

WESTCHESTER SECOND ADDITION
PROTECTIVE COVENANTS AND EASEMENTS

The undersigned, Harney Heights Corporation, a Nebraska corporation, being the owner of Lots One (1) to Twelve (12), inclusive, Block One (1), Lots One (1) to Ten (10), inclusive, Block Two (2), Lots One (1) to Ten (10), inclusive, Block Three (3), Lots One (1) to Ten (10), inclusive, Block Four (4) and Lots One (1) to Nine (9), inclusive, Block Five (5), all in Westchester Second Addition, a Subdivision of a part of the Southwest Quarter (SW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of Section Twenty-two, Township 15 North, Range 12 East of the 6th P.M. in Douglas County, Nebraska, together with a strip adjoining on the Northeast (NE) Corner thereof, being in the adjoining section on the North, does hereby state, declare and publish that all said Lots are and shall be owned, conveyed, and used under and subject to the following covenants, conditions restrictions and easements; namely:

1. No Lots in said Subdivision shall be used or occupied for any purpose other than the purposes authorized by the valid ordinances, laws and regulations applicable thereto. On any Lot to be used for residence purposes no structures shall be erected, altered, placed or permitted to remain other than one detached single-family dwelling not to exceed one and one-half stories in height together with a private garage or carport, and such outbuildings as may be approved in writing by the undersigned. No parcel of ground less than a whole lot as surveyed, platted and recorded shall be at any time sold, conveyed, willed or otherwise transferred except to the owner of a contiguous whole lot. No parcel of ground less than a whole lot shall be used or occupied for any purpose other than the purposes authorized by the valid ordinances, laws and regulations applicable thereto.

outbuilding placed or erected on any Lot shall at any time be used as a residence, nor shall any structure of a temporary character ever be used as a residence.

4. The main floor of all dwellings shall contain the following minimum square foot area (exclusive of garages and porches): 1,500 square feet for one story or one and one-half story dwellings.

5. All garages and carports shall be large enough to house two or more automobiles of standard size. No garage shall be built in the basement of any dwelling unless the floor thereof be at grade level at the entrance thereto; provided, that the floor of any attached garage may be not more than four and one-half ($4\frac{1}{2}$) feet lower than the main floor of the dwelling.

6. The minimum building setback lines (excluding steps and unenclosed porches) shall be as follows:

- (a) Front Yard - Seventy-five (75') feet.
- (b) Side Yard - Twenty-five (25') feet.

7. No garden or field crops shall be grown upon that portion of any lot nearer to the street than provided for minimum building setback lines; and no trees, shrubs, hedges or other plants shall be maintained or permitted in such proximity to any lot line as will interfere with the use and maintenance of any street or walk or the unobstructed view at street intersections sufficient for the safety of pedestrians and vehicles.

8. A perpetual easement is hereby granted to the Northwestern Bell Telephone Company, the Omaha Public Power District, the Metropolitan Utilities District, Northern Natural Gas, and any sewer or other improvement district lawfully organized or to be organized, which includes this property, the successors, lessees and assigns of each, to construct, maintain, operate, repair and remove any underground sewer, water and gas lines; to erect and operate, maintain

extend thereon wires for carrying and transmission of electric current for lights, heat and power, and for all telephone, telegraph and message purposes, on, above, under or across the five (5') feet adjoining the rear and side boundary lines of each of the said Lots One (1) to Twelve (12), inclusive, Block One (1), Lots One (1) to Ten (10), inclusive, Block Two (2); Lots One (1) to Ten (10), inclusive, Block Three (3), Lots One (1) to Ten (10), inclusive, Block Four (4) and Lots One (1) to Nine (9), inclusive, Block Five (5) for the use and benefit of the owners and occupants of said lots.

9. The reservations stated in Paragraph 8 above include the right to excavate and to trim or remove trees, shrubs, vegetation or improvements thereon if necessary.

10. The covenants and restrictions herein set forth shall run with the land and shall be binding upon all persons for a period of twenty-five (25) years after the date hereof; at the expiration of which time they shall be automatically extended for successive periods of ten (10) years unless they are changed, in whole or in part, by written agreement among the then owners of a majority of said Lots executed and recorded in the manner provided by law.

11. In addition to the covenants herein contained each owner and occupant of any of the Lots herein described shall observe and obey all valid provisions of the Zone Ordinance of the City of Omaha and of all other ordinances, laws and regulations applicable thereto.

12. If any person shall violate or attempt to violate any of the covenants herein contained, any other person or persons owning or occupying any of the property herein described shall have the right to commence or prosecute any proper proceedings at law or in equity, civil or criminal, 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

BOOK 293 PAGE 492

of any court, or otherwise, shall in no wise affect any of the other provisions, which shall remain in full force and effect.

14. Each and every provision hereof shall bind and inure to the benefit of the undersigned, its successors, assigns and grantees and their heirs, devisees, representatives, successors, assigns and grantees; and shall run with the land for the benefit of and imposed upon subsequent owners of each of the lots above described.

IN WITNESS WHEREOF, said Harney Heights Corporation has caused these presents to be executed in its name by its President, attested by its Secretary and its corporate seal hereto affixed this 22 day of November 1954.

HARNEY HEIGHTS CORPORATION,
a Nebraska corporation,

By Laurance H. Myers
President



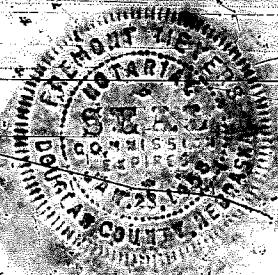
L. A. Smith
Secretary

STATE OF NEBRASKA

COUNTY OF DOUGLAS

On this 17 day of November 1954, before me, a Notary Public in and for said County, personally came the above named Laurance H. Myers, who is personally known to me to be the identical person whose signature is affixed to the above instrument as President of Harney Heights Corporation, a Nebraska corporation, and he acknowledged the execution of said instrument to be his voluntary act and deed as such officer and the voluntary act and deed of said corporation.

WITNESS my hand and official seal the date last aforesaid.



Laurance H. Myers
Notary Public



1115 024 MISC



03746 94 024-053

D. C. Bradford
BRADFORD, COENEN & WELSH
1850 First National Center
1620 Dodge Street
Omaha, Nebraska 68102-1505

PARTIAL RELEASE AND AMENDMENT
TO PROTECTIVE COVENANTS AND EASEMENTS

THIS PARTIAL RELEASE AND AMENDMENT TO PROTECTIVE COVENANTS AND EASEMENTS, made on the date hereinafter set forth by the undersigned, owners of a majority of the lots comprising the real property hereinafter described,

WITNESSETH:

WHEREAS, certain Protective Covenants and Easements dated November 22, 1954, running with the land on the real estate hereinafter described were recorded on the 23rd day of November, 1954, in Book 293 at Page 489 of the Miscellaneous Records in the Office of the Register of Deeds for Douglas County, Nebraska, to-wit:

Lots One (1) to Twelve (12), inclusive, Block One (1);
Lots One (1) to Ten (10), inclusive, Block Two (2);
Lots One (1) to Ten (10), inclusive, Block Three (3);
Lots One (1) to Ten (10), inclusive, Block Four (4);
and Lots One (1) to Nine (9), inclusive, Block Five (5),
all in Westchester Second Addition, a subdivision, now an
addition to the City of Omaha, Douglas County, Nebraska;

and,

WHEREAS, the undersigned, being the owners of a majority of said above-described lots desire to partially release and amend said Protective Covenants and Easements with respect to one of said lots only, viz., Lot Seven (7), Block Five (5), in said Westchester Second Addition, as hereinafter provided.

NOW, THEREFORE, the undersigned owners hereby declare that subparagraph (a) of Paragraph 1 of said Protective Covenants and Easements is hereby amended to provide that the height restriction of one and a half stories for the detached single family dwelling on said Lot Seven (7), Block Five (5), shall be changed to two stories in height.

