

280-
154

LOOKING GLASS HILLS ADDITION

AMENDMENT TO RESTRICTIVE COVENANTS

WHEREAS, certain Restrictive Covenants were entered into on or about June 22, 1964 regarding all lots in Looking Glass Hills Addition, an addition in Washington County, Nebraska, which is a subdivision of that part of the East Half of the Northeast Quarter (E/2 NE1/4) of Section Thirty (30), Township Seventeen (17) North, Range Twelve (12), East of the 6th P.M. in Washington County, Nebraska, which lies north of Highway 133, being 78.5 acres of land.

— WHEREAS, pursuant to Paragraph 14 of said Restrictive Covenants, the Covenants may be changed at any time in any manner whatsoever by a majority of the then owners of all the lots in Looking Glass Hills Addition (hereinafter referred to as "Addition").

The following parties, representing a majority of the current owners of all of the lots in said Addition, do hereby declare that all lots contained in said Addition will and shall henceforth be owned, held, used and conveyed, subject to the following conditions, restrictions and covenants:

1. That all of the terms, provisions, conditions, restrictions and covenants contained in the June 22, 1964 Restrictive Covenants be and hereby are ratified and affirmed.
2. That in addition to the Restrictive Covenants referred to hereinabove, all lots contained in said Addition will and shall henceforth be owned, held, used and conveyed subject to the following additional conditions, restrictions and covenants, to-wit:
 - (a) No manufactured homes shall be allowed to be placed on any lots in Looking Glass Hills Addition. For purposes of this section, "manufactured homes" shall mean:
 - (i) A factory-built structure which is to be used as a place for human habitation, which is not constructed or equipped with permanent hitch or other device allowing it to be moved other than to a permanent site, which does not have permanently attached to its body or frame any wheels or axles and which bears a label certifying that it was built in compliance with National Manufactured Home Construction and Safety Standards, 24 C.F.R. 3280, et seq., promulgated by the United States Department of Housing and Urban Development, or,
 - (ii) Any factory-built structure constructed on a non-removable chassis, or

FILED
96 APR - 1 PM 3:47
CHARLOTTE PETERSON
WASHINGTON COUNTY CLERK

STATE OF NEBRASKA COUNTY OF WASHINGTON) SS 1449
ENTERED IN NUMERICAL INDEX AND FILED FOR RECORD
THIS 01 DAY OF April A.D. 19 98
AT 3:47 O'CLOCK P.M. AND RECORDED IN BOOK
280 AT PAGE 154-163
COUNTY CLERK Charlotte S. Peterson
Mason MacLaren

OTAPR 1

154

(iii) Any factory-built structure that does not meet the inspections required by the Uniform Building Code (UBC) or its equivalent, normally shown by the application of a State or inspection agency label of approval.

(b) No mobile homes shall be allowed to be placed on any lots in Looking Glass Hills Addition. For purposes of this section, "mobile home" shall mean: a year-round, transportable structure which is a single family dwelling unit suitable for permanent residence (more than 30 days living quarters), more than 8' wide and 40' in length, designed and built to be towed on its own chassis and designed to be used as a single family dwelling with or without a permanent foundation when connected to the required utilities.

These Covenants shall run with the land and shall be binding on all parties and all persons claiming under them for a period commensurate with the terms and provisions of the Restrictive Covenants dated June 22, 1964, and all renewals thereof.

STATE OF NEBRASKA)
) :ss:
COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of _____, 1997, by _____.

Notary Public

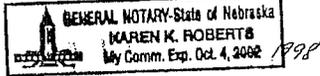
STATE OF NEBRASKA)
) :ss:
COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of _____, 1997, by _____.

Notary Public

Lot 5, Block 19, Looking Glass Hills 156

Daniel A. McCarthy
STATE OF NEBRASKA)
COUNTY OF Washington) :SS:

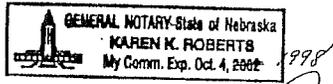
Kristina E. McCarthy


The foregoing instrument was acknowledged before me this 16 day of November, 1997, by DANIEL A. & KRISTINA E. MCCARTHY, husband & wife

Karen K. Roberts
Notary Public

Lot 7 revised, Block 18, Looking Glass Hills

Robert S. Bruning
STATE OF NEBRASKA)
COUNTY OF Washington) :SS:

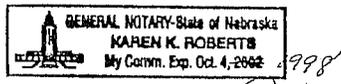
Sharon S. Bruning


The foregoing instrument was acknowledged before me this 16 day of November, 1997, by ROBERT S. & SHARON S. BRUNING, husband & wife

