

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

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 13th day of
JUNE, 1980.

WEDGEWOOD TOWN HOMES, INC., a
Nebraska corporation,

By Thomas H. Fellman
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.

GENERAL ENTRY - State of Indiana
ARNOLD J. STERN
Ind. No. 100-100000, Exp. Sept. 8, 1980

Russell Stern
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.

BOOK 639 PAGE 531


Executed at Omaha, Nebraska this 17th day of July, 1980.

FIRST NATIONAL BANK OF OMAHA

By R W Tuttle VP

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this 17th day of JULY, 1980, by _____ of FIRST NATIONAL BANK OF OMAHA, on behalf of FIRST NATIONAL BANK OF OMAHA.

 GENERAL NOTARY - State of Nebraska
JOE KERUCHA
My Comm. Exp. Aug. 1, 1981

Joe Kerucha
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 foregoing Declaration of Covenants, Conditions and Restrictions.


Executed at Omaha, Douglas County, Nebraska this 15th day of July, 1980.

OMAHA SAVINGS AND LOAN ASSOCIATION,

By R. F. Jensen Jr., 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, JR., Sr. V. President of OMAHA SAVINGS AND LOAN ASSOCIATION, on behalf of OMAHA SAVINGS AND LOAN ASSOCIATION.

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

Arnold J. Stern
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,

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.

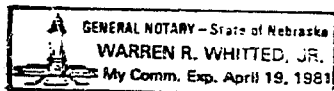
Executed at Omaha, Douglas County, Nebraska this
20th day of June, 1980.


 RICHARD J. SLABAUGH


 BARBARA C. SLABAUGH

STATE OF NEBRASKA)
) ss.
 COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me
 this 20th day of June, 1980, by RICHARD J.
 SLABAUGH and BARBARA C. SLABAUGH.

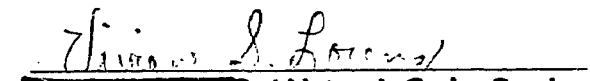



 Notary Public

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.

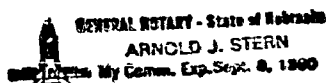
Executed at Omaha, Douglas County, Nebraska this 16th
 day of July, 1980.


~~XXXXXXXXXXXX~~ VIVIAN S. LORENZ

STATE OF NEBRASKA)
) ss.
 COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me
 this 16th day of July, 1980, by VIVIAN S. LORENZ.


 Notary Public



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.

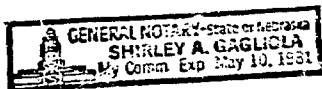
Executed at Omaha, Douglas County, Nebraska this 15
day of July, 1980.

CLASSIC CONSTRUCTION COMPANY, INC.

By Samuel T. Canglia
its President

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this
15th day of July, 1980 by Samuel T. Canglia,
President of CLASSIC CONSTRUCTION COMPANY, INC.

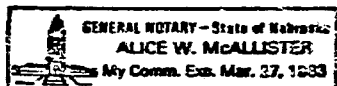


Shirley A. Gagliola
Notary Public

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 11
day of July, 1980.



Ruth M. Bock
RUTH M. BOCK

Rita Bock
RITA M. BOCK

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this
11 day of July, 1980 by Ruth M. Bock and Rita M.
Bock.

Alice W. McAllister
Notary Public

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.

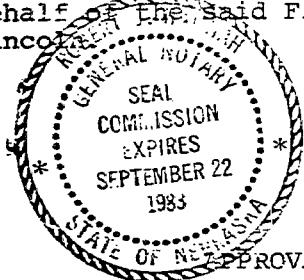
Executed at Omaha, Douglas County, Nebraska this 25
day of July, 1980.

FIRST FEDERAL SAVINGS & LOAN
ASSOCIATION OF LINCOLN

By Edward J. Warner
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.



7-25'-80

Notary Public

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.K.P.

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

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



Notary Public

18 March