



BK 0815 PG 693



MISC 1987 09520

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INDEXING
PAGE DOWN FOR BALANCE OF INSTRUMENT

BOOK 815 PAGE 693

SUPPLEMENTARY DECLARATION
PICKARD SCHOOL SQUARE TOWNHOMES

Lots Two (2) through Nine (9) and that part of Lot Ten (10) adjoining Lots 5, 6, 7 and 8 on the South, all in Pickard School Square, an Addition to the City of Omaha, as surveyed, platted and recorded in Douglas County, Nebraska.

THIS SUPPLEMENTARY DECLARATION, made March 2, 1987, by NOVOTNY BUILDERS, INC., a Nebraska business corporation with its registered office in Omaha, Douglas County, Nebraska, hereafter called "Declarant",

WITNESSETH:

WHEREAS, Declarant is the owner of Lots 6, 7, 8, 9 and that part of Lot 10 adjoining Lots 5, 6, 7 and 8 on the South, all in Pickard School Square, an Addition to the City of Omaha, as surveyed, platted and recorded in Douglas County, Nebraska, and

WHEREAS, Declarant has heretofore agreed, pursuant to Declaration executed June 13, 1984, that Lots Two (2) through Four (4) inclusive, Pickard School Square, were subject to certain conditions and other terms set out in said Declaration, which Declaration was recorded at Book 712, Page 395, of the Miscellaneous Records of the Register of Deeds, Douglas County, Nebraska, and which Declaration provided for extension of the conditions and other terms set out therein to additional real property, and pursuant to Declaration executed November 22, 1985, that Lot Five (5), Pickard School Square, was subject to certain conditions and other terms set out in said Declaration, which Declaration was recorded at Book 758, Page 381, of the Miscellaneous Records of the Register of Deeds, Douglas County, Nebraska, and which Declaration provided for extension of the conditions and other terms set out therein to additional real property, and

WHEREAS, Declarant desires and does hereby declare that Lots 6, 7, 8, 9 and that part of Lot 10 adjoining Lots 5, 6, 7, and 8

on the South all in Pickard School Square, an Addition to the City of Omaha, as surveyed, platted and recorded in Douglas County, Nebraska, shall be subject to the conditions and other terms appropriate, convenient or necessary to preserve and promote its private residential character in conformity to and coordination with the general scheme of development and use expressed in the Declaration duly recorded at Book 712, Page 395, of the Miscellaneous Records of the Register of Deeds, Douglas County, Nebraska, and Supplementary Declaration recorded at Book 758, Page 381, of the Miscellaneous Records of the Register of Deeds, Douglas County, Nebraska, and

NOW, THEREFORE, in consideration of the matters herein recited and the acceptance to this Supplementary Declaration by Pickard School Square Association, Inc., a Nebraska non-profit corporation, hereafter called "Association", Declarant does hereby declare as follows:

1. PROPERTY SUBJECT TO DECLARATION: All real property involved in this Supplemental Declaration, hereafter called "involved property", is and will be acquired, conveyed, devised, inherited, sold, or otherwise transferred and is and will be occupied and used subject to all and each of the conditions and other terms set out in this Supplementary Declaration; and Lots Two (2) through Nine (9) and that part of Lot Ten (10) adjoining Lots 5, 6, 7 and 8 on the South, all in Pickard School Square, an Addition to the City of Omaha, as surveyed, platted and recorded in Douglas County, Nebraska, will be subjected to this Supplementary Declaration and, pursuant to Article II of the Declaration executed June 13, 1984 to said Declaration and Supplemental Declaration executed November 22, 1985 to said Declaration with the express additions and modifications set out in this Supplementary Declaration. Lots 5, 6, 7, 8 and 9 and that part of Lot 10 adjoining Lots 5, 6, 7 and 8 on the South, all in Pickard School Square, an Addition to the City of Omaha as surveyed, platted and recorded in Douglas County, Nebraska, will be subjected to this Supplementary Declaration. The Lots subject to this Supplementary Declaration are shown and described on

Exhibit "A" attached hereto and by this reference incorporated herein.

