

State of Nebraska }  
 Valley, County } SS  
 Received for record this 3 Paid \$34.00  
 day of April A.D. Stowell & Beweke  
2014 at 2 o'clock, and 30  
 Minutes 7 M and recorded in  
 Book 69 Page 256 Box = LV  
 of Miscellaneous  
Kenneth G. Lindsay  
 County Clerk  
Kimberly J. Radtke  
 Deputy

**DECLARATION OF RESTRICTIONS**  
 by  
**GREATER LOUP VALLEY ACTIVITIES, INC.**  
 for  
**ROLLING HILLS SUBDIVISION, PHASE II**

WHEREAS, Greater Loup Valley Activities, Inc., hereinafter referred to as GLVA, is the owner and developer of a certain tract of land known as Rolling Hills Subdivision, Phase II, more particularly described in Schedule A, and shown as a plat map in Schedule B, which documents are annexed hereto and made a part hereof; and

WHEREAS, GLVA is expected to sell residential lots within said tract to individual homeowners and desires to subject the land and purchasers thereof to certain restrictions, conditions and covenants for the purpose of maintaining the value and atmosphere desired for the subdivision,

NOW, THEREFORE, GLVA hereby declares that all lots shown on the tract of land described in Schedule A and shown in Schedule B are held and shall be conveyed subject to the following restrictions, conditions and covenants:

1. *Use of lots in development.* All lots in the residential subdivision known as Rolling Hills Subdivision, Phase II shall be used solely for residential purposes. No business activities of any kind or nature shall be conducted in any of the homes constructed therein.
2. *Style of homes.* All homes shall be constructed with a traditional community compatible exterior. Roofs shall be constructed of high quality asphalt, shake shingles or a quality similar-appearing material. Exteriors shall be wood siding, cement siding, vinyl siding, steel siding or brick. All exterior plans must be approved, in writing, by GLVA (or its assignees, e.g. New Neighborhoods Developers, LLC or Loup Valley Investment Club, LLC), prior to the commencement of construction. The determination of this issue by GLVA or its assignees shall be made in its sole discretion and shall not be subject to review.
3. *Patio decks.* Homes may possess outdoor patio decks. Such decks must be located on the back side of the house.
4. *Lot Structures.* Each lot may contain only one single-family residence, an attached garage or a detached garage if the lot exceeds 1.0 acre in area, a playhouse and small storage shed made of compatible materials. The building exteriors shall match that of the residence. As an exception, attractive duplexes may be allowed on lots that are approved by GLVA prior to construction.
5. *Number of stories and other requirements.* Homes may not exceed two (2) levels above ground. The main level must contain square feet of living space as specified below:
  - a. Lots 2, 3, 36, 37, 38, 39 and 40 a minimum of 1,100 square feet
  - b. Lots 11, 12, 20, 21, 22 and 23 a minimum of 1,300 square feet

- c. Lots 14, 16, 17, 18, 19, 24, 33, 34 and 35 a minimum of 1,500 square feet
  - d. Lots 25, 26, 29, 30, 31, and 32 a minimum of 1,700 square feet
  - e. Lots 15, 26, 27 and 28 a minimum of 2,000 square feet
  - f. All buildings and lots must comply, as a minimum, with the City of Ord, Nebraska building code.
6. *Water and sewer services.* All homes must be connected to public water and sewer systems.
7. *Dog kennels.* Dog kennels shall be permitted, but they shall not be visible from the street. Dogs shall not be allowed to disturb neighbors. Kennels shall be fully fenced. The kennels shall be constructed to be aesthetically comparable with the house.
8. *Manufacture and sale of alcoholic beverages.* Manufacture and sale of alcoholic beverages is prohibited in Rolling Hills Subdivision, Phase II.
9. *No noxious or offensive activity permitted.* No noxious or offensive activity shall be conducted upon any lot or lots, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood.
10. *Tents, garages, outbuildings, etc.* Tents, shacks, trailers or other motorized vehicles shall not be used as a dwelling, either temporarily or permanently. No motorcycle, truck, all terrain vehicle, trailer or boat shall be stored on any lot unless it is garaged. Garage sidewalls shall not exceed 14 feet, provided however, the garage shall not be taller than the house.
11. *Motor homes, fifth-wheel campers.* Motor homes and fifth-wheel campers may be stored on the lots as long as they are parked on a concrete pad which complies with all city ordinances regarding set-backs from lot lines.
12. *Portable air conditioners, satellite dishes, and antennae.* Portable air conditioners, satellite dishes, and television, A.M./F.M. radio, citizens' band (C.B.) and short wave antennae are not to be visible from the street in front of the house unless reception of the subject service necessitates location elsewhere.
13. *Means of advertising.* No signs, billboards or advertising media shall be erected or maintained on any lot.
14. *Refuse.* Trash, lawn cuttings, branches and other refuse shall not be burned or buried on any lot. Refuse shall be removed no less often than once per week. Refuse and grass clippings shall be stored in a building between collections.
15. *Clothes lines.* Outdoor clothes lines are permitted only in back yards.
16. *Mowing of grass.* Once lots are purchased and lawns established, grass shall be

allowed to grow to a height of no more than 6 inches. Lawns shall be fertilized as needed and treated for pests and weeds at least annually. Shrubbery shall be trimmed no less often than annually.

