

WASHINGTON COUNTY, STATE OF NEBRASKA
Instrument Number 2022-02171

Carolyn M. Stodola
REGISTER OF DEEDS

FILED
2022 Jun-16 PM 01:43

Carolyn Stodola
WASHINGTON COUNTY
REGISTER OF DEEDS
BLAIR, NE

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AFTER RECORDING RETURN TO:
WOODS AITKEN LLP
Attn: Daniel R. Carnahan
10250 Regency Circle, Suite 525
Omaha, NE 68114

DECLARATION OF RESTRICTIVE COVENANT

June 15th THIS DECLARATION OF RESTRICTIVE COVENANT ("Declaration") dated effective 2022 (the "Effective Date"), is made by ANGELS SHARE, a Nebraska nonprofit corporation (Declarant").

RECITALS:

- A. Declarant is the owner of that certain real estate located in Washington County, Nebraska, and legally described in Exhibit "A" attached hereto and incorporated by reference herein (the "Property").
- B. By virtue of recording this Declaration, the Property and all portions thereof shall be owned, held, transferred, sold, leased, conveyed, developed, used, occupied, operated, improved and mortgaged or otherwise encumbered subject to the provisions of this Declaration and every grantee of any interest in the Property or any portion thereof, by acceptance of a deed or other conveyance of such interest, and every owner of the Property or any portion thereof, whether or not such deed or other conveyance of such interest shall be signed by such person and whether or not such person shall otherwise consent in writing, shall own and take subject to the provisions of this Declaration and shall be deemed to have consented to the terms hereof.

DECLARATION:

NOW, THEREFORE, Declarant hereby declares that the Property and all portions thereof shall be owned, leased, sold, used, operated and conveyed subject to the following restrictions and covenants:

- 1. Incorporation of Recitals. The foregoing recitals are hereby incorporated by reference as if fully set forth herein.

2. Restricted Uses. During the term of this Declaration, the Property and all portions thereof may only be used for qualifying charitable, educational, and/or religious purposes in accordance with Section 501(c)(3) of the Internal Revenue Code, as the same may be amended from time to time (the "Restrictions").

3. Term and Termination of the Restrictions. The Restrictions shall cease to apply and this Declaration shall automatically terminate on the tenth (10th) anniversary of the Effective Date.

4. Governing Law. This Declaration is declared to have been made under and shall be governed by the laws of the State of Nebraska.

5. Recording. This Declaration and any future amendments thereto shall be recorded in the office of the Washington County, Nebraska Register of Deeds.

6. Enforcement. Declarant, its successors and assigns, and all future owners of any portion of the Property shall be entitled to enforce the restrictions contained herein by pursuing all available remedies at law or equity, including, but not limited to, injunctive relief.

7. Covenants to Run with the Land. It is intended that the covenants, conditions, and restrictions set forth herein shall run with the land and create equitable servitudes in favor of the real property benefited thereby, shall bind every person having any fee, leasehold or other interest therein and shall inure to the benefit of the respective parties and their successors, assigns, heirs, and personal representatives.


8. Modification and Termination. For so long as Declarant owns any portion of the Property, and unless and until Declarant elects, in its sole and absolute discretion, to transfer, relinquish and/or surrender all of its rights under this Declaration, this Declaration may be terminated, modified, or amended with respect to all or any portion of the Property by the terms of a recorded document executed by Declarant alone. From and after the date that Declarant no longer owns any portion of the Property, this Declaration or any provisions hereof, may only be terminated, modified or amended in whole or in part with respect to all or any portion of the Property by the terms of a recorded document executed by all owners of the Property.

[Remainder of page intentionally left blank; signature page follows.]

IN WITNESS WHEREOF, Declarant has executed the Declaration as of the Effective Date.

