

DECLARATIONS OF  
COVENANTS & RESTRICTIONS

This Declaration made this 13th day of April, 1977, by  
Barry Larson, Co., a Nebraska corporation, hereinafter referred to as  
"Larson";

W I T N E S S E T H:

WHEREAS, Barry Larson, Co. is the owner of certain real property  
described as:

Lots 1 thru 5, inclusive, Silverfox Add., a  
subdivision in Douglas County, Nebraska, as  
surveyed, platted and recorded.

WHEREAS, several property owners in an adjoining subdivision known  
as "Highland Orchard" and Larson desire to provide for the preservation of  
the values and amenities in said community; and to this end, desire to sub-  
ject the real property described above to the covenants and restrictions  
hereinafter set forth, each and all of which is and are for the benefit of  
said property and each Owner thereof;

NOW, THEREFORE, Larson and Owners declare that the real property  
described above shall be held, transferred, sold, conveyed and occupied  
subject to the covenants and restrictions hereinafter set forth.

ARTICLE I  
GENERAL PROVISIONS

Section 1. For purposes of these covenants, the term "lot" shall  
mean a lot as now platted with a maximum number of one dwelling per lot on  
each of the five lots in this subdivision.

Section 2. Each of the above five (5) lots shall, now and in the future,  
be used only for single family residential lots, and not more than one single  
family dwelling with garages attached shall be erected, altered, placed or  
permitted to remain on any of the said lots. No dwelling shall exceed two  
stories in height. All dwellings constructed on each lot must include a two  
car attached garage. No outbuildings or non-attached garages shall be con-  
structed on any lot. However it shall be permissible to use an area greater  
than one lot as the site for one residential building together with private

garages, attached buildings and outbuildings incidental to residential use.

Section 3. The enclosed finished living area of every single floor dwelling, including but not limited to ranch, split level, step up and raised ranch homes, exclusive of open porches, open breezeways, basements and garages, shall not be less than one thousand four hundred (1,400) square feet.

The ground floor enclosed area of every true two-story dwelling exclusive of open porch, open breezeways, basements and garages, shall be not less than one thousand (1,000) square feet and the first floor and other floors combined shall not be less than one thousand four hundred (1,400) square feet.

Section 4. That nothing above shall restrict Larson, at Larson's own discretion, from imposing additional restrictive covenants on this subdivision.

IN WITNESS WHEREOF, the undersigned, being the owner of the real estate described herein, has executed these covenants the day and year first above written.

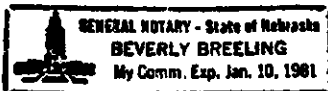
OWNER:  
BARRY LARSON, CO.

By Barry Larson  
Barry Larson, President

STATE OF NEBRASKA)  
COUNTY OF DOUGLAS) SS.

On this 13<sup>th</sup> day of April, 1977, before me, the undersigned, a Notary Public in and for said County, personally came Barry Larson, President of Barry Larson, Co., a Nebraska corporation, to me personally known to be the President and identical person whose name is affixed to the above Declarations of Covenants & Restrictions, and acknowledged the execution thereof to be his voluntary act and deed and the voluntary act and deed of said corporation, and that the corporate seal of said corporation was thereto affixed by its authority.