17. *Survival clause.* Invalidation of any one of these covenants, conditions and restrictions, whether by judgment or court order, shall not affect any of the remaining provisions, which shall remain in full force and effect.

18. *Duration of restrictions, conditions and covenants.* All restrictions, conditions and covenants herein shall run with the land and continue as such for twenty (20) years from the date hereof. They shall be extended from that time for successive periods of ten (10) years, unless after the first twenty (20) year period the owners of ninety (90) percent of the lots shown on Schedule B shall agree to alter, modify or eliminate any or all of these restrictions.

19. *Binding effect.* The provisions herein contained shall bind, inure to the benefit of, and be enforceable at law and in equity by GLVA, its successors and assigns, or by the grantee of any lot described in Schedule A. Failure by GLVA, its successors, assigns or any grantee to enforce any of the restrictions, conditions and covenants herein contained shall in no event be deemed a waiver of the right to do so thereafter, and shall not subject GLVA to any liability for failure to enforce.

GREATER LOUP VALLEY ACTIVITIES, INC.

BY: *Curtis A. Sikyta*  
President

STATE OF NEBRASKA     )  
  ) ss.  
COUNTY OF VALLEY    )

On this 29<sup>th</sup> day of January, 2014, before me personally came Curtis A. Sikyta, to me known, who by me being duly sworn, did depose and say that he resides at Ord, NE; that he is the President of Greater Loup Valley Activities, Inc., the corporation described in and which executed the foregoing instrument; and that he signed his name thereto at the direction of the Board of Directors of said corporation.



