



MISC 2015041618



MAY 29 2015 11:38 P 45

F *misc*
 FEE *274⁰⁰* FB *51-42100*
 BKP EXAM *MB*
 IND SCAN PRF
45
51

Received - DIANE L. BATTIATO
Register of Deeds, Douglas County, NE
5/29/2015 11:38:42.44



2015041618

THE ABOVE SPACE IS FOR THE REGISTER OF DEEDS RECORDING INFORMATION

RETURN TO: *Dena Kowal*
137 S. 93 Ave
Omaha NE 68114

CHECK NUMBER

1122

PARTIAL RELEASE AND AMENDMENT
TO PROTECTIVE COVENANTS AND EASEMENTS

THIS PARTIAL RELEASE AND AMENDMENT TO PROTECTIVE COVENANTS AND EASEMENTS, made on the date hereinafter set forth by the undersigned, owners of a majority of the lots comprising the real property hereinafter described.

WITNESSETH:

WHEREAS, certain Protective Covenants and Easements dated November 22, 1954, running with the land on the real estate hereinafter described were recorded on the 23rd day of November, 1954, in Book 293 Page 489 of the Miscellaneous Records in the office of the Register of Deeds for Douglas County, Nebraska, to-wit:

Lots One (1) to Twelve (12), inclusive, Block One (1);
Lots One (1) to Ten (10), inclusive, Block Two (2);
Lots One (1) to Ten (10), inclusive, Block Three (3);
Lots One (1) to Ten (10), inclusive, Block four (4);
and Lots one (1) to Nine (9), inclusive, Block Five (5),
all in Westchester Second Edition, a subdivision, now in
addition to the City of Omaha, Douglas County, Nebraska;

and,

WHEREAS, the undersigned, being the owners of a majority of said above described lots desire to partially release and amend said Protective Covenants and Easement with respect to one of said lots only, viz., Lot Six (6), Block Four (4), in said Westchester Second Addition, as hereinafter provided.

NOW THEREFORE, the undersigned owners hereby declare that Paragraph One (1) of said Protective Covenants and Easements is hereby amended to provide that a garden shed may be erected for said Lot Six (6), Block Four (4), set back 3' from the property line, as approved by the City of Omaha Building Permit in accordance to City building codes Chapter 55; Section 782, (b) (6)

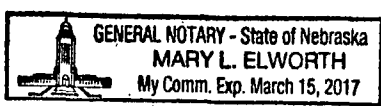
Said Protective Covenants and Easements dated November 22, 1954, and recorded as aforesaid, shall be hereby declared to be and remain in full force and effect, except as herein specifically released and amended with respect to said Lot Six (6), Block Four (4), only

IN WITNESS WHEREOF the undersigned, being the owners of a majority of said above-described lots, have executed this Partial Release and Amendment to said Protective Covenants and Easements on the dates hereinafter indicated.

<u>Lot No.</u>	<u>Block No.</u>	<u>Name(s) of Owner (s)</u>
<u>6</u>	<u>4</u>	<u>Mark V. Kowal</u> Mark V. Kowal
		<u>Dena F. Kowal</u> Dena F. Kowal

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the 13th day of May, 2015, by Mark V Kowal
Dena F Kowal



Mary L. Elworth
Notary Public
My Commission Expires 3-15-17

Lot No.

Block No.

Name(s) of Owner (s)

1

1

Kim Vasey
Kimberly A. Vasey

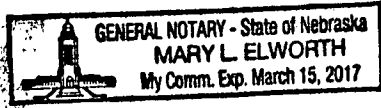
Kim Vasey

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the 28th day of

May, 2015, by Kimberly A. Vasey

Mary L. Elworth
Notary Public
My Commission Expires 3-15-17



Lot No.

Block No.

Name(s) of Owner (s)

1

1

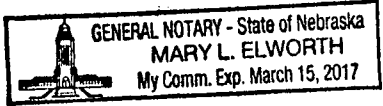
A. Vasey
Andrew J. Vasey

Kimberly A. Vasey

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the 8th day of
May, 2015, by Andrew J. Vasey

Mary L. Elworth
Notary Public
My Commission Expires 3-15-17



Lot No.

