

311 43

36

PROTECTIVE COVENANTS

The undersigned, Hans C. Madsen and Anna G. Madsen, husband and wife, being the owners of Keystone Heights, an Addition in Douglas County, Nebraska, do hereby declare that all of said lots are and shall be owned, held and conveyed under and subject to the covenants, conditions and restrictions herein set forth:

1) These covenants shall run with the land and shall be binding upon all parties and all persons claiming under them until January 1, 1980, at which time said covenants shall be automatically extended for successive periods of ten years, unless by a vote of the majority of the then owners of said 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 of said real property to prosecute any proceedings at law or in equity against the persons or person violating or attempting to violate any such covenant, either to prevent him or them from so doing or to recover damages for such violation, but this instrument shall in no wise be construed as placing any liability or obligation for its enforcement upon the undersigned.

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.

2) All of said lots shall be known and described as residen-

4) No trailer, basement, tent, shack, garage, barn or other out building erected on said Lots shall at any time be used as a residence, either temporarily or permanently, nor shall any structure of a temporary character be used as a residence.

5) Any dwelling erected on any of said Lots shall have a minimum ground floor area of 800 sq. ft. exclusive of garage and breezeway.

6) Minimum building setback lines shall conform to the existing city ordinances regulating such matters in effect at the time of the erection of any building.

7) An easement is reserved over the rear 5 feet of each Lot for utility installation and maintenance; this reservation including the right to excavate and to trim or remove trees and shrubs.

IN WITNESS WHEREOF the parties hereto have hereunto set their hands this 21<sup>st</sup> day of April, 1956.

Hans C. Madsen  
Anna C. Madsen

STATE OF NEBRASKA )  
                          ) SS  
COUNTY OF DOUGLAS )

On this 21<sup>st</sup> day of April, 1956, before me, a Notary Public in and for said County, personally came the above named Hans C. Madsen and Anna C. Madsen, husband and wife, who are personally known to me to be the identical persons whose names are subscribed to the above instrument; and they severally acknowledged the same to be their voluntary act and deed.

WITNESS my hand and Notarial Seal the date last mentioned.

Arthur J. Warren  
NOTARY PUBLIC

313 319

AMENDED PROTECTIVE COVENANTS

WHEREAS, on June 30, 1956, protective covenants were filed by the undersigned being the owners of all lots in Keystone Heights, an Addition in Douglas County, Nebraska and

WHEREAS, the undersigned are still the owners of all of said lots except lots 6 to 14, inclusive, of said addition and

WHEREAS, the undersigned desire to change said original protective covenants.

NOW THEREFORE, the undersigned being the owners of all lots in Keystone Heights, an Addition in Douglas County, Nebraska, hereby amend Paragraph 2 of said protective covenants, as originally filed so that said Paragraph 2 shall read as follows:

2) That no structures, except churches and schools, together with any necessary outbuildings shall be erected, altered, placed or permitted to remain on any lot other than one detached, single family dwelling, not to exceed 2 1/2 stories in height, and a private garage.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands this 27 day of September, 1956.

Hans C. Madsen  
Anna C. Madsen

STATE OF NEBRASKA )  
                          ) ss  
COUNTY OF DOUGLAS )

On this 27 day of September, 1956, before me, a Notary Public in and for said County, personally came the above named Hans C. Madsen and Anna C. Madsen, husband and wife, who are personally known to me to be the identical persons whose names are subscribed to the above instrument; and they severally acknowledged the same to be their voluntary act and deed.

WITNESS my hand and Notarial Seal the date last mentioned.