Said Protective Covenants and Easements dated November 22, 1954, and recorded as aforesaid, shall be and hereby are declared to be and remain in full force and effect, except as herein

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GEORGE J. BUGLEWICZ
REGISTER OF DEEDS
DOUGLAS COUNTY

specifically released and amended with respect to said Lot Seven (7), Block Five (5) only.

IN WITNESS WHEREOF the undersigned, being the owners of a majority of said above-described lots, have executed this Partial Release and Amendment to said Protective Covenants and Easements on the dates hereinafter indicated.

Lot No. Block No.
 7 5

Steven J. Kutilek
Steven J. Kutilek, Owner
Anne Marie Kutilek
Anne Marie Kutilek, Owner

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

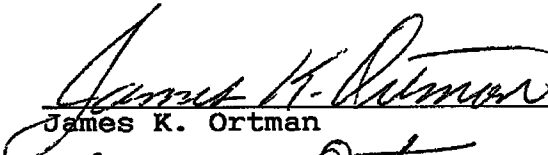



NOTARIAL SEAL AFFIXED
REGISTER OF DEEDS

The foregoing instrument was acknowledged before me on the 20 day of March, 1994, by Steven J. Kutilek and Anne Marie Kutilek.

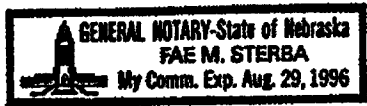
Fae M. Sterba
Notary Public

Lot No. Block No.
 7 1

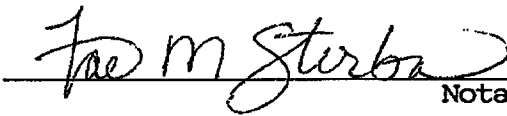

James K. Ortman Owner


Maria V. Ortman Owner

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)



The foregoing instrument was acknowledged before me on the 20 day of March, 1994, by James K. Ortman and Maria V. Ortman.


Notary Public

Lot No. Block No.
9 3

Deceased
Henry J. Lehnhoff, Jr. Owner
Jean M. Lehnhoff
Jean M. Lehnhoff Owner
(Jean)

STATE OF NEBRASKA)
) SS.
COUNTY OF DOUGLAS)



The foregoing instrument was acknowledged before me on the 20
day of March, 1994, by Henry J. Lehnhoff, Jr. and Jean M. Lehnhoff.

Fae M Sterna
Notary Public

NOTARIAL SEAL AFFIXED
REGISTER OF DEEDS

Lot No. Block No.
6 2

Daniel R. Pesavento
Daniel R. Pesavento Owner

Ellen S. Pesavento
Ellen S. Pesavento Owner

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)



The foregoing instrument was acknowledged before me on the 30
day of March, 1994, by Daniel R. Pesavento and Ellen S. Pesavento.

Fae M. Sterba
Notary Public

Lot No. Block No.
 2 1

Lee M. Myers

Lee M. Myers Owner

Barbara B. Myers

Barbara B. Myers Owner

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)




The foregoing instrument was acknowledged before me on the 20 day of March, 1994, by Lee M. Myers and Barbara B. Myers.

Fae M Sterba

Notary Public

Lot No. Block No.
1 1


Dale E. Janowski Owner


Dolores M. Janowski Owner

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)



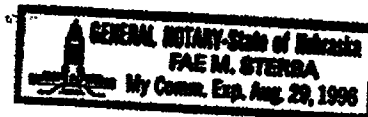
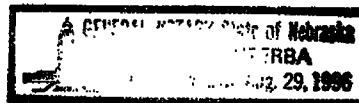
The foregoing instrument was acknowledged before me on the 30 day of March, 1994, by Dale E. Janowski and Dolores M. Janowski.


Fae M. Sterba Notary Public

Lot No. Block No.
8 5

Betty Lou Smith
Betty Lou Smith Owner

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)



The foregoing instrument was acknowledged before me on the 20
day of March, 1994, by Betty Lou Smith.

FAEM STERRA

Notary Public

NOTARIAL SEAL AFFIXED
REGISTER OF DEEDS

Lot No. Block No.
9 4

John R. Bauerle
John R. Bauerle Owner

Norma S. Bauerle
Norma S. Bauerle Owner

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)



The foregoing instrument was acknowledged before me on the 20 day of March, 1994, by John R. Bauerle and Norma S. Bauerle.

Fae M Sterba
Notary Public

Lot No. Block No.
 3 1

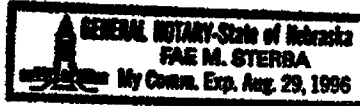
Mark W. Mitchell

Mark W. Mitchell Owner

Lori E. Mitchell

Lori E. Mitchell Owner

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)



The foregoing instrument was acknowledged before me on the 20 day of March, 1994, by Mark W. Mitchell and Lori E. Mitchell.

Fae M. Sterba

Notary Public

Lot No. 7 Block No. 3

Donald R. Betchel
Donald R. Betchel Owner

Marilea Betchel
Marilea Betchel Owner

STATE OF NEBRASKA)
) SS.
COUNTY OF DOUGLAS)



The foregoing instrument was acknowledged before me on the 24 day of March, 1974, by Donald R. Betchel and Marilea Betchel.

Fae M. Sterba
Notary Public

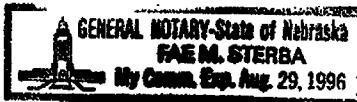
NOTARIAL SEAL AFFIXED
REGISTER OF DEEDS

Lot No. Block No.
 2 2

Joseph S. Kuncel, Jr. Owner

Frances D. Kuncel Owner

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)



The foregoing instrument was acknowledged before me on the 20 day of March, 1994, by Joseph S. Kuncel, Jr. and Frances D. Kuncel.

Fae M. Sterba Notary Public

Lot No. 5 Block No. 1

Dennis E. Richling Owner

Susan A. Richling Owner

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)



The foregoing instrument was acknowledged before me on the 20 day of March, 1994, by Dennis E. Richling and Susan A. Richling.

Fae M Sterra
Notary Public

Lot No. Block No.
 9 1

Frank R. Tabor
Frank R. Tabor

OWNER
Owner

Sandra L. Tabor
Sandra L. Tabor

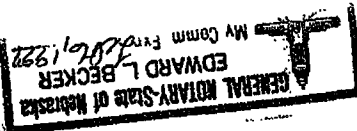
OWNER
Owner

STATE OF NEBRASKA)
) SS.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the 18th day of March, 1994, by Frank R. Tabor and Sandra L. Tabor.

Edward L. Becker

Notary Public



NOTARIAL SEAL AFFIXED
REGISTER OF DEEDS

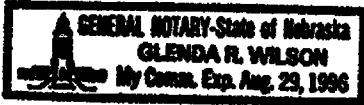
Lot No. Block No.
 6 5

Davis F. Hosman
Davis F. Hosman Owner

Verla F. Hosman
Verla F. Hosman Owner

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the ____
day of March, 1994, by Davis F. Hosman and Verla F. Hosman.



Glenda R. Wilson
Notary Public

Lot No. 5 Block No. 5

William Freiden
William Freiden Owner

Dorothy R. Cinnamon
Dorothy R. Cinnamon Owner

~~now - Dorothy R. Freiden~~

STATE OF NEBRASKA)
COUNTY OF DOUGLAS) ss.



The foregoing instrument was acknowledged before me on the 14 day of March, 1994, by William Freiden and Dorothy R. Cinnamon.

FAE M. STERBA
Notary Public

Lot No. Block No.
 2 3

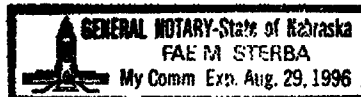
Gary C. Stephenson

Gary C. Stephenson Owner

Claudette M. Stephenson

Claudette M. Stephenson Owner

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)



The foregoing instrument was acknowledged before me on the 24
day of March, 1994, by Gary C. Stephenson and Claudette M.
Stephenson.