Karen K. Roberts
Notary Public

Lots 1, 2, 3, 14 and 15, Block 17, Looking Glass Hills

Joseph R. Dimari
STATE OF NEBRASKA)
COUNTY OF Washington) :SS:

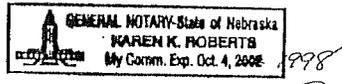
Joanne Dimari


The foregoing instrument was acknowledged before me this 16 day of November, 1997, by JOSEPH R. & JOANNE DIMARI, husband & wife

Karen K. Roberts
Notary Public

Lot 3 revised, Block 19, Looking Glass Hills

John C. Orchard
STATE OF NEBRASKA)
COUNTY OF Washington) :SS:

Linda M. Orchard


The foregoing instrument was acknowledged before me this 16 day of November, 1997, by JOHN C. & LINDA M. ORCHARD, husband & wife

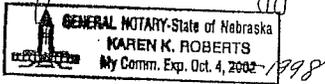
Karen K. Roberts
Notary Public

Lots 1, 2, 15 and 16, Block 18, Looking Glass Hills

Michael G. Burgraf

Sean A. Burgraf

STATE OF NEBRASKA)
COUNTY OF Washington) :SS:



The foregoing instrument was acknowledged before me this 16 day of November 1997, by MICHAEL G. & SEAN A. BURGGRAF, husband & wife

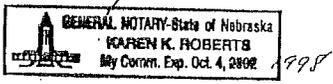
Karen K. Roberts
Notary Public

Lot 4 revised, Lots 14 & 15, Block 6, Looking Glass Hills

Ruth A. Franson

Randy V. Fran

STATE OF NEBRASKA)
COUNTY OF Washington) :SS:



The foregoing instrument was acknowledged before me this 16 day of November 1997, by RANDY V. & RUTH A. FRANSON, husband & wife

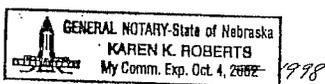
Karen K. Roberts
Notary Public

James G. & Judith D. Haidley
Lot 5 revised, Lots 6 & 11 Blk. 17, Looking Glass Hills

James G. Haidley

Judith D. Haidley

STATE OF NEBRASKA)
COUNTY OF Washington) :SS:



The foregoing instrument was acknowledged before me this 16 day of November 1997, by JAMES G. & JUDITH D. HAIDLEY, husband & wife

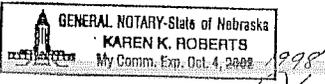
Karen K. Roberts
Notary Public

Lot 7, 8, & 9 revised, Blk. 17, Looking Glass Hills

Harlan R. Serivy

Linda L. Serivy

STATE OF NEBRASKA)
COUNTY OF Washington) :SS:



The foregoing instrument was acknowledged before me this 16 day of November 1997, by HARLAN R. & LINDA L. SERIVY, husband & wife

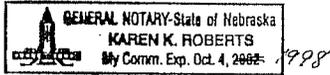
Karen K. Roberts
Notary Public

1 Lot 4 revised, Block 17, Looking Glass Hills

Scott A. Shaeffer

Nancy M. Shaeffer

STATE OF NEBRASKA)
) :SS:
COUNTY OF Washington)



The foregoing instrument was acknowledged before me this 16th day of NOVEMBER 1997, by SCOTT A. & NANCY M. SHAEFFER, husband & wife

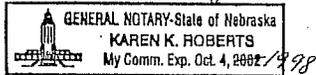
Karen K. Roberts
Notary Public

Lot 1 revised, Lots 3, 4, & 13 Blk 9, Looking Glass Hills

Carl A. Kyrat

Thomas J. Kyrat

STATE OF NEBRASKA)
) :SS:
COUNTY OF Washington)



The foregoing instrument was acknowledged before me this 16th day of NOVEMBER 1997, by Thomas J. & Carol A. Kyrat, husband & wife

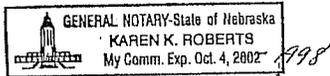
Karen K. Roberts
Notary Public

Lot 1 revised, Blk. 13, Looking Glass Hills

Joseph J. Urbanski

Jane E. Urbanski

STATE OF NEBRASKA)
) :SS:
COUNTY OF Washington)



The foregoing instrument was acknowledged before me this 16 day of November 1997, by JOSEPH J. & JANE E. URBANSKI, husband & wife