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



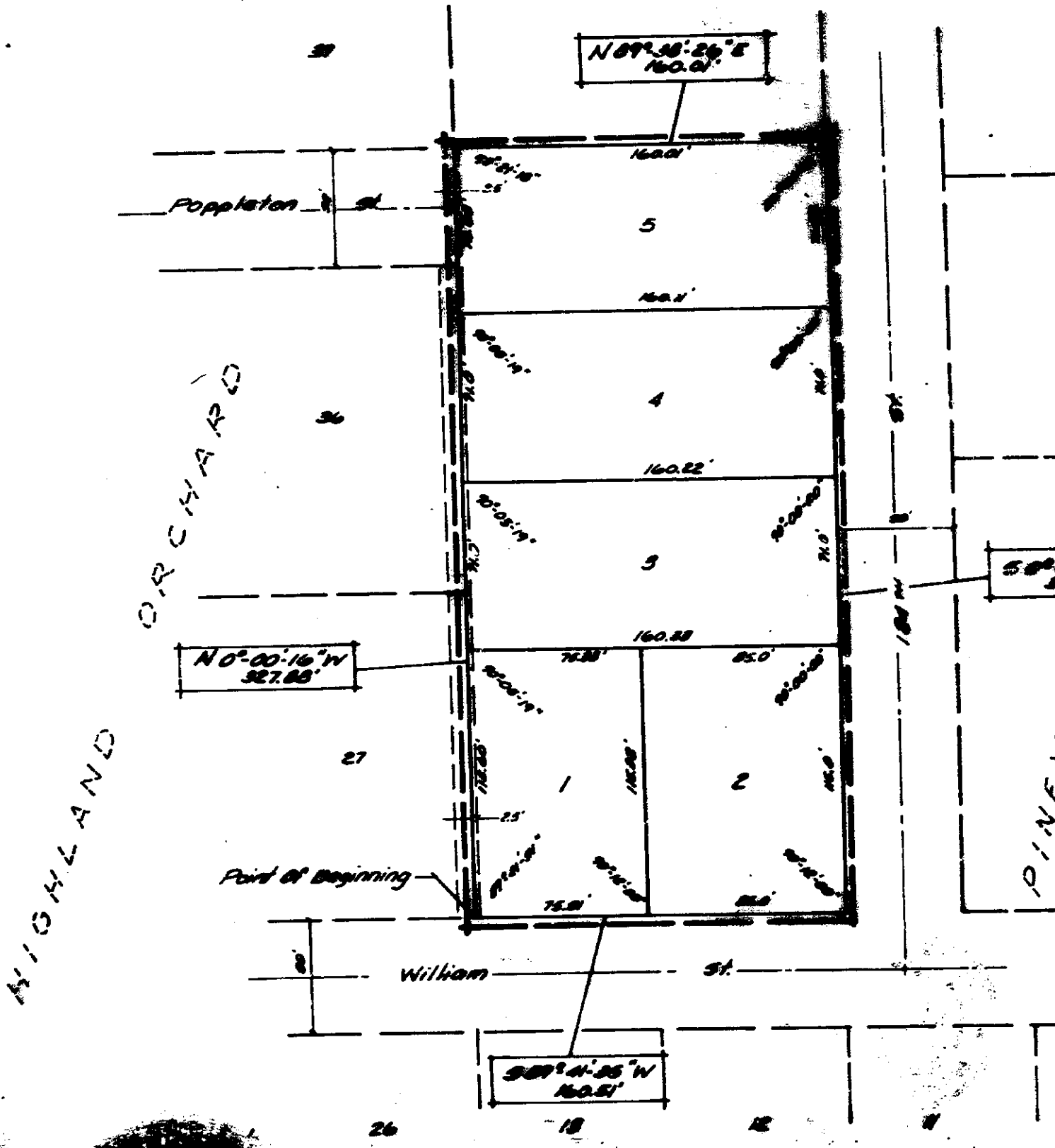
Beverly Breeling  
Notary Public

Book 579  
Page 316  
of 317  
Fee 2.50  
Index 11  
Compt 84-392

APR 13 AM 8:31

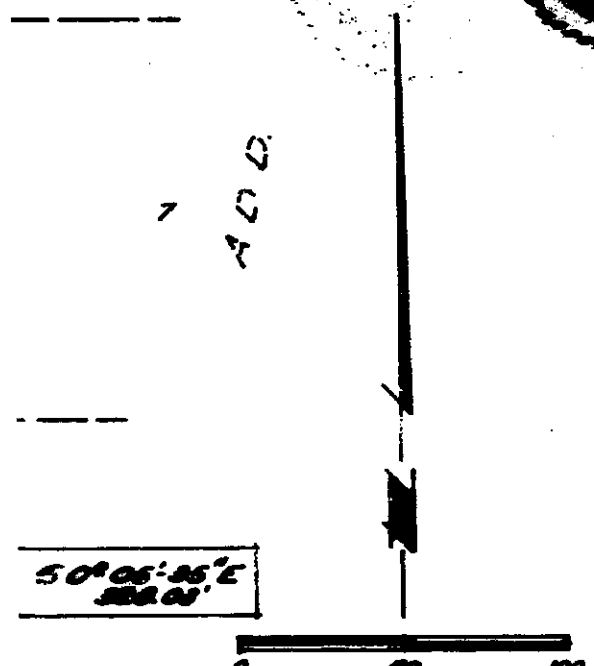
# SILVER

Being a Platting of the Wood 160.0 Feet of ...  
E 1/2, NW 1/4, NE 1/4, Section 27 ...

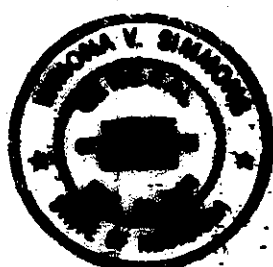


# ADD.

28.0 Feet of The North 82.1 Feet of The  
The 6<sup>th</sup> P.M. Douglas Co. Nebr.



PINE VALE



NOT RECORDED IN THE SURVEYOR'S  
BOOK 1567 1972

*J. Howell*

GENERAL HENRY - State of Neb.  
LEONARD F. MCCONNOR  
Notary Public - Comm. Exp. Sept. 11, 1972