Fae M. Sterba

Notary Public

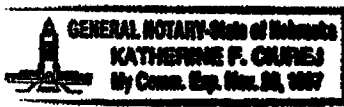
Lot No. 5 Block No. 4

Donald R. Ostrand
Donald R. Ostrand Owner

Virginia A. Ostrand
Virginia A. Ostrand Owner

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the 14
day of March, 1994, by Donald R. Ostrand and Virginia A. Ostrand.



Katherine F. Cumbs
Notary Public

NOTARIAL SEAL AFFIXED
REGISTER OF DEEDS

Lot No. 4 Block No. 2

Edward W. Fitzgerald
Edward W. Fitzgerald Owner
Nancy E. Fitzgerald
Nancy E. Fitzgerald Owner

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the 15 day of March, 1994, by Edward W Fitzgerald and Nancy E. Fitzgerald.

Sandra K. Hopper
Sandra K. Hopper Notary Public

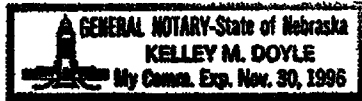


Lot No. Block No.
2 4

John W. Hancock
John W. Hancock Owner
Elizabeth B. Hancock
Elizabeth B. Hancock Owner

STATE OF NEBRASKA)
) SS.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the 15 day of March, 1994, by John W. Hancock and Elizabeth B. Hancock.



Kelley M. Doyle
Notary Public

Lot No. Block No.
4 1

Thomas P. Leary

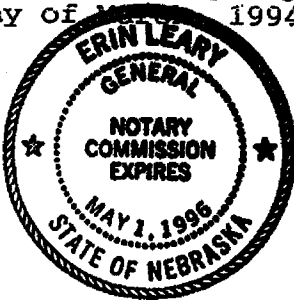
Thomas P. Leary Owner

Marian H. Leary

Marian H. Leary Owner

STATE OF NEBRASKA)
) SS.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the 13
day of April 1994, by Thomas P. Leary and Marian H. Leary.



[Signature]

Notary Public

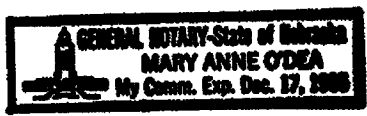
Lot No. 4 Block No. 3

Arthur S. Kulakofsky Owner
Shirley B. Kulakofsky Owner

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the 22nd day of March, 1994, by Arthur S. Kulakofsky and Shirley B. Kulakofsky.

Mary Anne O'Dea
Notary Public



NOTARIAL SEAL AFFIXED
REGISTER OF DEEDS

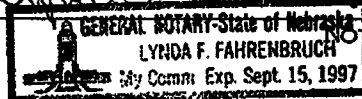
Lot No. Block No.
8 1

Kent J. Pavelka
 Kent J. Pavelka Owner
Mary L. Pavelka
 Mary L. Pavelka Owner

STATE OF NEBRASKA)
) ss.
 COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the 22
 day of March, 1994, by Kent J. Pavelka and Mary L. Pavelka.

Lynda F. Fahrenbruch

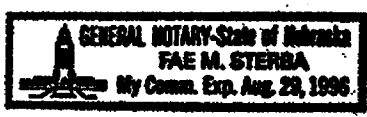


Notary Public

Lot No. 6 Block No. 4

Chris Shehan
Owner
(J. Christopher Shehan)
Owner

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)



NOTARIAL SEAL AFFIXE
REGISTER OF DEEDS.

The foregoing instrument was acknowledged before me on the 20
day of March, 1994, by J. Christopher Shehan

Fae M. Sterba
Notary Public

Lot No. Block No.

Owner

Owner

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the ____
day of March, 1994, by _____

Notary Public

Lot No. Block No.

Owner

Owner

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the ____
day of March, 1994, by _____

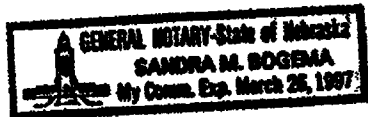
Notary Public

Lot No. 6 Block No. 4

J. Christopher Shehan	Owner
<i>Kimberly A Shehan</i>	
Kimberly Ann Shehan	Owner

STATE OF NEBRASKA)
) SS.
 COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the 15 day of March, 1994, by J. Christopher Shehan and Kimberly Ann Shehan.



Sandra M. Bogema
 Notary Public

NOTARIAL SEAL AFFIXED REGISTER OF DEEDS

Lot No. 10 Block No. 3

Thomas R. Hickey
Owner

Owner

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)



The foregoing instrument was acknowledged before me on the 20
day of March, 1994, by Thomas R Hickey

Fae M Sterba
Notary Public

Lot No. Block No.

Owner

Owner

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the ____
day of March, 1994, by _____

Notary Public

Lot No. Block No.

Owner

Owner

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the ____
day of March, 1994, by _____

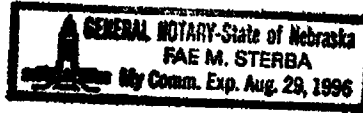
Notary Public

Lot No. 3 Block No. 2

Gertrude B. Crosby
Gertrude B. Crosby Owner

Owner

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)



The foregoing instrument was acknowledged before me on the 24
day of March, 1994, by Gertrude B. Crosby

Fae M. Sterba
Notary Public

Lot No. _____ Block No. _____

Owner

Owner

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the _____
day of March, 1994, by _____

Notary Public

Lot No. _____ Block No. _____

Owner

Owner

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

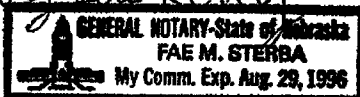
The foregoing instrument was acknowledged before me on the _____
day of March, 1994, by _____

Notary Public

Lot No. 10 Block No. 1

Fred E. Kelly
Fred E. Kelly Owner
Mary Lou Kelly
Mary Lou Kelly Owner
Mary Lou Kelly

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)



The foregoing instrument was acknowledged before me on the 24 day of March, 1994, by Fred E. and Mary Lou Kelly

Fae M. Sterba
Notary Public

Lot No. _____ Block No. _____

Owner

Owner

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the _____ day of March, 1994, by _____

Notary Public

Lot No. _____ Block No. _____

Owner

Owner

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the _____ day of March, 1994, by _____

Notary Public



1261 460 MISC



12163 98 460-475

RICHARD M. TAYLOR
REGISTER OF DEEDS
DOUGLAS COUNTY, NE

98 AUG 31 AM 11:41

RECEIVED

THIS PAGE INCLUDED FOR INDEXING
PAGE DOWN FOR BALANCE OF INSTRUMENT

12163 51-42100
RE 1053078
Twp _____ CO _____ COMM _____ Mb
02 SCM DC R

Return to: Robert H. Berger
307 So. 93rd Ave
Omaha, NE 68114

PARTIAL RELEASE AND AMENDMENT
TO PROTECTIVE COVENANTS AND EASEMENTS

THIS PARTIAL RELEASE AND AMENDMENT TO PROTECTIVE COVENANTS AND EASEMENTS, made on the date hereinafter set forth by the undersigned, owners of a majority of the lots comprising the real property hereinafter described,

WITNESSETH:

WHEREAS, certain Protective Covenants and Easements dated November 22, 1954,, running with the land on the real estate hereinafter described were recorded on the 23rd day of November, 1954, in Book 293 at Page 489 of the Miscellaneous Records in the Office of the Register of Deeds for Douglas County, Nebraska, to-wit:

Lots One [1] to Twelve [12], inclusive, Block One [1];
Lots One [1] to Ten [10], inclusive, Block Two [2];
Lots One [1] to Ten [10], inclusive, Block Three [3];
Lots One [1] to Ten [10], inclusive, Block four [4];
and Lots one [1] to Nine [9], inclusive, Block Five [5],
all in Westchester Second Edition, a subdivision, now
in addition to the City of Omaha, Douglas County,
Nebraska;

and,

WHEREAS, the undersigned, being the owners of a majority of said above-described lots desire to partially release and amend said Protective Covenants and Easement with respect to one of said lots only, viz., Lot Three [3], Block four [4], in said Westchester Second Addition, as hereinafter provided.