Karen K. Roberts
Notary Public

Lot 1, Blk. 1, Lot 11, Blk. 7 Lot 2 Revised Blk. 8
Lot 1, Blk 2, Lots 1, 2, 3, 5, 13, 14, 15 & 16 Blk. 8
Lot 8, Blk. 19 Looking Glass Hills

Every One a Nebraska Corporation Karen K. Roberts
STATE OF NEBRASKA)
) :SS:
COUNTY OF Washington)
president



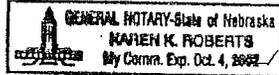
The foregoing instrument was acknowledged before me this 16th day of November, 1997, by Karen K. Roberts

Jane E. Urbanski
Notary Public

Lot 4 Revised and Lot 5, Block 10, Looking Glass Hills

David P. Maxwell Catherine E. Oswald

STATE OF NEBRASKA)
COUNTY OF Washington) :SS:



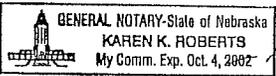
The foregoing instrument was acknowledged before me this 16 day of November 1997, by DAVID P. and CATHERINE E. OSWALD, husband & wife

Karen K. Roberts
Notary Public

Lots 2, 3, 4, 5, 13, 14, 15 Blk. 12 and Lots 5, 6, 11 and 12, Blk 16
Looking Glass Hills

Allen D. Riggs Robin A. Riggs

STATE OF NEBRASKA)
COUNTY OF Washington) :SS:



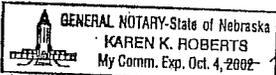
The foregoing instrument was acknowledged before me this 17 day of November 1997, by ALLEN D. & ROBIN A. RIGGS, husband & wife

Karen K. Roberts
Notary Public

Lot 3, Block 19, Looking Glass Hills

Ronald D. Drey Crystal L. Drey

STATE OF NEBRASKA)
COUNTY OF Washington) :SS:



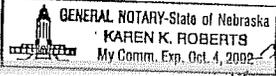
The foregoing instrument was acknowledged before me this 17 day of November 1997, by RONALD D. & CRYSTAL L. DREY, husband & wife

Karen K. Roberts
Notary Public

Lot 1, Block 10, Looking Glass Hills
Lot 4 Revised, Blk. 7, Looking Glass Hills

Shawn M. Vaughan Janet L. Vaughan

STATE OF NEBRASKA)
COUNTY OF Washington) :SS:



The foregoing instrument was acknowledged before me this 17 day of November 1997, by SHAWN M. & JANET L. VAUGHAN, husband & wife

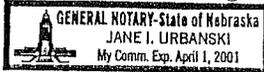
Karen K. Roberts
Notary Public

160

Lot 13, Block 16, Looking Glass Hills

Egon, Inc. a Nebraska Corporation Karen K. Roberts
President

STATE OF NEBRASKA)
) :ss:
COUNTY OF Washington)



The foregoing instrument was acknowledged before me this 16th day of November, 1997, by Karen K. Roberts

Jane I. Urbanski
Notary Public

~~Lot 2, Block 16, Looking Glass Hills~~
~~Egon, Inc. a Nebraska Corporation~~

STATE OF NEBRASKA)
) :ss:
COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of _____, 1997, by _____

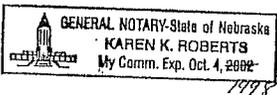
Notary Public

Lot 2 revised, Block 14, Looking Glass Hills

X Leroy Sinclair X Katherine Sinclair

STATE OF NEBRASKA)
) :ss:
COUNTY OF Washington)

The foregoing instrument was acknowledged before me this 23rd day of February, 1998, by LEROY & KATHERINE SINCLAIR, husband & wife



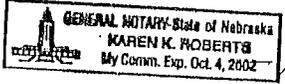
Karen Roberts
Notary Public

~~Lots 6, 7, 8, Blk 4~~
~~Lot 9 & 10, Blk 5, Looking Glass Hills~~
~~Lot 7 & 8, Blk 6, Hills~~

STATE OF NEBRASKA)
) :ss:
COUNTY OF Washington)

X Gregory A. Studanski

The foregoing instrument was acknowledged before me this 29th day of March, 1998, by GREGORY A. STUDANSKI



Karen K. Roberts
Notary Public

(iii) Any factory-built structure that does not meet the inspections required by the Uniform Building Code (UBC) or its equivalent, normally shown by the application of a State or inspection agency label of approval.

