

80-567

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RESTRICTIVE COVENANTS

The undersigned hereby declares that the following 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 until January 1, 2003:

Lots 12 through 112, 114 through 165, and 167 through 189, inclusive, in Georgetowne Replat, a subdivision in Douglas County, Nebraska.

If the present or future owners of any said lots shall violate or attempt to violate any of these covenants, it shall be lawful for any other person 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 to prevent him or them from doing so and to recover damages or other dues for such violation. Invalidation of any of these covenants by judgment or court order shall in no way affect any of the other provisions hereof, which shall remain in full force and effect.

A. Said lots shall be used only for single-family purposes and for accessory structures incidental to residential use or for park, recreational, church or school purposes; provided however that Lots 12 through 35 and 167 through 189 may also be used for multi-family structures and purposes.

B. No noxious or offensive trade or activity shall be carried on upon any plot nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood.

C. No trailer, basement, tent, shack, garage, barn or other outbuilding erected on said real estate shall at any time be used as a residence temporarily or permanently, nor shall any structure of a temporary character be used as a residence. No dwelling constructed in another area or addition may be moved onto or permitted to remain on any lot in this subdivision.

D. Portland concrete public sidewalks four feet wide by four inches thick, shall be constructed in front of each built-upon lot and along the street side of each built-upon corner lot. The sidewalk shall be placed five (5) feet back of street curb line and shall be constructed by the then owner of the lot at the time of completion of the main structure and before occupancy or use thereof. No sidewalks need be built abutting the side lot lines of Lots 165, 167 and 114, and no sidewalks need be built abutting 144th Street.

E. The following building restrictions shall apply to single-family structures:

(1) Where lots are improved with single-family dwellings, the following minimums shall be required for finished living areas exclusive of open porches, breezeways and garages: 1000 square feet on the ground floor for a one-story house; 1000 square feet throughout the house for a bi-level, tri-level, split-level, split-entry, 1 1/2 story or taller house; but the foundation walls must enclose an inside ground area of not less than 900 square feet including any garage areas located under living space. Minimum front, side and rear yards shall be determined by the zoning ordinance governing each lot.

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(2) A two-car garage shall be constructed to serve each single-family structure.

F. In no event will any construction begin or any structure be erected or permitted to remain on any lot until the plans and specifications, plot plan and lot grading plan have first been submitted to and have received the written approval of the undersigned as to the exterior design, use of exterior materials, lot grading and placement of structures on the lot. No sign or billboard of any kind or size shall be erected, placed or permitted to remain on any lot until the undersigned has given its written approval therefor. The restrictions of this paragraph shall terminate January 1, 1976.

EXECUTED this 11th day of September, 1972.

HOGAN HOMES, INC.

BY: Dennis P. Hogan  
President

STATE OF NEBRASKA)

) ss.

COUNTY OF DOUGLAS)

On the day and year last-above written before me, the undersigned, a Notary Public in and for said County, personally came DENNIS P. HOGAN, JR., President of Hogan Homes, Inc., to me personally known to be the identical person whose name is affixed to the above Restrictive Covenants, and acknowledged the execution thereof to be his voluntary act and deed as such officer and the voluntary act and deed of said Corporation.

WITNESS my hand and Notarial Seal at Omaha in said County the day and year last-above written.

Mary Ann Sheppard  
Notary Public

2-1-75

13. ENTERED IN NUMERICAL INDEX AND INDEXED IN THE REGISTER OF DEEDS OFFICE IN DOUGLAS COUNTY, NEBRASKA  
21. DAY OF Sept. 1972 3:11 P.M. C. HAROLD OSILER, REGISTER OF DEEDS

50.00