NOW, THEREFORE, the undersigned owners hereby declare that subparagraph (a) of Paragraph 6 of said Protective Covenants and Easements is hereby amended to provide that the minimum front yard building set-back line [excluding steps and unenclosed porch] for said Lot Three [3], Block Four [4], shall be changed from seventy-five [75'] feet to Fifty [50'] feet for that portion thereof on which an addition will be constructed to the existing single-family dwelling located on said Lot Three [3], Block Four [4], said addition to be Twenty-four [24'] feet in width.

Said Protective Covenants and Easements dated November 22, 1954, and recorded as aforesaid, shall be an hereby are declared to be and remain in full force and effect, except as herein specifically released and amended with respect to said Lot Three [3], Block Four [4], only.

IN WITNESS WHEREOF the undersigned, being the owners of a majority of said above-described lots, have executed this Partial Release and Amendment to said Protective Covenants and Easements on the dates hereinafter indicated.

Lot No. Block No.

4

1

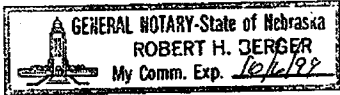
Name (s) of Owner (s)

Thomas B. Leary

Marian H. Leary

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the 10 day of May, 1998, by Robert H. Berger, Tom AND MARIAN LEARY.



Robert H. Berger
Notary Public
My Commission Expires 10/6/99

Lot No. Block No.

1

1

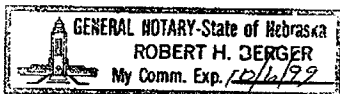
Name (s) of Owner (s)

Alexis Jankowski

David Jankowski

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the 10 day of May, 1998, by Robert H. Berger, of Dale Jankowski, Debora Jankowski.



Robert H. Berger
Notary Public
My Commission Expires 10/6/99

Lot No.

Block No.

Name (s) of Owner (s)

2

2

Frances D. Kuncel
[Signature]

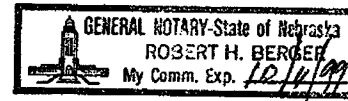
STATE OF NEBRASKA)

) ss.

COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the 24th day of August, 1998, by Robert H. BERGER if Frances D. Kuncel.

Robert H. Berger
Notary Public
My Commission Expires 10/16/99



Lot No.

Block No.

Name (s) of Owner (s)

1

2

JOHN HORGAN

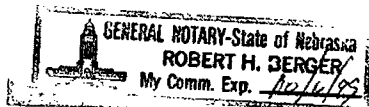
CATHERINE HORGAN

STATE OF NEBRASKA)

) ss.

COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the 16 day of May, 1998, by John Horgan and Catherine Horgan.



Robert H. Berger
Notary Public
My Commission Expires 10/16/99

Lot No. Block No.

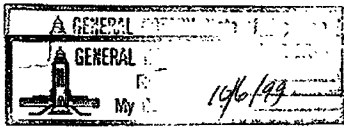
4 2

Name (s) of Owner (s)

Nancy Fitzgerald
Edward W. Fitzgerald

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the 10 day of May, 1998, by Robert H. BERGER of Nancy and Ed Fitzgerald.



Robert H. Berger
Notary Public
My Commission Expires 10/6/99

Lot No. Block No.

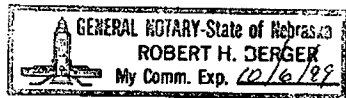
3 2

Name (s) of Owner (s)

Gertrude B. Crosby

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the 10 day of May, 1998, by Robert H. BERGER of Gertrude Crosby.



Robert H. Berger
Notary Public
My Commission Expires 10/6/99

Lot No. Block No.

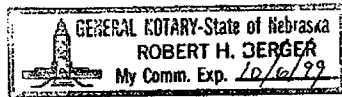
7 2

Name (s) of Owner (s)

X Wanda E. Brown
Marla C. Brown

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the 10 day of May, 1998, by Robert H. BERGER of Wanda and Marla Brown.



Robert H. Berger
Notary Public
My Commission Expires 10/6/99

Lot No. Block No.

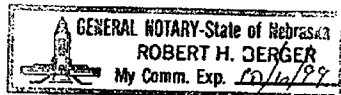
6 2

Name (s) of Owner (s)

David Pesavento
Pesavento

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the 10th day of May, 1998, by Robert H. Berger of David Pesavento.



Robert H. Berger
Notary Public
My Commission Expires 10/6/99

Lot No. Block No.

10 2

Name (s) of Owner (s)

Don & Sandra Cihal

STATE OF NEBRASKA)

) ss.

COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the 10 day of May, 1998, by Robert H. BERGER of Don and Sandra Cihal.

Robert H. Berger
Notary Public
My Commission Expires 10/6/99



Lot No. Block No.

9 2

Name (s) of Owner (s)

Phyllis Riddle

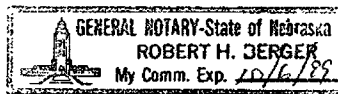
STATE OF NEBRASKA)

) ss.

COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the 10 day of May, 1998, by Robert H. BERGER of Phyllis Riddle.

Robert H. Berger
Notary Public
My Commission Expires 10/6/99



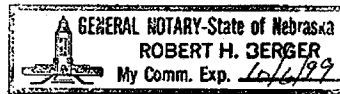
Lot No. Block No.
3 3

Name (s) of Owner (s)
N.P. Dodge Jr.
Katherine C. Dodge

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the 10 day of May, 1998, by Robert H. BERGER of N.P. Dodge and Katherine Dodge

Robert H. Berger
Notary Public
My Commission Expires 10/6/99



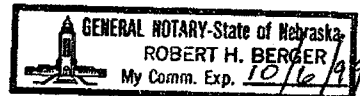
Lot No. Block No.
2 3

Name (s) of Owner (s)
Mary Stephenson
Claudette M. Stephenson

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the 24th day of August, 1998, by Robert H. BERGER of Mary and Claudette M. Stephenson

Robert H. Berger
Notary Public
My Commission Expires 10/6/99

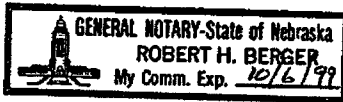


Lot No. 5 Block No. 3

Name (s) of Owner (s)
Ronald H. Berger
Sheryl E. Gasser

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the 24th day of August, 1998, by Robert H. BERGER of Rich and Sheryl Gasser.



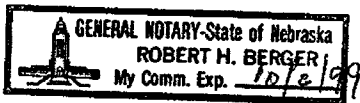
Robert H. Berger
Notary Public
My Commission Expires 10/6/99

Lot No. 4 Block No. 3

Name (s) of Owner (s)
Tracy B. Kucanoff

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the 24th day of August, 1998, by Robert H. Berger by Sheryl Gasser of Douglas.



Robert H. Berger
Notary Public
My Commission Expires 10/6/99

Lot No. Block No.

 1 3

Name (s) of Owner (s)

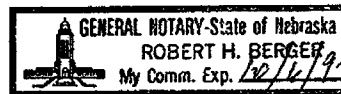
Thomas D Swanson

Deborah E Swanson

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the 24th day of August, 1998, by Robert H. BERGER of Tom and Deborah Swanson.

Robert H. Berger
Notary Public
My Commission Expires 10/16/99



Lot No. Block No.

 6 3

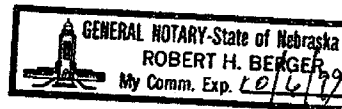
Name (s) of Owner (s)

Colin Bohan
Elizabeth Bohan

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the 24th day of August, 1998, by Robert H. BERGER by Colin and Elizabeth Bohan.

Robert H. Berger
Notary Public
My Commission Expires 10/16/99



Lot No.
3

Block No.
4

Name (s) of Owner (s)

Robert H. Berger
Owner

Sharyl L. Berger
Owner

STATE OF NEBRASKA }
 } ss.
COUNTY OF DOUGLAS }

The foregoing instrument was acknowledged before me on the 26th day of May, 1998, by Robert H. & Sharyl L. Berger.