2. MAINTENANCE. The involved property is and will be subject to all and each of the conditions and other terms of Article III of said Declaration.

3. MEMBERSHIP. The involved property and each owner is and will be subject to all and each of the conditions and other terms of Article IV of said Declaration.

4. VOTING RIGHTS. Members (Owners) shall be entitled to one (1) vote for each Lot owned pursuant to Article V of said Declaration.

5. COVENANTS FOR MAINTENANCE ASSESSMENT. The involved property and each Owner is and will be subject to all and each of the conditions and other terms set forth in Article VI of the Declaration.

6. COMMON SCHEME RESTRICTIONS. The restrictions listed in Article VII of the Declaration are imposed as a common scheme upon all Lots for the benefit of each other Lot and may be enforced by any Owner of a Lot or the Association.

7. INSURANCE. Insurance shall be obtained and maintained in accordance with Article VIII of the Declaration.

8. EASEMENTS. The involved property is and will be perpetually, unless any easement thereof is terminated, subject to all and each of the easements as more particularly described, and subject to all and each of the conditions and other terms of Article IX of said Declaration, and subject to easements of record encumbering Lots 9 and 10, Pickard School Square, an Addition to the City of Omaha, as surveyed, platted and recorded in Douglas County, Nebraska.

9. PARTY WALLS. The involved property is and will be subject to all and each of the conditions and other terms of Article X of said Declaration.

10. GENERAL PROVISIONS. The provisions set forth in Article XI of said Declaration are and will be applicable to the involved property.

11. EXTENSION, MODIFICATION, TERMINATION. The conditions and other terms of this Supplementary Declaration are and will be subject to the following provisions for extension, modification, or termination:

a. Association will have the right by an express written Permit for the purpose of avoiding undue hardship to waive partly or wholly the application to any lot of any covenant; and Association will have the right in the manner set out in its Articles of Incorporation or its By-Laws, as from time to time amended, at any time or from time to extend, modify, or terminate all or any part or parts of this Supplementary Declaration.

b. Any grantee, assign thereof, or successor thereto will have the right by an express written Termination to terminate any easement granted to such grantee.

IN WITNESS WHEREOF, Declarant has executed this Supplementary Declaration at Omaha, Douglas County, Nebraska.

NOVOTNY BUILDERS, INC.

By Anton L. Novotny
President

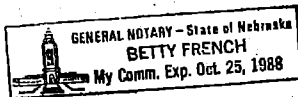
Attest:

Ann OB Epstein
Secretary

STATE OF NEBRASKA)
)
COUNTY OF DOUGLAS)

Before me, a Notary Public qualified for said County, personally appeared ANTON L. NOVOTNY, President of Novotny Builders, Inc., a Nebraska business corporation, known to me to be the President and identical person who executed the foregoing instrument, acknowledged the execution thereof to be his voluntary act and deed as such officer and the voluntary act and deed of said corporation, and declared the execution and delivery thereof to be duly authorized and its corporate seal to be thereto affixed by its authority.

WITNESS my hand and Notarial Seal on March 2, 1987.



Betty French
Notary Public

ACCEPTANCE

The undersigned, being thereunto duly empowered, hereby accepts and agrees to the foregoing Supplementary Declaration.

DATED at Omaha, Douglas County, Nebraska, on March 2, 1987.

PICKARD SCHOOL SQUARE
TOWNHOMES ASSOCIATION

By Anton L. Novotny
President

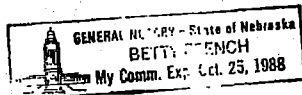
Attest:

Secretary
Secretary

STATE OF NEBRASKA)
)
COUNTY OF DOUGLAS)

Before me, a Notary Public qualified for said County, personally appeared ANTON L. NOVOTNY, President of Novotny Builders, Inc., a Nebraska business corporation, known to me to be the President and identical person who executed the foregoing instrument, acknowledged the execution thereof to be his voluntary act and deed as such officer and the voluntary act and deed of said corporation, and declared the execution and delivery thereof to be duly authorized and its corporate seal to be thereto affixed by its authority.