Block No.

Name(s) of Owner (s)

3

1

Thomas F. Kerr

Mary M. Kerr

Mary M. Kerr

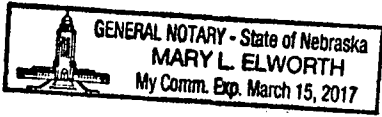
STATE OF NEBRASKA)

) ss.

COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the 16th day of May, 2015, by Thomas F. Kerr
Mary M. Kerr

Mary L. Elworth
Notary Public
My Commission Expires 3-15-17



Lot No.

Block No.

Name(s) of Owner (s)

5

1

Michael J. Dunetts

Michael Dunetts

LaVonne Dunettes

LaVonne Dunettes

STATE OF NEBRASKA)

) ss.

COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the 8th day of

May, 2015, by Michael J. Dunetts

LaVonne Dunettes

Mary L. Elworth

Notary Public

My Commission Expires 3-15-17



Lot No.

Block No.

Name(s) of Owner(s)

6

1

~~Mark R. Madson~~
MRC Development LLC

Cathy Madson

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the 8th day of
May, 2015, by Mark R. Madson
Cathy M. Madson

Mary L. Elworth
Notary Public
My Commission Expires 3-15-17



Lot No.

Block No.

Name(s) of Owner (s)

7

1

MARK R MADSEN

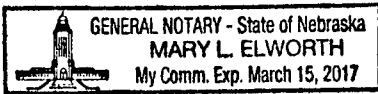
Cathleen M. Madsen

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

Cathleen M. Madsen

The foregoing instrument was acknowledged before me on the 20th day of May, 2015, by Mark R. Madsen
Cathleen M. Madsen

Mary L. Elworth
Notary Public
My Commission Expires 3-15-17



Lot No.

Block No.

Name(s) of Owner (s)

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the _____ day of _____, 2015, by _____

Notary Public
My Commission Expires _____

Lot No.

Block No.

Name(s) of Owner(s)

8

1

Kent Pavelka
Kent J. Pavelka

Mary L. Pavelka
Mary L. Pavelka

STATE OF NEBRASKA)

) ss.

COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the 20th day of

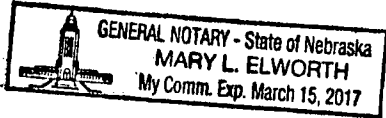
May

, 2015, by

Kent J. Pavelka

Mary L. Pavelka

Mary L. Elworth
Notary Public
My Commission Expires 3-15-17



Lot No.

Block No.

Name(s) of Owner (s)

9

1

Frank Tabor

Franklin R. Tabor

Sandra L. Tabor

Sandra L. Tabor

STATE OF NEBRASKA)

) ss.

COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the 13th day of

May

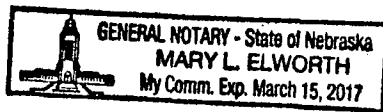
, 2015, by

Franklin R. Tabor
Sandra L. Tabor

Mary L. Elworth

Notary Public

My Commission Expires 3-15-17



Lot No.

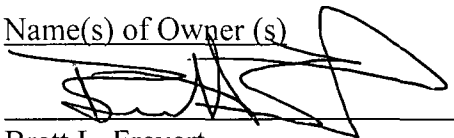
Block No.

Name(s) of Owner (s)

10

1

Brett L. Frevert



STATE OF NEBRASKA)

) ss.

COUNTY OF DOUGLAS)

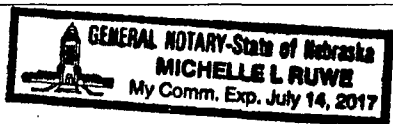
The foregoing instrument was acknowledged before me on the 15 day of

MAY

, 2015, by

MICHELLE RUWE

BRETT L FREVERT



Michelle Ruwe

Notary Public

My Commission Expires

07142017

Lot No.