Robert H. Berger
Notary Public
My Commission Expires 10/6/99



Lot No.
2

Block No.
4

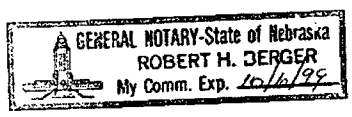
Name (s) of Owner (s)

Elizabeth B. Hanerck
John Hanerck

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the 10th day of May, 1998, by Robert H. Berger

Robert H. Berger
Notary Public
My Commission Expires 10/6/99

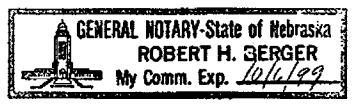


Lot No. Block No.
5 4

Name (s) of Owner (s)
Donald R. Pittman
Virginia A. Pittman

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the 10 day of May, 1998, by Robert H. Berger



Robert H. Berger
Notary Public
My Commission Expires 10/6/99

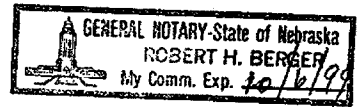
Lot No. Block No.
4 4

Name (s) of Owner (s)
Shirrell Ryan
Mark Ryan

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the 24th day of August, 1998, by Robert H. Berger

Robert H. Berger
Notary Public
My Commission Expires 10/6/99



Lot No. 7 Block No. 4

Name (s) of Owner (s)
Robert B McArthur
Olivia E McArthur

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the 10 day of May, 1998, by Robert H. Berger



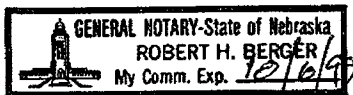
Notary Public
My Commission Expires 10/6/99

Lot No. 6 Block No. 4

Name (s) of Owner (s)
Kim Shehan
Chris Shehan

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the 24th day of August, 1998, by Robert H. Berger



Robert H. Berger
Notary Public
My Commission Expires 10/6/99

Lot No. Block No.

9 4

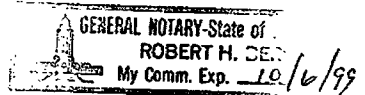
Name (s) of Owner (s)

Jennifer A. Steyer
JM Steyer

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the AA¹⁰ day of May, 1996, by Robert H. Berger

Robert H. Berger
Notary Public
My Commission Expires 10/6/99



Lot No. Block No.

8 4

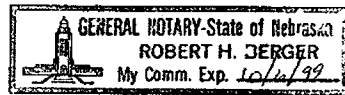
Name (s) of Owner (s)

Carolyn J. Kasint
Thomas J. Kasint

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the 24 day of August, 1996, by Robert H. Berger

Robert H. Berger
Notary Public
My Commission Expires 10/6/99



Lot No. Block No.

1 5

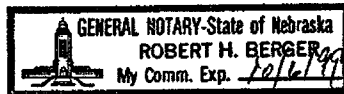
Name (s) of Owner (s)

John C Burke
Ronaldine Burke

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the 24th day of August, 1998, by Robert H. BERGER

Robert H. Berger
Notary Public
My Commission Expires 10/6/99



Lot No. Block No.

10 4

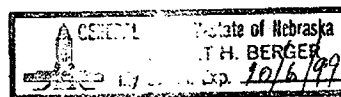
Name (s) of Owner (s)

Irish Lynn

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the 24th day of August, 1998, by Robert H. BERGER

Robert H. Berger
Notary Public
My Commission Expires 10/6/99



Lot No.

Block No.

Name (s) of Owner (s)

6

5

Burt Brang
Carol Brang

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the 10 day of May, 1998, by _____

Robert H. Deery
NOTARY PUBLIC - State of Nebraska
My Comm. Exp. 10/6/99
Notary Public
My Commission Expires 10/6/99



1261 575 MISC



12233 98 575-602

RICHARD N. TAKECHI
REGISTER OF DEEDS
DOUGLAS COUNTY, NE

98 SEP -1 AM 10:47

RECEIVED

THIS PAGE INCLUDED FOR INDEXING
PAGE DOWN FOR BALANCE OF INSTRUMENT

12233 51-42100
FEE 11550 FB _____
T BKP _____ C/O _____ COMP mb
DEL _____ SCAN de FV _____

Return to. Harriet Fische
9378 Douglas
Omaha, Ne
68114

PARTIAL RELEASE AND AMENDMENT TO
PROTECTIVE COVENANTS AND EASEMENTS

THIS PARTIAL RELEASE AND AMENDMENT TO PROTECTIVE COVENANTS AND EASEMENTS, made on the date hereinafter set forth by the undersigned, owners of a majority of the lots comprising the real property hereinafter described,

WITNESSETH:

WHEREAS, certain Protective Covenants and Easements dated November 22, 1954, running with the land on the real estate hereinafter described were recorded on the 23rd day of November, 1954, in Book 293 at Page 489 of the Miscellaneous Records in the Office of the Register of Deeds for Douglas County, Nebraska, to-wit:

Lots One (1) to Twelve (12), inclusive, Block One (1);

Lots One (1) to Ten (10), inclusive, Block Two (2);

Lots One (1) to Ten (10), inclusive, Block Three (3);

Lots One (1) to Ten (10), inclusive, Block Four (4);

and Lots One (1) to Nine (9), inclusive, Block Five (5),

all in Westchester Second Addition, a subdivision now an addition to the City of Omaha, Douglas County, Nebraska; and,

WHEREAS, the undersigned, being the owners of a majority of said above-described lots desire to partially release and amend said Protective Covenants and Easements with respect to one of said lots only, viz., Lot Three (3), Block Five (5), in said Westchester Second Addition, as hereinafter provided.

NOW THEREFORE, the undersigned owners hereby declare that subparagraph (a) of Paragraph 6 of said Protective Covenants and Easements is hereby amended to provide that the restriction of a required front yard setback of 75 feet on said Lot Three (3), Block Five (5), shall be reduced to a front yard setback of 55 feet.

Said Protective Covenants and Easements dated November 22, 1954, and recorded as aforesaid, shall be and hereby are declared to be and remain in full force

and effect, except as hereby specifically released and amended with respect to said Lot Three (3), Block Five (5) only.

IN WITNESS WHEREOF the undersigned, being the owners of a majority of said above-described lots, have executed this Partial Release and Amendment to said Protective Covenants and Easements on the dates hereinafter indicated.

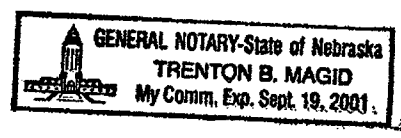
LOT NO.
1

BLOCK NO.
1

Dale E. Janowski
Owner

Dolores Janowski
Owner

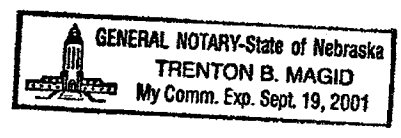
STATE OF NEBRASKA)
) ss
COUNTY OF DOUGLAS)



The foregoing instrument was acknowledged before me on the 29th day of Aug, 1998, by DALE E. JANOWSKI.

Trenton B. Magid
Notary Public

STATE OF NEBRASKA)
) ss
COUNTY OF DOUGLAS)



The foregoing instrument was acknowledged before me on the 29th day of Aug, 1998, by DOLORES JANOWSKI.

Trenton B. Magid
Notary Public

and effect, except as hereby specifically released and amended with respect to said Lot Three (3), Block Five (5) only.

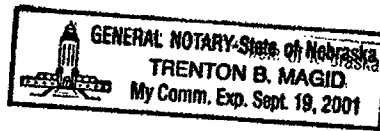
IN WITNESS WHEREOF the undersigned, being the owners of a majority of said above-described lots, have executed this Partial Release and Amendment to said Protective Covenants and Easements on the dates hereinafter indicated.

LOT NO. 2 BLOCK NO. 1

L Lee Myers
Owner

Barbara B Myers
Owner

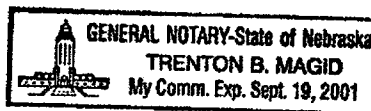
STATE OF NEBRASKA)
COUNTY OF DOUGLAS) ss



The foregoing instrument was acknowledged before me on the 29th day of Aug, 1998, by L Lee Myers.