(b) No mobile homes shall be allowed to be placed on any lots in Looking Glass Hills Addition. For purposes of this section, "mobile home" shall mean: a year-round, transportable structure which is a single family dwelling unit suitable for permanent residence (more than 30 days living quarters), more than 8' wide and 40' in length, designed and built to be towed on its own chassis and designed to be used as a single family dwelling with or without a permanent foundation when connected to the required utilities.

These Covenants shall run with the land and shall be binding on all parties and all persons claiming under them for a period commensurate with the terms and provisions of the Restrictive Covenants dated June 22, 1964, and all renewals thereof.

Looking Glass Hills { Block 8, Lots 6, 7, 8, 9, 10, 11 / Block 19 Lot 1.
Block 9, Lot 6 revised / Block 15, Lot 3 revised

John Bunn _____ *[Signature]* _____

STATE OF NEBRASKA)
COUNTY OF Washington) :ss:

The foregoing instrument was acknowledged before me this 12th day of January, 1998, by SOHN & JANICE BIERANDOWSKI, husband & wife

GENERAL NOTARY-State of Nebraska
KAREN K. ROBERTS
My Comm. Exp. Oct. 4, 2002

Lot 209 Sherwood Acres (located in Looking Glass Hills)
John Bunn _____ *Karen K. Roberts* _____
Notary Public

STATE OF NEBRASKA)
COUNTY OF Washington) :ss:

The foregoing instrument was acknowledged before me this 12th day of January, 1998, by SOHN & JANICE BIERANDOWSKI, husband & wife

GENERAL NOTARY-State of Nebraska
KAREN K. ROBERTS
My Comm. Exp. Oct. 4, 2002

Karen K. Roberts _____
Notary Public

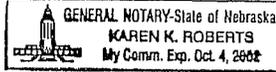
162

Lots 3, 4, 5 revised, 11, Block 18, Looking Glass Hills

Thomas D. Parks

Debra K Parks

STATE OF NEBRASKA)
COUNTY OF Washington) :ss:



The foregoing instrument was acknowledged before me this 17th day of November, 1997, by Thomas D. & Debra K. Parks, husband & wife

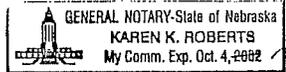
Karen K. Roberts
Notary Public

Lot 5 revised, Lots 7, 9, 10, Blk. 11, Looking Glass Hills

John P. Brindamour

Victoria L. Brindamour

STATE OF NEBRASKA)
COUNTY OF Washington) :ss:



The foregoing instrument was acknowledged before me this 19th day of November, 1997, by JOHN P. & VICTORIA L. BRINDAMOUR, husband & wife

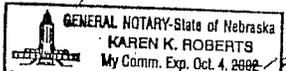
Karen K. Roberts
Notary Public

Lots 8, 9, 10, 2nd 11, Block 10, Looking Glass Hills

Peter L. Maxwell

Terry L. Maxwell

STATE OF NEBRASKA)
COUNTY OF Washington) :ss:



The foregoing instrument was acknowledged before me this 19th day of November, 1997, by PETER G. and TERRY L. MAXWELL, husband & wife

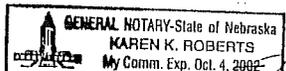
Karen K. Roberts
Notary Public

Lot 7, 8, 9, 2nd 10 Blk 16 Looking Glass Hills

Mike Gerren

Marlene Gerren

STATE OF NEBRASKA)
COUNTY OF Washington) :ss:



The foregoing instrument was acknowledged before me this 22 day of November, 1997, by MICHAEL J. & MARLENE S. GERREN, husband & wife

Karen K. Roberts
Notary Public

Lot 2, Blk 2 / Lot 2, 15th & 16th Blk 7, Looking Glass Hills

Keith E Lanning Michelle Lanning

STATE OF NEBRASKA)
COUNTY OF Washington) :SS:



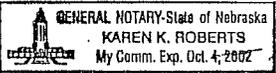
The foregoing instrument was acknowledged before me this 23rd day of November 1997, by KEITH E. & MICHELLE J. LANNING, Husband & wife

Karen K. Roberts
Notary Public

Looking Glass Hills

Lot 8, Blk 13th and 1/2 of vacated Queens Terrace
Lot 1, Blk 14th and 1/2 of vacated Queens Terrace
Gerald M. Weinert

STATE OF NEBRASKA)
COUNTY OF Washington) :SS:



The foregoing instrument was acknowledged before me this 27th day of November 1997, by GERALD M. WEINERT

Karen K. Roberts
Notary Public

~~Lot 7 and 8, Blk 12, Looking Glass Hills~~

~~Judith A Fagen N/A sold~~

~~STATE OF NEBRASKA)
COUNTY OF Washington) :SS:~~

~~The foregoing instrument was acknowledged before me this 27th day of November 1997, by MICHAEL P & JUDITH A FAGEN, Husband & wife~~

~~Karen K. Roberts
Notary Public~~

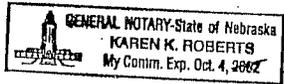
Lot 4 revised, 12, 14, 15, Blk 5 Looking Glass Hills.

