

RESTRICTIVE COVENANTS.

THESE COVENANTS are to run with the land and shall be binding on all Parties and all persons claiming under them until June 1, 1974, at which time said Covenants shall be automatically extended for successive periods of ten (10) years unless by vote of a majority of the then owners of the Lots it is agreed to change said Covenants in whole or in part.

If the Parties hereto, or any of them, or their heirs or assigns shall violate or attempt to violate any of the Covenants herein, it shall be lawful for any other person or persons owning any real property situated in said development or subdivision to prosecute any proceedings at law or in equity against the person or persons violating or attempting to violate any such covenant and either to prevent him or them from so doing or to recover damages or other dues for such violation.

Invalidation of any of these Covenants by judgment or Court order shall in no wise affect any of the other provisions which shall remain in full force and effect:

A. All Lots in the tract shall be known and described as residential lots. No structures shall be erected, altered, placed, or permitted to remain on any residential building plot other than one (1) detached single-family dwelling not to exceed two (2) stories in height and a private garage for not more than two (2) cars.

B. No building shall be erected nearer to the front Lot line than forty (40) feet, nor nearer to the side street lines than permitted by the City of Omaha, Douglas County, Nebraska, on

- Lots One (1) to Four (4), both inclusive, Block Five (5);
- Lots One (1) to Thirteen (13), both inclusive, Block Four (4);
- Lots One (1) to Twenty-Seven (27), both inclusive, Block Three (3); and
- Lots Seventeen (17) to Thirty (30), both inclusive, Block Two (2), ALL in Town and Country Place, an Addition to the City of Omaha, Douglas County, Nebraska.

No building, except a detached garage or other outbuildings located forty-five (45) feet, or more, from the front Lot line shall be located nearer than five (5) feet to any side Lot line.

C. No building shall be erected nearer to the front Lot line than thirty-five (35) feet, nor nearer to the side street line than permitted by the City of Omaha, Douglas County, Nebraska, on

- Lots One (1) to Sixteen (16), both inclusive, Block Two (2); and
- Lots One (1) to Thirty-Five (35), both inclusive, Block One (1), ALL in Town and Country Place, an Addition to the City of Omaha, Douglas County, Nebraska.

No building, except a detached garage or other outbuildings located forty (40) feet, or more, from the front Lot line shall be located nearer than five (5) feet to any side Lot line

D. No residential structure shall be erected or placed on any building plot, which plot has an area of less than six thousand six hundred (6,600) square feet, or a width of less than fifty (50) feet at the front building set-back line.

E. No noxious or offensive trade or activity shall be carried on upon any Lot, nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood.

F. No trailer, basement, tent, shack, garage, barn or other outbuilding erected on the tract shall at any time be used as a residence temporarily or permanently, nor shall any structure of a temporary character be used as a residence.

G. The ground area of the main structure, exclusive of one (1) story open porches and garages, shall be not less than seven hundred twenty (720) square feet in the case of a one (1) story structure and six hundred fifty (650) square feet in the case of a one and one-half (1 1/2) or two (2) story structure.

H. An easement is reserved over the rear five (5) feet of each Lot, and over two (2) feet adjoining each side Lot line, for utility installations and maintenance.

BOOK 289 PAGE 508

APPROVED AND SIGNED this 12th day of July, A.D., 1954, as to the property with the following descriptions: Lots Twelve (12), Thirteen (13) and Fourteen (14), Block One (1), in Town and Country Place, an Addition to the City of Omaha, Douglas County, Nebraska, as surveyed, platted and recorded.

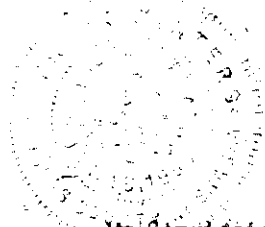
Allen M. Hoyt
Allen M. Hoyt

Ellys M. Hoyt
Ellys M. Hoyt
Husband and Wife

STATE OF NEBRASKA,)
County of Douglas,) SS.

On this 12th day of July, A.D., 1954, before me, the undersigned Notary Public in and for said County, personally came the above named ALLEN M. HOYT and ELLYS M. HOYT, husband and wife, who are personally known to me to be the identical persons whose names are affixed to the above Protective Covenants, and they acknowledged said instrument to be their voluntary act and deed.

WITNESS my hand and Official Seal the date last aforesaid.



Notary Public.

My Commission expires _____

APPROVED AND SIGNED this 12th day of July, A.D., 1954, as to the property with the following descriptions: Lots Fifteen (15) and Sixteen (16), Block One (1), in Town and Country Place, an Addition to the City of Omaha, Douglas County, Nebraska, as surveyed, platted and recorded.

BEYSON BUILDERS, INC.
By W. B. Hargreaves III
President.

ATTEST: Anne S. Schwartz
Secretary.



