

DEDICATION AND RESTRICTIVE CONVENANTS  
STATE OF NEBRASKA

FILED FOR RECORD

STATE OF NEBRASKA )

HOLT COUNTY, AS

MO. 6 DAY 15 2007

AT 5:30 CLOCK P M RECORDED

IN BOOK 84 OF Miss

PAGE 276

KNOW ALL MEN BY THESE PRESENTS:

CATHY PAVEL, COUNTY CLERK  
*Deborah R. Ruppel* CHIEF CLERK

I, the undersigned, fee owner of lots in the subdivision know as Licity Subdivision to the City of O'Neill, Holt County, Nebraska, located upon the following described real estate: Lot 1, 2, 3, 4, 5, 6, 7, and 8 of Licity Subdivision, a subdivision of Block C, McCafferty's Second Addition to O'Neill, Holt County, Nebraska.

do hereby make the following declarations as to limitations, restrictions and uses to which the lots and tracts constituting said subdivision may be put, hereby specifying that said declarations shall constitute covenants to run with the land, as provided by law, and shall binding on all parties hereto and all persons claiming under them and for the benefit of and limitations on all future owners of lots and tracts in said subdivision. This declaration of restrictions and limitations is designed for the purpose of establishing a uniform plan for the development of said subdivision so that it will remain desirable, and residential. Said declarations, restrictions and limitations are as follows, to wit:

1. These limitations and restrictive covenants shall be binding upon all parties hereto and all persons claiming under them for a period of twenty-five (25) years from the date these limitations and restrictive covenants shall be recorded, after which time said limitations and restrictive covenants shall be automatically extended for successive periods of ten (10) years each, unless an instrument signed by a majority of the then owners of the lots and tracts described herein has been recorded, agreeing to change said limitations and covenants in whole or in part.
2. No residential structure shall be erected or placed on any building lot or tract, which lot or tract has an area of less than 16,000 square feet.
3. No residential structure shall be erected or placed upon any building plot which does not meet the following square footage requirements:
  - A. The ground floor square footage of all residences, exclusive of terraces, patios, porches, carports, and garages shall be as follows: Not less than 1,400 square feet for a one story residence; not less than 1,100 square feet for a one and one-half story residence; not less than 1,000 square feet for a two story residence. The total square footage areas of a split level residence shall be such that is it in keeping with the foregoing requirements for other type of multi story residences.
4. No noxious or offensive activity shall be carried on upon any lot or in any residence, nor shall anything be done which is or may become any annoyance or

*Licity Subdivision*

nuisance to the neighbor hood or which may endanger the health or unreasonably disturb the quiet of the owners or occupants of the adjoining lots and residences.

5. No building of any kind whatsoever shall be erected, constructed or maintained on any lot shown in said subdivision except a private one family residential house with attached garage with the exception that one storage building may be constructed in the back yard of residence that conforms to the following construction specifications: the maximum area shall be no more than 150 square feet; it must be built on a concrete foundation; it must be built so exterior coordinates with exterior of residence.

6. No tin buildings or sheds are allowed.

7. All lots in said subdivision shall be known and described as residential lots. No residential dwelling constructed, erected or maintained or any of said lots shall be more than two stories in height and any private attached garages constructed thereto shall be for at least two cars, but shall not be for more than three cars. Each garage shall have a driveway or other approach as an entryway to said garage. Any person who constructs a residence on a lot located on a street which was previously been paved, shall construct and complete said driveway out of concrete as a part of the residential construction project. Any person who constructs a residence on a lot located on a street which has previously been paved, shall construct and complete said driveway out of concrete as a part of the residential construction project. Any person who constructs a residence on a lot which does not have a paved street shall construct and complete a concrete driveway within 12 months of the completion of the paving of that street if and when said street is paved.

8. No trailer, mobile home, modular home, basement, tent, shack, garage, barn or outbuilding shall be erected in said subdivision to be used, at any time, as a residence, either temporarily or permanently, nor shall any temporary structure, of any type or nature, be used as a residence, either temporarily or permanently.

9. No previously constructed building or dwelling of any kind or character whatsoever shall be moved out onto any of the lots in said subdivision, for any reason, including, but not limited to, modular homes, double wide trailers, or trailer homes.

10. No residential dwelling, garage, storage building or other building of any type or character shall be located on any lot nearer than 10 feet to any side lot line.


11. The declarations, restrictions and limitations recited herein as to set back from the front and side lot lines shall apply in the event that one purchaser shall purchase and use two contiguous lots or one lot and a part of contiguous lot for a building site. In the event, the distance shall be measured from the property lines rather than the lot lines.

12. All outdoor wiring shall be underground. No wires for electric power, telephones, radio, television or for any other use shall be placed or permitted above the ground except inside a residence or other building
13. No advertising sign, billboard or other advertising device shall be permitted, erected, placed or suffer to remain upon any lot, except that the developer/builder may place signs advertising lots in the subdivision upon any lot owned by the developer or residence being built by the builder.
14. No animals, livestock or poultry of any kind shall be raised, bred or kept on any lot, except dogs, cats or other household pets, if they are not kept, bred or maintained for any commercial purpose, and no barn, shed or stable used for animal husbandry purposes shall be built or placed on any lot or lots.
15. No manufacturing or commercial enterprises of any kind, for profit, shall be maintained on any of said lots, nor shall such property in any way be used for other than strictly residential purposes, with the exception that, until all of said lots are sold by the developer, any lot or lots not sold may be used by the developer for the purpose of growing and harvesting alfalfa and hay.
16. Roofs cannot have tin or sheet metal on them.
17. Privacy fencing shall be allowed. Fences shall only be allowed for back yards or no closer than 23 feet from front lot line with a maximum height of 4 feet.
18. Homes shall be set back 23 feet on all street sides.
19. It is further declared that invalidation of any one of these declarations, restrictions and limitations, by judgment or court order, shall in no way affect any of the other provisions which shall remain in full force and effect.

  
Jolene S. Lichty

Subscribed and sworn to before me this 15 day of June, 2007 by Jolene S. Lichty.



  
Notary Public