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RESTRICTIVE COVENANTS AGAINST THE FOLLOWING DESCRIBED REAL ESTATE LOCATED IN THE CITY OF WATERLOO, BLACK HAWK COUNTY, IOWA, AND OWNED BY MAUD B. BUSBY, WIDOW

Lots One (1), Two (2), and Three (3), Block
Number Three (3) Burnside, in Waterloo, Iowa.

WHEREAS, the above named party is the owner of the real estate above described and is desirous of restricting the use of said real estate:

Now, therefore, I, the above named party of Black Hawk County, Iowa, do hereby agree with the Public and with future purchasers that all of the above tract of real estate shall be restricted as follows:

- (a) All lots in the tract shall be known and described as residential lots, and no structure shall be erected on any residential building plot other than one detached single-family dwelling, not to exceed two stories in height, and a one or two car garage.
- (b) No building shall be erected on any residential building plot nearer than 25 feet to nor farther than 30 feet from the lot line, nor nearer than 5 feet to any side lot lines. The side line restriction shall not apply to a garage located on the rear one-quarter of a lot, except that on corner lots no structure shall be permitted nearer than 10 feet to the side street line.
- (c) No residential lot shall be resubdivided into building plots having less than 4,000 square feet of area or a width of less than 40 feet each, nor shall any building be erected on any residential building plot having an area of less than 4,000 square feet or a frontage of less than 40 feet.
- (d) No noxious or offensive trade 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.
- (e) No race or nationality other than the Caucasian race shall use or occupy any building or any lot, except that this covenant shall not prevent occupancy by domestic servants of a different race or nationality employed by an owner or tenant.
- (f) No trailer, basement, tent, shack, garage, barn or other outbuilding erected on the tract shall at any time be used as a residence temporarily or permanently; nor shall any residence of a temporary character be permitted.
- (g) No structure shall be moved onto any lot unless it shall conform to and be in harmony with existing structures in the tract.
- (h) No building, the construction costs of which are less than \$3000 shall be permitted on any lot in the tract, and the ground floor square feet area thereof shall not be less than 624 Square feet in the case of a one-story structure not less than 400 Square feet in the case of a one-and-one half or two-story structure.
- (i) These covenants and restrictions are to run with the land and shall be binding on all parties and all persons claiming under them until January 1, 1965, at which time said covenants and restrictions shall terminate.
- (j) If the party hereto, or her heirs, or assigns, shall violate or attempt to violate any of the covenants or restrictions herein, before January 1, 1965, it shall be lawful for any other persons, owning any other lots 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 or restriction and either to prevent him or them from so doing or to recover damages or other dues from such violation.

(k) Invalidation 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.

Maud B. Busby

CERTIFICATE OF ACKNOWLEDGMENT—Individual (Sec. 10103, Code) Form 160A p.029027

STATE OF Iowa, County of Black Hawk, ss.

On this 22 day of October, A. D. 1941, before me P. L. Wynkenp

a Notary Public in and for the County of Black Hawk, State of Iowa, personally appeared

Maud B. Busby to me known to be the person named in and who executed the foregoing instrument, and acknowledged that

she executed the same as her voluntary act and deed.

IN WITNESS WHEREOF, I have hereunto signed my name and affixed my Notarial seal the day and year last above written.

P. L. Wynkenp
Notary Public in and for Black Hawk County, State of Iowa.

No. 8884

STATE OF IOWA }
BLACK HAWK CO. }
Filed for record this 14 day of Nov 1941
1:55 P.M.
29 of Mach page 543
Perse Roberts Recorder
EIC
704