STATE OF NEBRASKA,)
County of Douglas,) SS.

On this 12th day of July, A.D., 1954, before me, the undersigned a Notary Public in and for said County, personally came the above names W. B. HARGREAVES, III, President, and ANNE S. SCHWARTZ, Secretary, of BEYSON BUILDERS, INC., who are personally known to me to be the identical persons whose names are affixed to the above Protective Covenants as President and Secretary of said Corporation, and they acknowledged said instrument to be their voluntary act and deed, and the voluntary act and deed of said Corporation.

WITNESS my hand and Official Seal the date last aforesaid.



Frank Winter
Notary Public.

My Commission expires Jan 12, 1956

(Continued on page 3)

APPROVED AND SIGNED this 12 day of July, A.D., 1954, as to the property with the following descriptions: Lots One (1) to Eleven (11), both inclusive, and Lots Seventeen (17) to Thirty-Five (35), both inclusive, all in Block One (1); Lots One (1) to Thirty (30), both inclusive, Block Two (2); Lots One (1) to Twenty-Seven (27), both inclusive, Block Three (3); Lots One (1) to Thirteen (13), both inclusive, Block Four (4); and Lots One (1) to Four (4), both inclusive, Block Five (5), All in Town and Country Place, an Addition to the City of Omaha, as surveyed, platted and recorded, Douglas County, Nebraska.

TOWN AND COUNTRY LANDS, INC.

By W. B. Hargleroad, III
President.

ATTEST: Winifred Adams
Secretary.

STATE OF NEBRASKA,)
County of Douglas,) SS.

On this 12 day of July, A.D., 1954, before me, the undersigned, a Notary Public in and for said County, personally came the above named W. B. HARGLEROAD, III, President; and WINIFRED ADAMS, Secretary of TOWN AND COUNTRY LANDS, INC., who are personally known to me to be the identical persons whose names are affixed to the above Protective Covenants as President and Secretary of said Corporation; and they acknowledged said instrument to be their voluntary act and deed, and the voluntary act and deed of said corporation.

WITNESS my hand and Official Seal the date last aforesaid.



Frank Winters
Notary Public.

My Commission expires July 12, 1956.

INDEXED IN REGISTERED INDEX AND RECORDED IN THE REGISTER OF DEEDS OFFICE IN DOUGLAS COUNTY, NEBRASKA.
14 DAY July 1954. 31.50. THOMAS J. O'CONNOR, REGISTER OF DEEDS.

TOWN AND COUNTRY PLACE

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT We have accurately surveyed and staked with iron pipe all corners of all lots and streets and angle points as shown on this plot of Town and Country Place.

That said plot (lots 1 to 18 inclusive, Block 1) is a subdivision in the NE 1/4 of the SW 1/4 of Section 24, Township 15 North, Range 18 East of the 6th Principal Meridian and in Douglas County, Nebraska. More particularly described as follows: Beginning at a point 1318.8 feet East of the NW corner of the SW 1/4 of Section 24; thence Due East (Assumed Bearing of S 90° E) for 125 feet; thence Due South for 1321.6 feet; thence South 90° West for 125 feet; thence Due North 1321.6 feet to point of beginning.

Brandon H. Becklund
Surveyor and Registered Engineer

DEDICATION

Know all men by these presents that Town and Country Lands, Inc., owner and proprietor of the tract of land described in the Surveyor's Certificate and embraced in this plot, do hereby dedicate to the public for public use the streets as shown on this plot. In Witness whereof the said owners have hereunto affixed their names this 12 day of June, 1952, A.D.

Town and Country Lands, Inc.

R.H. Cook
President

Jack G. Hart
Treasurer

ACKNOWLEDGEMENT OF

STATE OF NEBRASKA }
COUNTY OF DOUGLAS } SS

On this 12 day of June, A.D. 1952, before me, a Notary Public, duly commissioned and qualified in and for said County, appeared, R.H. Cook, President and Jack G. Hart, Secretary and Treasurer for Town and Country Lands, Inc. who are personally known to me to be the identical persons whose names are affixed to the above dedication on this plot as owners of the property described in the Surveyor's Certificate on this plot and they acknowledged the signing of said dedication to be their voluntary act and deed. Witness my hand and official seal at Omaha, Nebraska, in said county, the last date aforesaid.

Edward J. [Signature]
Notary

My commission expires
day of [Month], 1952.

COUNTY TREASURER'S CERTIFICATE

This is to certify that I find no regular or special taxes due or delinquent against the property described in the Surveyor's Certificate and embraced in this plot as shown by the records of this office on this 12 day of June, A.D. 1952.

[Signature]
County Treasurer

APPROVAL OF CITY ENGINEER OF OMAHA

I hereby approve this plot of Town and Country Place on this 12 day of June, 1952, A.D.

