

# Deed Record No 48

Arthur C. Ross and Wife

to

The Public

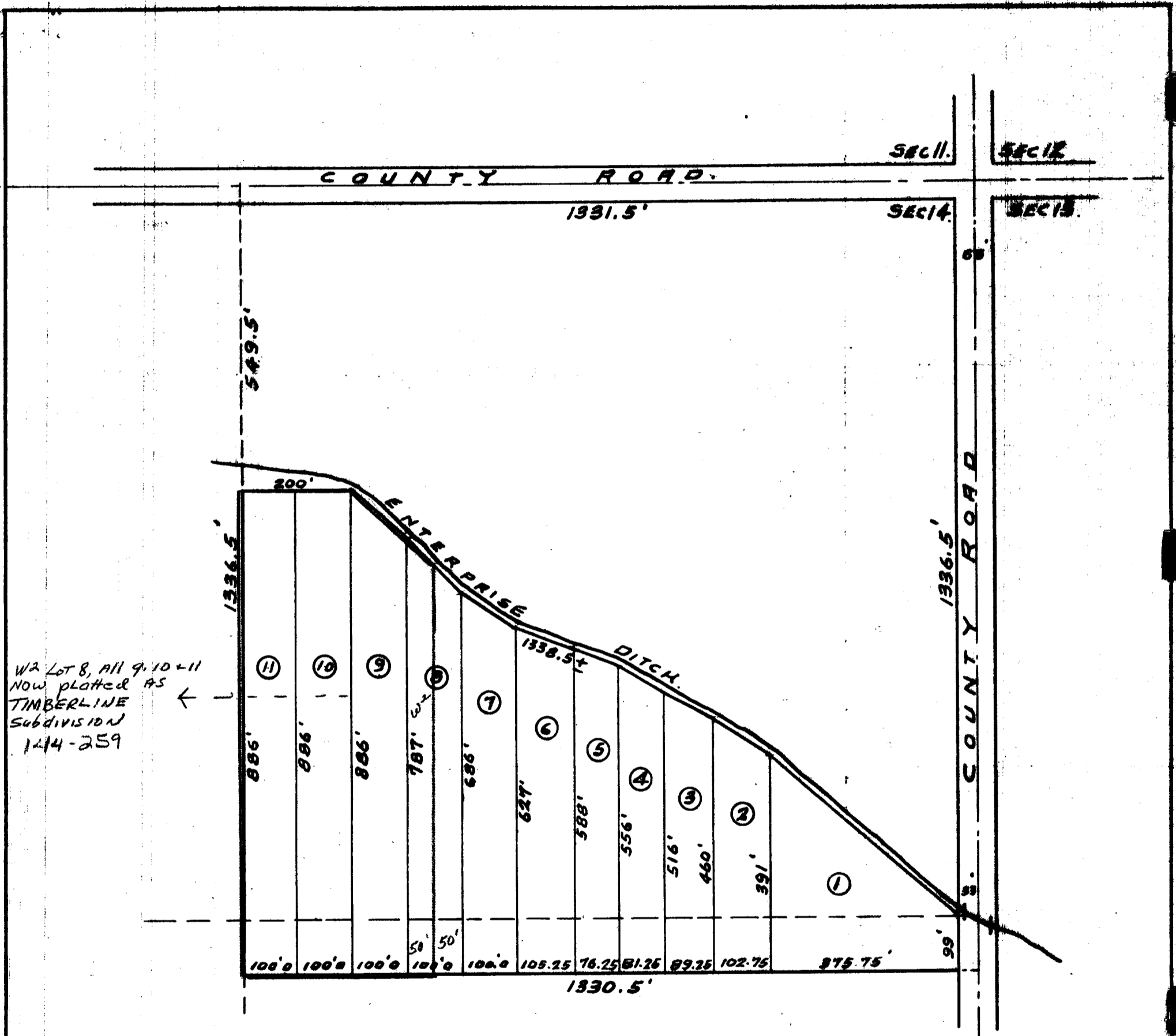
State of Nebraska, Scotts Bluff County, ss.  
 Entered on Numerical Index and filed for  
 record the 25th day of September 1944 at 8:30  
 o'clock A.M. and recorded in Book 48 of Deeds  
 on Page 368.