WITNESS my hand and Notarial Seal on March 2, 1987.



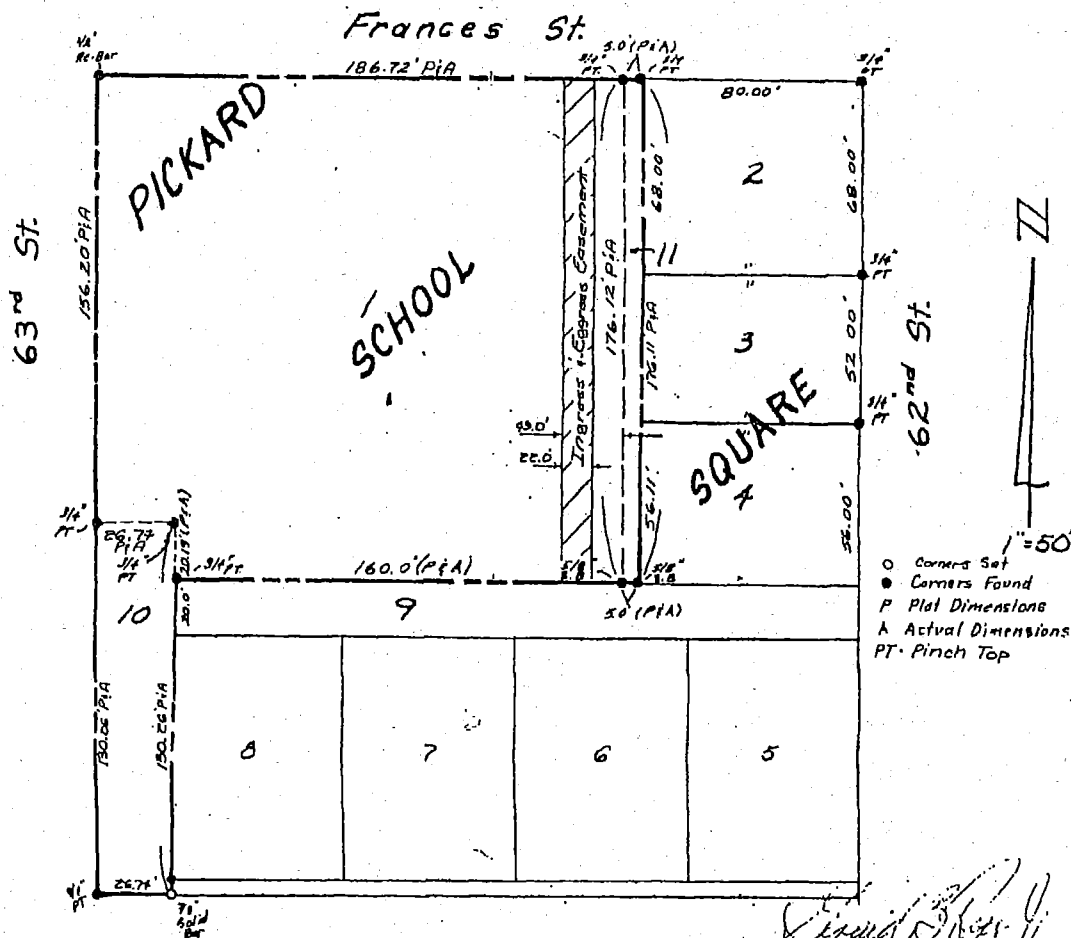
Betty French
Notary Public

I hereby certify that this plat, map, survey or report was made by me or under my direct personal supervision and that I am a duly Registered Land Surveyor under the laws of the State of Nebraska.

