

RESTRICTION AGREEMENT

KNOW ALL MEN BY THESE PRESENTS:

That we, the undersigned owners and the husbands and wives of owners of certain real estate hereinafter described and set opposite our names and located within the County of Black Hawk, State of Iowa, and also within the City of Waterloo, Black Hawk County, Iowa, do hereby mutually covenant and agree together, in consideration of the premises and covenants herein made each to the other, which promises and covenants are hereby made equally binding upon our heirs, executors, legal representatives, or assigns; that the use and sale of the real estate owned by us as hereinafter described shall be restricted as follows:

That no part of said real estate shall be sold, conveyed, rented to or occupied by any negro or Indian, or person of the African, Chinese, Japanese race, nationality or descent, either directly or indirectly.

This contract and agreement is made for the use and benefit of any and all persons who now own, or who may hereafter acquire any real estate within the aforesaid territory or any interest therein and may be enforced by any appropriate legal or equitable proceedings, and any breach thereof shall give rise to a cause of action for damages in favor of any and every person owning property, or having an interest in property in said restricted district and to the full extent of the loss or injury which he may sustain by reason of such breach.

Any sale of real estate within said restricted district, affected by this contract which may be in violation of its terms by any subsequent owner or party interested in said real estate shall cause the real estate so sold to revert to the present owner and signer hereof, his heirs, legal representatives or assigns, providing suit be instituted for that purpose within one year after such forbidden sale, conveyance, transfer or lease comes to the actual notice of such other property owners. But every sale shall be presumed to be in compliance herewith until the contrary is shown.

Any such use of occupancy by tenant within the above restricted list shall have the effect to terminate his lease and any such use or occupancy by person holding any portion of said real estate under contract of sale, shall work a forfeiture of his contract with such person coming within the restricted list above set forth.

And it is hereby further mutually agreed by and among all parties hereto, that the use of any portion of said premises in violation of this contract or the occupancy of any portion thereof by a person or parties belonging to any of the excluded list aforesaid shall constitute a nuisance, and such acts are by this contract declared to be a nuisance, and which may be abated at the suit of any party hereto, or other subsequent owners of any portion of said premises, in appropriate or equitable proceedings and any person occupying any portion of said real estate, under lease or contract, in violation of the provisions hereof may be removed therefrom upon three day's notice in writing, at the suit

of any owner of real estate, located within the territory covered by this contract, provided however, that a breach of any of the foregoing conditions shall not defeat the lien of any mortgage or trust deed made in good faith and for value, covering any part of said premises. But said conditions shall be binding upon the owner thereof, whose title shall have been acquired by foreclosure, trustee's sale or otherwise, as to any breach occurring after such sale, and, provided also that the restrictions herein contained shall, in all respects terminate and be of no further effect after July 1, 1971.

In witness whereof the parties to this contract have hereto set their hands together with a description of the property to be included in said restricted district, all done in Waterloo, Iowa, this 1st day of July, 1946.

Said property and parties being as follows, to-wit:

Charles L. Boothoff
Mary L. Boothoff } owners of Lot # One (1) in Country Club Acres, Black Hawk County Iowa, and the East one-half (E $\frac{1}{2}$) of Lot Two (2) Country Club Acres, Black Hawk County Iowa.

Frank Kudelka sr } owner West one-half (W $\frac{1}{2}$) Lot 2, Lot three (3), and the East one-half Lot four (4) Country Club Acres, Waterloo, Black Hawk County, Iowa

Eugene M. Fortson
Mariam M. Fortson } owners West one-half (W $\frac{1}{2}$) lot four (4) Lot five (5) East one-half (E $\frac{1}{2}$) Lot six (6) Country Club Acres, Waterloo, Black Hawk County, Iowa

John McKinstry
Dorothy V. McKinstry } owners of West one-half (W $\frac{1}{2}$) Lot six (6) Lot seven (7) Country Club Acres Waterloo, Black Hawk County, Iowa

C. E. Lindsey
Daisy E. Lindsey } owners of Lot eight (8) in Country Club Acres, Waterloo, Black Hawk County, Iowa

H. L. Thomson } owner of Lot nine (9) in Country Club Acres, Waterloo, Iowa

RESTRICTION AGREEMENT

Dessie P. E. (Kilbey)

Lot ten (10) in Country Club Acres,
Owners of Waterloo, Black Hawk County, Iowa

Wm C. Eckelberg

Henry H. Long

Gail De Long

Lot eleven (11) in Country Club
Acres, Waterloo, Black Hawk County,
Iowa

Owners of

Geo J. Wood

Lots twelve (12) thirteen (13),
fourteen (14) fifteen (15) in
Country Club Acres, Waterloo, Black
Hawk County, Iowa

Owners of

Dale D. Dixon

Lots sixteen (16) forty-seven (47) in
Country Club Acres, Waterloo, Black
Hawk County, Iowa

Owners of

Mary Elaine Dixon

Fred D. Adams

Lots seventeen, (17) forty-six (46) in
Country Club Acres, Waterloo, Black
Hawk County, Iowa

Owners of

Mrs. ~~Frederick~~ Adams
(Mary E.)