Alice McCutchan, Register of Deeds.

Note: See Subd of Tract 1, Book 122 - Pg 56

Note: See Vacation of 533' of Tr 2-7 + 533', E 50' Tr 8, Misc Book 74 - Pg 448

Note: See Replat of Pt. of Tr 2 + 8 incl (38th street) Book 128, Pg 355



I HEREBY CERTIFY THAT I ACCURATELY SURVEYED THE  
 ROSS TRACTS, LOCATED ON PART OF THE NE 1/4  
 SECTION 14 TOWNSHIP 22N RANGE 55W OF THE  
 6TH PM. IN SCOTTS BLUFF COUNTY NEBRASKA.  
 MORE FULLY DESCRIBED AS FOLLOWS: BEGINNING  
 AT A POINT 1438 FT SOUTH OF THE NE CORNER  
 OF SECTION 14 TOWNSHIP 22N RANGE 55W, THENCE WEST A  
 DISTANCE OF 1336.5' THENCE NORTH A DISTANCE OF  
 886 FT, THENCE EAST AND PARALLEL TO THE  
 SOUTH LINE A DISTANCE OF 200 FT, THENCE IN  
 A SOUTH EASTERLY DIRECTION ALONG THE SOUTH  
 BANK OF THE ENTERPRISE DITCH A DISTANCE  
 OF 1330.5' THENCE EAST 35° TO THE SE CORNER OF THE  
 NE 1/4 OF THE NE 1/4 OF SECTION 14 TOWNSHIP 22N  
 RANGE 55W, THENCE SOUTH 55° TO THE POINT OF BEGINNING.  
 THE DESCRIBED PORTION CONTAINING 11 TRACTS.  
 THAT THIS PLAT IS A CORRECT DELINEATION  
 OF SAID SURVEY, DRAWN TO A SCALE OF 200 FT. TO  
 THE INCH.

WITNESS MY HAND THIS 18TH DAY OF SEPT. 1944 A.D.  
 Allan C. Ogilvy  
 ENGINEER.

ROSS TRACTS.

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## SUPPLEMENTAL CERTIFICATE

I, Allan C. Ogilvy, hereby further certify as to the survey of Ross Tracts; a part of the East half of the Northeast quarter (Pt  $E\frac{1}{2}NE\frac{1}{4}$ ) of Section Fourteen (14), Township Twenty-two (22) North, Range Fifty-five (55) West of the 6th P.M., Scotts Bluff County, Nebraska as follows: The beginning point set forth in my certificate dated the 18th day of September, 1944 is 99 feet south of the Northeast (NE) corner of the Southeast quarter ( $SE\frac{1}{4}$ ) of said one-fourth section; the West line of the East half of the Northeast quarter ( $E\frac{1}{2}NE\frac{1}{4}$ ) of said one-fourth section is 1330.5 feet West of said beginning point designated in the Original Certificate; and that the West line of Ross Tracts is also the West line of the East half of the Northeast quarter ( $E\frac{1}{2}NE\frac{1}{4}$ ) above identified. And I further certify that the North line of Tracts 10 and 11 of Ross Tracts is parallel with both the North line of the Southeast quarter of the Northeast quarter ( $SE\frac{1}{4}NE\frac{1}{4}$ ) of said section and the south line of Ross Tracts; that in the Original Certificate made September the 18th, 1944 a part of the description of the survey of Ross Tracts states "Thence in a southeasterly direction along the south bank of the Enterprise Ditch a distance of 1338.5 plus feet"; and that said southeasterly line is more particularly described as: Beginning at a point at right angles to and 200 feet east of the northwest (NW) corner of Ross Tracts; thence East  $49^{\circ}45'$  South a distance of 157.5 feet; thence east  $46^{\circ}45'$  South a distance of 91 feet; thence East  $33^{\circ}$  South a distance of 98 feet; thence East  $21^{\circ}15'$  South a distance of 208.5 feet; thence East  $27^{\circ}$  South a distance of 126 feet; thence East  $32^{\circ}30'$  South a distance of 189 feet; thence East  $36^{\circ}$  South a distance of 91.5 feet; thence East  $43^{\circ}45'$  South a distance of 231 feet; thence East  $39^{\circ}$  South a distance of 121 feet; thence East  $42^{\circ}$  South a distance of 25 feet to the East line of the East half of the Northeast quarter ( $E\frac{1}{2}NE\frac{1}{4}$ ) of said section.