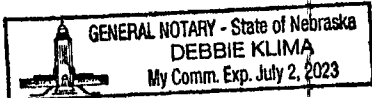
DECLARANT:

ANGELS SHARE, a Nebraska nonprofit corporation

By: 
Edward J. Shada, President

STATE OF NEBRASKA)
) ss.
COUNTY OF Douglas)

The foregoing instrument was acknowledged before me on June 15, 2022, by Edward J. Shada, as President of Angels Share, a Nebraska nonprofit corporation, on behalf of the corporation.



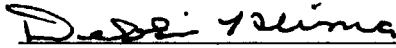

Notary Public

EXHIBIT "A"

Legal Description of Benefited Property

Parcel 1 (PID 890088533):

Lot 3, Transformation Hill Addition, an Addition to the City of Blair, as surveyed, platted and recorded in Washington County, Nebraska.

Parcel 2 (PID 890037870):

Lot 4, Transformation Hill Addition, an Addition to the City of Blair, as surveyed, platted and recorded in Washington County, Nebraska.

Parcel 3 (PID 890087269):

Lot 5, Transformation Hill Addition, an Addition to the City of Blair, as surveyed, platted and recorded in Washington County, Nebraska.

Parcel 4 (PID 890088536):

Lot 8, Transformation Hill Addition, an Addition to the City of Blair, as surveyed, platted and recorded in Washington County, Nebraska.

Parcel 5 (PID 890087965):

Lot 9, Transformation Hill Addition, an Addition to the City of Blair, as surveyed, platted and recorded in Washington County, Nebraska.

Parcel 6 (PID 890038689):

Lot 10, Transformation Hill Addition, an Addition to the City of Blair, as surveyed, platted and recorded in Washington County, Nebraska.

Parcel 7 (PID 890039102):

Lot 11, Transformation Hill Addition, an Addition to the City of Blair, as surveyed, platted and recorded in Washington County, Nebraska.

Parcel 8 (PID 890088551):

Lot 27, Transformation Hill Addition, an Addition to the City of Blair, as surveyed, platted and recorded in Washington County, Nebraska.

Parcel 9 (PID 890019299):

Tax Lot 208, also known as: All of Tax Lot 163 lying in the Northeast Quarter of the Southeast Quarter of Section 10, Township 18 North, Range 11 East of the 6th P.M., Washington County, Nebraska, except that part taken for Transformation Hill Addition Lying in the Northeast Quarter of the Southeast Quarter.

Parcel 10 (PID 890088583):

Tax Lot 209, also known as: A parcel of land located in the Southeast Quarter of the Northeast Quarter of Section 10, Township 18 North, Range 11 East, of the 6th P.M., in the City of Blair, Washington County, Nebraska.

Being more particularly described as follows: beginning at the Southwest corner of said Southeast Quarter of the Northeast Quarter of Section 10, Township 18 North, Range 11 East of the 6th P.M., in the City of Blair, Washington County, Nebraska; thence $89^{\circ}39'39''$ E (assumed bearing) on the South line of said Southeast Quarter, a distance of 1166.47 feet; thence $N17^{\circ}34'31''$ W, a distance of 87.56 feet; thence $N00^{\circ}58'36''$ W, a distance of 147.75 feet; thence $N32^{\circ}20'42''$ W, a distance of 50.00 feet; thence $N57^{\circ}39'52''$ E, a distance of 84.25 feet; thence $N32^{\circ}20'08''$ W, a distance of 141.93 feet; thence $S70^{\circ}08'16''$ W, a distance of 129.26 feet; thence $S83^{\circ}25'50''$ W, a distance of 153.63 feet; thence $N89^{\circ}03'19''$ W, a distance of 80.01 feet; thence $S78^{\circ}39'44''$ W, a distance of 299.36 feet; thence $N60^{\circ}20'03''$ W, a distance of 527.99 feet to the West line of said Southeast Quarter of the Northeast Quarter; thence $S00^{\circ}02'49''$ E on said West Line, a distance of 573.82 feet to the point of beginning.