

AMENDMENT TO COVENANTS

1. The undersigned are the owners of a majority of all of the lots included in:

Blocks 1, 2, 3, 4, 5 and 6 in Groves Suburban Heights, a subdivision in Sarpy County, Nebraska as originally platted.

Said lots are covered by certain Protective Covenants executed by the prior owners of said real estate and dated and recorded November 4, 1959, in Miscellaneous Book 25 at Page 465 in the Real Estate Records in the office of the County Clerk of Sarpy County, Nebraska.

2. Pursuant to Paragraph 1 of said Protective Covenants, the undersigned owners of a majority of all of the said lots do hereby cancel said Protective Covenants and do further hereby wholly amend said Protective Covenants to read as follows:

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, 1994:

Lots 4 thru 10 in Block 6; Lots 1 thru 10 in Block 1; Lots 1 thru 11 in Block 2; and Lots 14 thru 23 in Replat of Block 4 (herein called Parcel A).

The undersigned hereby declare that the following property shall in no way be restricted by or subject to the following covenants:

Lots 1 thru 10 in Block 3; Lots 1 thru 10 and Lots 29 thru 38 in Block 4 and that part of Lots 11, 27 & 28 in Block 4 lying north of a straight line projected westerly from and as a continuation of the south line of Block 5; lots 1 thru 23 in Block 5, and a strip of land 25 feet in width adjoining on the north of Blocks 3, 4 & 5; all of said real estate having heretofore been vacated (herein called Parcel B).

All of said lot and block numbers referring to Groves Suburban Heights, 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 covenant and either to prevent him or them from so doing or 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 in Parcel A shall be used only for single-family or duplex residential purposes and for accessory structures incidental to residential use, or for church or school purposes. Construction of school or church structures shall not be regulated by these covenants.

B. No residential structure (single family or duplex) shall be erected or placed on any building plot in Parcel A which has an area of less than 10,000 square feet. No building shall be located on any plot in Parcel A nearer than 25 feet to the front line of the building plot, nor shall any building, except a detached garage, be located nearer than 5 feet to any side line of any building plot. The above restrictions shall be automatically amended as to any lot for which the Sarpy County Nebraska Zoning Board of Adjustment (or similar body) shall permit a lesser lot area or side or front yard.

FILED FOR RECORD IN SARPY COUNTY NEBR. April 2, 1963 AT 2 O'CLOCK P.M.

AND RECORDED IN BOOK 31 OF Sarpy PAGE 715 (Miss. Bank) REGISTER OF DEEDS 571

GROVES SUBURBAN HEIGHTS
SARPY COUNTY, NEBRASKA

By: Lloyd C. Groves

Beverna M. Groves

Benjamin W. Groves

DECLARATION OF PROTECTIVE COVENANTS

Dated November 4, 1959

Filed November 4, 1959

To Whom It May Concern:

WE, the undersigned, do hereby adopt and impose upon each and all of the lots hereinafter described, the following covenants, restrictions, limitations and conditions, (all of which for convenience are herein referred to collectively by the term "covenants"), for the purpose of applying to, controlling and governing the ownership, encumbrance, use and occupancy of said lots and each of them:

Contained within Groves Suburban Heights and described as blocks 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100 of said such Suburban Heights.

First: These covenants shall run with the land and remain in effect until January 1, 1961, after which time and automatically be renewed or extended for successive periods of ten (10) years each, unless otherwise provided in writing.