PROTECTIVE COVENANTS

KNOW ALL MEN BY THESE PRESENTS:

THIS INDENTURE made and entered into, by and between the undersigned property owners, in consideration of the mutuality of benefits and liability to keep and perform these obligations, and the sum of Two Dollars ($2.00), each in hand paid for their mutual benefit and the best interests of said community and neighborhood comprising of these properties, they do hereby mutually covenant, obligate, promise and agree, each to the other, and for their respective heirs, assigns and successors, that no part of the lands now owned by the parties hereto, a more detailed description of said property being given under the respective signatures hereto, shall ever be used or occupied, sold, conveyed, leased rented or given to any person or persons, of race or blood, other than those of the Caucasian or White race.

1. These covenants are to run with the lands hereinafter described and shall be binding upon all parties hereto, their heirs, successors, agents, executors and assigns, and all persons claiming any interest in, to or under them, for the period of Twenty-five (25) years from and after February 1, 1947, at which time said covenants shall be automatically extended for successive periods of ten years unless a majority of the then owners of lots in Kirkwood Addition, an addition to the City of Omaha, Douglas County, Nebraska, as surveyed, platted and recorded, shall agree by an election in which the vote shall be by lots and the number of different interests in any lot shall not give any said lot more than one vote, to change said covenants in whole or in part.

2. It is further covenanted and agreed by and between the parties hereto, or any of them, their heirs, successors, executors and assigns that should they violate or attempt to violate any of the covenants herein contained, it shall then be lawful for any other person or persons owning any real property situated in Kirkwood Addition, an addition to the City of Omaha, Douglas County, Nebraska, to prosecute any proceedings at law or in equity against the person or persons violating, or attempting to violate any such covenant or covenants; and to enjoin them from so doing and recover damages for such violations.

3. It is further covenanted and agreed and shall be binding upon all the parties hereto, their successors, assigns and agents, that Seventy Percent (70%) of the owners of Lots in any Block in Kirkwood Addition, an addition to the City of Omaha, Douglas County, Nebraska, shall upon filing notice of this indenture against the Lots belonging to owners thereof who have not signed, shall bind said lots under these covenants, and they shall be entitled to benefits, and shall be liable for the obligations contained herein.

The undersigned duly qualified property owners each for himself says: I have personally signed this indenture, as my voluntary act and deed.

APPROVED and SIGNED, sealed and ordered recorded as to Lot 13 Block 4 Kirkwood an Addition to the City of Omaha, Douglas County, [illegible] as surveyed, platted and recorded.

March 5th 1947

E L Carey

Wm V Hammond

3704 No 19th

[illegible] recorded as to Lot 12 Block 4 [illegible] to the City of Omaha, [illegible]

[illegible]

[illegible]

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APPROVED and SIGNED and ordered recorded as to Lot 10 Block 4 Kirkwood an Addition to the City of Omaha, Douglas County, Nebraska, as surveyed, platted and recorded.

March 5th 1947 — Mrs Wilma Trestenson

E L Carey — 3710 Florence Blvd

Witness

APPROVED and SIGNED and ordered recorded as to Lot 12 Block 4 Kirkwood an Addition to the City of Omaha, Douglas County, Nebraska, as surveyed, platted and recorded.

March 5th 1947 — Mrs 10 J. Greaton

E L Carey — 3707 No 20 St

Witness

APPROVED and SIGNED and ordered recorded as to Lot 13 Block 4 Kirkwood an Addition to the City of Omaha, Douglas County, Nebraska, as surveyed, platted and recorded.

March 5th 1947 — Carmela Zerbano

Mary Zerbano — 3703 North 20th

Witness

APPROVED and SIGNED and ordered recorded as to Lot 11 Block 4 Kirkwood an Addition to the City of Omaha, Douglas County, Nebraska, as surveyed, platted and recorded.

March 5th 1947 — Orval D Merica

E L Carey — 3714 North 20th

Witness

APPROVED and SIGNED and ordered recorded as to Lot 6 Block 4 Kirkwood an Addition to the City of Omaha, Douglas County, Nebraska, as surveyed, platted and recorded.

March 5th 1947 — [illegible]

E L Carey — Estelle P. [illegible]

Witness

APPROVED and SIGNED and ordered recorded as to Lot [illegible] Block 4 Kirkwood Addition an Addition to the City of Omaha, Douglas County, Nebraska, as surveyed, platted and recorded.

March 5th 1947 — [illegible]

E L Carey — 3812 N. 19 St

Witness

APPROVED and SIGNED and ordered recorded as to Lot 4 Block 4 Kirkwood an Addition to the City of Omaha, Douglas County, Nebraska, as surveyed, platted and recorded.

March 5th 1947 — Vistal M. [illegible]

E L Carey — 3816 N 19th St

Witness

APPROVED and SIGNED and ordered recorded as to Lot 3-2 Block 4 Kirkwood an Addition to the City of Omaha, Douglas County, Nebraska, as surveyed, platted and recorded.

March 5th 1947 — James Pesch

E L Carey — 3820 N. 19 St.

Witness

APPROVED and SIGNED and ordered recorded as to Lot 5 Block 4 Kirkwood an Addition to the City of Omaha, Douglas County, Nebraska, as surveyed, platted and recorded.