Lots 1, 11 and that part of Lot 10, PICKARD SCHOOL SQUARE, an addition to the City of Omaha, Douglas County, Nebraska, described as follows: Beginning at the Southwest corner of said Lot 10; thence N 0°00'33" E (bearings based on the Pickard School Square recorded plat) for 130.26 feet to the Northwest corner of said Lot 10; thence S 89°46'04" E for 26.74 feet to the Northeast corner of said Lot 10; thence S 0°00'00" for 130.26 feet along the East line of said Lot 10 to the South line of said Lot 10; thence N 89°46'04" W for 26.74 feet to the Point of Beginning.

Plat to scale showing tract surveyed with all pertinent points.

Exhibit "A"
Sheet 1



Signature of Land Surveyor
Gerald B. Rager, Jr.
REGISTERED
LS-222
LAND SURVEYOR
SEAL

DATE RECEIVED: _____ Date: 7-8-83

OFFICIAL ADDRESS: _____

BLDG. PERMIT NO.: _____

Book 83-13 Page 7

EXHIBIT "A"

Job Number R2-00-20



lamp, rynearson & associates, inc.
architects engineers surveyors planners

8880 West Dodge Road
383 W. Koenig Street

Omaha, Nebraska 68114
Grand Island, Nebraska 68801

402-387-3008
308-388-4077

EXHIBIT A-1
Lots 6, 7, 8 Future Development

I hereby certify that this plat, map, survey or report was made by me or under my direct personal supervision and that I am a duly Registered Land Surveyor under the laws of the State of Nebraska.

Legal Description : Lot 6, except the West 26.64 feet thereof, PICKARD SCHOOL SQUARE, a subdivision as surveyed, platted, and recorded in Omaha, Douglas County, Nebraska.

Any easements shown were provided by client

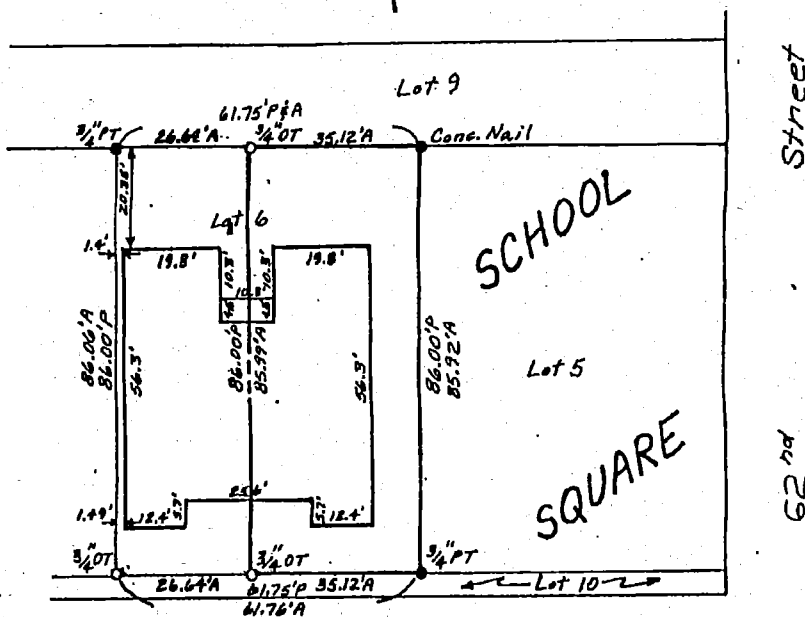
Plat to scale showing tract surveyed with all pertinent points.

This is to certify that I find no regular or special taxes due or delinquent against the property as described in the Surveyor's Certificate and as shown by the records of this office.

8-12-86
Date

[Signature]
County Treasurer

PICKARD



Approved as a subdivision of only two (2) lots with plat requirement waived per Section 7.08 Home Rule Charter of the City of Omaha, 1956. This subdivision approval is void unless filed and recorded with the County Register of Deeds within thirty (30) days of this date.