T. T. [Signature]
City Engineer

APPROVAL OF OMAHA CITY PLANNING COMMISSION

This plot of Town and Country Place was approved by the City Planning Commission of the City of Omaha, Nebraska on this 15 day of June, A.D. 1952.

Kenneth F. Reed
Chairman

OMAHA CITY COUNCIL APPROVAL

This plot of Town and Country Place was approved and accepted by the City Council of the City of Omaha, Nebraska on this 15 day of June, 1952.

[Signature]
Mayor

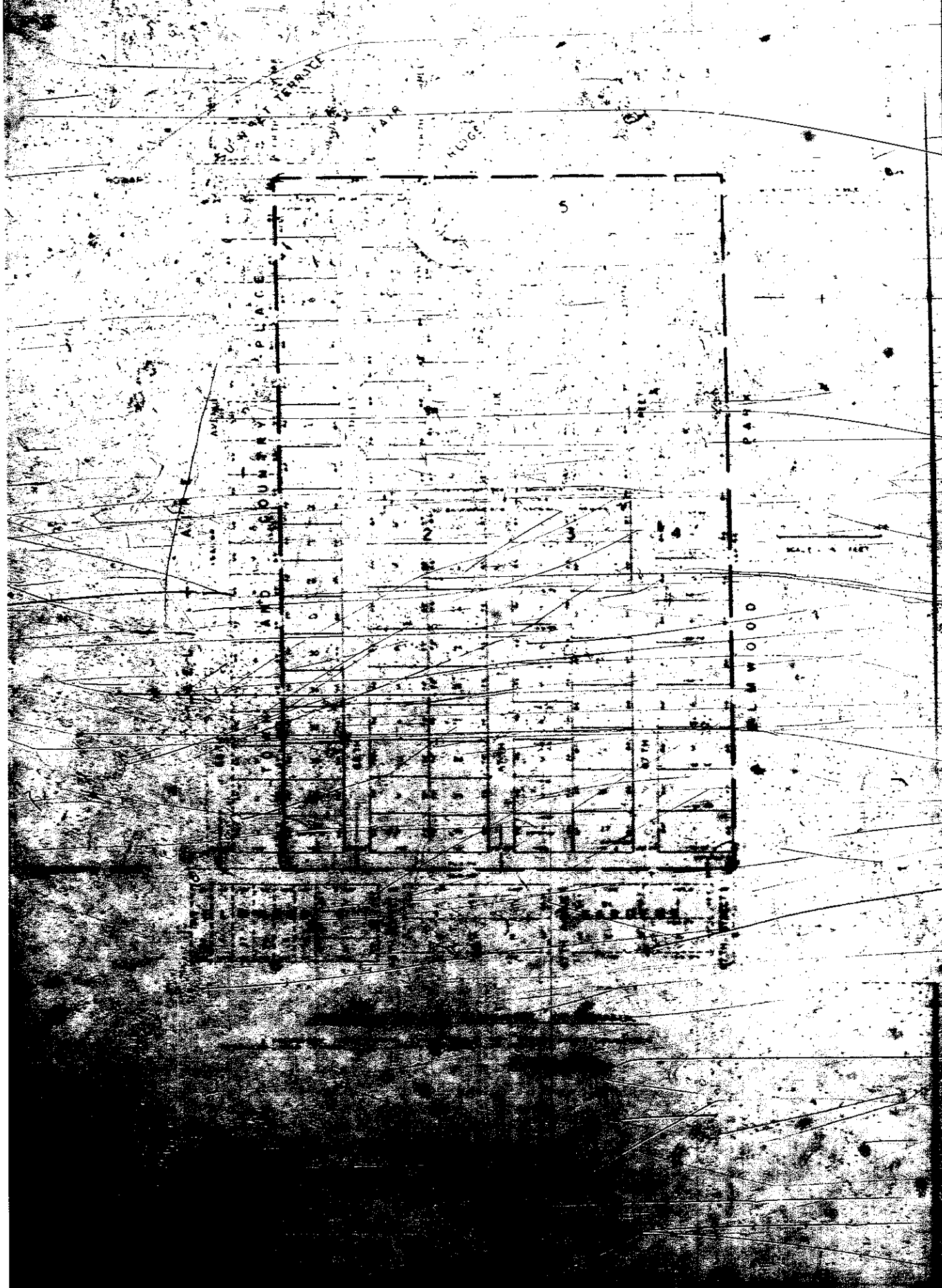
ELMWOOD PARK

17

TOWN AND COUNTRY PLACE

LOTS 19 TO 35 INCLUSIVE, BLOCK 1 AND ALL OF BLOCKS 2, 3, 4, AND 5

A SUBDIVISION OF A PART OF THE NE 1/4 OF THE SW 1/4 OF SECTION 24 15-12
WILL IN THE CITY OF OMAHA, DOUGLAS COUNTY, NEBRASKA