Block No.

Name(s) of Owner (s)

11

1

Rosalee C. Yeaworth
Rosalee C. Yeaworth

STATE OF NEBRASKA)

) ss.

COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the 13th day of May, 2015, by Rosalee C. Yeaworth

Mary L. Elworth
Notary Public
My Commission Expires 3-15-17



Lot No.

Block No.

Name(s) of Owner (s)

12

1

Mathew A. Gailloux

Kathleen M. Gailloux

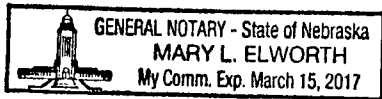
STATE OF NEBRASKA)

) ss.

COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the 20th day of May, 2015, by Matthew A. Gailloux
Kathleen M. Gailloux

Mary L. Elworth
Notary Public
My Commission Expires 3-15-17



Lot No.

Block No.

Name(s) of Owner (s)

2

2

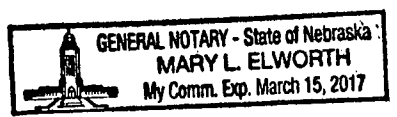
RMK
Ryan M. Kunhart

LKS
Laura K. Skinner

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the 16th day of
May, 2015, by Ryan M. Kunhart
Laura K. Skinner

Mary L Elworth
Notary Public
My Commission Expires 3-15-17



Lot No.

Block No.

Name(s) of Owner (s)

3

2

Daniel J. Gass

Susan J. Gass

Susan J. Gass

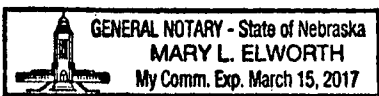
STATE OF NEBRASKA)

) ss.

COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the 13th day of May, 2015, by Susan J. Gass

Mary L. Elworth
Notary Public
My Commission Expires 3-15-17



Lot No.

Block No.

Name(s) of Owner (s)

3

2

[Signature]

DANIEL J. GASS

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the _____ day of _____, 2015, by _____

Notary Public
My Commission Expires _____

Lot No.

Block No.

Name(s) of Owner (s)

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the 16th day of May, 2015, by Daniel J. Gass

Mary L. Elworth
Notary Public
My Commission Expires 3-15-17



Lot No.

Block No.

Name(s) of Owner (s)

4

2

Edward W. Fitzgerald
Edward W. Fitzgerald

Nancy E. Fitzgerald
Nancy E. Fitzgerald

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the 13th day of

May

, 2015, by

Edward W. Fitzgerald
Nancy E. Fitzgerald

Mary L. Elworth

Notary Public
My Commission Expires 3-15-17



Lot No.

Block No.

Name(s) of Owner (s)

6

2

Ellen Pesavento
Ellen S. Pesavento

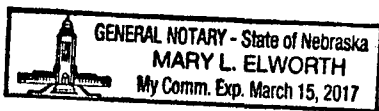
STATE OF NEBRASKA)

) ss.

COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the 13th day of
May, 2015, by Ellen S. Pesavento

Mary L. Elworth
Notary Public
My Commission Expires 3-15-17



Lot No.

Block No.

Name(s) of Owner (s)

7

2

Warren E. Brown

Warren E. Brown

Marla Chiasson Brown

Marla Chiasson Brown

STATE OF NEBRASKA)

) ss.

COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the 13th day of

May, 2015, by

Warren E. Brown

Marla Chiasson Brown

Mary L. Elworth

Notary Public

My Commission Expires 3-15-17



Lot No.

Block No.

Name(s) of Owner (s)

8

2

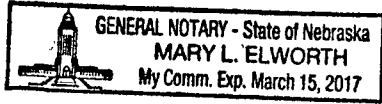
Daniel Johnson
Daniel A. Johnson

Alaina Johnson
Alaina C. Johnson

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the 13th day of May, 2015, by Daniel A. Johnson
Alaina C. Johnson

Mary L. Elworth
Notary Public
My Commission Expires 3-15-17



Lot No.

