

FILED SARPY CO. NE.
INSTRUMENT NUMBER
2001-29944

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Lloyd J Dowding
REGISTER OF DEEDS

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LLOYD J. DOWDING

SARPY COUNTY REGISTER OF DEEDS
1210 GOLDEN GATE DRIVE, STE 1109
PAPILLION, NE 68046-2895
402-593-5773

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RESTRICTIVE COVENANTS

These 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: to-wit:

That part of the NE 1/4 of Section 24, Township 14, North Range 11, East of the 6th P.M., Sarpy County, Nebraska, lying East of Interstate 80 and South of Giles Road, platted as Lots 1 through 13, inclusive, I-80 Industrial Park 2.

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 judgement or court order shall in no way affect any of the other provisions, which shall remain in full force and effect.

1. Construction on said lots to be in conformance with the County of Sarpy zoning rules and regulations.
2. No noxious or offensive trade activity shall be carried upon any lot that would tend to be an annoyance or nuisance to the other lots or neighboring subdivisions.
3. All weeds and grass shall be kept cut to a maximum height of eight (8) inches.
4. All lots shall be kept free of trash and excess debris.
5. No owner of any lot shall allow flashing bright lights at night or otherwise that would tend to effect neighboring residential subdivisions.
6. Lot owners shall landscape the street yard side of their lot and any visible side yard side with vegetation.
7. No owner shall allow dust, fumes, or noxious odors to become a nuisance.
8. No lot owner shall allow excessive loud noise so as to be offensive to neighboring subdivisions and/or adjoining lot owners.
9. Colors to building structure shall be earthtone, and no bright colors of structure of an eye-catching nature shall be permitted.
10. No "pole type" sheds shall be permitted.
11. Buildings of steel construction shall have brick or stone masonry fronts and partial

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sides of brick or stone a minimum of two feet in width. Stone or masonry fronts are required only on the main or front building on each lot and then only on the side or front of the building closest to and facing the street. Masonry or stone fronts and partial sides shall be required only up to a minimum of ten (10) feet on to the top of the grade level or to the top of the first floor level windows whichever is less.

12. Landscaping and visual screening requirements shall be as set forth in Exhibit G. Attached hereto and made a part of this covenant.

13. Construction plans are required to be approved by DONALD E. KROEGER and BARBARA H. KROEGER, with exterior design included.

IN WITNESS WHEREOF, the undersigned being the owner of all of the real estate causes these presents to be duly executed this 18th day of September, 2001.

Donald E. Kroeger
DONALD E. KROEGER

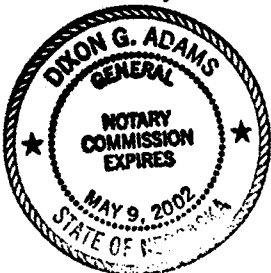
Barbara H. Kroeger
BARBARA H. KROEGER

ATTEST:

[Signature]

STATE OF NEBRASKA)
) ss.
COUNTY OF SARPY)

On the day and year last above written before me, the undersigned, a Notary Public in and for said county, personally came DONALD E. KROEGER and BARBARA H. KROEGER, Husband and Wife, to me personally known to be the identical persons whose names are affixed to the above Restrictive Covenants, and they acknowledge the execution of the same to be their voluntary act and deed for the purpose therein expressed.



[Signature]
Notary Public

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Exhibit "G"

Landscaping and Visual Screening Requirements Based Upon Site Layout Options

The City of La Vista's Comprehensive Plan identifies that the I-80 corridor, which serves as an entrance into the City, should be developed as a "gateway." As such, all development within I-80 Industrial Park 2 shall, at minimum, adhere to the landscaping requirements prescribed in Section 11-614 of the Municipal Code and to the following:

1. All plant material sizes shall conform to the City of La Vista standards.
2. Lots with the front of buildings facing Interstate 80 and without loading areas along the Interstate shall incorporate a 15-foot wide buffer strip with one Autumn Purple Ash per 40 feet of frontage (I-80) and a 10-foot wide buffer along Cary Circle or Portal Drive with one Shademaster Locust per 40 feet of frontage.
3. Lots having the side of a building facing Interstate 80 without loading areas along the Interstate shall incorporate a 15-foot wide buffer with one Autumn Purple Ash per 40 feet of frontage (I-80) interplanted between with one Spring Snow Crabs per 40 feet of I-80 frontage and a 10-foot wide buffer along Cary Circle or Portal Road with one Shademaster Locust per 40 feet of frontage.
4. Lots with the rear of building facing Interstate 80 with loading also facing the Interstate shall incorporate a 15-foot wide buffer with one Autumn Purple Ash per 40 feet of frontage interplanted with two Spring Snow Crabs and ten Red Twig Dogwoods per 40 feet of I-80 frontage and a 10-foot wide buffer along Cary Circle or Portal Drive with one Shademaster Locust per 40 feet of frontage.
5. Lots having natural berms along Interstate 80 providing visual screening are not required to incorporate any plant material other than grass, however a 10-foot wide buffer is required along Cary Circle or Portal Drive with one Shademaster Locust per 40 feet of frontage.
6. Lots having buildings fronting Cary Circle, Portal Road, or 132nd Street without frontage to Interstate 80 and having loading areas on the side or rear shall incorporate a 10-foot wide buffer along their respective street(s) with one Shademaster Locust per 40 feet of frontage.
7. A landscape plan indicating both proposed and existing landscaping and screening shall be submitted for review and approval by the City. Said plan shall be in sufficient detail to provide a reasonable understanding of what is being proposed. Site calculations used in computing quantities shall also be submitted which are proposed to satisfy the required amounts of landscaping. A detailed listing of all plant materials to be used, quantities, size and spacing shall be submitted for approval along with a planting schedule.
8. All projects shall include a detailed drawing on the landscape plan indicating the method of enclosure and screening to be used on trash dumpsters. All dumpsters or trash bins shall maintain a solid 6-foot enclosure around each unit. Said enclosure shall be of materials complimentary materials to the main building.
9. All required screening and landscaping shall be maintained and, whenever necessary, replaced with materials that provide equivalent size, density, and appearance. All landscaping and screening shall be kept free from refuse and debris so as to present a healthy, neat and orderly appearance. Turf grass or other approved ground cover shall be maintained on all areas not covered by other landscaping, parking, drives, buildings, or similar structures.