O - CORNERS SET
● - CORNERS FOUND
A - ACTUAL DIMENSIONS
P - PLAT DIMENSIONS
PT - Pinch Top
OT - Open Top

[Signature]
Signature of Land Surveyor

193

8-12-86 *[Signature]*
Date Planning Director

DATE RECEIVED _____

Date 5-21-86

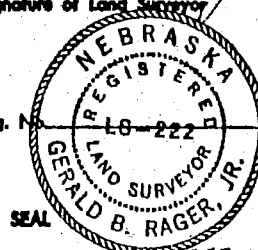
OFFICIAL ADDRESS 6211 DORCAS PLAZA

BLDG. PERMIT NO. _____

Book 86-5 Page 41

EXHIBIT "A-2"

Reg. No. 18-222



SEAL

Job Number 86-1358-2



lamp, ryneason & associates, inc.

architects engineers surveyors planners
8880 west dodge road omaha, nebraska 68114 402-387-3008
323 w. koenig street grand island, nebraska 68801 308-388-4077

I hereby certify that this plat, map, survey or report was made by me or under my direct personal supervision and that I am a duly Registered Land Surveyor under the laws of the State of Nebraska.

Legal Description : The West 26.64 feet of Lot 6, PICKARD SCHOOL SQUARE, a subdivision as surveyed, platted and recorded in Omaha, Douglas County, Nebraska.

Any easements shown were provided by client

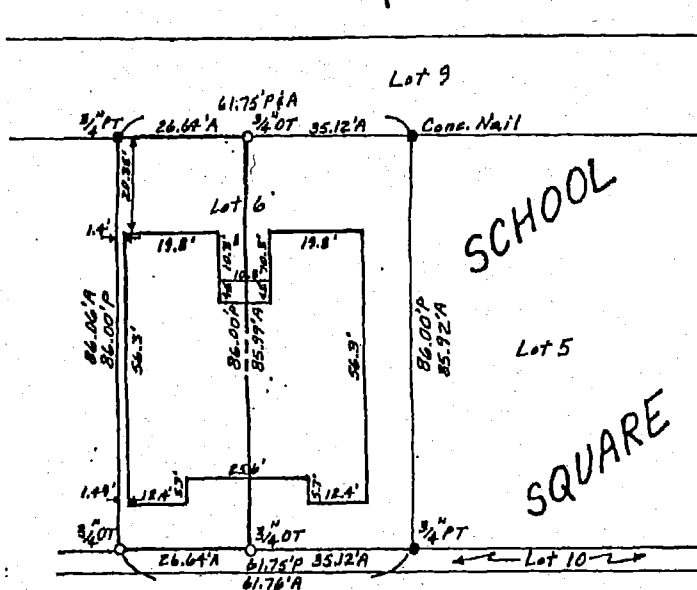
Plat to scale showing tract surveyed with all pertinent points.

This is to certify that I find no regular or special taxes due or delinquent against the property as described in the Surveyor's Certificate and as shown by the records of this office.

8-12-86
Date

[Signature]
County Treasurer

PICKARD



Street

62nd

Approved as a subdivision of only two (2) lots with plat requirement waived per Section 7.08 Home Rule Charter of the City of Omaha, 1956. This subdivision approval is void unless filed and recorded with the County Register of Deeds within thirty (30) days of this date.

O - CORNERS SET
● - CORNERS FOUND
A - ACTUAL DIMENSIONS
P - PLAT DIMENSIONS
PT - Pinch Top
OT - Open Top

[Signature]
Signature of Land Surveyor

793

8-12-86
Date

[Signature]
Planning Director

DATE RECEIVED

Date: 5-21-86

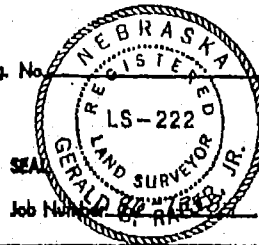
Reg. No.

OFFICIAL ADDRESS: 6213 DORCAS PLAZA

BLDG. PERMIT NO.

