### EDOX 639 EEE 529

DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS

WEDGEWOOD PHASE III REPLAT

Being a replat of all of Lots 53 through 65, inclusive,
together with a part of Lots 66, 67, Outlot 10 and
Outlot 11, all in Wedgewood Phase III, an Addition to
the City of Omaha, Douglas County, Nebraska,
as surveyed, platted and recorded.

This Declaration made on the date hereinafter set forth by WEDGEWOOD TOWN HOMES, INC., a Nebraska corporation, with its registered office in Omaha, Douglas County, Nebraska, hereinafter referred to as "Declarant".

Declarant does hereby declare that the Declaration of Covenants, Conditions and Restrictions dated August 31, 1973, and recorded on January 25, 1974, in the office of the Register of Deeds of Douglas County, Nebraska in Book 532 of Miscellaneous Records at Page 91, as modified and amended in the Supplementary Declaration of Covenants, Conditions and Restrictions dated November 21, 1977 and recorded on March 16, 1978 in the office of the Register of Deeds of Douglas County, Nebraska in Book 594 of Miscellaneous Records at Page 608, and as further modified by the Second Supplementary Declaration of Covenants, Conditions and Restrictions dated January 12, 1978 and recorded on March 16, 1978 in the office of the Register of Deeds of Douglas County, Nebraska in Book 594 of Miscellaneous Records at 604, as hereafter modified and amended, shall apply to the following described property:

Lots 70 through 81, inclusive, Wedgewood Phase III Replat, being a replat of all of Lots 53 through 65, inclusive, together with a part of Lots 66, 67, Outlot 10 and Outlot 11, all in Wedgewood Phase III, an Addition to the City of Omaha, Douglas County, Nebraska, as surveyed, platted and recorded (according to the plat recorded on August 5, 1976 in the office of the Register of Deeds of Douglas County, Nebraska in Book 1550 of Deeds at Page 252).

The property above-described shall be held, sold and conveyed, subject to the easements, restrictions, covenants and conditions set forth in the Declaration, the Supplementary Declaration and the Second Supplementary Declaration, which are for the purpose of protecting the value and desirability of, and which shall run with, the real property above-described and shall be binding on all parties having any right, title or interest in Wedgewood Phase III Replat, their heirs, successors and assigns, and shall inure to the benefit of each owner thereof until January 1, 1990, at which time said covenants shall be automatically extended for successive periods of 10 years unless by written agreement of the owners of two-thirds of the aggregate land area comprising Wedgewood Phase III and Wedgewood Phase III Replat, it is agreed to change said covenants in whole or in part, said agreement to be executed and recorded in the manner provided by law for the conveyance of real estate.

The Supplementary Declaration of Covenants, Conditions and Restrictions dated November 21, 1977 and the Second Supplementary

## SDOK 639 AUG 530

Declaration of Covenants, Conditions and Restrictions dated January 12, 1978 shall be further modified and amended to provide as follows:

- 1. Lots 76, 77, 78, 79, 80 and 81, Wedgewood Phase III Replat, an Addition to the City of Omaha, Douglas County, Nebraska, as surveyed, platted and recorded, shall be used for single-family detached dwelling purposes only.
- 2. Lots 70, 71, 72, 73, 74, and 75, Wedgewood Phase III Replat may be used for two-family dwelling purposes.
- 3. Reference in the Supplementary Declaration of Covenants, Conditions and Restrictions to the "Third Phase" shall apply to and include all lots within Wedgewood Phase III Replat.
- 4. Every right and privilege granted to Owners shall likewise be granted to Owners of property located within Wedgewood Phase III Replat.
- 5. All obligations, restrictions and charges provided for Owners of lots within Wedgewood Phase III shall likewise apply to Owners of lots within Wedgewood Phase III Replat.

IN WITNESS WHEREOF, Declarant has executed this Declaration of Covenants, Conditions and Restrictions this \_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_, 1980.

WEDGEWOOD TOWN HOMES, INC., a

Nebraska corporation,

Thomas H. Fellman

Its President

STATE OF NEBRASKA)

)ss.

COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this 13th day of JUNE, 1980, by THOMAS H. FELLMAN, President of WEDGEWOOD TOWN HOMES, INC., a Nebraska corporation, on behalf of the corporation.

ARNOLD J. STERN

ARNOLD J. STERN

My Comm. Exp. Sept. 8, 1880

Notary Public

#### APPROVAL AND CONSENT OF MORTGAGEE

FIRST NATIONAL BANK OF OMAHA, Mortgagee of a portion of the premises covered by the Declaration of Covenants, Conditions and Restrictions, Wedgewood Phase III Replat, does hereby approve, consent to and join in the above and foregoing Declaration of Covenants, Conditions and Restrictions.