Trenton B. Magid
Notary Public

STATE OF NEBRASKA)
COUNTY OF DOUGLAS) ss



The foregoing instrument was acknowledged before me on the 29th day of Aug, 1998, by BARBARA B. MYERS.

Trenton B. Magid
Notary Public

and effect, except as hereby specifically released and amended with respect to said Lot Three (3), Block Five (5) only.

IN WITNESS WHEREOF the undersigned, being the owners of a majority of said above-described lots, have executed this Partial Release and Amendment to said Protective Covenants and Easements on the dates hereinafter indicated.

LOT NO.

4

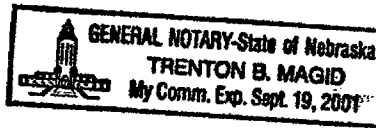
BLOCK NO.

1

[Signature]
Owner
MARIAN LEARY

[Signature]
Owner

STATE OF NEBRASKA)
) ss
COUNTY OF DOUGLAS)



The foregoing instrument was acknowledged before me on the 29th day of August, 1998, by Marian Leary

[Signature]
Notary Public

STATE OF NEBRASKA)
) ss
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the _____ day of _____, 1998, by _____

Notary Public

and effect, except as hereby specifically released and amended with respect to said Lot Three (3), Block Five (5) only.

IN WITNESS WHEREOF the undersigned, being the owners of a majority of said above-described lots, have executed this Partial Release and Amendment to said Protective Covenants and Easements on the dates hereinafter indicated.

LOT NO.

5

BLOCK NO.

1

Lavonne M. Dunetts

Owner

Lavonne M. Dunetts

Owner

STATE OF NEBRASKA)

) ss

COUNTY OF DOUGLAS)



The foregoing instrument was acknowledged before me on the 29th day of August, 1998, by Lavonne M. Dunetts

Lavonne M. Dunetts

Trenton B. Magid
Notary Public

STATE OF NEBRASKA)

) ss

COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the ___ day of _____, 1998, by _____

Notary Public

and effect, except as hereby specifically released and amended with respect to said Lot Three (3), Block Five (5) only.

IN WITNESS WHEREOF the undersigned, being the owners of a majority of said above-described lots, have executed this Partial Release and Amendment to said Protective Covenants and Easements on the dates hereinafter indicated.

LOT NO.
7

BLOCK NO.
1

James K. Ortman
Owner

Owner

STATE OF NEBRASKA)
) ss
COUNTY OF DOUGLAS)



The foregoing instrument was acknowledged before me on the 29th day of August, 1998, by James K. Ortman.

Trenton B. Magid
Notary Public

STATE OF NEBRASKA)
) ss
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the ____ day of _____, 1998, by _____.

Notary Public

and effect, except as hereby specifically released and amended with respect to said Lot Three (3), Block Five (5) only.

IN WITNESS WHEREOF the undersigned, being the owners of a majority of said above-described lots, have executed this Partial Release and Amendment to said Protective Covenants and Easements on the dates hereinafter indicated.

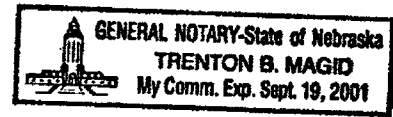
LOT NO.
9

BLOCK NO.
1

Frank Taber
Owner

Owner

STATE OF NEBRASKA)
) ss
COUNTY OF DOUGLAS)



The foregoing instrument was acknowledged before me on the 29th day of Aug, 1998, by FRANK TABER

Trenton B. Magid
Notary Public

STATE OF NEBRASKA)
) ss
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the _____ day of _____, 1998, by _____

Notary Public

and effect, except as hereby specifically released and amended with respect to said Lot Three (3), Block Five (5) only.

IN WITNESS WHEREOF the undersigned, being the owners of a majority of said above-described lots, have executed this Partial Release and Amendment to said Protective Covenants and Easements on the dates hereinafter indicated.

LOT NO.

10

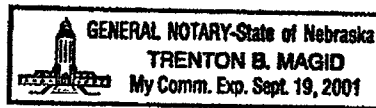
BLOCK NO.

1

Mary Kelly
Owner

Fred Kelly
Owner

STATE OF NEBRASKA)
) ss
COUNTY OF DOUGLAS)



The foregoing instrument was acknowledged before me on the 29th day of August 1998, by Mary Kelly + Fred Kelly

Trenton B. Magid
Notary Public

STATE OF NEBRASKA)
) ss
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the _____ day of _____, 1998, by _____

Notary Public

and effect, except as hereby specifically released and amended with respect to said Lot Three (3), Block Five (5) only.

IN WITNESS WHEREOF the undersigned, being the owners of a majority of said above-described lots, have executed this Partial Release and Amendment to said Protective Covenants and Easements on the dates hereinafter indicated.

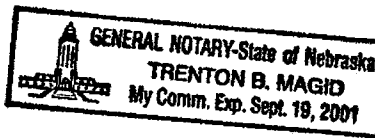
LOT NO.
11

BLOCK NO.
1

James T. Yeaworth
Owner

Trenton B. Magid
Owner

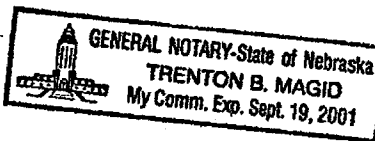
STATE OF NEBRASKA)
) ss
COUNTY OF DOUGLAS)



The foregoing instrument was acknowledged before me on the 29th day of August 1998, by Rosalie Yeaworth James Yeaworth

Trenton B. Magid
Notary Public

STATE OF NEBRASKA)
) ss
COUNTY OF DOUGLAS)



The foregoing instrument was acknowledged before me on the 29th day of August 1998, by JAMES T. YEAWORTH.

Notary Public

and effect, except as hereby specifically released and amended with respect to said Lot Three (3), Block Five (5) only.

IN WITNESS WHEREOF the undersigned, being the owners of a majority of said above-described lots, have executed this Partial Release and Amendment to said Protective Covenants and Easements on the dates hereinafter indicated.

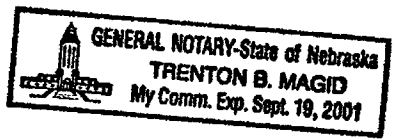
LOT NO.
12

BLOCK NO.
1

M. K. Jarvis
Owner

Owner

STATE OF NEBRASKA)
) ss
COUNTY OF DOUGLAS)



The foregoing instrument was acknowledged before me on the 29th day of August, 1998, by M. K. JARVIS.

Trenton B. Magid
Notary Public

STATE OF NEBRASKA)
) ss
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the _____ day of _____, 1998, by _____

Notary Public

and effect, except as hereby specifically released and amended with respect to said Lot Three (3), Block Five (5) only.

IN WITNESS WHEREOF the undersigned, being the owners of a majority of said above-described lots, have executed this Partial Release and Amendment to said Protective Covenants and Easements on the dates hereinafter indicated.

LOT NO.

2

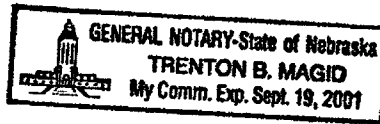
BLOCK NO.

2

Frances D. Kuncel
Owner

Owner

STATE OF NEBRASKA)
) ss
COUNTY OF DOUGLAS)



The foregoing instrument was acknowledged before me on the 29 day of August, 1998, by FRANCES D. KUNCEL.

Trenton B. Magid
Notary Public

STATE OF NEBRASKA)
) ss
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the ____ day of _____, 1998, by _____.

Notary Public

and effect, except as hereby specifically released and amended with respect to said Lot Three (3), Block Five (5) only.

IN WITNESS WHEREOF the undersigned, being the owners of a majority of said above-described lots, have executed this Partial Release and Amendment to said Protective Covenants and Easements on the dates hereinafter indicated.