Book 86-5 Page 41

EXHIBIT "A-3"



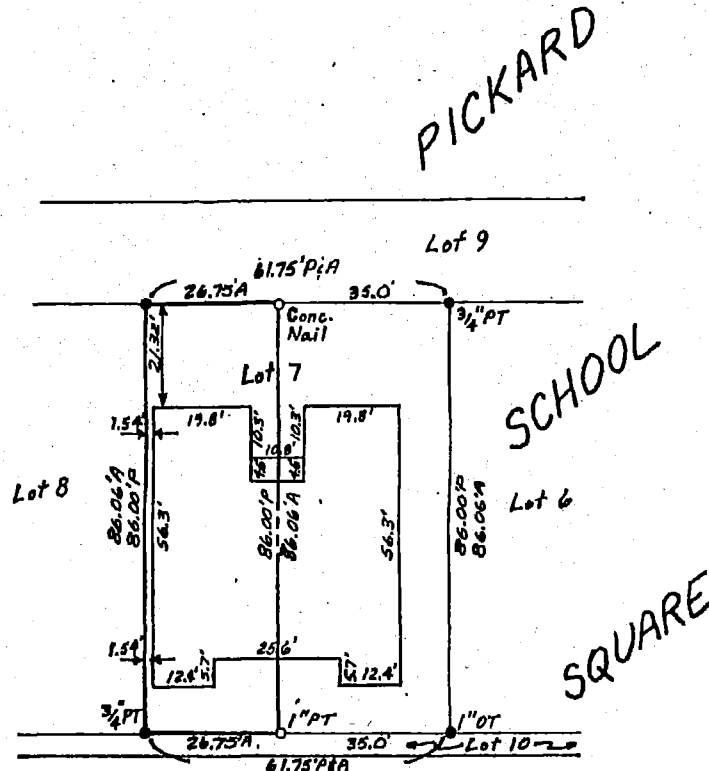
Lamp, ryneason & associates, inc.

architects engineers surveyors planners
2200 West Dodge Road Omaha, Nebraska 68114 402-397-3008
222 W. Keenig Street Grand Island, Nebraska 68801 402-398-4077

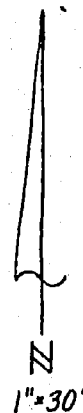
I hereby certify that this plat, map, survey or report was made by me or under my direct personal supervision and that I am a duly Registered Land Surveyor under the laws of the State of Nebraska.

Legal Description Lot 7, except the East 35.00 feet thereof, PICKARD SCHOOL SQUARE, a subdivision as surveyed, platted and recorded in Omaha, Douglas County, Nebraska.

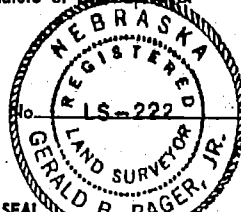
Plat to scale showing tract surveyed with all pertinent points.



O - CORNERS SET
 ● - CORNERS FOUND
 A - ACTUAL DIMENSIONS
 P - PLAT DIMENSIONS
 PT - Pinch Top
 OT - Open Top



Signature of Land Surveyor



DATE RECEIVED: _____ Date: 6-6-86

OFFICIAL ADDRESS: _____

BLDG. PERMIT NO.: _____

Book 86-5 Page 58

EXHIBIT "A-4"