Dated at Scottsbluff, Nebraska this 23rd day of September, 1944.

Allan C. Ogilvy,  
Engineer

## DEDICATION

We, Arthur C. Ross and Myrtle E. Ross, husband and wife, being the owners of all the land upon which is located Ross Tracts, Scotts Bluff County, Nebraska as shown by the plat, surveyors certificate and surveyors supplemental certificate attached hereto, which Ross Tracts in Scotts Bluff County, Nebraska we have caused to be surveyed and platted, do hereby dedicate said tracts and a public street 33 feet in width over the south end of tracts 1 to 6, inclusive, with the following conditions, restrictions and reservations.

1. Ross Tracts are subject to all easements and rights-of-way of the Enterprise Irrigation District. Tract No. 1 is subject to a reservation for an irrigation lateral on the East line of said tract to irrigate the balance of the lands within the Enterprise Irrigation District and south of Ross Tracts.

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2. Tract No. 11 of Ross Tracts is subject to a reserved easement on the West line thereof for an irrigation lateral 6 feet wide to convey irrigation water to lands South and West of Ross Tracts and within the Enterprise Irrigation District.

3. All covenants, easements and reservations shall run with said Ross Tracts and shall be binding on all of the owners of said tracts and all persons claiming under them until April 1st, 1964, at which time said covenants shall be automatically extended for successive periods for 10 years unless by vote of a majority of the then owners of the tracts it is agreed to change said covenants in whole or in part.

4. If the owners of said tracts or any of them, or their heirs and assigns, shall violate or attempt to violate any of the Covenants herein, it shall be lawful for any other person or persons owning any real property situated in said development or subdivision to prosecute any proceedings at law or in equity against the person or persons violating or attempting to violate any such Covenant and either to prevent him or them from so doing or to recover damages or other dues for such violation.

5. Invalidity of any one of these Covenants by judgment or court order shall in no wise affect any of the other provisions which shall remain in full force and effect.

6. All lots in the tract shall be known and described as residential lots. No structures shall be erected, altered, placed, or permitted to remain on any residential building plot other than one detached single-family dwelling, not to exceed one and one-half stories in height and a private garage for not more than two cars and chicken house or houses, and barn and small sheds.

7. No noxious or offensive trade or activity shall be carried on upon any lot nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood.

8. No trailer, basement, tent, shack, garage, barn, or outher outbuilding erected in the tract shall at any time be used as a residence temporarily or permanently nor shall any structure of a temporary character be used as a residence, provided however because of the present war conditions garages or basements can be used as temporary living quarters, but in no event beyond October 1st, 1947.

9. No dwelling shall be permitted on any lot in the tract, the ground floor of which, exclusive of one-story open porches and garages, shall be not less than 550 square feet in the case of a one-story structure, not less than 500 square feet in the case of a one and one-half story structure.

10. This tract shall never be sold or transferred to any one other than one of the Caucasian race.

11. An easement is reserved over the front five (5) feet of each lot for utility installation and maintenance.

12. Not more than 2 horses and 2 cows shall be kept on any one tract. No commercial feeding of livestock shall ever be done and no hogs shall be kept or harbored on said tracts.

Dated at Scottsbluff, Nebraska this 23rd day of September, 1944.

STATE OF NEBRASKA )  
COUNTY OF SCOTTS BLUFF) <sup>SS</sup>

Arthur C. Ross  
Myrtle E. Ross

Now on this 25th day of September, 1944 before me a Notary Public, duly commissioned, qualified and acting personally appeared Arthur C. Ross and Myrtle E. Ross, husband and wife, to me known to be the identical persons who executed the above and foregoing dedication and they each severally acknowledged to me the same to be their voluntary acts and deeds for the uses and purposes therein recited.

Dorothy E. Elder,  
Notary Public.