Block No.

Name(s) of Owner(s)

1

3

Paul G. Howard

Susan D. Howard

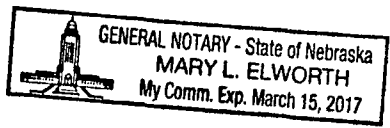
STATE OF NEBRASKA)

) ss.

COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the 13th day of May, 2015, by Paul G Howard

Mary L Elworth
Notary Public
My Commission Expires 3-15-17



Lot No.

Block No.

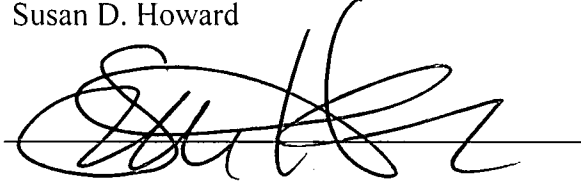
Name(s) of Owner (s)

1

3

SUSAN D. HOWARD

Susan D. Howard

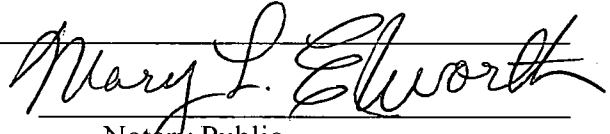


STATE OF NEBRASKA)

) ss.

COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the 28th day of May, 2015, by Susan D. Howard



Notary Public

My Commission Expires 3-15-17



Lot No.

Block No.

Name(s) of Owner (s)

4

3

Seth Peterson
Seth M. Peterson

Deborah A. Peterson
Deborah A. Peterson

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the 16th day of May, 2015, by Seth M. Peterson
Deborah A. Peterson

Mary L. Elworth
Notary Public
My Commission Expires 3-15-17



Lot No.

Block No.

Name(s) of Owner (s)

7

3

Douglas J. Barton

Diane M. Barton

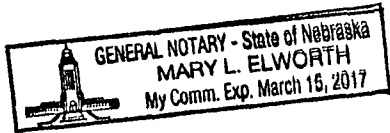
Diane M. Barton

STATE OF NEBRASKA)

) ss.

COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the 13th day of May, 2015, by Diane M. Barton



Mary L. Elworth

Notary Public

My Commission Expires 3-15-17

Lot No.

Block No.

Name(s) of Owner (s)

7

3

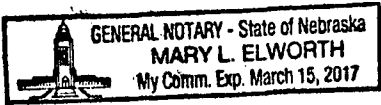
X Doug Burton

STATE OF NEBRASKA)

) ss.

COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the 16th day of May, 2015, by Doug Burton



Mary L. Elworth
Notary Public
My Commission Expires 3-15-17

Lot No.

Block No.

Name(s) of Owner (s)

STATE OF NEBRASKA)

) ss.

COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the _____ day of _____, 2015, by _____

Notary Public
My Commission Expires _____

Lot No.

Block No.

Name(s) of Owner (s)

1

4

Gregory M. Beninato

Gregory M. Beninato

Erin C. Beninato

Erin C. Beninato

STATE OF NEBRASKA)

) ss.

COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the 13th day of

May

, 2015, by

Gregory M. Beninato

Erin C. Beninato

Mary L. Elworth

Notary Public

My Commission Expires 3-15-17



Lot No.

Block No.

Name(s) of Owner (s)

2

4

John W. Hancock
 John W. Hancock
Elizabeth Hancock
 Elizabeth B. Hancock

STATE OF NEBRASKA)
) ss.
 COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the 13th day of May, 2015, by John W Hancock
Elizabeth B Hancock

Mary L Elworth
 Notary Public
 My Commission Expires 3-15-17



Lot No.

Block No.

Name(s) of Owner(s)

3 4

Sharyl J. Berger
Sharyl Berger

Robert H. Berger
Robert Berger

STATE OF NEBRASKA)

) ss.

