

**DECLARATION  
OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS  
FOR EAGLE RUN WEST, A SUBDIVISION  
IN DOUGLAS COUNTY, NEBRASKA**

THIS DECLARATION, is made by MAENNER/HORGAN DEVELOPMENT COMPANY, a Nebraska corporation, hereinafter referred to as the "Declarant".

## PRELIMINARY STATEMENT

The Declarant is the owner of certain real property located within Douglas County, Nebraska and described as follows:

Lots 1 through 119, inclusive, in Eagle Run West, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska.

Such lots are herein referred to collectively as the "Lots" and individually as each "Lot".

The Declarant desires to provide for the preservation, protection and enhancement of the values and amenities of such community and for the maintenance of the character, value, desirability, attractiveness and residential integrity of the Lots.

NOW, THEREFORE, the Declarant hereby declares that each and all of the Lots shall be held, sold and conveyed subject to the following restrictions, covenants, conditions and easements, all of which are for the purpose of enhancing and protecting the value, desirability and attractiveness of the Lots. These restrictions, covenants, conditions and easements shall run with such real estate and shall be binding upon all parties having or acquiring any right, title or interest in each Lot, or any part thereof, as is more fully described herein. The Lots, and each Lot, is and shall be subject to all and each of the following conditions and other terms:

1. At such time as the proper governmental bodies may legally determine it appropriate to pave Locust Street adjacent to Lot 115, the property owners shall pay any legal assessment for construction in accordance with law and customary legal procedures and criteria.

IN WITNESS WHEREOF, the Declarant has caused these presents to be executed this 10 day of MAY, 1991.

RECEIVED

MAENNER/HORGAN DEVELOPMENT COMPANY, a  
Nebraska corporation

By Collier, Jr.  
President

**ATTEST:**

SEP 5 9 10 AM '91

President  
BK 977 N C/O FEE 64  
PG 127 N COMP DEL ad MC  
OF MDC COMP 91 F/B MC 09995

STATE OF NEBRASKA )  
COUNTY OF DOUGLAS ) 88.

GEORGE J. BUGLEWICZ  
REGISTER OF DEEDS  
DOUGLAS COUNTY, WIS.

STATE OF NEBRASKA )  
COUNTY OF DOUGLAS ) 88.

The foregoing instrument was acknowledged before me this 10th day of May 1991, by ROBERT P. HORGAN, President, and ELAINE LIMPACH, Secretary, respectively, of MAENNER/HORGAN DEVELOPMENT COMPANY, a Nebraska corporation, on behalf of the corporation.