THE STATE OF NEBRASKA)  
COUNTY OF DOUGLAS)  
I, *[Signature]*  
PUBLIC, DO HEREBY CERTIFY THAT THE ABOVE  
IS A TRUE AND CORRECT COPY OF THE ORIGINAL  
RECORDED IN BOOK 1567 PAGE 8  
THIS 11<sup>th</sup> DAY OF *[Month]* 1972

*[Signature]*

KNOW ALL MEN BY THESE PRESENTS  
THAT WE HAVE HEREIN SET FORTH AND LEGAL  
NEBRASKA COMMISSIONED) THESE THE SIGNED  
L. GUNTER AND JAMES D. GUNTER, LAND  
THE SURVEYOR'S CERTIFICATE AND BEARING  
HE SUBDIVIDED INTO LOTS TO BE KNOWN  
HEREIN AS SILVER FOX ADDITION AND BE  
OF OUR PROPERTY A. SIGNED ON THIS PLACE  
OF AND GRANTED TO THE GREAT PUBLIC  
CONVEY THEIR SUCCESSORS AND HEIRS,  
CHILDREN, GRANDCHILDREN, AND ALL  
ONE AND ALL, AND TO ALL FUTURE  
GENERATIONS AND SUCCESSORS, HEIRS,  
TERMINES AND ASSIGNEES, AND ALL  
LAW AGREEING THE DEED AND THE INSTRUMENT  
GRANTED FOR THE USE AND BENEFIT OF ALL  
SUSCEPTIBLE; PROVIDED, HOWEVER, THAT SAID  
SUSCEPTIBLE GENERATION THAT IF SAID SAID  
OR GENERATION ALONG ANY OF SAID SAID  
IF ANY STAKE, WELLS OR OTHERWISE IN  
PLACEMENT WITHIN 60 DAYS OF THE  
APPROPRIATE THROUGH AND  
NO FURTHER BUILDINGS, AND  
IN SAID INSTRUMENT MADE, AND  
OTHER AGREEING THAT NO  
INSTRUMENT, OR NO  
RECORDS TO BE MADE OF THIS DEED.

*[Signature]*  
*[Signature]*  
*[Signature]*  
*[Signature]*

STATE OF NEBRASKA) 25  
COUNTY OF DOUGLAS) ON THIS 11 DAY OF *June*  
PUBLIC, DO HEREBY CERTIFY AND QUALIFIED IN AND FOR SA  
THE NEBRASKA PUBLIC, DO HEREBY CERTIFY AND QUALIFIED IN AND FOR SA  
THEIR EXECUTION OF THE FOREGOING INSTRUMENT TO BE THE  
WITNESS MY HAND AND OFFICIAL SEAL, IN GRAND, NEBRASKA  
MY COMMISSION EXPIRES ON *Mar. 24, 1975* HENRY FU

STATE OF NEBRASKA) 25  
COUNTY OF DOUGLAS) ON THIS 11 DAY OF *June*  
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THEIR EXECUTION OF THE FOREGOING INSTRUMENT TO BE THE  
WITNESS MY HAND AND OFFICIAL SEAL, IN GRAND, NEBRASKA  
MY COMMISSION EXPIRES ON *Mar. 24, 1975* HENRY FU

I HEREBY CERTIFY THAT I HAVE MADE A PRELIMINARY SURVEY OF THE FOREGOING LOTS, AND THAT PERMANENT MARKERS HAVE BEEN PLACED AT ALL CORNERS OF THE BOUNDARIES OF THIS PLAT, AND THAT IRON PIPES WILL BE PLACED AT ALL CORNERS OF ALL LOTS TO WHICH THE ADDITION, BEING A PLATTING OF THE WEST 160.00 FEET OF THE SOUTH 328.03 FEET OF THE SOUTH S 29.10 FEET OF THE E 1/2 OF THE NW 1/4 OF THE NW 1/4 OF SECTION 30, T12N, R10E, S. 23, NEBRASKA, DOUGLAS COUNTY, NEBRASKA MORE PARTICULARLY DESCRIBED AS SUBDIVISION OF THE S.E. CORNER OF LOT 27, HIGHLAND ORCHARD, A SUBDIVISION AS SHOWN ON THE PLAT RECORDED IN DOUGLAS COUNTY, NEBRASKA: THENCE N 00° 00' 10" W CORNER OF SAID LOT TO THE EAST LINE OF LOTS 27 AND 36 SAID HIGHLAND ORCHARD AND THENCE S 00° 00' 10" W 327.06 FEET TO THE S.W. CORNER OF LOT 1, BLOCK 3, SILVER FOX ADDITION, AS SUBDIVISION, PLATTED AND RECORDED IN DOUGLAS COUNTY, NEBRASKA: THENCE N 09° 35' 26" E ON THE SOUTH LINE OF SAID LOT 1, 160.00 FEET TO THE S.E. CORNER OF SAID LOT 1: THENCE S 00° 05' 35" E ON THE WEST R.O.W. LINE OF LOREN STREET, 328.03 FEET TO A POINT ON THE NORTH R.O.W. LINE OF WILLIAM STREET: THENCE S 09° 41' 35" W ON THE NORTH R.O.W. LINE OF SAID WILLIAM STREET, 160.51 FEET TO THE POINT OF BEGINNING.