Reg. No. 15-222

SEAL

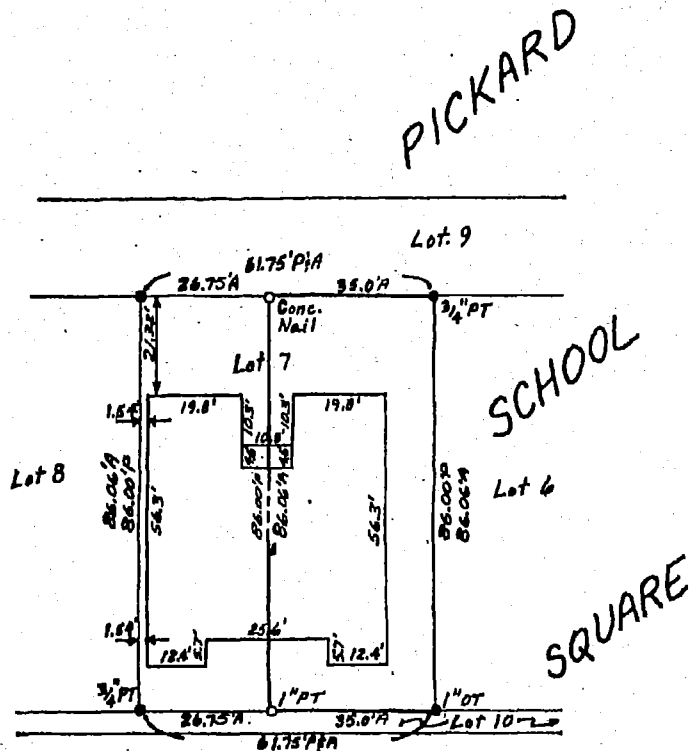
Job Number 86-1410-1

lamp, ryneason & associates, inc.
 architects engineers surveyors planners
 8290 west dodge road omaha, nebraska 68114 402-397-3008
 323 w. koenig street grand island, nebraska 68801 308-382-4077

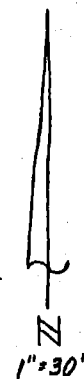
I hereby certify that this plat, map, survey or report was made by me or under my direct personal supervision and that I am a duly Registered Land Surveyor under the laws of the State of Nebraska.

Legal Description The East 35.00 feet of Lot 7, PICKARD SCHOOL SQUARE, a subdivision as surveyed, platted and recorded in Omaha, Douglas County, Nebraska.

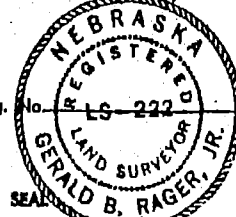
Plat to scale showing tract surveyed with all pertinent points.



O - CORNERS SET
 ● - CORNERS FOUND
 A - ACTUAL DIMENSIONS
 P - PLAT DIMENSIONS
 PT - Pinch Top
 OT - Open Top



Signature of Land Surveyor



DATE RECEIVED: _____ Date: 6-6-86

OFFICIAL ADDRESS: _____

BLDG. PERMIT NO.: _____

Book 86-5 Page 58

EXHIBIT "A-5"

Reg. No. 222

SEAL

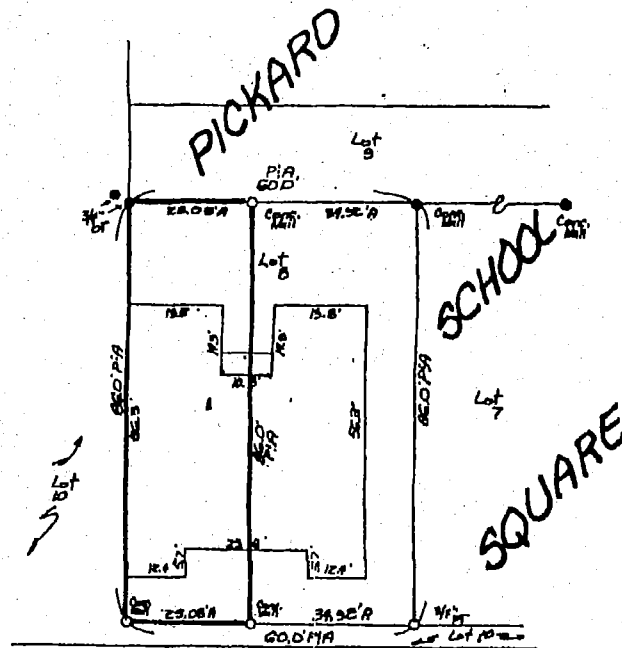
Job Number 86-1410-2

lamp, ryneason & associates, inc.
 architects engineers surveyors planners
 2220 West Dodge Road Omaha, Nebraska 68114 408-387-3008
 323 W. Koenig Street Grand Island, Nebraska 68801 308-388-4077

I hereby certify that this plat, map, survey or report was made by me or under my direct personal supervision and that I am a duly Registered Land Surveyor under the laws of the State of Nebraska.

