

DECLARATION OF RESTRICTIVE COVENANTS

IN CONSIDERATION of the sum of One Dollar (\$1.00) and of the Federal Housing Administration issuing its commitments to insure mortgage loans and proceeding to insure advances in F.H.A. Project No. 103-42020, Frederick Realty Company, and F.H.A. Project No. 103-42020, Valley Realty Company, the undersigned William Parkinson, Inc., Frederick Realty Company and Valley Realty Company, all Nebraska corporations, being the owners of the following described property situate in the County of Douglas and State of Nebraska, to-wit:

lots Four (4) and Five (5) of Replot of Block One (1); Lots One (1) and Two (2) of the Replot of the East part of Block Two (2); Lot One (1) of the Replot of the East part of Block Three (3); Lots Thirteen (13) and Fourteen (14) of Block Four (4); Lots Twelve (12) and Thirteen (13) of Block Five (5); Lots One (1) and Two (2) of Block Six (6); Lots One (1), Two (2), Three (3), Four (4) and Five (5) of Block Seven (7); Lots One (1) and Two (2) of Block Eight (8); Lot One (1) of Block Ten (10), and Lot One (1) of Block Eleven (11), all in Green Valleys, an addition to the City of Omaha as surveyed, platted and recorded,

do hereby state, publish and declare that all of said Lots are and shall be conveyed and shall be owned and held under and subject to the covenants, conditions and restrictions (hereinafter referred to as "covenants") herein set forth, to-wit:

These covenants are to run with the land and shall be binding on all parties and persons claiming under them, and on the premises hereinabove described and every part thereof, until January 1, 1984, at which time said covenants shall be automatically extended for successive periods of ten (10) years.

ing 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 one 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.

All Lots in the tract shall be known as "residential Lots". No structure shall be erected, altered, placed or permitted to remain on any residential building plot other than buildings used for single family or multiple dwelling purposes, except for auxiliary garages. No trailer, basement, tent, shack, garage, barn, or other outbuilding shall be erected in the tract for residential purposes, nor shall any structure required during construction be used as a residence, temporarily or permanently, nor shall any structure of a temporary character be used as a residence, or be permitted remain on the property after the completion of construction.

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.

IN WITNESS WHEREOF, the said William Parkinson, Inc., Frederick Realty Company and Valley Realty Company have caused these covenants to be executed and their corporate seals affixed this 14th day of September, 1949.

Attest:

*Seamus W. Parkinson*  
Secretary

WILLIAM PARKINSON, INC.

*W. Parkinson*  
President

FREDERICK REALTY COMPANY

STATE OF NEBRASKA

246 481

COUNTY OF DOUGLAS

On this 14th day of September, 1949, before me, a Notary Public, duly commissioned and qualified in and for said County, personally came the above named William Parkinson, President, and Pearl W. Parkinson, Secretary of William Parkinson, Inc., who are personally known to me to be the identical persons whose names are affixed to the foregoing covenants as President and Secretary of the corporation, and they acknowledged the instrument to be their voluntary act and deed, and the voluntary act and deed of said Corporation.

WITNESS my hand and official seal at Omaha, in said County, the date aforesaid.

*Joseph Solheim*  
Notary Public

My Com. exp. *July 11, 1955*

STATE OF NEBRASKA

COUNTY OF DOUGLAS

On this 14th day of September, 1949, before me, a Notary Public, duly commissioned and qualified in and for said County, personally came the above named A. E. Seastedt, President, and William Parkinson, Secretary, of Frederick Realty Company; who are personally known to me to be the identical persons whose names are affixed to the foregoing covenants as President and Secretary of the corporation, and they acknowledged the instrument to be their voluntary act and deed, and the voluntary act and deed of said Corporation.

WITNESS my hand and official seal at Omaha, in said County, the date aforesaid.

*Joseph Solheim*  
Notary Public

My Com. exp. *July 11, 1955*

STATE OF NEBRASKA

COUNTY OF DOUGLAS

On this 14th day of September, 1949, before me, a Notary Public, duly commissioned and qualified in and for said County, personally came the above named A. E. Seastedt, President, and William Parkinson, Secretary, of Valley Realty Company; who are personally known to me to be the identical persons whose names are affixed to the foregoing covenants as President and Secretary of

## AMENDMENT OF RESTRICTIVE COVENANTS

Whereas, on or about the 14th day of September, 1949, certain Restrictive Covenants were adopted by the FREDERICK REALTY COMPANY, VALLEY REALTY COMPANY and WM. PARKINSON, INC., covering the following described property situate in the County of Douglas and State of Nebraska, to-wit:

Lots Four (4) and Five (5) of Replot of Block One (1); Lots One (1) and Two (2) of the Replot of the East part of Block Two (2); Lot One (1) of the Replot of the East part of Block Three (3); Lots Thirteen (13) and Fourteen (14) of Block Four (4); Lots Twelve (12) and Thirteen (13) of Block Five (5); Lots One (1) and Two (2) of Block Six (6); Lots One (1), Two (2), Three (3), Four (4) and Five (5) of Block Seven (7); Lots One (1) and Two (2) of Block Eight (8); Lot One (1) of Block Ten (10), and Lot One (1) of Block Eleven (11), all in Green Valleys, an Addition to the City of Omaha as surveyed, platted and recorded.

and which were recorded on September 16, 1949 in Book 246 at Page 479 of the Miscellaneous Records of Douglas County, and

Whereas the WRIGHT REALTY COMPANY has acquired title to a portion of the above described property, and

Whereas the INSTITUTIONAL SECURITIES CORPORATION is the owner and holder of certain mortgages covering a portion of said premises and the Federal Housing Administration has insured said mortgage loans, and

Whereas said Restrictive Covenants provide that all lots in said tract shall be known as "residential lots", and that no structure shall be erected or permitted thereon other than buildings for single family or multiple dwelling purposes, and

Whereas it is the desire of all of said parties to

the erection of a church on Lot 5 Block 1 Green Valleys, and the use and occupancy of said lot for church purposes.

In Witness Whereof the above described parties have caused this instrument to be executed by their proper officers and their corporate seals to be affixed this 9th day of June,

1955.

FREDERICK REALTY COMPANY

By [Signature] President

Attest [Signature] Secretary

VALLEY REALTY COMPANY

By [Signature] President

Attest [Signature] Secretary

WM. PARKINSONS INC.

By [Signature] President

Attest [Signature] Secretary

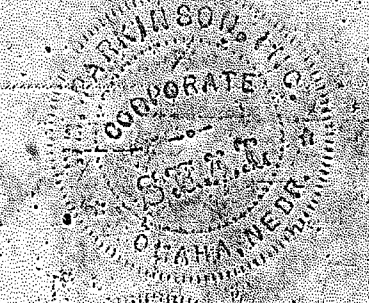
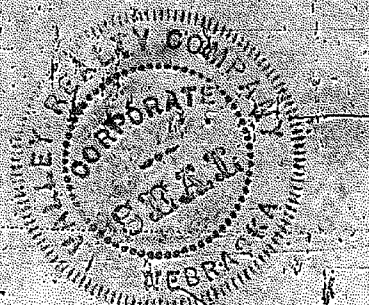
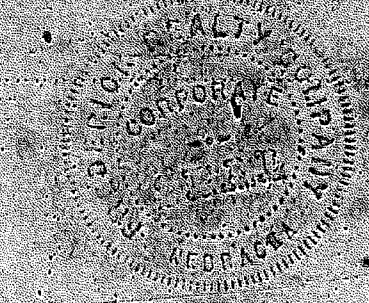
WRIGHT REALTY COMPANY

By [Signature] President

Attest [Signature] Secretary

FEDERAL HOUSING COMMISSION INSTITUTIONAL SECURITIES CORPORATION

By [Signature]



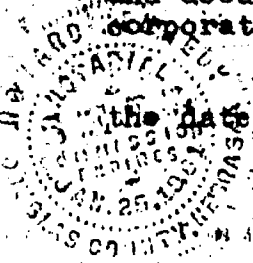
STATE OF NEBRASKA )  
 ) ss  
COUNTY OF DOUGLAS )

301-895

On this 9th day of June 1955, before me, a Notary Public, in and for said County, personally came Earl W. Peterson, President of the Frederick Realty Company, the Valley Realty Company and Wright Realty Company; William Parkinson, President of Wm. Parkinson, Inc., and Secretary of the Frederick Realty Company, the Valley Realty Company and Wright Realty Company; and Pearle W. Parkinson, Secretary of Wm. Parkinson, Inc., who are personally known to me to be the identical persons whose names are affixed to the foregoing agreement as such officers, and they acknowledge the execution thereof to be their voluntary act and deed and the duly authorized act and deed of said respective corporations.

Witness my hand and official seal at Omaha, Nebraska, on the 9th day first above written.

My commission expires January 25, 1961.



Howard Kennedy  
Notary Public

STATE OF  
COUNTY OF

On this \_\_\_\_\_ day of \_\_\_\_\_, 1955, before me, a Notary Public in and for said County, personally came \_\_\_\_\_

~~Federal Housing Commissioner, who is personally known to me to be the identical person whose name is affixed to the foregoing instrument and he acknowledged the execution thereof to be his voluntary act and deed and the voluntary act and deed of the Federal Housing Commission.~~

~~Witness my hand and official seal at \_\_\_\_\_ on the date first above written.~~

~~My commission expires \_\_\_\_\_~~

~~\_\_\_\_\_  
Notary Public~~

STATE OF New York  
COUNTY OF New York

On this 29th day of August 1955, before me, a Notary Public in and for said County, personally came the above named

William C. Boyd, President and Paul C. Stender, Secretary of Institutional Securities Corporation, a corporation, who are personally known

to me to be the identical persons whose names are affixed to the