Scott Shearman Stacia J. Shearman

STATE OF NEBRASKA)
COUNTY OF Washington) :SS:

The foregoing instrument was acknowledged before me this 31 day of March 1998, by GERALD J. & STACIA J. SHEARMAN

Karen K. Roberts
Notary Public



164

FILED

STATE OF NEBRASKA COUNTY OF WASHINGTON) SS 1450
 ENTERED IN NUMERICAL INDEX AND FILED FOR RECORD
 THIS 21 DAY OF April A.D. 1998
 AT 3:47 O'CLOCK P.M. AND RECORDED IN BOOK
 980 AT PAGE 164-168
 BY CLERK Charlotte A. Peterson
 Aaron Mathiesen

98 APR -1 PM 3:47
 CHARLOTTE A. PETERSON
 CLERK
 WASHINGTON COUNTY

USDA-REC'D
 Form FmHA 1927-1 NE
 (Rev. 10-95)

Position 5

REAL ESTATE MORTGAGE FOR NEBRASKA

THIS MORTGAGE is made and entered into by MATTHEW V. MATHIESEN

residing in Washington County, Nebraska, whose post office address is
18147 County Road P10, Herman, Nebraska 68029

herein called "Borrower," and the United States of America, acting through the United States Department of Agriculture, herein called the "Government".
 WHEREAS Borrower is indebted to the Government, as evidenced by one or more promissory notes or assumption agreements or any shared appreciation or recapture agreement, herein called "note," which has been executed by Borrower, is payable to the order of the Government, authorizes acceleration of the entire indebtedness at the option of the Government upon any default by Borrower, and is described as follows:

<u>Date of Instrument</u>	<u>Principal Amount</u>	<u>Annual Rate of Interest</u>	<u>Due Date of Final Installment</u>
April 1, 1998	\$200,000.00	5.0%	April 1, 2038

(The interest rate for limited resource farm ownership or limited resource operating loans secured by this instrument may be increased as provided in the Government's regulations or the note.)

And the note evidences a loan to Borrower, and the Government, at any time, may assign the note and insure the payment thereof pursuant to the Consolidated Farm and Rural Development Act, or Title V of the Housing Act of 1949, or any other statute administered by the Government.

And it is the purpose and intent of this instrument that, among other things, at all times when the note is held by the Government, or in the event the Government should assign this instrument without insurance of the note, this instrument shall secure payment of the note; but when the note is held by an insured holder, this instrument shall not secure payment of the note or attach to the debt evidenced thereby, but as to the note and such debt shall constitute an indemnity mortgage to secure the Government against loss under its insurance contract by reason of any default by Borrower;

And this instrument also secures the recapture of any deferred principal and interest or of any interest credit and subsidy which may be granted to the Borrower by the Government pursuant to 42 U.S.C. §§ 1472 (g) or 1490a, respectively, or any amount due under any Shared Appreciation/Recapture Agreement entered into pursuant to 7 U.S.C. § 2001.

NOW, THEREFORE, in consideration of the loans and (a) at all times when the note is held by the Government, or in the event the Government should assign this instrument without insurance of the payment of the note, to secure prompt payment of the note and any renewals and extensions thereof and any agreements contained therein, including any provision for the payment of an insurance or other charge, (b) at all times when the note is held by an insured holder, to secure performance of Borrower's agreement herein to indemnify and save harmless the Government against loss under its insurance contract by reason of any default by the Borrower, and (c) in any event and at all times to secure the prompt payment of all advances and expenditures made by the Government, with interest, as hereinafter described, and the performance of every covenant and agreement of Borrower contained herein or in any supplementary agreement, Borrower does hereby grant, bargain, sell, convey and assign, with general warranty, unto the Government the following

property situated in the State of Nebraska, County(ies) of Washington

SEE EXHIBIT "A" attached hereto and incorporated by this reference.

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