

PARTIAL RELEASE OF COVENANTS RUNNING WITH LAND

FRANK E. PRAWL and MARGARET L. PRAWL,
husband and wife,

G. ORIS JETT and ELSIE S. JETT,
husband and wife,

to

Whom It May Concern

WHEREAS, Eunice C. Woodyard and Wyman M. Woodyard, wife and husband, entered into an agreement with H. ~~XXX~~ J. Lindeman and Helen ~~IX~~ Lindeman, husband and wife, dated February 26, 1942 and recorded on February 27, 1942 in Book 163 at Page 643 of the Records in the Office of the Register of Deeds of Douglas County, Nebraska, which said agreement pertained to a re-plat of Lots 7, 24, 23, 8, 22, and 9 of Sub-Division of Lots 1, 2, 3, 4, 5, and 6 of Block 1, Washington Hill, an Addition to the City of Omaha as surveyed, platted and recorded, in Douglas County, Nebraska, ~~1/2~~ which said property so platted provided for streets and lots to be known as South Country Club Heights, all in the City of Omaha, Douglas County, Nebraska, and said streets have been dedicated for public use as shown by the Surveyor's Certificate recorded February 27, 1942 in Book 699, Page 413 in the Office of the Register of Deeds of Douglas County, Nebraska, and on said date and in said same books was recorded the dedication, the Treasurer's Certificate and the approval thereof; and

WHEREAS, H. ~~XXX~~ J. Lindeman and Helen ~~IX~~ Lindeman, husband and wife, who were the parties to the agreement above referred to, recorded in Book 163 at Page 643 decided, for a valuable consideration, to give up all right, title and interest in and to Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, and 25 in said South Country Club Heights and duly recorded the conveyance of all further interest in said last described property to Eunice C. Woodyard, said deed being recorded in Book 745 at Page 127 and was so recorded on December 8, 1944 in the Office of the Register of Deeds of Douglas County, Nebraska, and

WHEREAS, the said Eunice C. Woodyard and her husband, Wyman M. Woodyard, became the owners of all Lots in said Sub-Division, and

WHEREAS, the said Eunice C. Woodyard and Wyman M. Woodyard, her husband, conveyed by Warranty Deed to C. Otis Jett and Elsie S. Jett, husband and wife, Lot 26, South Country Club Heights, recorded in Book 772, at Page 319 of the Deed Records of the Office of the Register of Deeds of Douglas County, Nebraska, and to Frank E. Prawl and Margaret L. Prawl, husband and wife, Lot 25, South Country Club Heights, recorded in Book 772, Page 610 of the Deed Records of the Office of the Register of Deeds of Douglas County, Nebraska, and

WHEREAS, it is the intention of C. Otis Jett and Elsie S. Jett, husband and wife, who are the owners of Lot 26, South Country Club Heights, recorded in Book 772 at Page 319 of the Deed Records of the Office of the Register of Deeds, Douglas County, Nebraska, and Frank E. Prawl and Margaret L. Prawl, husband and wife, who are the owners of Lot 25, South Country Club Heights, recorded in Book 772, Page 610 of the Deed Records of the Office of the Register of Deeds of Douglas County, Nebraska, to change and modify said agreement with respect to that part of same which refers to the set back of the dwellings erected upon all of said lots in said addition;

NOW THEREFORE, for and in consideration of \$1.00 in hand paid and for and in consideration of the mutual covenants and agreements herein contained, the undersigned persons do hereby eliminate from said agreement recorded in Book 163 at Page 643 in the Office of the Register of Deeds of Douglas County, Nebraska, and do accordingly strike from said agreement and nullify that part of Paragraph 1 which reads as follows:

"unless the same is set back at least 35 feet but not over 40 feet from the front line of said property facing on the street on which the Lot faces and at least 4 feet from the side Lot line."

All the remaining covenants of said agreement so recorded in Book 163, Page 643 in the Office of the Register of Deeds of Douglas County, Nebraska, shall remain in full force and effect unless changed or altered as by law provided. This instrument shall be effective forthwith and shall release all of the Lots described in said Agreement and the owners thereof from that portion of said Agreement which is herein nullified and deleted, and the undersigned further release and relinquish any claim that the undersigned may have or which may in the future arise from the modification of said Agreement herein, or from the violation of the Agreement with regard to the set back of dwellings hereinabove referred to.

IN WITNESS WHEREOF the parties hereto have set their hands this 31 day of December, 1949.

Frank E. Prawl
Frank E. Prawl

Margaret L. Prawl
Margaret L. Prawl

C. Otis Jett
C. Otis Jett

Elsie S. Jett
Elsie S. Jett

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

Before me the undersigned, *Raymond H. Cross*
a Notary Public in and for Douglas County, Nebraska, personally appeared Frank E. Prawl and Margaret L. Prawl, husband and wife, and ~~C. Otis Jett and Elsie S. Jett, husband and wife,~~ known to me to be the identical persons who executed the foregoing Release of Covenants Running With Land and each of said persons acknowledged the execution thereof to be their voluntary act and deed for the purposes therein set forth.

Dated Dec. 31, 1949.

Raymond H. Cross
Notary Public
Douglas County, Nebraska



STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

Before me the undersigned,

[Handwritten signature]

a Notary Public in and for Douglas County, Nebraska, personally
appeared C. Otis Jett and Elsie S. Jett, husband and wife, known
to me to be the identical persons who executed the foregoing Re-
lease of Cayote Running Wild Land and each of said persons
acknowledged the execution thereof to be their voluntary act and
set for the purpose therein set forth.

Dated January 3, 1936.

[Handwritten signature]
Notary Public
Douglas County, Nebraska



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RECORDED IN THE REGISTER'S OFFICE OF DOUGLAS COUNTY, NEBRASKA
Jan. 50 3:56 P.M. THOMAS J. O'DONNAN, REGISTER OF DEEDS 9.60

[Handwritten mark]