June 14, 1976

James D. Warner  
REGISTERED LAND SURVEYOR

DD

set of The



DEDICATION

KNOW ALL MEN BY THESE PRESENT: THAT WE ROSE MARY PETTEGREN AND LLOYD R. PETTEGREN, AND THE FIRST WESTSIDE BANK (A NEBRASKA CORPORATION) BEING THE OWNERS AND MORTGAGE HOLDERS RESPECTIVELY AND STANLEY L. GIBLER AND JEANINE D. GIBLER, LAND CONTRACT HOLDER OF THE LAND DESCRIBED UNDER THE SURVEYOR'S CERTIFICATE AND EMBRACED WITHIN THIS PLAT, HAVE CAUSED SAID LAND TO BE SUBDIVIDED INTO LOTS TO BE NUMBERED AS SHOWN SAID SUBDIVISION TO BE HEREAFTER KNOWN AS SILVER FOX ADDITION AND WE DO HEREBY RATIFY AND APPROVE OF THE DISPOSITION OF OUR PROPERTY AS SHOWN ON THIS PLAT; WE DO FURTHER GRANT A PERPETUAL LICENSE IN RIGHT OF AND GRANTED TO THE OMAHA PUBLIC POWER DISTRICT AND THE NEBRASKAN BELL TELEPHONE COMPANY THEIR SUCCESSORS AND ASSIGNS, TO ERECT AND OPERATE, MAINTAIN, REPAIR AND RUN CABLES, CONDUITS, AND POLES WITH THE NECESSARY SUPPORTS, SUSPENDING WIRES, CROSS-ARMS, GUYS AND ANCHORS, AND OTHER INSTRUMENTALITIES, AND TO EXTEND THROUGH WIRES FOR THE CARRYING AND TRANSMISSION OF ELECTRIC CURRENT FOR LIGHT, HEAT, AND POWER, AND FOR ALL TELEPHONE AND TELEGRAPH AND MESSAGE SERVICE, OVER, UPON, OR UNDER A 5-FOOT STRIP OF LAND ADJOINING THE REAR AND SIDE BOUNDARY LINES OF SAID LOTS; SAID LICENSE BEING GRANTED FOR THE USE AND BENEFIT OF ALL PRESENT AND FUTURE OWNERS OF LOTS IN SAID SUBDIVISION; PROVIDED, HOWEVER, THAT SAID SIDE LOT LINE EASEMENT IS GRANTED UPON THE SPECIFIC CONDITION THAT IF BOTH SAID UTILITY OWNERS FAIL TO CONSTRUCT POLES, WIRES OR CONDUITS ALONG ANY OF SAID SIDE LOT LINES WITHIN 36 MONTHS OF THE DATE HEREOF, OR IF ANY POLES, WIRES OR CONDUITS ARE CONSTRUCTED BUT HEREAFTER REMOVED WITHOUT REPLACEMENT WITHIN 60 DAYS AFTER THEIR REMOVAL, THEN THIS SIDE LINE EASEMENT SHALL AUTOMATICALLY TERMINATE AND BECOME VOID AS TO SUCH UNWORKED OR ABANDONED EASEMENT WAYS. NO PERMANENT BUILDINGS, TREES, RETAINING WALLS OR LOGG ROCK WALLS SHALL BE PLACED IN SAID EASEMENT WAYS, BUT THE SAME MAYBE USED FOR GARDENS, SHEDS, LANDSCAPING, AND OTHER PURPOSES THAT DO NOT THEN OR LATER INTERFERE WITH THE AFORESAID USED OR RIGHTS HEREIN GRANTED. WE DO FURTHER DEDICATE TO THE PUBLIC, FOR PUBLIC USE THE STREETS AND EASEMENTS AS SHOWN ON THIS PLAT.

Rose Mary Pettigrew  
ROSE MARY PETTEGREN  
Lloyd R. Pettigrew  
LLOYD R. PETTEGREN  
Stanley L. Gibler  
STANLEY L. GIBLER  
Jeanine D. Gibler  
JEANINE D. GIBLER

FIRST WESTSIDE BANK OF OMAHA  
Reginald B. Blahut, V.P.