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Executed at Omaha, Nebraska this 17th day of 1980.
FIRST NATIONAL BANK OF OMAHA
By TR W Tutch VP
STATE OF NEBRASKA)
COUNTY OF DOUGLAS)
The foregoing instrument was acknowledged before me this 17 day of JULU , 1980, by of FIRST NATIONAL BANK OF OMAHA, on behalf of FIRST NATIONAL BANK OF OMAHA.  GENERAL NOTARY - State of Nebrosia JOE RERUCHA  My Comm. Exp. Aug. 1, 1981  Notary Public
APPROVAL AND CONSENT OF MORTGAGEE
OMAHA SAVINGS AND LOAN ASSOCIATION, Mortgagee of Lot 65, Wedgewood Town Homes Addition, Phase III, a/k/a Wedgewood Phase III, an Addition to the City of Omaha, Douglas County, Nebraska, (now included within Lot 80, Wedgewood Phase III Replat does hereby approve, consent to and join in the above and foregoi Declaration of Covenants, Conditions and Restrictions.
Executed at Omaha, Douglas County, Nebraska this day of July , 1980.
OMAHA SAVINGS AND LOAN ASSOCIATION,
By R Frances Ju, Sr. V-Pres.
STATE OF NEBRASKA)
)ss. COUNTY OF DOUGLAS)
The foregoing instrument was acknowledged before me this 15th day of JULY, 1980, by R.F. JENSEN, JIZ, AR. V-PRESIDENT OF OMAHA SAVINGS AND LOAN ASSOCIATION, on behalf of OMAHA SAVINGS AND LOAN ASSOCIATION.
SENERAL HOTARY - State of Makrasits
ARNOLD J. STERN  Wy Comm. Exp. Sopt. 8, 1980  Not any Dublic
Notary Public

APPROVAL AND CONSENT OF RICHARD J. SLABAUGH and BARBARA C. SLABAUGH

RICHARD J. SLABAUGH and BARBARA C. SLABAUGH, joint tenants, owners of Lot 65, Wedgewood Town Homes Addition, Phase III, a/k/a Wedgewood Phase III, an Addition to the City of Omaha,

#### 800x 639 RAGE 532

Douglas County, Nebraska, (now included within Lot 80, Wedgewood Phase III Replat), do hereby approve, consent to and join in the above and foregoing Declaration of Covenants and Conditions and Restrictions.

Executed at Omaha, Douglas County, Nebraska this , 1980. STATE OF NEBRASKA) COUNTY OF DOUGLAS) The foregoing instrument was acknowledged before me 20th day of \_, 1980, by RICHARD J. SLABAUGH and BARBARA C. SLABAUGH. GENERAL NOTARY - State of Nebraska WARREN R. WHITTED, JR. 3 My Comm. Exp. April 19, 1981 Notary Public APPROVAL AND CONSENT OF VIVIAN S. LORENZ VIVIAN S. LORENZ, a single person, owner of Lot 63 of Wedgewood Phase III, an Addition to the City of Omaha, Douglas County, Nebraska, (now included within Lot 78, Wedgewood Phase III Replat), does hereby approve and consent to and join in the above and foregoing Declaration of Covenants, Conditions and Restrictions. Executed at Omaha, Douglas County, Nebraska this /6-\_\_, 1980. SIGN S. Lorens STATE OF NEBRASKA) )ss. COUNTY OF DOUGLAS) The foregoing instrument was acknowledged before me \_\_, 1980, by VIVIAN S. LORENZ.

ARNOLD J. STERN

## BOOK 639 PAGE 533

# APPROVAL AND CONSENT OF CLASSIC CONSTRUCTION COMPANY, INC.

CLASSIC CONSTRUCTION COMPANY, INC., a Nebraska corporation, owner of part of Lots 58 and 59, Wedgewood Phase III, an Addition to the City of Omaha, Douglas County, Nebraska (now included within Lot 74, Wedgewood Phase III Replat), does hereby approve and consent to and join in the above and foregoing Declaration of Covenants, Conditions and Restrictions.

xecuted at Omaha, Douglas County, Nebraska this \_\_/5\_\_ , 1980. CLASSIC CONSTRUCTION COMPANY, INC. STATE OF NEBRASKA) )ss. COUNTY OF DOUGLAS) The foregoing instrument was acknowledged before me this day of July , 1980 by Samuel T. Canglia, President of CLASSIC CONSTRUCTION COMPANY, INC. GENERAL NOTARY-state of Nebrassa SHIRLEY A. GAGLIOLA

