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PROTECTIVE COVENANTS

VALLEY FARMS 1ST ADDITION - LOTS 1 THRU 83

KNOW ALL MEN BY THESE PRESENTS, that the Undersigned, owners of Lots 1 thru 83, Valley Farms 1st Addition; being a subdivision platting of part of the West 1/2 of Section 25, Township 16 North, Range 9 Fast of the 6th P.M., Douglas County, Nebraska, as surveyed, platted and recorded ("Property"), have created, declared, adopted and established the following restrictions upon the Property for the use and benefit of themselves, their heirs, successors and assigns, for the purpose of controlling, governing and regulating the ownership, encumbrance, use and occupancy of said Property; said restrictions to be enforceable by any individual or entity at any time holding record title to any part of the Property:

- 1. MEMBERSHIP IN PRAIRIE POINT ESTATES HOME ASSOCIATION.
 Every record holder of title to the above described lots in
 Valley Farms 1st Addition is automatically a member of the
 Prairie Point Estates Home Association, a non profit corporation;
 and is subject to the Association's Articles, By-Laws, fees and
 monthly assessment on each improved lot, in order to provide
 for street and common area maintenance and water and sewage
 service.
 - 2. <u>USE RESTRICTIONS</u>. No lot shall be used except for residential purposes. No building shall be erected, altered, placed or permitted to remain on any lot other than one detached single-family dwelling not to exceed two stories in height and a private garage for not more than three cars. No business, business activity, occupation or unlawful activity shall be permitted to be carried on upon said lot or lots. "Lot", as used herein, shall mean a lot as now platted or a parcel of the Property comprised of parts or all of two or more lots as so platted; provided that the parcel so used shall comply with all applicable building codes of the city of Valley, Nebraska.
 - 3. LIVING AREA. In any case, no dwelling shall be permitted on any lot described herein, having a ground floor square foot area of less than 1,000 square feet in the case of a sone story structure, nor less than 800 square feet on the ground floor in the case of a one and one-half or two-story structure, exclusive of porces and garages.
 - 4. SET-BACK. In all cases, each and every building shall comply with the applicable building code and regulations of the City of Valley, Nebraska, in regard to the minimum setbacks required.

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- 6. TEMPORARY STRUCTURES, OUTBUILDINGS. No structure of a temporary character, trailer, basement, tent, shack, garage, barn or other outbuilding shall be erected upon, or used, on any lot at any time as a residence, either temporarily or permanently. House Trailers will not be permitted in or on any lot.
- 7. NUISANCE. No noxious or offensive activity shall be carried on upon any lot, nor shall anything be done thereon which may be, or may become, an annoyance or nuisance to the neighborhood.
- 8. UTILITY EASEMENTS. A perpetual license and easement is hereby reserved in favor of and granted to each of Omaha Public Power District and Northwestern Bell Telephone Company, and their respective successors and assigns, to place, install, erect, operate, maintain, repair, replace and renew underground cables, any lines and conduits, and poles and accessory equipment for the carrying and transmission of electric current, telephone, telegraph or other messages; on, over, through, under and accross a 5' wide strip of land adjoining all side boundary lot lines and a 8' wide strip of land adjoining the rear boundary of interior lots and a 16' strip of land adjoining rear lines of all exterior lots. The term exterior lot is herein defined as those lots forming the outer perimeter of above. Said 16' easement is reduced and 8' strip when the adjoining land is platted and recorded if said 16' strip is not occupied and if requested by owner.

No permanent building, trees, retaining wall, or loose rock walls in said easement ways will be permitted but it is satisfactory in these easement ways to have gardens, shrubs, landscaping, and other plantings that do not then or later interfere with said lands or rights herein granted.

- 9. LIVESTOCK, COMMERCIAL PET ACTIVITY. No animals, livestock, or poultry of any kind shall be raised, bred or kept on any lot, except that dogs, cats or other household pets may be kept, provided they are not kept, bred or maintained for any commercial purpose. Dogs must be kept leashed or in runs.
- 10. STREETS. No automobile shall be driven in excess of 25 miles per hour within the Property and usual driving and safety rules shall be observed. Boat trailers or camping trailers must be stored in buildings or removed from the Property.
- Il. BINDING EFFECT, TERM, These covenants are to run with the land and shall be binding on all parties and all persons claiming under them for a period of twenty five years from the date these covenants are recorded, after which time said covenants shall be automatically extended for successive periods of ten years; provided that said covenants may be changed in whole or in part at such renewal by an instrument thereafter recorded which is signed by 75% of the then record owners of the lots.

