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PROHIBITIVE COVENANTS, CONDITIONS, RESTRICTIONS & EASEMENTS

Castles, Inc. by  
Dwight L. Whitesides, President  
Virginia L. Whitesides, Secretary

to

Whom it may concern:

The undersigned, Castles, Inc., a Nebraska Corporation being the owner of Castle Heights, an addition in Douglas County, Nebraska, as surveyed, platted and recorded, do hereby state, declare and publish that all of said lots are and shall be owned, conveyed and held under and subject to the following conditions, restrictions and easements.

1. All lots above described now and in the future shall be used as residential lots. No more than one residential structure and garage shall be built on any one of said lots, provided, however, this shall not prevent the use of a greater area than one lot as a single site. 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. No structure of a temporary character, trailer, basement, tent, shack, garage, barn or other out-building shall be used on any lot at any time as a residence either temporarily or permanently.

2. The main floor of all single story and story and one half dwellings erected fronting on Fort street shall cover a ground area of not less than 1100 square feet exclusive of garages. The main floor of all single story and story and one half dwellings erected on all other lots shall cover a ground area of not less than 1000 square feet exclusive of garages. The main floor of all dwellings of two stories shall cover a ground area of not less than 900 square feet exclusive of garages.

3. A five foot easement across and along the rear and side boundary lines of each of said lots is hereby reserved for the construction, maintenance, operation and repair of sewer, gas, water, electric and telephone lines.

4. No fence shall be built in the front yard beyond the front line of any building.

5. The covenant and restrictions herein set forth shall run with the land and be binding upon all persons for a period of 25 years after the date hereof. At the expiration of said period, they shall be automatically extended for successive periods of 10 years unless they are changed, in whole or in part, by written agreement among the then owners of the majority of said lots, executed and recorded in the manner provided by law.

6. Nothing contained in this instrument shall in any wise be construed as imposing upon the undersigned any liability, obligation or requirement for its enforcement.

7. Each of the provisions herein is severable and separable. Invalidation of any such provision by judgement, decree or order of any court, or otherwise, shall in no wise affect any other provision which shall remain in full force and effect.

8. Each and every provision hereof shall bind and inure to the benefit of the undersigned, its successor and assigns, and all its grantees, both immediate and remote and shall run with the land for the benefit of and imposed upon all subsequent owners of each of the lots above described. The undersigned as owners of the above described real estate has platted and divided it into lots and, by such plat and this declaration the undersigns, its successors and assigns, or by its grantees, whether immediate or remote, shall be executed and delivered subject to these covenants, conditions, restrictions and easements.

State of Nebraska  
Douglas County

On this 23<sup>rd</sup> day of July, A.D., 1910 before

me, the undersigned

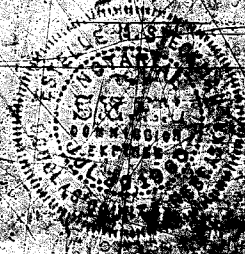
A Notary Public came

*Wm. H. Johnson* Secretary

to me known to be the legal person of whom power was  
conferred to the foregoing instrument, and he acknowledged the same to me as Notary Public for the State of Nebraska and he declared that he was the owner and possessor of the day and year last  
above written.

*Wm. H. Johnson* Notary Public

My Commission expires the 30<sup>th</sup> day of August 1910



23.  
ENTERED IN ALPHABETIC INDEX AND RECORDED IN THE REGISTER OF DEEDS OFFICE IN DOUGLAS COUNTY, NEBRASKA  
18 JULY 23 1910 AT 4:12 P.M. THOMAS J. MCCORMACK, REGISTER OF DEEDS