTED OR PLACED ON ANY LOT HAVING A WIDTH OF LESS THAN 60 FEET AT THE MINIMUM BUILDING SETBACK LINE, NOR SHALL ANY DWELLING BE ERECTED OR PLACED ON ANY LOT HAVING AN AREA OF LESS THAN 7,500 SQUARE FEET.

5. EASEMENTS FOR INSTALLATION AND MAINTENANCE OF UTILITIES AND DRAINAGE FACILITIES ARE RESERVED AS SHOWN ON THE RECORD PLAT.

6. 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.

Witness my hand and seal and Recorded in the Register of Deeds office in Sarpy County, Nebraska

23 Nov 1958 4:34 PM, Geo. F. Nicholson, County Clerk 4-546

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7. NO STRUCTURE OF A PERMANENT CHARACTER, INCLUDING BASEMENT, TENT, SHACK, GARAGE, BARN OR OTHER OUTBUILDING, SHALL BE ERECTED, USED OR KEPT 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 THEY ARE NOT KEPT, BRED OR MAINTAINED FOR ANY COMMERCIAL PURPOSE.

9. THE FOLLOWING PROHIBITIONS SHALL BE OBSERVED ON ALL LOTS:

(A) NO FUEL TANKS ON THE OUTSIDE OF THE HOUSE SHALL BE EXPOSED TO VIEW BUT SHALL BE BURIED.

(B) NO GARAGE OR OTHER OUTBUILDINGS SHALL BE ERECTED ON ANY LOT FOR DWELLING PURPOSES BEFORE THE RESIDENCE THEREON IS CONSTRUCTED.

(C) NO DRIVE SHALL BE CONSTRUCTED, EXCEPT OF CEMENT, BRICK, STONE OR ASPHALT.

GENERAL PROVISIONS:

1. 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 TWENTY-FIVE YEARS FROM THE DATE THESE COVENANTS ARE RECORDED, AFTER WHICH TIME SAID COVENANTS SHALL BE AUTOMATICALLY EXTENDED FOR SUCCESSIVE PERIODS OF TEN 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 EXCEPT IN THE MANNER SPECIFICALLY PROVIDED UNDER PARAGRAPH NO. 3 ON PAGE ONE HEREOF.

2. FOR A PERIOD OF FIVE YEARS FROM THE DATE OF THE RECORDING OF THIS AGREEMENT NO BUILDING SHALL BE ERECTED, CONSTRUCTED, ALTERED, PLACED OR PERMITTED TO REMAIN ON ANY LOT IN SAID ADDITION HEREIN DESCRIBED UNTIL THE PLANS AND SPECIFICATIONS HAVE BEEN APPROVED IN WRITING BY MISSION HOMES, INC.

3. ENFORCEMENT SHALL BE BY PROCEEDINGS AT LAW, OR IN EQUITY AGAINST ANY PERSON, OR PERSONS, VIOLATING OR ATTEMPTING TO VIOLATE ANY COVENANT, EITHER TO RESTRAIN VIOLATION OR TO RECOVER DAMAGES.


4. 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.

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MISSION HOMES, INC.

BY Hyatt Freeman
PRESIDENT

ATTEST:

ATTEST:

 SECRETARY



STATE OF NEBRASKA)
) ss.
COUNTY OF SARPY)

F. HOYTE FREEMAN, BEING FIRST DULY SWORN UPON OATH,
DEPOSES AND SAYS THAT HE IS THE PRESIDENT OF
MISSION HOMES, INC.; THAT THE AFORESAID RESTRICTIVE COVENANTS
WERE DULY ADOPTED BY THE RESOLUTION OF THE CORPORATION AT A
SPECIAL MEETING OF THE BOARD OF DIRECTORS OF SAID CORPORATION,
HELD OCTOBER 29, 1958, AND THE SECRETARY WAS
DIRECTED TO RECORD THE SAME WITH THE COUNTY CLERK OF SARPY
COUNTY, NEBRASKA, RUNNING WITH LOTS ONE (1) TO THIRTY-NINE (39)
INCLUSIVE, IN MISSION HEIGHTS ADDITION "C", AN ADDITION TO
THE CITY OF BELLEVUE, AS SURVEYED, PLATTED AND RECORDED IN
SARPY COUNTY, NEBRASKA.

By J. E. Dennis

DATED AT BELLEVUE, HARRY COUNTY, NEBRASKA, THIS 28TH DAY OF
OCTOBER, 1958.

MY COMMISSION EXPIRES JUNE 1, 1959.