ACKNOWLEDGMENT OF NOTARY

STATE OF NEBRASKA) SS  
COUNTY OF DOUGLAS) ON THIS 11 DAY OF June, 1976, BEFORE ME, A NOTARY PUBLIC, DULY COMMISSIONED AND QUALIFIED IN AND FOR SAID COUNTY, APPEARED Rose Mary Pettigrew & Lloyd R. Pettigrew, WHO ARE PERSONALLY KNOWN BY ME TO BE THE IDENTICAL PERSONS WHOSE NAMES ARE AFFIXED ABOVE, AND THEY DID ACKNOWLEDGE THEIR EXECUTION OF THE FOREGOING DEDICATION TO BE THEIR VOLUNTARY ACT AND DEED.

WITNESS MY HAND AND OFFICIAL SEAL, IN OMAHA, NEBRASKA, THE DATE LAST AFORESAID.

MY COMMISSION EXPIRES ON Mar. 24, 1978 NOTARY PUBLIC Winona V. Simmons

ACKNOWLEDGMENT OF NOTARY

STATE OF NEBRASKA) SS  
COUNTY OF DOUGLAS) ON THIS 11 DAY OF June, 1976, BEFORE ME, A NOTARY PUBLIC, DULY COMMISSIONED AND QUALIFIED IN AND FOR SAID COUNTY, APPEARED Stanley L. Gibler and Jeanine D. Gibler, WHO ARE PERSONALLY KNOWN BY ME TO BE THE IDENTICAL PERSONS WHOSE NAMES ARE AFFIXED ABOVE, AND THEY DID ACKNOWLEDGE THEIR EXECUTION OF THE FOREGOING DEDICATION TO BE THEIR VOLUNTARY ACT AND DEED.

WITNESS MY HAND AND OFFICIAL SEAL, IN OMAHA, NEBRASKA, THE DATE LAST AFORESAID.