Legal Description Lot 8, except the East 34.92 feet thereof, PICKARD SCHOOL SQUARE, a subdivision, as surveyed, platted, and recorded in Omaha, Douglas County, Nebraska.

Plat to scale showing tract surveyed with all pertinent points.



O - CORNERS SET
● - CORNERS FOUND
A - ACTUAL DIMENSIONS
P - PLAT DIMENSIONS
OT - OPEN TRIP

[Signature]

Signature of Land Surveyor

DATE RECEIVED: _____ Date: 12-3-86

OFFICIAL ADDRESS: _____

BLDG. PERMIT NO.: _____

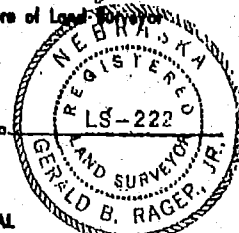
Book 86-12 Page 49

EXHIBIT "A-6"

Reg. No.

SEAL

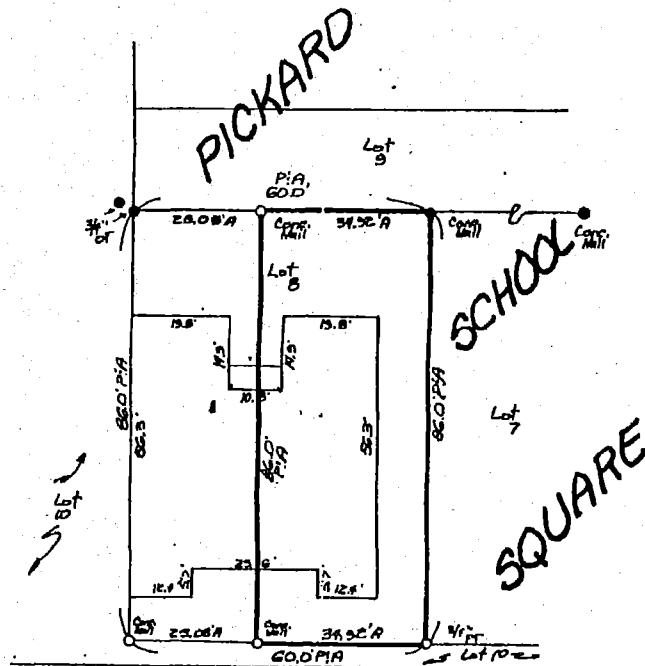
Job Number 86-12/E-2



I hereby certify that this plat, map, survey or report was made by me or under my direct personal supervision and that I am a duly Registered Land Surveyor under the laws of the State of Nebraska.

Legal Description The East 34.92 feet of Lot 8, PICKARD SCHOOL SQUARE, a subdivision, as surveyed, platted and recorded in Omaha, Douglas County, Nebraska.

Plat to scale showing tract surveyed with all pertinent points.



95201503

RECEIVED

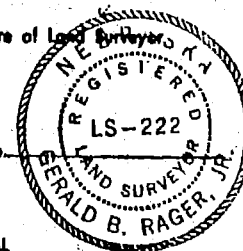
1987 MAY 26 PM 3:57

GEORGE J. BUREWICZ
REGISTER OF DEEDS
DOUGLAS COUNTY, NEBR.

O - CORNERS SET
● - CORNERS FOUND
A - ACTUAL DIMENSIONS
P - PLAT DIMENSIONS
OT - OPEN TOP

BK 815 N 88-8546 HP C/D FEE 20.50
PG 693-705 88/85 DEL 1/1 MC MA
OF MEAD COMP VP F/B 40-30425

Signature of Land Surveyor



DATE RECEIVED: _____ Date: 12-3-86

OFFICIAL ADDRESS: _____

BLDG. PERMIT NO.: _____

Book 86-12 Page 99

EXHIBIT "A-7"

Reg. No.

SEAL

Job Number 86-1812-1