13. SEVERABILITY. Invalidation of any one of these covenants by judgment or court order shall in no way affect any of the other provisions, which shall remain in full force and effect.

DATED this gm day of July, 1976.

GAIL W. BEVINGTON
GENERAL MANAGING PARTNER
PRAIRIE POINT ESTATES, LTD.

LARRY DE. MARTZ D Catinia C Martz PATRICIA G. MARTZ

Basil K. DAVIS

Patricia E. Davis
PATRICIA E. DAVIS

STATE OF NEBRASKA

COUNTY OF DOUGLAS

ss:

On this gm day of , 1976, before me a Notary Public duly commissioned and qualified in and for said County, personally came GAIL W. BEVINGTON, GENERAL MANAGING PARTNER OF PRAIRIE POINT ESTATES, LTD., to me personally known to be the General Managing Partner and the identical person who signed the foregoing instrument and acknowledge the execution thereof to be his voluntary act and deed as General Managing Partner.

Witness my hand and notarial seal the day and year above last written.

GENERAL MOTARY - State of Nebr. LARRY R. FFANK AMERICAN My Comm. Exp. Jun. 17. 1978 Notary Public

STATE OF NEBRASKA

COUNTY OF DOUGLAS

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STATE OF NEBRASKA

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COUNTY OF DOUGLAS

. 1976, before me, On this day of a Notary Public duly commissioned and qualified in said County, personally came BASIL K. DAVIS and PATRICIA E. DAVIS, husband and wife, to me known to be the identical persons whose names are affixed to the foregoing instrument and acknowledged the same to be their voluntary act and deed.

Witness my hand and notarial seal the day and year last above written.

GEREAU KETARY - State of Nebr 19 Course East Jane 17, 1970

ACCEPTANCE OF COVENANTS

indersigned, Mortgagees upon the Property, do hereby approve and ratify the foregoing Protective Covenants.

FIRST NATIONAL BANK OF TEKAMAH,

NEBRASKA

BANK OF VALLEY, NEBRASKA

Manual West STATE OF NEBRASKA

SS:

COUNTY OF DOUGLAS

Public duly commissioned and qualified in said County, personally came PEJER L. HEINIZEL WAN, PRESIDENT of the BANK OF VALLEY, to me notate. BANK OF FALLEY, to me personally known to be the and identical person who signed the foregoing instrument, and acknowledged the execution thereof to be his voluntary act and deed as such officer and the voluntary act and deed of such entity.

Witness my hand and notarial seal the day and year last above written.

CENTRAL ROLLING State of Landing Bradial JOHNSONS My Commission Explica Stater 12, 1977

to be the Sank OF TEKAMAH, NEBRASKA, to me person the foregoing instrument, and acknowledged the executo be his voluntary act and deed as such officer and act and deed of such entity.

Witness nty, Witness my hand and notarial seal the day and year last es е y;s. MAH, otary nally đ nd entity. above

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AMENDMENT TO PROTECTIVE COVENANTS

VALLEY FARMS 1ST ADDITION - LOTS 1 THRU 83

KNOW ALL MEN PY THESE PRESENTS, that the Undersigned, owners of one hundred per cent of Lots 1 thru 83, Valley Farms 1st Addition; being a subdivision platting of part of the West 1/2 of Section 25, Township 16 N, Range 9 E of the the 6th P.M., Douglas County, Nebraska, hereby amend those protective covenants recorded in Misc. Book 569 Pages 37 thru 41, Douglas County Register of Deeds, in the following respects, to wit:

- #1 of the original protective covenants is hereby amended to read:

 1. MEMBERSHIP IN VALLEY COUNTRY CLUB ESTATES HOMEOWNERS ASSOCIATION.

 Every record holder of title to the above described lots in Valley
 Farms 1st Addition is automatically a member of the Valley Country
 Club Estates Homeowners Association, a non profit corporation; and
 is subject to the Association's Articles, By-Laws, fees and monthly
 assessment on each improved lot, in order to provide for street and
 common area maintenance and water and sewage service.
- #2 of the original protective covenants is hereby amended to read:
 2. USE RESTRICTIONS. No lot shall be used except for residential purposes. No business, business activity, occupation or unlawful activity shall be permitted to be carried on upon said lot or lots. Lot, as used herein, shall mean a lot as now platted or a parcel of the property comprised of parts or all of two or more lots as so platted; provided that the parcel so used shall comply with all applicable building codes of the city of Valley, Nebraska. Multifamily dwellings as apartments or condominiums shall be authorized to be built on said property.
- #5 of the original protective covenants is hereby amended to read:
 5. IMPROVEMENTS. No improvements (dwelling house in the case of a single family dwelling) shall be permitted on any lot described herein, having a value of less than \$\frac{42,500.00}{200}\$,. If a garage is not built in conjunction with the single family dwelling, space must be provided on the lot or lots to construct such a building at a later date. Any garage or out building must be built of materials compatible with the dwelling and shall be structurally harmonious with the building.
- #11 of the original protective covenants is hereby amended to read:
 11. TERM, AMENDMENTS. These covenants and restrictions shall run with and bind the land for a term of 20 years from the date the original covenants were recorded, after which time they shall be automatically extended for successive periods of 10 years. The original protective covenants and any amendments thereto may be amended at any time by an instrument signed by not less than 75% of the lot owners. Any amendment must be recorded.

IN WITNESS WHEREOF, the undersigned, being owners of one hundred per cent of said above described lots, have hereunto set their hand and seal this 20th day of November, 1984.

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	VALLEY COUNTRY CLUB ESTATES, LTD.
D	a Nebraska limited Farthership
By:	
	General Managing Partner
	mill bear
	Our Many
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	Wagner Mill Inc

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ACCEPTANCE OF AMENDMENTS TO COVENANTS

The undersigned, Mortgagees upon the Property do hereby accept, approve and ratify the foregoing Amendment to Protective Covenents.

	BANK OF VALLEY NEBRASKA
By:	Tille:
	THE FIRST NATIONAL BANK TEKAMAH, NEBRASKA
By	Pitte:
	EQUITABLE FEDERAL SAVINGS AND LOAN AS
	OF FREMONT, NEBRASKA
Ву : _	It of former N/rs.
	Title: /
	MIDWEST FEDERAL SAVINGS AND LOAN ASSN OF NEBRASKA CITY, NEBRASKA
Dage	(hat Park)

NEBRASKA SAVINGS AND LOAN ASSOC., FA

Ron A. Metschke -Asst. Man. (Slkhorn)

Title Vice President

STATE OF NEBRASKA COUNTY OF DOUGLAS ss:	
On this 16 day of Seb.,	1994 before as a Materia Dublic dulas
complete and englished in and for add	1984, before me a Notary Public duly
commissioned and qualified in and for said (ounty, personally came
Guy & Melanie Cornwell to be the identical persons whose names are	, nusband and wile, to me known
to be the identical persons whose names are	allixed to the foregoing instrument
and acknowledged the same to be their volum	ary act and deed.
WITNESS my hand and notarial seal the da	y and year above last written.
	Milite Jewes
A GENERAL NOTARY-State of Mebrasia	Mare Jewes Notary Public
DIANE LEWIS	
My Comm. Exp. Aug. 3, 1987	
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STATE OF NEBRASKA)	
COUNTY OF DOUGLAS) SS:	
0-11-11-11-11-11-11-11-11-11-11-11-11-11	
On this /6 day of 1.6, 1984,	before me a Notary Public duly
commissioned and qualified in and for said (ounty, personally came
Jarry J. & Kathleen A. Jensen	, husband and wife, to me known
to be the identical persons whose names are	affixed to the foregoing instrument
and acknowledged the same to be their volun-	ary act and deed.
WITNESS my hand and notarial seal the	lay and year above last written.
	140 224 8
GENERAL NOTARY-State of Nebraska	Mane Jewes Notary Public
E 44 DIANE I SWICE I	Notary Public
My Comm. Exp. Aug. 3, 1997	
STATE OF NEBRASKA)	
COUNTY OF DOUGLAS) 35:	
m m = 1/2 2 2 2 4 6	
On this 16 day of Jeb,	1984, before me a Notary Public duly
commissiones and qualified in and for said	cunty, personally came
Hank & Amy Schollmeyer to be the identical persons whose names are	, husband and wife, to me known
to be the identical persons whose names are	affixed to the foregoing instrument
and acknowledged the same to be their volun	tary act and deed.
WITNESS my hand and notarial seal the d	my and year above last written.
	Akami K
A CENTRAL INC.	· Stane Sewis
GENERAL INTRAPY-SCAR OF INSTRALA	Notary Public
My Comm. Exp. Aug. 3, 1987	
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, husband and wife, to me known