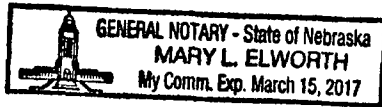
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the 16th day of

May, 2015, by Sharyl Berger

Robert Berger

Maryl Elworth
Notary Public
My Commission Expires 3-15-17



Lot No.

Block No.

Name(s) of Owner (s)

4

4

Timothy J. Wilson

Monica Beth Wilson

Monica B. Wilson

STATE OF NEBRASKA)

) ss.

COUNTY OF DOUGLAS)

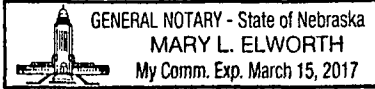
The foregoing instrument was acknowledged before me on the 13th day of

May

, 2015, by

Monica B. Wilson

Mary L. Elworth
Notary Public
My Commission Expires 3-15-17



Lot No.

Block No.

Name(s) of Owner (s)

4

4

Tim Wilson

Jim Wilson

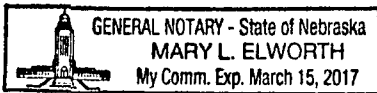
STATE OF NEBRASKA)

) ss.

COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the 20th day of May, 2015, by Jim Wilson

Mary L Elworth
Notary Public
My Commission Expires 3-15-17



Lot No.

Block No.

Name(s) of Owner (s)

5

4

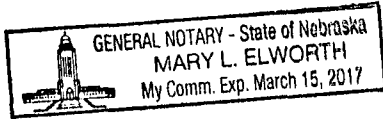
Scott Kroeger
 Scott Kroeger

Wendi Kroeger
 Wendi Kroeger

STATE OF NEBRASKA)
) ss.
 COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the 20th day of May, 2015, by *Scott Kroeger*
Wendi Kroeger

Mary L. Elworth
 Notary Public
 My Commission Expires 3-15-17



Lot No.

Block No.

Name(s) of Owner (s)

9

4

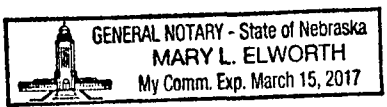
[Signature]
John M. Glazer

[Signature]
Jennifer H. Glazer

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the 20th day of May, 2015, by John M. Glazer
Jennifer H. Glazer

[Signature]
Notary Public
My Commission Expires 3-15-17



Lot No.

Block No.

Name(s) of Owner (s)

10

4

Mary P. Nipp
Mary P. Nipp

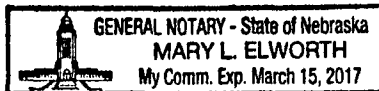
STATE OF NEBRASKA)

) ss.

COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the 16th day of May, 2015, by Mary P Nipp

Mary L Elworth
Notary Public
My Commission Expires 3-15-17



Lot No.

Block No.

Name(s) of Owner (s)

2

5

Donna R. Bailey
Donna R. Bailey

STATE OF NEBRASKA)

) ss.

COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the 28th day of May, 2015, by Donna R. Bailey

Mary L. Elworth
Notary Public
My Commission Expires 3-15-17



Lot No.

Block No.

Name(s) of Owner (s)

2

5

John F. Bailey

Donna R. Bailey

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the 8th day of
May, 2015, by John F. Bailey

Mary L. Elworth
Notary Public
My Commission Expires 3-15-17



Lot No.

Block No.

Name(s) of Owner(s)

3

5

Todd L. Mitteis
Todd L. Mitteis

Andrea L. Mitteis

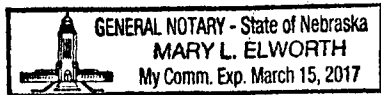
STATE OF NEBRASKA)

) ss.

COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the 15th day of May, 2015, by Todd L. Mitteis

Mary L. Elworth
Notary Public
My Commission Expires 3-15-17



Lot No.