My Comm Exp May 10, 1981

Notary Public APPROVAL AND CONSENT OF RUTH M. BOCK AND RITA M. BOCK RUTH M. BOCK and RITA M. BOCK, joint tenants, owners of Lot 64, Wedgewood Phase III, an Addition to the City of Omaha, Douglas County, Nebraska (now included within Lot 79, Wedgewood Phase III Replat), do hereby approve, consent to and join in the above and foregoing Declaration of Covenants, Conditions and Restrictions. Executed at Omaha, Douglas County, Nebraska this // GENERAL NOTARY - State of Mebraska ALICE W. MCALLISTER m My Comm. Exp. Mar. 27, 1983 RITA M. BOCK STATE OF NEBRASKA) )ss. COUNTY OF DOUGLAS) The foregoing instrument was acknowledged before me this day of July, 1980 by Ruth M. Bock and Rita M. Bock. Colin W M- allester Notary Public

### BOOK 639 AUGE 534

#### APPROVAL AND CONSENT OF MORTGAGEE

THE FIRST FEDERAL SAVINGS AND LOAN ASSOCIATION OF LINCOLN, Mortgagee of Lot 63 of Wedgewood Phase III, an Addition to the City of Omaha, Douglas County, Nebraska, (now included within Lot 78, Wedgewood Phase III Replat), does hereby approve, consent to and join in the above and foregoing Declaration of Covenants, Conditions and Restrictions.

day of \_\_\_\_\_\_, 1980.

FIRST FEDERAL SAVINGS & LOAN ASSOCIATION OF LINCOLN

By Edward J. Weedier

STATE OF NEBRASKA) COUNTY OF DOUGLAS )

The foregoing instrument was acknowledged before me by FOWARD J. WEIDNER, UICE PRESIDENT of FIRST FEDERAL SAVINGS & LOAN ASSOCIATION OF LINCOLN, on behalf of the Said First Federal Savings & Loan Association of Lincolne and Market Ma

Lincotte NUIAA COMI..ISSION EXPIRES SEPTEMBER 22 1983

OF NEAPPROVAL AND CONSENT OF MORTGAGEE

COMMERCIAL FEDERAL SAVINGS AND LOAN ASSOCIATION, Mortgagee of part of Lots 58 and 59 of Wedgewood Phase III, an Addition to the City of Omaha, Douglas County, Nebraska, (now included within Lot 74, Wedgewood Phase III Replat), does hereby approve, consent to and join in the above and foregoing Declaration of Covenants, Conditions and Restrictions.

Executed at Omaha, Douglas County, Nebraska this day of \_\_\_\_\_\_, 1980.

COMMERCIAL FEDERAL SAVINGS & LOAN

ASSOCIATION

BENERAL MUTARY - State of Hobracks ARNOLD J. STERN My Comm. Exp.Sept. 8, 1980

STATE OF NEBRASKA) )ss. COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me by RICHARN J- WAILD , ASST. VICE- FRESIDENT of COMMERCIAL FEDERAL SAVINGS & LOAN ASSOCIATION on behalf of said

Commercial Federal Savings & Loan Association.

leruse e Stern Notary Public

BENERAL HOTARY - State of Hebraska ARNOLD J. STERN My Camm. Exp. Sept. 8, 1980

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APPROVAL AND CONSENT OF RICHARD A. SALISBURY AND MARY W. SALISBURY

RICHARD A. SALISBURY and MARY W. SALISBURY, joint tenants, owners of part of Lots 58 and 59, Wedgewood Phase III, an Addition to the City of Omaha, Douglas County, Nebraska (now included within Lot 74, Wedgewood Phase III Replat), do hereby approve and consent to and join in the above and foregoing Declaration of Covenants, Conditions and Restrictions.

day of \_\_\_\_\_\_\_, 1980. RICHARD A. SALISBURY Mary W, Salisbury
MARY W SALISBURY STATE OF NEBRASKA) )ss. COUNTY OF DOUGLAS) The foregoing instrument was acknowledged before me day of TULY, 1980 by Richard A. Salisbury

CENERAL MITARY - State of Rebrasha ARNOLD J. STERN My Comm. Exp. Sept. 8, 1980

AFTER RECORDATION RETURN TO:

and Mary W. Salisbury.

Security Escrow Company 314 South 19th Street Omaha, Nebraska 68102 ATTN: S. G. Adams

Marie Lande Cete

C. HARJLD PSTIER Register of Oleus Oduclas County, Nedr.

1980 SEP 26 PM 1: 57 BECEINED