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RESTRICTIVE COVENANTS

The undersigned hereby declare 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, 2010:

Lots One(1) through One Hundred Fifty One(151), both inclusive, in Overland Hills IV, a subdivision in Sarpy County, Nebraska.

If the present or future owners of any of said lots, or their grantees, heirs, or assigns, shall violate or attempt to violate any of these covenants, it shall be lawful for any other person or persons 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 covenants and either prevent him or them from so doing or to recover damages or other dues for such violations

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.
- 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 outbuildings 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. Once construction of a dwelling has been commenced, outside framing of same must be completed within nine (9) months thereafter, No animals, livestock or poultry of any kind

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- D. No junk cars or unlicensed motor vehicles of any kind, or boats, trucks, trailers, or car bodies shall be stored, parked, kept or maintained in any yards or on any driveways or streets, outside trash containers are prohibited unless enclosed in a fully fenced-in area. Fences may only be located around the perimeter of the rear yard and not extend any closer to the front lot line than the front yard building setback line. All cars parked in any driveway or on any street must be in running condition with all tires inflated, and no outside repair of any automobile will be permitted.
- E. Portland concrete public sidewalks, four feet wide by 3/4 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 four feet back of the street curb line, and shall be completed before occupancy or use of the main structure.
- F. The applicable zoning ordinances of the City of Papillion shall determine the minimum square footage requirements for buildings.
- G. The applicable zoning ordinances of the City of Papillion shall determine minimum area of building plot and minimum front, side and rear yards.

IN WITNESS WHEREOF, Charles R. Clatterbuck, General Partner for West Lincoln Prop.

being the owner of all said real estate, has executed these covenants this

1st day of October, 1984

WEST LINCOLN PROPERTIES LIMITED PARTNERSHIP

By Charles R. Clatterbuck
General Partner

STATE OF NEBRASKA)
) ss
COUNTY OF SARPY)

On the day and year last above written, before me, the undersigned, a Notary Public, in and for said County, personally came Charles R. Clatterbuck, 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 and the voluntary act and deed of the partnership.

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**NOTICE AND DECLARATION OF ADDITIONAL COVENANT OF OVERLAND HILLS IV
A SUBDIVISION IN SARPY COUNTY, NEBRASKA**

This notice and declaration, made on the date hereinafter set forth, is made by Celebrity Homes, Inc. and West Lincoln Properties Limited Partnership hereinafter referred to as the "Declarants."

PRELIMINARY STATEMENT

1. WHEREAS, the Overland Hills IV subdivision contains 151 lots, and some of these lots have been conveyed by the Declarants to various purchasers prior to the filing of this Notice and Declaration.

2. WHEREAS, Declarant Celebrity Homes, Inc. is the owner of the following lots in Overland Hills IV:

Lots 12-23, 25, 31, 33-38, 48, 53-57, 60-64, 66-69, 128, 135, 137, 138, 141, and 144-148, inclusive, all in Overland Hills IV, a subdivision, as surveyed, platted, and recorded in Sarpy County, Nebraska.

3. WHEREAS, Declarant West Lincoln Properties Ltd. is the owner of the following lots in Overland Hills IV:

Lots 1-5, 71, 73-92, 94-126, 130-132, 150 and 151, inclusive, all in Overland Hills IV, a subdivision, as surveyed, platted and recorded in Sarpy County, Nebraska.

WHEREAS, each Declarant will convey its lots subject to the additional covenant and possible charge set forth in Article I.

NOW THEREFORE, each Declarant hereby declares that all lots herein shall be

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charge shall run with said real property, and shall be binding upon all parties having or acquiring any right, title or interest in the above described lots, or any part thereof.

DEFINITIONS

A. "Owner" shall mean and refer to the record owner, whether one or more persons or entities, of a fee simple title to any lot which is a part of the properties, including contract sellers, by excluding those having such an interest merely as security for the performance of an obligation.

B. "Lot" shall mean and refer to any plot of land shown upon the recorded subdivision map or plat of Overland Hills IV, a subdivision as surveyed, platted and recorded in Sarpy County, Nebraska.

C. "Declarants" shall mean and refer to Celebrity Homes, Inc., a Nebraska corporation, its successors and assigns, and West Lincoln Properties Ltd., a Nebraska Limited Partnership, its successors and assigns.

ARTICLE I
NOTICE OF POTENTIAL TELEPHONE FACILITIES CHARGE

In the event that ninety percent (90%) of all lots within Overland Hills IV Subdivision are not improved within five years from the date that Northwestern Bell Telephone Company shall have completed the installation of its distribution system within said subdivision and filed notice of such completion ("five year term"),

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A lot shall be considered as unimproved if construction of a permanent structure has not commenced on that lot. Construction shall be considered as having commenced if a footing inspection has been made on the lot in question by officials of the city or other appropriate governmental authority.

All 151 lots in Overland Hills IV subdivision shall be considered in determining whether ninety percent (90%) of the lots within Overland Hills IV have been improved within the five year term. Only the 151 lots in Overland Hills IV subdivision as mentioned herein shall be considered in determining the date Northwestern Bell Telephone Company shall have completed the installation of its distribution system for the Overland Hills IV subdivision.

Such charge shall be due and owing immediately upon the expiration of the five year term, and if such charge is not paid within sixty days after the sending of written notice by Northwestern Bell Telephone Company or its successors to the owner of an unimproved lot that such charge is due, then such charge will begin drawing interest commencing upon the expiration of the sixty day period at the rate of twelve percent (12%) per annum, or the maximum rate allowed by law if said maximum rate is less than twelve percent (12%) per annum at that time.

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In witness whereof, the undersigned, being the Declarants herein, have hereunto set its hand and seal this 17th day of July, 1986.

DECLARANTS:

CELEBRITY HOMES, INC.

WEST LINCOLN PROPERTIES LTD.

By: [Signature]

By: [Signature]

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me, this 17th day of July, 1986 by Charles R. Clatterbuck, General Partner of West Lincoln Properties Ltd., a Nebraska Limited Partnership.



[Signature]
Notary Public

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me, this 17th day of July, 1986 by Gale Larsen, President of Celebrity Homes, Inc., a Nebraska Corporation.



[Signature]
Notary Public

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