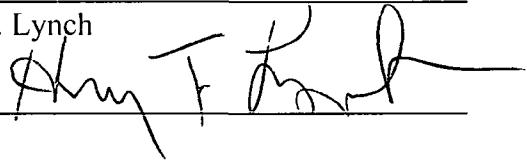
Block No.

Name(s) of Owner (s)

4

5

Henry T. Lynch

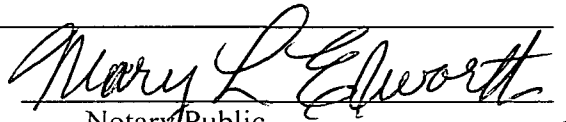


STATE OF NEBRASKA)

) ss.

COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the 8th day of May, 2015, by Henry T. Lynch


Notary Public
My Commission Expires 3-15-17



Lot No.

Block No.

Name(s) of Owner (s)

5

5

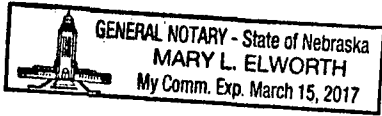
Theodore Y. Lechnowsky
Theodore Y. Lechnowsky

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the 8th day of May, 2015, by Theodore Y. Lechnowsky

Maryl Elworth
Notary Public

My Commission Expires 3-15-17



Lot No.

Block No.

Name(s) of Owner (s)

6

5

Brian M. Branigan

Brian M. Branigan

Anne L. Branigan

Anne L. Branigan

STATE OF NEBRASKA)

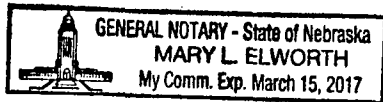
) ss.

COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the 16th day of May, 2015, by Brian Branigan

Anne L. Branigan

Mary L. Elworth
Notary Public
My Commission Expires 3-15-17



Lot No.

Block No.

Name(s) of Owner (s)

7

5

Steven J. Kutilek

Anne Marie Kutilek

Anne Marie Kutilek

STATE OF NEBRASKA)

) ss.

COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the 8th day of

May

, 2015, by

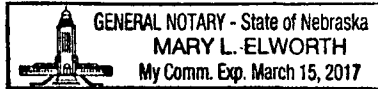
Steven J. Kutilek

Anne Marie Kutilek

Mary L. Elworth

Notary Public

My Commission Expires 3-15-17



Lot No.

Block No.

Name(s) of Owner (s)

8

5

[Signature]

Phillip G. Webb

[Signature]

Tamela S. Webb

STATE OF NEBRASKA)

) ss.

COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the 8th day of

May

, 2015, by

Phillip G Webb

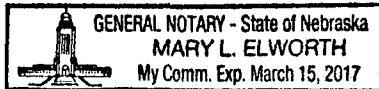
Tamela S Webb

Mary L Elworth

Notary Public

My Commission Expires

3-15-17



Lot No.

Block No.

Name(s) of Owner (s)

9

5

[Signature]

Wayne Schwartz

[Signature]

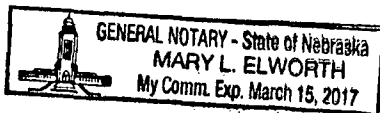
Lori Kooper-Schwartz

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the 8th day of

May, 2015, by Wayne Schwartz
Lori Kooper-Schwartz

Mary L. Elworth
Notary Public
My Commission Expires 3-15-17



Lot No.

Block No.

Name(s) of Owner (s)

10

2

Darrin Dietrich

Amy Dietrich

Amy Dietrich

STATE OF NEBRASKA)

) ss.

COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the 8th day of May, 2015, by Amy Dietrich

Mary L. Elworth
Notary Public
My Commission Expires 3-15-17



Lot No.

Block No.

Name(s) of Owner (s)

9

3

Jeffrey Branstetter
Jeffrey Branstetter

Sara E. Branstetter

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the 13th day of
May, 2015, by Jeffrey Branstetter

Mary L Elworth
Notary Public
My Commission Expires 3-15-17