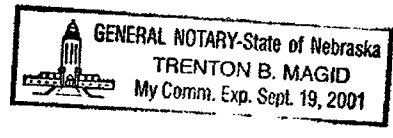
LOT NO.
4

BLOCK NO.
2

Nancy E. Fitzgerald
Owner

Edward W. Fitzgerald
Owner

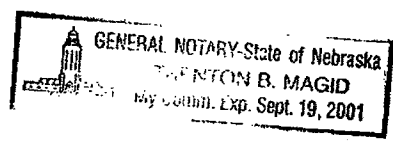
STATE OF NEBRASKA)
) ss
COUNTY OF DOUGLAS)



The foregoing instrument was acknowledged before me on the 29th day of AUGUST, 1998, by Nancy E. Fitzgerald.

Trenton B. Magid
Notary Public

STATE OF NEBRASKA)
) ss
COUNTY OF DOUGLAS)



The foregoing instrument was acknowledged before me on the 29th day of AUGUST, 1998, by EDWARD W. FITZGERALD

Trenton B. Magid
Notary Public

and effect, except as hereby specifically released and amended with respect to said Lot Three (3), Block Five (5) only.

IN WITNESS WHEREOF the undersigned, being the owners of a majority of said above-described lots, have executed this Partial Release and Amendment to said Protective Covenants and Easements on the dates hereinafter indicated.

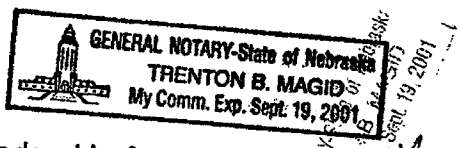
LOT NO.
7

BLOCK NO.
2

Deborah E. Swanson
Owner

Thomas D Swanson
Owner

STATE OF NEBRASKA)
) ss
COUNTY OF DOUGLAS)



The foregoing instrument was acknowledged before me on the 20th day of August, 1998, by Deborah E. Swanson

Trenton B. Magid
Notary Public

STATE OF NEBRASKA)
) ss
COUNTY OF DOUGLAS)



The foregoing instrument was acknowledged before me on the 29th day of August, 1998, by Thomas D Swanson

Trenton B. Magid
Notary Public

and effect, except as hereby specifically released and amended with respect to said Lot Three (3), Block Five (5) only.

IN WITNESS WHEREOF the undersigned, being the owners of a majority of said above-described lots, have executed this Partial Release and Amendment to said Protective Covenants and Easements on the dates hereinafter indicated.

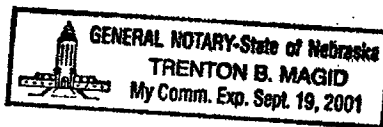
LOT NO.
1

BLOCK NO.
3

Paul G. Howard
Owner

Owner

STATE OF NEBRASKA)
) ss
COUNTY OF DOUGLAS)



The foregoing instrument was acknowledged before me on the 29th day of August, 1998, by Paul G. Howard.

Trenton B. Magid
Notary Public

STATE OF NEBRASKA)
) ss
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the ____ day of _____, 1998, by _____.

Notary Public

and effect, except as hereby specifically released and amended with respect to said Lot Three (3), Block Five (5) only.

IN WITNESS WHEREOF the undersigned, being the owners of a majority of said above-described lots, have executed this Partial Release and Amendment to said Protective Covenants and Easements on the dates hereinafter indicated.

LOT NO.

2

BLOCK NO.

3

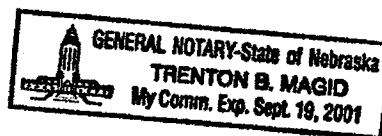
Mary Stephen
Owler

Owner

STATE OF NEBRASKA)

) ss

COUNTY OF DOUGLAS)



The foregoing instrument was acknowledged before me on the 29 day of Aug, 1998, by CARY STEPHENSON.

Trenton B. Magid
Notary Public

STATE OF NEBRASKA)

) ss

COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the ___ day of _____, 1998, by _____.

Notary Public

and effect, except as hereby specifically released and amended with respect to said Lot Three (3), Block Five (5) only.

IN WITNESS WHEREOF the undersigned, being the owners of a majority of said above-described lots, have executed this Partial Release and Amendment to said Protective Covenants and Easements on the dates hereinafter indicated.

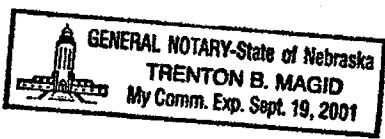
LOT NO.
4

BLOCK NO.
3

Shirley B. Kulakofsky
Owner

Owner

STATE OF NEBRASKA)
) ss
COUNTY OF DOUGLAS)



The foregoing instrument was acknowledged before me on the 29 day of August, 1998, by SHIRLEY B. KULAKOFSKY

Trenton B. Magid
Notary Public

STATE OF NEBRASKA)
) ss
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the ____ day of _____, 1998, by _____.

Notary Public

and effect, except as hereby specifically released and amended with respect to said Lot Three (3), Block Five (5) only.

IN WITNESS WHEREOF the undersigned, being the owners of a majority of said above-described lots, have executed this Partial Release and Amendment to said Protective Covenants and Easements on the dates hereinafter indicated.

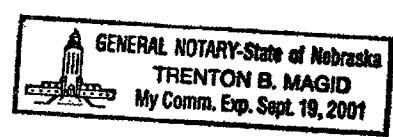
LOT NO.
10

BLOCK NO.
3

Thomas R. Hickey
Owner

Owner

STATE OF NEBRASKA)
) ss
COUNTY OF DOUGLAS)



The foregoing instrument was acknowledged before me on the 29th day of August, 1998, by Thomas R. Hickey.

Trenton B. Magid
Notary Public

STATE OF NEBRASKA)
) ss
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the ____ day of _____, 1998, by _____.

Notary Public

and effect, except as hereby specifically released and amended with respect to said Lot Three (3), Block Five (5) only.

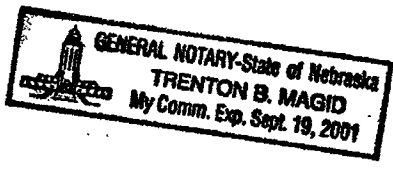
IN WITNESS WHEREOF the undersigned, being the owners of a majority of said above-described lots, have executed this Partial Release and Amendment to said Protective Covenants and Easements on the dates hereinafter indicated.

LOT NO. 1 BLOCK NO. 4

Frieda Z. Krizelman
Owner

Owner _____

STATE OF NEBRASKA)
) ss
COUNTY OF DOUGLAS)



The foregoing instrument was acknowledged before me on the 29 day of August 1998, by FRIDA Z. KRIZELMAN.

Trenton B. Magid
Notary Public

STATE OF NEBRASKA)
) ss
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the ___ day of _____, 1998, by _____.

Notary Public

and effect, except as hereby specifically released and amended with respect to said Lot Three (3), Block Five (5) only.

IN WITNESS WHEREOF the undersigned, being the owners of a majority of said above-described lots, have executed this Partial Release and Amendment to said Protective Covenants and Easements on the dates hereinafter indicated.

LOT NO.

3

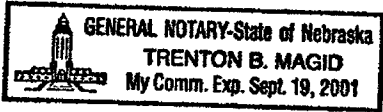
BLOCK NO.

4

Shary Berger
Owner

Owner

STATE OF NEBRASKA)
) ss
COUNTY OF DOUGLAS)



The foregoing instrument was acknowledged before me on the 29 day of August, 1998, by Shary Berger

Trenton B. Magid
Notary Public

STATE OF NEBRASKA)
) ss
COUNTY OF DOUGLAS)



The foregoing instrument was acknowledged before me on the ___ day of _____, 1998, by _____

Notary Public

and effect, except as hereby specifically released and amended with respect to said Lot Three (3), Block Five (5) only.

IN WITNESS WHEREOF the undersigned, being the owners of a majority of said above-described lots, have executed this Partial Release and Amendment to said Protective Covenants and Easements on the dates hereinafter indicated.