*Kelly Jonak*  
Notary Public

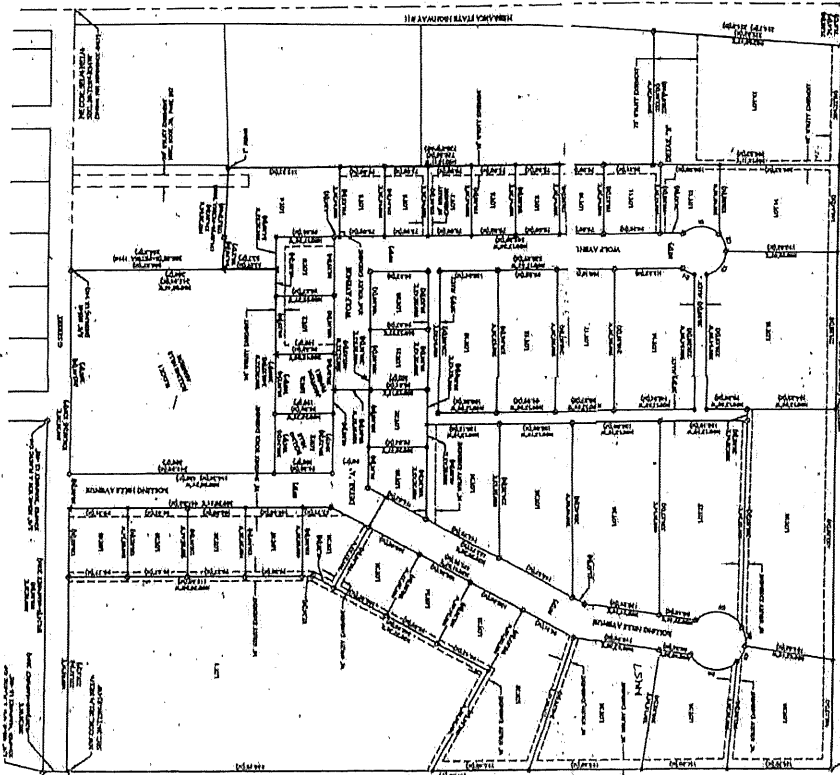
## SCHEDULE A

Tracts of land located in the Southeast Quarter of the Northeast Quarter of Section 20, Township 19 North, Range 14 West of the 6<sup>th</sup> P.M., Valley County, Nebraska, described as commencing at the Quarter Section corner between Sections 20 and 21; thence N89°47'W a distance of 71.9 feet to the West right of way line of State Hwy. No. 11 being the Point of Beginning; thence N4°13'E along the West right of way line of State Hwy. No. 11 a distance of 324.8 feet; thence S89°43'W a distance of 228.0 feet; thence N0°17'W a distance of 730.5 feet; thence N87°21'W a distance of 175.6 feet; thence N0°17'W a distance of 256.3 feet to a point on the East and West 1/16 section line on the North side of the SE1/4NE1/4 of Section 20; thence S89°59'W on the East and West 1/16 section line a distance of 868.0' to the 1/16 corner at the center of the NE1/4 of said Section 20; thence S0°22'E on the North and South 1/16 section line a distance of 1313.0 feet to the 1/16 section corner at the southwest corner of the SE1/4NE1/4 of Section 20; thence S89°47'E on the East and West Quarter section line of Section 20 a distance of 1242.4 feet to the Point of Beginning (This tract includes real estate known as Block 1, and Lots 2, 3, 22, 23, 36, 37, 38, 39 and 40, all in Rolling Hills Addition to Ord, Valley County, Nebraska, according to the recorded plat thereof),

LESS a tract conveyed to Ord Housing Authority in Deed Book 69 on Page 631 described as commencing at the northeast corner of the Southeast Quarter of the Northeast Quarter of Section 20, Township 19 North, Range 14 West of the 6<sup>th</sup> P.M., Valley County, Nebraska; thence West on the East and West 1/16 Section line of the Northeast Quarter of said Section 20, a distance of 448.3 feet to the Place of Beginning; thence S0°10'E a distance of 350 feet; thence West a distance of 350 feet; thence N0°10'W a distance of 350 feet to a point on the East and West 1/16 Section line of the Northeast Quarter of said Section 20; thence East on the East and West 1/16 Section line a distance of 350 feet to the Place of Beginning (also known as Block 1, Rolling Hills Addition to Ord, Valley County, Nebraska, according to the recorded plat thereof); and, LESS a tract conveyed to Donald L. Kelly and Nelda J. Kelly in Deed Book 71 on Page 491 described as Lot 2, Rolling Hills Addition to Ord, Valley County, Nebraska, according to the recorded plat thereof; and,

LESS a tract conveyed to Bradley R. Lech, Everett A. Lech, Trustee and Ruth J. Lech, Trustee in Deed Book 83 on Page 185 described as Lot 3, Rolling Hills Addition to Ord, Valley County, Nebraska, according to the recorded plat thereof.

ROLLING HILLS ADDITION PHASE II  
ORD, NEBRASKA



LEGAL DESCRIPTIONS (AS SHOWN ON DEED 78, PAGE 400)  
 THIS PLAN SHOWS THE LOTS, TRACES, AND UTILITIES FOR THE ROLLING HILLS ADDITION PHASE II, CITY OF ORD, VALLEY COUNTY, NEBRASKA. THE LOTS ARE IDENTIFIED BY NUMBER AND ACREAGE. THE TRACES ARE IDENTIFIED BY NUMBER AND TYPE. THE UTILITIES ARE IDENTIFIED BY NUMBER AND TYPE. THIS PLAN IS A PART OF THE ROLLING HILLS ADDITION PHASE II, CITY OF ORD, VALLEY COUNTY, NEBRASKA. THE LOTS ARE IDENTIFIED BY NUMBER AND ACREAGE. THE TRACES ARE IDENTIFIED BY NUMBER AND TYPE. THE UTILITIES ARE IDENTIFIED BY NUMBER AND TYPE. THIS PLAN IS A PART OF THE ROLLING HILLS ADDITION PHASE II, CITY OF ORD, VALLEY COUNTY, NEBRASKA.

**ORD CITY ENGINEER**

AS ENGINEER OF THE CITY OF ORD, NEBRASKA, I HEREBY CERTIFY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT AS FURNISHED TO ME BY THE CITY ENGINEER OF THE CITY OF ORD, NEBRASKA.

**ROLLING HILLS ADDITION PHASE II  
CITY OF ORD  
VALLEY COUNTY, NEBRASKA**

**JEO CONSULTING GROUP, INC.**

**ACCEPTANCES:**

- CITY ENGINEER: [Signature]
- CITY CLERK: [Signature]
- PLANNING COMMISSION: [Signature]
- VALLEY COUNTY ENGINEER: [Signature]
- VALLEY COUNTY COMMISSIONER: [Signature]

**NOTARIAL CERTIFICATE**

I, Notary Public for the State of Nebraska, do hereby certify that the foregoing is a true and correct copy of the original as recorded in my records in the County of Valley, State of Nebraska, on the 15th day of February, 1998.

Notary Public  
Valley County, Nebraska

Recorder Note:  
Original Plat  
Rolling Hills Addition  
Phase II, in  
Clerk's Office.

Schedule B