SURVEYOR'S CERTIFICATE

918 ME 473

THAT HAVE ACCURATELY SURVEYED AND PLANNED THE LOTS SHOWN ON THE PLANS HEREIN THAT ARE BEING SUBMITTED TO THE COMMISSIONERS OF THE CITY OF OMAHA FOR THE PURPOSE OF THE CONVEYANCE OF THE SAME TO THE CITY OF OMAHA AND THE CITY OF OMAHA HAS APPROVED THE SAME AS SHOWN ON THE PLANS HEREIN

THE NORTH LINE OF THE SURVEYED LOT IS BEING LEFT OPEN TO THE CITY OF OMAHA FOR THE PURPOSE OF THE CONVEYANCE OF THE SAME TO THE CITY OF OMAHA AND THE CITY OF OMAHA HAS APPROVED THE SAME AS SHOWN ON THE PLANS HEREIN

Van L Hill

SURVEYOR



DEDICATION

THE UNDERSIGNED, THE BOARD OF DIRECTORS OF THE CITY OF OMAHA, NEBRASKA, DO HEREBY DEDICATE TO THE PUBLIC USE OF THE CITY OF OMAHA, NEBRASKA, THE TRACT OF LAND SHOWN ON THE PLANS HEREIN

THE SAID TRACT OF LAND IS BEING DEDICATED TO THE PUBLIC USE OF THE CITY OF OMAHA, NEBRASKA, FOR THE PURPOSE OF THE CONVEYANCE OF THE SAME TO THE CITY OF OMAHA, NEBRASKA

W. B. HAZEN

Winfred Adams

Frank Adams

ACKNOWLEDGEMENT

I, THE UNDERSIGNED, THE BOARD OF DIRECTORS OF THE CITY OF OMAHA, NEBRASKA, DO HEREBY ACKNOWLEDGE THE DEDICATION OF THE TRACT OF LAND SHOWN ON THE PLANS HEREIN TO THE PUBLIC USE OF THE CITY OF OMAHA, NEBRASKA

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND SEAL OF OFFICE AT OMAHA, NEBRASKA, THIS 12 DAY OF JANUARY 1916

Winfred Adams

CITY CLERK

APPROVAL OMAHA CITY PLANNING COMMISSION

THE PLANS HEREIN AND THE DEDICATION OF THE TRACT OF LAND SHOWN ON THE PLANS HEREIN TO THE PUBLIC USE OF THE CITY OF OMAHA, NEBRASKA, HAS BEEN APPROVED BY THE CITY PLANNING COMMISSION OF THE CITY OF OMAHA, NEBRASKA

Plat and Dedication
Filed 7-10-54, in Book 948 at Page 472, Instrument No. _____

Grants a perpetual easement in favor of
Omaha Public Power District,
U.S. West Communications
Northwestern Bell Telephone Company
and any cable company granted a cable television franchise system,
and/or

NO Easement

for utility, installation and maintenance
on, over, through, under and across
or

a _____ foot wide strip of land abutting the front and the side boundary lines of all lots;
an _____ foot wide strip of land abutting the rear boundary line of all interior lots;
and a _____ foot wide strip of land abutting the rear boundary line of all exterior lots.

Does it include the following?? Yes or No (Circle One)

Also grants an easement to Metropolitan Utilities District _____ for utility,
installation and maintenance on, through, under and across a _____ foot wide strip of land
abutting all cul-de-sac streets.

Any additional info,

Declaration of Covenants, Conditions, Restrictions and Easements,
Restrictive Covenants

X Protective Covenants
or

Filed 7-14-54, in Book 289 at Page 507, Instrument No. _____

Omaha Public Power District,
U.S. West Communications
Northwestern Bell Telephone Company
and any cable company granted a cable television franchise system,
and/or

for utility, installation and maintenance
on, over, through, under and across
or

a 2 ~~foot wide strip of land abutting the front~~ EASEMENT adjoining ~~and the side boundary lines of all lots;~~ each
an 5 ~~foot wide~~ OVER THE rear boundary line of each lots;
and a _____ foot wide strip of land abutting the rear boundary line of all exterior lots.

Does it include the following?? Yes or No (Circle One)

Also grants an easement to Metropolitan Utilities District _____ for utility,
installation and maintenance on, through, under and across a _____ foot wide strip of land
abutting all cul-de-sac streets.

Does it include the Following?? Homeowners Association Yes or No. (Circle One)

Does it include the following ?? Possible Telephone Connection Charge Yes or No (Circle One)

Any additional info.

for utility installation and maintenance.

Easement Right of Way 1st, 2nd 3rd or _____ Amendment to _____
Dated _____ Filed _____, Book _____ at Page _____, Instrument No. _____