MY COMMISSION EXPIRES ON Oct 11, 1979 NOTARY PUBLIC Elaine F. McCormick

28

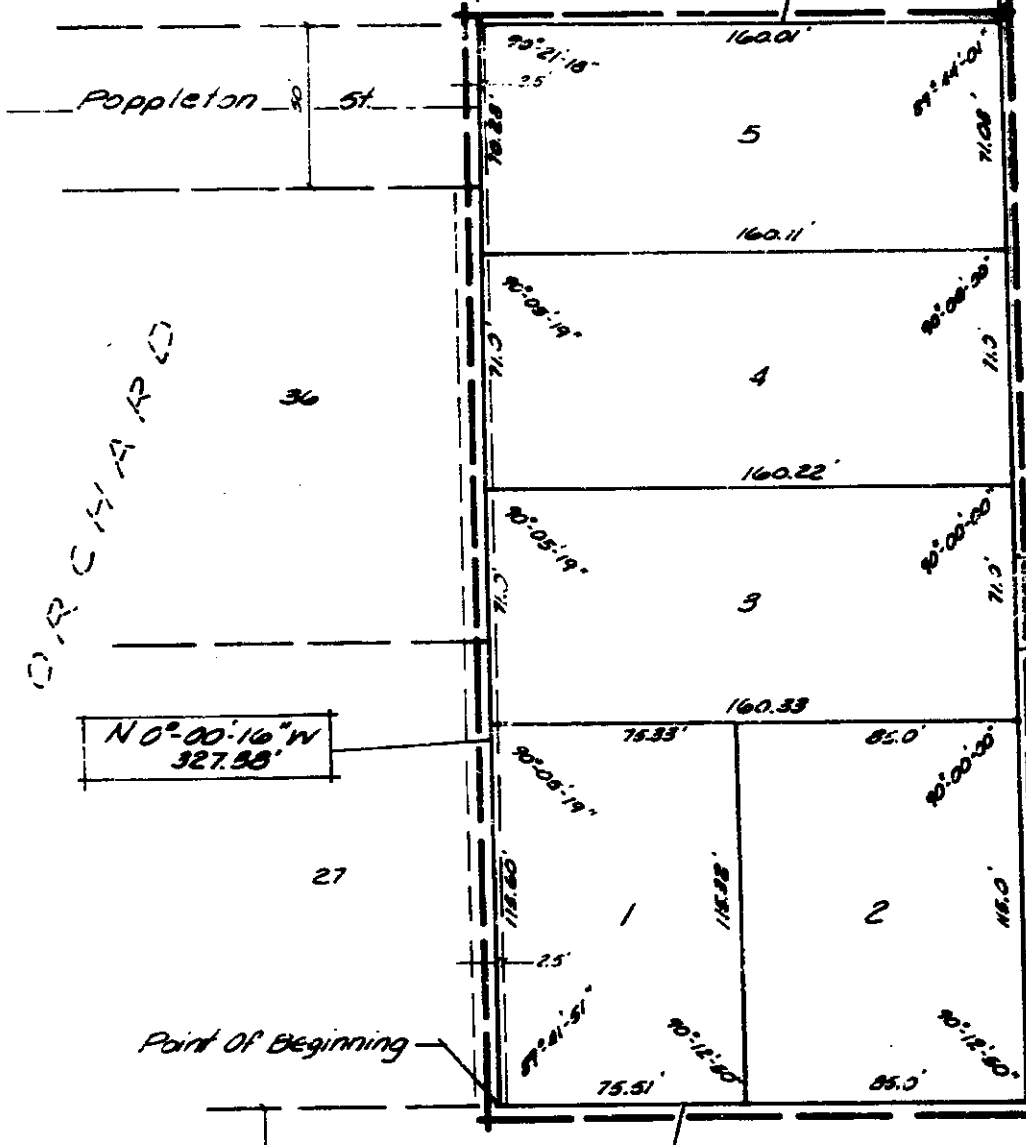


GENERAL NOTARY - State of Neb.  
ELAINE F. McCORMICK  
My Comm. Exp. Sept. 11, 1979

FILED FOR ADD

37

N 89° 38' 26" E  
160.01'



N 0° 00' 16" W  
327.98'

S 89° 41' 35" W  
160.51'