Helen C. Nuss

Lot eighteen (18) Country Club Acres,
Waterloo, Black Hawk County, Iowa

Owners of

Paul Nuss

Ethel Knight

Lots nineteen (19) forty-four (44) in
Country Club Acres, Waterloo, Black
Hawk County, Iowa

Owners of

Mildred Knight

Phyllis V. Canfield

Lots twenty (20) forty-three (43) in
Country Club Acres, Waterloo, Black
Hawk County, Iowa

Owners of

Roger E. Canfield

Hermon A. Schneider

Lots twenty-one (21), thirty-two, (32)
Sixty-four (64) in Country Club Acres
Waterloo, Black Hawk County, Iowa

Owners of

Maie A. Schneider

Laurie M. Smith

Lots twenty-two, (22) Forty-one (41)
Country Club Acres, Waterloo, Black Hawk
County, Iowa

Owners of

Louis L. Smith

George Wadell
Wm. Wadell
Levin

Owners of Lots Twenty-three, (23) thirty nine (39) in Country Club Acres, Black Hawk County, Waterloo, Iowa

Mrs. Catherine Wessel

Owner of Lot Forty-five (45) Country Club Acres, Black Hawk County, Waterloo, Iowa

D.O. Neelans
Mrs Grace Neelans

Owners of Lot Forty-two (42) Country Club Acres, Black Hawk County, Waterloo, Iowa

J.W. Riley
Nadine L. Riley

Owners of Lot Forty (40) in Country Club Acres, Waterloo, Black Hawk County, Iowa

Harold Tumber
Joseph Tumber

Owners of Lot Twenty-four (24) in Country Club Acres, Waterloo, Black Hawk County, Iowa

Walter B. Boston
Pauline A. Boston

Owners of Lot (25) Twenty-five in Country Club Acres, Waterloo, Black Hawk County, Iowa
Lot sixty-two (62) in Country Club Acres, Waterloo, Black Hawk County, Iowa

Mrs Cassatara J. Walton

Owner of Lot Twenty-six (26) in Country Club Acres, Waterloo, Black Hawk County, Iowa

Ed Hanson

Owner of Lot Twenty seven (27) in Country Club Acres, Waterloo, Black Hawk County, Iowa

Eva J. Myers
Charles D. Myers

Owners of Lot Twenty-eight (28) in Country Club Acres, Waterloo, Black Hawk County, Iowa

Edwin J. Guinier

Owner of Lot Twenty-nine (29) in Country Club Acres, Waterloo, Black Hawk County, Iowa

Wm. E. George

Owner of Lots No Thirty (30), Thirty-one (31) Thirty-four (34) Forty-eight (48) and Seventy-six (76) in Country Club Acres, Waterloo, Black Hawk County, Iowa.

RESTRICTION AGREEMENT

Mrs Minnie E. Haller
William J. Haller

Owners of Lots Thirty-three (33) , Sixty (60) Sixty-one (61) in Country Club Acres, Waterloo, Black Hawk County, Iowa

Carl Lehlandt
Hulda Lehlandt

Owners of Lot Thirty-five (35) in Country Club Acres, Waterloo, Black Hawk County, Iowa

Marie Tegtmier
Henry C. Tegtmier

Owners of Lots Thirty-six (36) Thirty-seven (37) Thirty-eight (38) In Country Club Acres, Waterloo, Black Hawk County, Iowa

Keith E. Peck
Alyce D. Peck

Owners of Lot Fifty-six (56) in Country Club Acres, Waterloo, Black Hawk County, Iowa

Pearl LaRue

Owner of Lot Fifty-seven (57) Seventy-four (74) in Country Club Acres, Waterloo, Black Hawk County, Iowa

~~Lot Sixty (60) in Country Club Acres, Waterloo, Black Hawk County, Iowa~~

Edmond J. Jirak

Owner of Lot Sixty-three (63) in Country Club Acres, Waterloo, Black Hawk County, Iowa