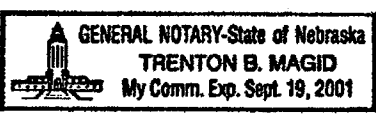
LOT NO.
5

BLOCK NO.
4

Virginia A. Ostrand
Owner

Owner

STATE OF NEBRASKA)
) ss
COUNTY OF DOUGLAS)



The foregoing instrument was acknowledged before me on the 29 day of August, 1998, by Virginia A. Ostrand.

Trenton B. Magid
Notary Public

STATE OF NEBRASKA)
) ss
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the ____ day of _____, 1998, by _____.

Notary Public

and effect, except as hereby specifically released and amended with respect to said Lot Three (3), Block Five (5) only.

IN WITNESS WHEREOF the undersigned, being the owners of a majority of said above-described lots, have executed this Partial Release and Amendment to said Protective Covenants and Easements on the dates hereinafter indicated.

LOT NO.

6

BLOCK NO.

4

Kimberly A. Shehan

Owner

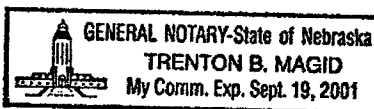
Chris Shehan

Owner

STATE OF NEBRASKA)

) ss

COUNTY OF DOUGLAS)



The foregoing instrument was acknowledged before me on the 31 day of August, 1998, by Kimberly A. Shehan

Trenton B. Magid
Notary Public

STATE OF NEBRASKA)

) ss

COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the ___ day of _____, 1998, by _____.

Notary Public

and effect, except as hereby specifically released and amended with respect to said Lot Three (3), Block Five (5) only.

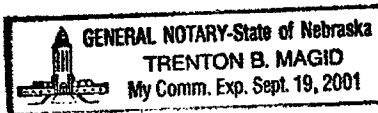
IN WITNESS WHEREOF the undersigned, being the owners of a majority of said above-described lots, have executed this Partial Release and Amendment to said Protective Covenants and Easements on the dates hereinafter indicated.

LOT NO. 7 BLOCK NO. 4

Jan Schneider
Owner

Carlos Schneider
Owner

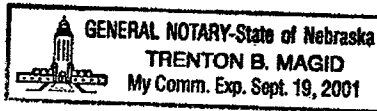
STATE OF NEBRASKA)
) SS
COUNTY OF DOUGLAS)



The foregoing instrument was acknowledged before me on the 29th day of August, 1998, by Jan Schneider.

Trenton B. Magid
Notary Public

STATE OF NEBRASKA)
) SS
COUNTY OF DOUGLAS)



The foregoing instrument was acknowledged before me on the 29th day of August, 1998, by Carlos Schneider.

Trenton B. Magid
Notary Public

and effect, except as hereby specifically released and amended with respect to said Lot Three (3), Block Five (5) only.

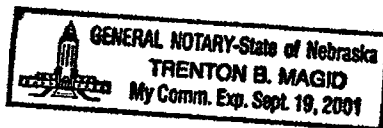
IN WITNESS WHEREOF the undersigned, being the owners of a majority of said above-described lots, have executed this Partial Release and Amendment to said Protective Covenants and Easements on the dates hereinafter indicated.

LOT NO. 5 BLOCK NO. 5

Theodore Y. Lechnowsky
Owner

Heather T. Lechnowsky
Owner

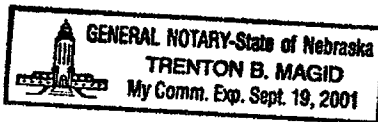
STATE OF NEBRASKA)
) SS
COUNTY OF DOUGLAS)



The foregoing instrument was acknowledged before me on the 29th day of Aug, 1998, by Theodore Y. Lechnowsky

Trenton B. Magid
Notary Public

STATE OF NEBRASKA)
) SS
COUNTY OF DOUGLAS)



The foregoing instrument was acknowledged before me on the 29th day of Aug, 1998, by Heather T. Lechnowsky

Trenton B. Magid
Notary Public

over

and effect, except as hereby specifically released and amended with respect to said Lot Three (3), Block Five (5) only.

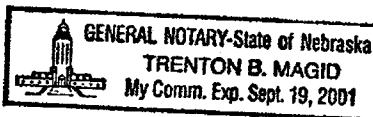
IN WITNESS WHEREOF the undersigned, being the owners of a majority of said above-described lots, have executed this Partial Release and Amendment to said Protective Covenants and Easements on the dates hereinafter indicated.

LOT NO. 4 BLOCK NO. 5

Brian Branigan
Owner

Anne Branigan
Owner

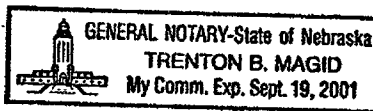
STATE OF NEBRASKA)
) SS
COUNTY OF DOUGLAS)



The foregoing instrument was acknowledged before me on the 30 day of August, 1998, by Brian Branigan.

Trenton B. Magid
Notary Public

STATE OF NEBRASKA)
) SS
COUNTY OF DOUGLAS)



The foregoing instrument was acknowledged before me on the 30 day of August, 1998, by Anne Branigan.

Trenton B. Magid
Notary Public

and effect, except as hereby specifically released and amended with respect to said Lot Three (3), Block Five (5) only.

IN WITNESS WHEREOF the undersigned, being the owners of a majority of said above-described lots, have executed this Partial Release and Amendment to said Protective Covenants and Easements on the dates hereinafter indicated.

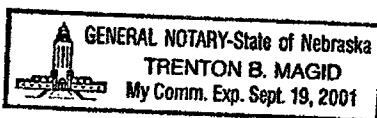
LOT NO.
7

BLOCK NO.
5

Steven J. Kutilek
Owner

Anne M. Kutilek
Owner

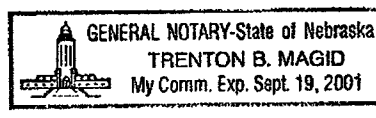
STATE OF NEBRASKA)
) ss
COUNTY OF DOUGLAS)



The foregoing instrument was acknowledged before me on the 30 day of August, 1998, by Steven Kutilek.

Trenton B. Magid
Notary Public

STATE OF NEBRASKA)
) ss
COUNTY OF DOUGLAS)



The foregoing instrument was acknowledged before me on the 30 day of August, 1998, by Anne Kutilek.

Trenton B. Magid
Notary Public

and effect, except as hereby specifically released and amended with respect to said Lot Three (3), Block Five (5) only.

IN WITNESS WHEREOF the undersigned, being the owners of a majority of said above-described lots, have executed this Partial Release and Amendment to said Protective Covenants and Easements on the dates hereinafter indicated.

LOT NO.
8

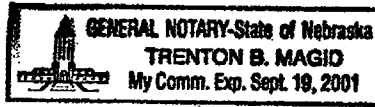
BLOCK NO.
5

[Signature]
Owner

Norm

Owner

STATE OF NEBRASKA)
) ss
COUNTY OF DOUGLAS)



The foregoing instrument was acknowledged before me on the 29th day of August, 1998, by NORMAN E SMITH.

[Signature]
Notary Public

STATE OF NEBRASKA)
) ss
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the _____ day of _____, 1998, by _____.

Notary Public

and effect, except as hereby specifically released and amended with respect to said Lot Three (3), Block Five (5) only.

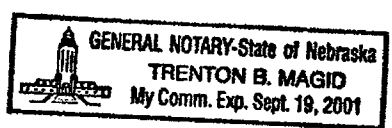
IN WITNESS WHEREOF the undersigned, being the owners of a majority of said above-described lots, have executed this Partial Release and Amendment to said Protective Covenants and Easements on the dates hereinafter indicated.

LOT NO. 9 BLOCK NO. 5

Greta W. Bowen
Owner

Owner

STATE OF NEBRASKA)
) ss
COUNTY OF DOUGLAS)



The foregoing instrument was acknowledged before me on the 29th day of August, 1998, by GRETA W. BOWEN.

Trenton B. Magid
Notary Public

STATE OF NEBRASKA)
) ss
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on the _____ day of _____, 1998, by _____.

Notary Public