

54-240

DECLARATION OF COVENANTS

This declaration, made this 31 day of March, 1981, by Duane H. Menke and Patricia Menke, husband and wife, herein called "Declarant," and Sherwood Homes, Inc., a Nebraska Corporation, herein called "Optionee."

WITNESSETH THAT:

WHEREAS, Declarant is the owner of the following described real estate, to-wit:

Lots 132 through 137, both inclusive, Whispering Timbers Estates, a Subdivision, as surveyed, platted and recorded, in Sarpy County, Nebraska, and

WHEREAS, Sherwood Homes, Inc. has an option to purchase said lots; and

WHEREAS, Declarant desires to provide for the placement upon said lots of homes which shall face in a southerly direction onto Chaput Drive rather than northerly onto Camp Gifford Road, so as to preserve the values of said properties as well as the values of Lots 139 through 147, both inclusive, Whispering Timbers Estates, lying southerly thereof.

NOW, THEREFORE, Declarant and optionee hereby declare that the following described properties, to-wit:

Lots 132 through 137, both inclusive, Whispering Timbers Estates, a Subdivision, as surveyed, platted and recorded, in Sarpy County, Nebraska; and

shall hereafter be held, transferred, sold, conveyed, and occupied subject to the following restrictions, to-wit:

1. Any dwelling constructed upon any of the aforesaid lots shall face toward Chaput Drive adjoining said lots on the south.
2. Any garage placed upon any of the aforesaid lots except Lots 132 and 133 shall be accessible only by a driveway connecting onto Chaput Drive.

These covenants shall run with the land for a period of 30 years from the date hereof and shall be enforceable by any owner of property within Lots 129 through 147, both inclusive, Whispering Timbers Estates.

These covenants shall be in addition to and not in replacement of any restrictions, covenants or conditions presently existing with respect to the aforesaid real estate.

Duane H. Menke
Duane H. Menke

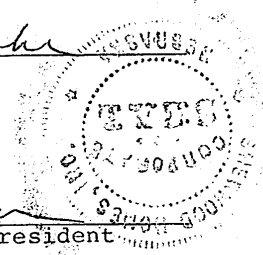
Patricia A. Menke
Patricia Menke

SHERWOOD HOMES, INC.

Attest:

By Glen R. Palmer
Glen R. Palmer, President

Secretary



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PAGE 240 Carl S. Hillebrand REGISTER OF DEEDS, SARPY COUNTY
Act # 03515

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

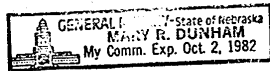
BE IT KNOWN that on this 31st day of March, 1981, before me, a Notary Public duly commissioned, qualified and acting in and for said County and State, personally appeared the above named Glen R. Palmer, to me known to be the President and identical person whose signature is affixed to the foregoing instrument as President of Sherwood Homes, Inc., a corporation, and he acknowledged the execution thereof to be his voluntary act and deed and the voluntary act and deed of said corporation, and that its corporate seal was affixed thereto by its authority.



Mary R. Dunham
Notary Public

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

BE IT KNOWN that on this 31st day of March, 1981, before me, a Notary Public acting in and for said County and State, personally appeared the above named Duane H. Menke and Patricia Menke, husband and wife, to me known to be the identical persons who executed the foregoing instrument and acknowledged same to be their voluntary act and deed.



Mary R. Dunham
Notary Public