Notary Public

SS:

and acknowledged the same to be their voluntary act and deed.

GENERAL MOTARY-State of Medicasta
DIANE LEWIS
My Comm. Exp. Aug. 3, 1987

On this // day of / 1984, before me a Notary Public duly commissioned and qualified in and for said County, personally came

Roger T. & Janet M. Wright , husband and wife. to me it

to be the identical persons whose names are affixed to the foregoing instrument

WITNESS my hand and notarial seal the day and year above last written.

STATE OF NEBRASKA

COUNTY OF DOUGLAS

BOOK 724 ras 113

	DEEL LEE TO THE PARTY OF THE PROPERTY OF THE P
	STATE OF NEBRASKA) COUNTY OF DOUGLAS) ss:
	On this 10 day of 11 day, 1984, before me a Notary Public duly commissioned and qualified in and for said County, personally came M. A. Cheney, General Managing Partner of Valley Country Club Estates, Ltd., a Nebraska limited partnership, to me known to be the General Managing Partner and the identical person who signed the foregoing instrument and acknowledged the execution thereof to be his voluntary act and deed as General Managing Partner. WITNESS my hand and notarial seal the day and year above last varieties.
,	
	GENERAL NOTARY-State of Notary Public DIANE LEWIS My Comm. Exp. Aug. 3, 1987
	STATE OF NEBRASKA) ss:
	On this 6th day of February , 1984, before me, a Notary Public duly commissioned and qualified in said County, personally came Joan Trofholz , husband and wife, to me known to be the identical persons whose names are affixed to the foregoing instrument and acknowledged the same to be their voluntary act and deed. WITNESS my hand and notarial seal the day and year above last written.
	GENERAL HOTARY-state of tobusts Michael J. Jeich Michael T. Leick My Comm. Exp. Feb. 20, 1985
	STATE OF NEBRASKA) COUNTY OF Colfax) ss:
	On this 6th day of February , 1984, before me, a Notary Public duly commissioned and qualified in said County, personally came , husband and wife, to me known to be the identical persons whose names are affixed to the foregoing instrument and acknowledged the same to be their voluntary act and deed. WITNESS my hand and notarial seal the day and year above last written.
	CENERAL NO WAY - SHOULD AND SHOUL
	STATE OF NEBRASKA) ss:
	On this 6th day of February, 1984, before me, a Notary Public duly commissioned and qualified in said County, personally came Fern E Wagner, husband and wife, to me known to be the identical persons whose names are affixed to the foregoing instrument and acknowledged the same to be their voluntary act and deed. WITNESS my hand and notarial seal the day and year above last written.
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COUNTY OF DOUGLAS) SS:	x 724 padž 114
commissioned and qualified in and for said	, before me a Notary Public duly County, personally came
to be the identical persons whose names are and acknowledged the same to be their volum WITNESS my hand and notarial seal the	day and year above last written:
GENERAL NOTARY-State of Rebrisking DIANE LEWIS My Comm. Exp. Aug. 3, 1937	Notary Public
STATE OF NEBRASKA COUNTY C? DOUGLAS ss:	
commissioned and qualified in and for said	, husband and wife, to me known affixed to the foregoing instrument ntary act and deed.
	Motary Public
DIANE LEWIS My Comm. Exp. Aug. 3, 1987	NOCALLY PROJECT
STATE OF NEBRASKA COUNTY OF DOUGLAS) ss:	
Cn this day of day, 198. commissioned and qualified in and for said James & Marian L. Willmer to be the identical persons whose names ar and acknowledged the same to be their volument. WITNESS my hand and notarial seal the	, husband and wife, to me known e affixed to the foregoing instrument ntary act and dead.
GENERAL MOTARY-State of Nebrasia DIANE LEWIS My Contin. Fxp. Aug. 3, 1987	Notary Public
STATE OF NEBRASKA) COUNTY C. DOUGLAS) ss:	
commissioned and qualified in and for said	, husband and wife, to me known re affixed to the foregoing instrument mtary act and deed.
arrance my name and notarial add the	Alana D