March 5th 1947 — Clark L. Griswold

E L Carey — 3806 No 19 St

Witness

APPROVED and SIGNED and ordered recorded as to Lot [illegible] Block 4
Kirkwood an Addition to the City of Omaha,
Douglas County, Nebraska, as surveyed, platted and recorded.

March 5th 1947 — Marietta A Gibson
E L Carey — 2822 No 19th
Witness

APPROVED and SIGNED and ordered recorded as to Lot 1 1/2 4 Block 4
Kirkwood an Addition to the City of Omaha,
Douglas County, Nebraska, as surveyed, platted and recorded.

March 5th 1947 — Fred J Smith
E L Carey — 3817 Florence Blvd
Witness

APPROVED and SIGNED and ordered recorded as to Lot 3 Block 4
Kirkwood an Addition to the City of Omaha,
Douglas County, Nebraska, as surveyed, platted and recorded.

March 5th 1947 — Edna Barkus
E L Carey — 3819 Florence Blvd
Witness

APPROVED and SIGNED and ordered recorded as to Lot West pt 8-9 Block 4
Kirkwood an Addition to the City of Omaha,
Douglas County, Nebraska, as surveyed, platted and recorded.

March 5th 1947 — Lester A Harmon
E L Carey — 3723 - 3721 Fl[illegible] Blvd
Witness — Blk 8-4-9

APPROVED and SIGNED and ordered recorded as to Lot West 1/2 2 Block 4
Kirkwood an Addition to the City of Omaha,
Douglas County, Nebraska, as surveyed, platted and recorded.

March 5th 1947 — Anne E [illegible]
E L Carey — 3821 Florence Blvd
Witness

APPROVED and SIGNED and ordered recorded as to Lot 5 Block 4
Kirkwood an Addition to the City of Omaha,
Douglas County, Nebraska, as surveyed, platted and recorded.

March 5th 1947 — Helen Peterson
E L Carey — 3805 Florence Blvd
Witness

APPROVED and SIGNED and ordered recorded as to Lot 6 Block 4
Kirkwood an Addition to the City of Omaha,
Douglas County, Nebraska, as surveyed, platted and recorded.

March 5th 1947 — Newton J Fisk
E L Carey — 3801 No 20th St
Witness

APPROVED and SIGNED and ordered recorded as to Lot 5 [illegible] Block 4
Kirkwood an Addition to the City of Omaha,
Douglas County, Nebraska, as surveyed, platted and recorded.

March 5th 1947 — Leon L Edwards
E L Carey — 3803 Florence Blvd
Witness

APPROVED and SIGNED and ordered recorded as to Lot 8-9 Block 4
an Addition to the City of Omaha,
Douglas County, Nebraska, as surveyed, platted and recorded.

March 5th 1947 — Mrs Edith A Milmoth
[illegible] M Hurst — [illegible] Avenue
Witness

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APPROVED and SIGNED and ordered recorded as to Lot 10 Block 4, Parkwood an Addition to the City of Omaha, Douglas County, Nebraska, as surveyed, platted and recorded.

March 5th 1947

Magdalene A Stouffer

E L Larry

3714 No 19st

Witness

APPROVED and SIGNED and ordered recorded as to Lot Block, an Addition to the City of Omaha, Douglas County, Nebraska, as surveyed, platted and recorded.

Witness

TO WHOM IT MAY CONCERN:

Notice is hereby given to the owners, their heirs, assigns and successors of the filing of these covenants, for the benefit of the property and the owners herein as against the sale, use or occupation giving or conveying to any person or persons other than of the Caucasian race, as to Lot Five (5) Block Four (4) Parkwood Addition an Addition to the City of Omaha, Douglas County, Nebraska, as surveyed, platted and recorded.

Roy M Harroff

Notary Public

STATE OF NEBRASKA)
) SS
COUNTY OF DOUGLAS)

Subscribed and sworn to on this 5th day of March A.D. 1947, before me a Notary Public in and for said County, State of Nebraska.

It is further covenanted and agreed by the persons hereto acknowledging this indenture and shall be binding all parties hereto, their successors, heirs, assigns and agents, that we will not permit use or occupancy of our land or property by any persons other than of the Caucasian race, and that this protective covenants shall be incorporated in all contracts for sale, leases, deeds or conveyances on all of the property approved, signed and ordered recorded herein for the periods of time above stated.

Wm V Hammond — Fred J. Smith
Hugh A Harmon — Edna Bankes
Leo G McDonald — Lucas A Hamm
Mrs Wilma Carpenter — Agnes E Savell
Miss M J Graham — Helen Peterson
Ewald Mrozek — Magdalene A Stouffer
Oswald Mrozek — Myrtle J Fisk
Ethel Pearson — Leon L Edwards
Esteban D. Lorente
Mrs. Edith A. McSmith
Peter M. Fisk
James Fisk
Clarke L Edwards
Mary Ann Lorente

The above persons acknowledged that [illegible] over their respective names, and know the contents [illegible] their names to the foregoing instrument [illegible] to be their voluntary act [illegible] for the purposes therein mentioned.

[illegible] and Notarial Seal on the day and year last above written.

Roy M Harroff

[illegible] Notary Public

[illegible] 1949

[illegible] in Book [illegible] Page [illegible] of Deeds of said County.

[illegible] Register of Deeds