HIGHLAND

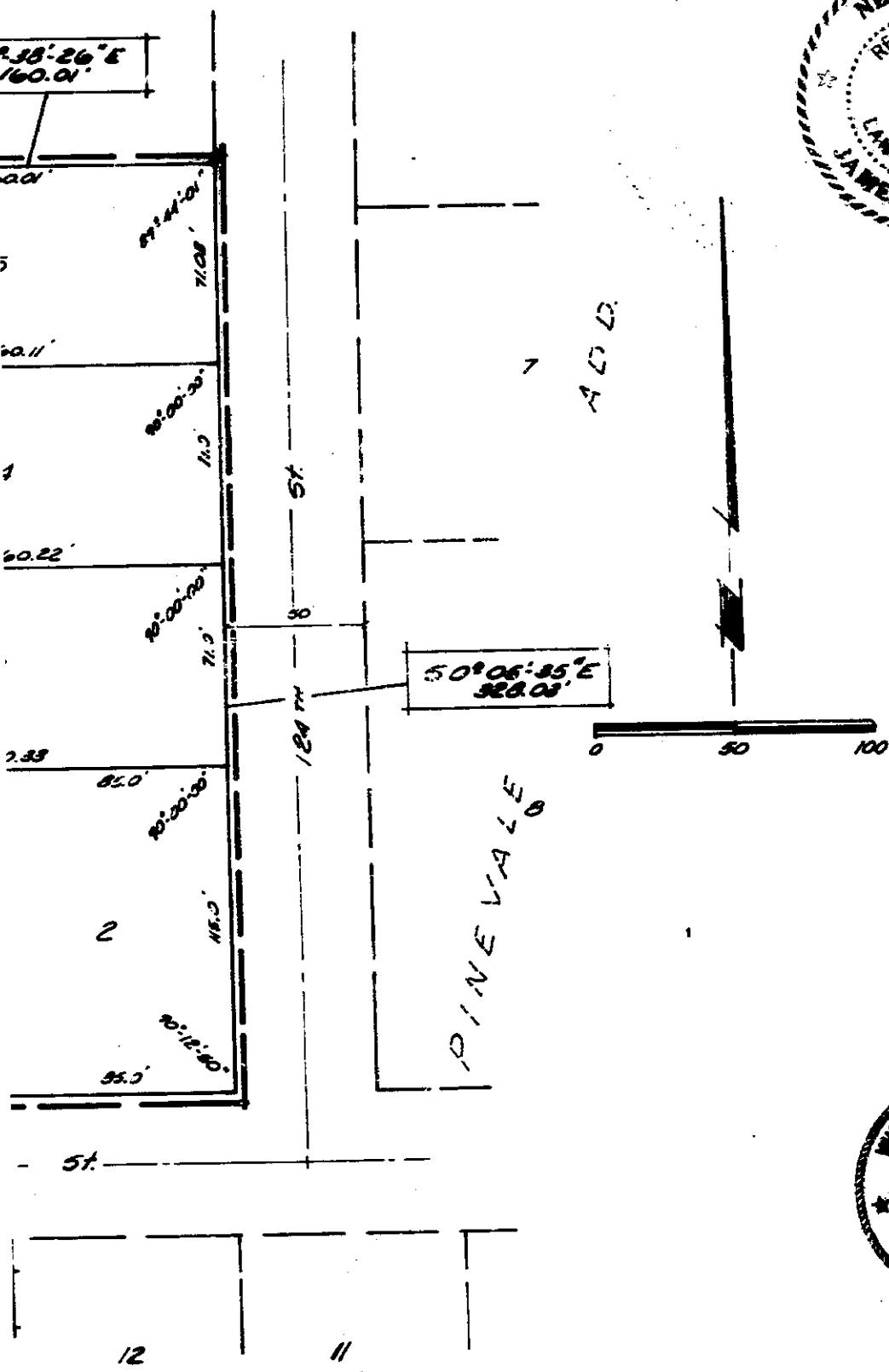
C.R. CHARD



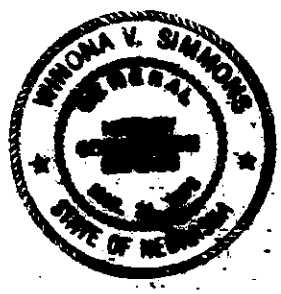
**SURVEYOR'S CERTIFICATE**  
 IN THIS PLAT, AS SHOWN BY THE RECORDS OF THIS OFFICE, THIS PLAT OF  
 DIVISION COUNTY TREASURER  
 ACTING CITY ENGINEER  
 1977  
 THIS PLAT OF SURVEY FOR ASSESSMENT WAS APPROVED AND RECORDED BY THE DIVISION COUNTY ENGINEER'S OFFICE



KNOW ALL MEN BY THESE THAT WE ROSE MARY PET (NEBRASKA CORPORATION) L. GIBLER AND JEANINE THE SURVEYOR'S CERTIF BE SUBDIVIDED INTO 10 HOUSES AS SILVER FOX A OF OUR PROPERTY A. SH OF AND GRANTED TO THE COMPANY THEIR SUCCESS CABLES, CONDUITS, AND GUS AND ANCHORS, AND CARRYING AND TRANSMIT TELEPHONE AND TELEGR LAND ADJOINING THE RI GRANTED FOR THE USE / SUBDIVISION; PROVIDE SPECIFIC CONDITION TI OR CONDUITS ALONG AN IF ANY POLES, WIRES PLACEMENT WITHIN 60 AUTOMATICALLY TERMIN NO PERMANENT BUILDIN IN SAID EASEMENT MAY OTHER PURPOSES THAT HEREIN GRANTED, WE B EASEMENT AS SHOWN I



*Rose Mary*  
ROSE MARY PETTEGREW  
*Leon K.*  
LEON E. PETTEGREW  
*Stanley L.*  
STANLEY L. GIBLER  
*Jeanine D.*  
JEANINE D. GIBLER



STATE OF NEBRASKA)  
COUNTY OF DOUGLAS)  
PUBLIC, DULY COMMI  
*Pettegrew & L.*  
THE IDENTICAL PERS  
THEIR EXECUTION OF

WITNESS MY HAND AN  
MY COMMISSION EXPT

STATE OF NEBRASKA)  
COUNTY OF DOUGLAS)  
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THE IDENTICAL PERS  
THEIR EXECUTION OF

WITNESS MY HAND AN  
MY COMMISSION EXPT

STATE OF NEBRASKA)  
COUNTY OF DOUGLAS)  
PUBLIC, DULY COMMI

WITNESS MY HAND A  
MY COMMISSION EXPT

AGAINST THE PROPERTY DESCRIBED IN THE SURVEYOR'S  
S OF THIS OFFICE, THIS 2 DAY OF Febr., 1977

DOUGLAS COUNTY TREASURER James J. Howell  
CITY ENGINEER Burd A. Wheeler  
CITY RECORDER Robert J. ...  
THE CITY OF OMAHA, THIS 16 DAY OF June, 1976.  
CHAIRMAN ...  
THE CITY OF OMAHA, THIS 14 DAY OF June, 1977.  
CITY CLERK Mary G. ...  
THE CITY OF OMAHA, THIS 14 DAY OF June, 1976.

GENERAL NOTARY - State of Neb.  
ELAINE F. MCCORMICK  
My Comm. Exp. Sept. 11, 1978





DEDICATION

KNOW ALL MEN BY THESE PRESENTS:

THAT WE ROSE MARY PETTEGREW AND LLOYD R. PETTEGREW, AND THE FIRST WESTSIDE BANK (A NEBRASKA CORPORATION) BEING THE OWNERS AND MORTGAGE MEMBERS RESPECTIVELY AND STANLEY L. GIBLER AND JEANINE D. GIBLER, LAND CONTRACT NUMBER OF THE LAND DESCRIBED WITHIN THE SURVEYOR'S CERTIFICATE AND EMBRACED WITHIN THIS PLAT, HAVE CAUSED SAID LAND TO BE SUBDIVIDED INTO LOTS TO BE NUMBERED AS SHOWN SAID SUBDIVISION TO BE HEREAFTER KNOWN AS SILVER FOX ADDITION AND WE DO HEREBY RATIFY AND APPROVE OF THE DISPOSITION OF OUR PROPERTY AS SHOWN ON THIS PLAT; WE DO FURTHER GRANT A PERPETUAL LICENSE IN FAVOR OF AND GRANTED TO THE OMAHA PUBLIC POWER DISTRICT AND THE NORTHWESTERN BELL TELEPHONE COMPANY THEIR SUCCESSORS AND ASSIGNS, TO ERECT AND CONSTRUCT, MAINTAIN, REPAIR AND RUN CABLES, CONDUITS, AND POLES WITH THE NECESSARY SUPPORTS, SUSTAINING WIRES, CROSS-ARMS, GUYS AND ANCHORS, AND OTHER INSTRUMENTALITIES, AND TO EXTEND THEREON WIRES FOR THE CARRYING AND TRANSMISSION OF ELECTRIC CURRENT FOR LIGHT, HEAT, AND POWER, AND FOR ALL TELEPHONE AND TELEGRAPH AND MESSAGE SERVICE, OVER, UPON, OR UNDER A 5-FOOT STRIP OF LAND ADJOINING THE REAR AND SIDE BOUNDARY LINES OF SAID LOTS; SAID LICENSE BEING GRANTED FOR THE USE AND BENEFIT OF ALL PRESENT AND FUTURE OWNERS OF LOTS IN SAID SUBDIVISION; PROVIDED, HOWEVER, THAT SAID SIDE LOT LINE EASEMENT IS GRANTED UPON THE SPECIFIC CONDITION THAT IF BOTH SAID UTILITY COMPANIES FAIL TO CONSTRUCT POLES, WIRES OR CONDUITS ALONG ANY OF SAID SIDE LOT LINES WITHIN 36 MONTHS OF THE DATE HEREOF, OR IF ANY POLES, WIRES OR CONDUITS ARE CONSTRUCTED BUT HEREAFTER REMOVED WITHOUT REPLACEMENT WITHIN 60 DAYS AFTER THEIR REMOVAL, THEN THIS SIDE LINE EASEMENT SHALL AUTOMATICALLY TERMINATE AND BECOME VOID AS TO SUCH UNUSED OR ABANDONED EASEMENT WAYS. NO PERMANENT BUILDINGS, TREES, RETAINING WALLS OR LODGE ROCK WALLS SHALL BE PLACED IN SAID EASEMENT WAYS, BUT THE SAME MAY BE USED FOR GARDENS, SHRUBS, LANDSCAPERS, AND OTHER PURPOSES THAT DO NOT THEN OR LATER INTERFERE WITH THE AFORESAID USES OR RIGHTS HEREBY GRANTED, WE DO FURTHER DEDICATE TO THE PUBLIC, FOR PUBLIC USE THE STREETS AND EASEMENTS AS SHOWN ON THIS PLAT.

SILVER FOX

Rose Mary Pettigrew  
ROSE MARY PETTEGREW  
Lloyd R. Pettigrew  
LLOYD R. PETTEGREW  
Stanley L. Gibler  
STANLEY L. GIBLER  
Jeanine D. Gibler  
JEANINE D. GIBLER

FIRST WESTSIDE BANK OF OMAHA  
[Signature]

ACKNOWLEDGMENT OF NOTARY

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WITNESS MY HAND AND OFFICIAL SEAL, IN OMAHA, NEBRASKA, THE DATE LAST AFORESAID.

MY COMMISSION EXPIRES ON Mar. 24, 1978 NOTARY PUBLIC [Signature]

ACKNOWLEDGMENT OF NOTARY

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WITNESS MY HAND AND OFFICIAL SEAL, IN OMAHA, NEBRASKA, THE DATE LAST AFORESAID.

MY COMMISSION EXPIRES ON Sept 11, 1979 NOTARY PUBLIC [Signature]

ACKNOWLEDGMENT OF NOTARY

STATE OF NEBRASKA) SS  
COUNTY OF DOUGLAS) ON THIS 4 DAY OF June, 1976, BEFORE ME, A NOTARY PUBLIC, DULY COMMISSIONED AND QUALIFIED IN AND FOR SAID COUNTY, APPEARED [Signatures]

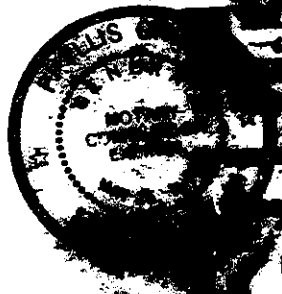
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WITNESS MY HAND AND OFFICIAL SEAL, IN OMAHA, NEBRASKA, THE DATE LAST AFORESAID.

MY COMMISSION EXPIRES ON [Date] NOTARY PUBLIC [Signature]



NOTARY - State of Neb.  
ONE F. McCORMICK  
Comm. Exp. Sept. 12, 1979



RECORDED IN REGISTERED INDEX AND RECORDED IN THE REGISTER OF DEEDS OFFICE IN OMAHA, NEBRASKA, ON [Date]