GEKERAL NOTAKY-State of Natirashi DIANE LEWIS My Comm. Exp. Aug. 3, 1987 Notary Public

STATE OF NEBRASKA) SS. BUCK 724 PAUL 115
COUNTY OF BOUGLAS) SS:
On this 2074 day of WIVENBER, 1984, before me a Notary Public duly
commissioned and qualified in and for said County, personally came LeRoy
Trofholz, President, Wagner Mills, Inc. to me known to be the identical persons whose names are affixed to the foregoing instrument
and acknowledged the same to be their voluntary act and deed.
WITNESS my hand and notarial seal the day and year above last written.
Michael Leich Motary Public
STATE OF NEBRASKA)
COUNTY OF DOUGLAS) ss:
On this 19 day of November , 1984, before me a Notary Public duly commissioned and qualified in and for said County, personally came
commissioned and qualified in and for said County, personally came
John D & Neva Johnson , to me known to be the identical persons whose names are affixed to the foregoing instrument
and acknowledged the same to be their voluntary act and deed.
WITNESS my hand and notarial seal the day and year above last written.
DAME LEWIS Notary Public
DIANE LEWIS Notary Public
STATE OF NEBRASKA)
COUNTY OF CIOE) SS:
On this day of, 1984, before me a Notary Public duly
commissioned and qualified in and for said County, personally came
, to me known to be the
identical persons whose names are affixed to the foregoing instrument and
acknowledged the same to be their voluntary act and deed.
WITNESS my hand and notarial seal the day and year above last written.
Notary Public
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STATE OF NEBRASKA)
COUNTY OF DOUGLAS) ss:
On this day of , 1984, before me a Notary
On this day of, 1984, before me a Notary Public duly commissioned and qualified in and for said County, personally
came , to me known
to be the identical persons whose names are affixed to the forecoing instrument
and acknowledged the same to be their voluntary act and deed.
WITNESS my hand and notarial seal the day and year above last written.
Notary Public
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STATE OF NEBRASKA COUNTY OF DOUGLAS On this 10th day of Fabruary 1984, before me a Notary Public duly commissioned and qualified in and for said County, personally came David H. Luhman, to me known President of The First National Bank of Tekamah, I'E, to be the identical persons whose names are affixed to the foregoing instrument and acknowledged the same to be their voluntary act and deed. WITNESS my hand and notarial seal the day and year above last written. CENERAL NOTARY-State of National Notary Public STATE OF NEBRASKA SS: COUNTY OF DOUGLAS On this day of the place of the personally came to be the identical persons whose names are affixed to the foregoing instrument and acknowledged the same to be their voluntary act and deed. WITNESS my hand and notarial seal the day and year above last written. Thursday Me Nherran GENERAL NOTARY - State of Nebrasia MARILYN MCPHERRAN Notary Public Comes. Exp. Doc. 27, 1965 STATE OF NEBRASKA COUNTY OF MANAGEAS On this 13th day of February , 1984, before me a Notary Public duly commissioned and qualified in and for said County, personally came Janet Reed, Vice President to be the identical persons whose names are affixed to the foregoing instrument and acknowledged the same to be their voluntary act and died.

WITNESS my hand and notarial seal the day and year anove last written. Notary Public STATE OF NEBRASKA SS: COUNTY OF DOUGLAS , 1984, before me a Notary Public duly On this day of to be the identical persons whose names are affixed to the foregoing instrument

and acknowledged the same to be their voluntary act and deed.

WITNESS my hand and notarial seal the day and year above last written.

CHERYL A. WENGE My Corner, Ecp. Oct. 1, 1967

GENERAL MOTARY - Stote of Medicale Murial U. Nine

Notary Public

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STATE :

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