

74-258

RESTRICTIVE COVENANTS

The undersigned hereby declare that the following covenants are to run with the land and shall be binding on all present and future owners of all or any part of the following described real estate until January 1, 1992:

Lots Two (2) to Two Hundred Ninety-eight (298), both inclusive, all in Chandler Hills, a subdivision in Sarpy County, Nebraska.

If the present or future owners of any of said lots, or their grantees, heirs, or assigns, shall violate or attempt to violate any of these covenants, it shall be lawful for any other person or persons owning any part of said real estate 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 way affect any of the other provisions, which shall remain in full force and effect.

A. Said lots shall be used only for single-family dwelling purposes and for accessory structures incidental to single-family use, or for church or school purposes.

B. No residential structure shall be erected or placed on any building plot which has an area of less than five thousand (5,000) square feet. No building shall be located on any plot nearer than thirty feet to the front line of such plot, nor shall any building, except a detached garage, be located nearer than six feet to any side line of any building plot.

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

D. No trailer, basement, tent, shack, garage, barn or other outbuilding erected on said real estate 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.

E. The ground floor enclosed area of residential structures, exclusive of open porches and garages, shall be not less than 720 square feet.

F. A perpetual license and easement is hereby reserved in favor of and granted to the Northwestern Bell Telephone Company, and the Omaha Public Power District, their successors and assigns, to erect and operate, maintain, repair and renew poles with the necessary supports, sustaining wires, cross-arms, guys and anchors and other instrumentalities and to extend thereon wires for the carrying and transmission of electric current for light, heat and power and for all telephone and telegraph and message service over and upon a five (5) foot strip of land adjoining the rear and side boundary lines of said lots. Said side line easement is granted upon the specific condition that if both of said utility companies fail to construct poles and wires along any of said side lot lines within thirty-six (36) months of date hereof or if any poles or wires are constructed but are thereafter removed without replacement within sixty (60) days after their removal, then this easement shall automatically terminate and become void as to such unused or abandoned easementways.

Entered in Numerical index and Recorded in the Register of Deeds office in Sarpy County, Nebraska.

23 day March 1960 at 9 A. M., Esther Ruff, County Clerk. 6.25

RATIFICATION OF PLAT

WHEREAS, by instrument dated February 13, 1960, recorded March 1, 1960, in Book 94, at Page 462 of the Deed Records of Sarpy County, Nebraska, Decker Enterprises, Inc., and others did plat a subdivision known as Chandler Hills.

NOW, WHEREFORE, the undersigned do herewith ratify and approve of said plat and of the dedication to the public of the streets ~~shown~~ as shown on said plat as fully and completely as if the undersigned had signed the original plat and dedication described above.

EXECUTED this 21st day of July, 1960.

Ira S. Debnam
Ira S. Debnam

M. J. Koblitz
M. J. Koblitz

Dorothy Debnam
Dorothy Debnam

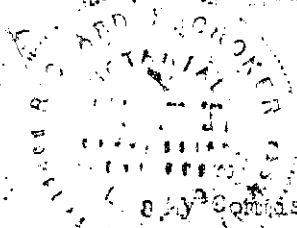
Elizabeth Koblitz
Elizabeth Koblitz

Betty Higgins
Betty Higgins

Billy H. Higgins
Billy H. Higgins

(STATE OF NEBRASKA)
) ss. On the day and year last above written
(COUNTY OF SARPY) before me, the undersigned a Notary Public,
duly commissioned and qualified for said County, personally came
M. J. KOBLITZ and ELIZABETH KOBLITZ, husband and wife; IRA S.
DEBNAM and DOROTHY DEBNAM, husband and wife; BILLY H. HIGGINS and
BETTY HIGGINS, husband and wife, to me known to be the identical
persons whose names are subscribed to the foregoing Ratification
of Plat, and acknowledged the execution thereof to be their
voluntary act and deed.

WITNESS my hand and Notarial Seal the day and year last
above written.



Richard E. Coker
Notary Public

My Commission Expires:
July 8, 1963

Entered in Numerical Index and Recorded in the Register of Deeds office in Sarpy County, Nebraska
27 day July 1960 at 10A M., Esther Ruff, County Clerk. 4 75