Harold P. Miller
Anna Miller

Owners of Lot Sixty-five (65) in Country Club Acres, Waterloo, Black Hawk County, Iowa

John Urban

Owner of Lot Sixty-six (66) in Country Club Acres, Waterloo, Black Hawk County, Iowa X

Peter Urban
Luella Urban

Owners of Lot Sixty-seven (67) in Country Club Acres, Waterloo, Black Hawk County, Iowa X

Cecelia Schlaack

Owner of Lot Sixty-eight (68) in Country Club Acres, Waterloo, Black Hawk County, Iowa X

Restriction Agreement

Mr. Thomas Ray
Helen Ray

Owners of Lots Sixty-nine (69) Seventy (70) in Country Club Acres, Waterloo, Black Hawk County, Iowa

Alfred Reinhardt
Lorraine Reinhardt

Owners of Lot Seventy-one (71) in Country Club Acres, Waterloo, Black Hawk County, Iowa

Mr. John Trost
Mrs. ~~John~~ Trost
Mary.

Owners of The East five Acres (5) of the South one-half ($\frac{1}{2}$) S.E. one-fourth ($\frac{1}{4}$) SW one-fourth ($\frac{1}{4}$) Except the North one acre Sec. 18-89-12, in Waterloo, Black Hawk County, Iowa

Mr. William Wain Murphy
also known as
Mr. Lorraine Murphy

Owners of Lot thirty-four (34) in Country Club Acres, Waterloo, Black Hawk County, Iowa

William L. Hoffman, Sr.
Mrs. William L. Hoffman

Owners of Lot Seventy-nine (79) in Country Club Acres, Waterloo, Black Hawk County, Iowa

Leo L. Foster
Virginia Foster } Owners of Lot Forty-nine (49) in Country Club Acres, Waterloo, Black Hawk County, Iowa

Kenneth K. Smith
Ruth K. Smith } Owners of Lot Fifty (50) in Country Club Acres, Waterloo, Black Hawk County, Iowa

George B. Harter
Mrs. Leo Harter } Owners of Lot Fifty-one (51) in Country Club Acres, Waterloo, Black Hawk County, Iowa
(also known as Lois Harter)

Ferdinand A. Wenth
Emma Wenth } Owners of Lot Fifty-two (52) in Country Club Acres, Waterloo, Black Hawk County, Iowa

Lyle C. Harvey
Mrs. Lila Harvey } Owners of Lot Fifty-three in Country Club Acres, Waterloo, Black Hawk County, Iowa

Mr. R. H. Parr
Mrs. Gladys Parr } Owners of Lot Fifty-four (54) in Country Club Acres, Waterloo, Black Hawk County, Iowa

Earl L. Jennings } Owner of Lot Fifty-five (55) in Country Club Acres, Waterloo, Black Hawk County, Iowa

Francis L. Burger } Owner of Lot Seventy-two (72) in Country Club Acres, Waterloo, Black Hawk County, Iowa

Francis R. Hess
Mrs. Francis Hess } Owners of Lot Seventy-three (73) in Country Club Acres, Waterloo, Black Hawk County, Iowa
(also known as Velma Hess)

Frank Burger
Catherine Burger } Owners of Lot Seventy-five (75) in Country Club Acres, Waterloo, Black Hawk County, Iowa

H. G. Schulte
Mrs. Henry Schulte } Owners of Lot Seventy-seven (77) in Country Club Acres, Waterloo, Black Hawk County, Iowa
(also known as Johanna Schulte)

THE STATE OF IOWA
BLACK HAWK COUNTY

Be it remembered that on this 13 day of August 1946, before
me, Shirley Schutte a notary public
within and for Black Hawk County, Iowa, personally appeared

- Genevieve Waddell: Catherine Wessel: Dorothy Tauber, Joseph Tauber:
Walter E. Gorton, Pauline A. Gorton: Earl Hanson: Eva J. Meyers:
Mike E. George: Minnie E. Haller, William G. Haller: Carl Fehlandt,
Hulda Fehlandt: Marie Tegtmeier, Henry C. Tegtmeier: Edward Jirak:
Harold P. Miller, Anna Miller: Peter Urban, Luella Urban: Cecelia
Shaack: Thomas Ray, Helen Ray: Alfred Reinhart, Lorraine Reinhart:
John J. Trost, Mary Trost: Lorraine Murphy: Leo C. Foster,
Virginia J. Foster: Kenneth Kurth, Ruth Kurth: George B. Harter,
Lois Harter: Ferdinand H. Wenthe, Emma Wenthe: Fay C. Harvey,
Lila Harvey: R.H. Parr, Gladys Parr: Earl L. Jennings: Francis L. Burger:
Francis R. Hess, Velma Hess: Frank Burger, Catherine Burger: H.G. Schulte
Johanna Schulte: William L. Hoffman Sr.: and Sid Letsch

to me personally known to be the identical persons whose names are
subscribed to the within restriction agreement and acknowledged
the executions of the same to be their voluntary act and deed.

