

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

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.

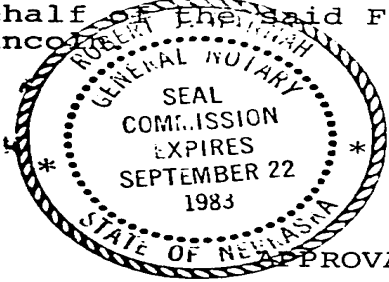
Executed at Omaha, Douglas County, Nebraska this 25 day of July, 1980.

FIRST FEDERAL SAVINGS & LOAN ASSOCIATION OF LINCOLN

By Edward J. Weidner Vice President

STATE OF NEBRASKA)
COUNTY OF DOUGLAS) ss.

The foregoing instrument was acknowledged before me by EDWARD J. WEIDNER, VICE PRESIDENT of FIRST FEDERAL SAVINGS & LOAN ASSOCIATION OF LINCOLN, on behalf of the said First Federal Savings & Loan Association of Lincoln.



Robert J. Weidner Notary Public

7-25-80

APPROVAL 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 15 day of July, 1980.

COMMERCIAL FEDERAL SAVINGS & LOAN ASSOCIATION

By Richard J. Ward A.V.P.

GENERAL NOTARY - State of Nebraska
ARNOLD J. STERN
My Comm. Exp. Sept. 8, 1980

STATE OF NEBRASKA)
COUNTY OF DOUGLAS) ss.

The foregoing instrument was acknowledged before me by RICHARD J. WARD, ASST. VICE-PRESIDENT of COMMERCIAL FEDERAL SAVINGS & LOAN ASSOCIATION on behalf of said Commercial Federal Savings & Loan Association.

GENERAL NOTARY - State of Nebraska
ARNOLD J. STERN
My Comm. Exp. Sept. 8, 1980

Arnold J. Stern Notary Public