Witness my hand and notary seal the day and year first above
written.



Shirley Schutte
Notary Public in and for Black Hawk
County.

THE STATE OF IOWA

BLACK HAWK COUNTY

Be it remembered that on this 12th day of July, 1946, before me, Pearl A. Sullivan a notary public within and for Black Hawk County, Iowa, personally appeared

Clarence E. Groothoff, Mary L. Groothoff: Frank Kudelka Sr:

Eugene D. Fortune, Marian M. Fortune: John Mc Kinstry, Dorothy V.

Mc Kinstry: H.L. Thomison: Dessie P. Eickelberg, Wm. C. Eickelberg:

Dorothy De Long, Gail De Long: Geo J. Wood, Mabel I. Wood:

Dale D. Dixon, Mary Elaine Dixon: Helen C Nuss, Paul Nuss:

Otho D. Knight, Mildred Knight: Phyllis V. Canfield, Roger E.

Canfield: Herman A. Schneider, Mae A. Schneider: Laurina M.

Smith, Louis F. Smith: O.O. Neelans, Grace Neelans: J.W.Riley

and Nadine L. Riley

to me personally known to be the identical persons whose names are subscribed to the within restriction agreement and acknowledged the executions of the same to be their voluntary act and deed.

Witness my hand and notary seal the day and year first above written.

Pearl A. Sullivan
Notary Public in and for Black Hawk
County



The STATE OF California
Alameda COUNTY

Be it remembered that on this 22 day of July, 1946, before me, Mary D. Lemos a notary public within and for ~~Black Hawk County, Iowa~~ Alameda County, California personally appeared

Keith C. Peck and Alvin B. Peck
to me personally known to be the identical persons whose names are subscribed to the within restriction agreement and acknowledged the executions of the same to be their voluntary act and deed.

Witness my hand and notary seal the day and year first above written.

Mary D. Lemos
Notary Public in and for California
County Alameda State
My commission expires Nov. 5, 1949



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THE STATE OF IOWA
BLACK HAWK COUNTY

Be it remembered that on this 17 day of July, 1946, before me, Wilmer C. Wilson a notary public within and for Black Hawk County, Iowa, personally appeared Fred D Adams and Mary E Adams

to me personally known to be the identical persons whose names are subscribed to the within restriction agreement and acknowledge the executions of the same to be their voluntary act and deed.

Witness my hand and notary seal the day and year first above written.

Wilmer C. Wilson
Notary Public in and for Black Hawk County



THE STATE OF Washington
King COUNTY

Be it remembered that on this 9th day of Aug. 1946, before me, W. B. Backstrom a notary public within and for King County, Washington, personally appeared Paul Hanson

to me personally known to be the identical persons whose names are subscribed to the within restriction agreement and acknowledged the executions of the same to be their voluntary act and deed.

Witness my hand and notary seal the day and year first above written.

W. B. Backstrom
Notary Public in and for King State of Wash.



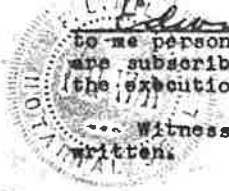
THE STATE OF IOWA
Hancock COUNTY

Be it remembered that on this 26 day of July 1946, before me, F. L. Miller a notary public within and for Hancock County, Iowa, personally appeared Edwin J. Freeman

to me personally known to be the identical persons whose names are subscribed to the within restriction agreement and acknowledged the executions of the same to be their voluntary act and deed.

Witness my hand and notary seal the day and year first above written.

F. L. Miller
Notary Public in and for Black Hawk County Hancock



The STATE OF Minnesota
Ramsey COUNTY

Be it remembered that on this 7th day of July, 1946, before me, M. E. Weimar a notary public within and for Black Hawk County, Iowa, personally appeared

Mr. Austin J. Galt
to me personally known to be the identical person whose names are subscribed to the within restriction agreement and acknowledged the execution of the same to be their voluntary act and deed.

Witness my hand and notary seal the day and year first above written.



M. E. Weimar
Notary Public in and for Minnesota State
County Ramsey Commission Expires MAY 4, 1947.

THE STATE OF IOWA
Black Hawk COUNTY

Be it remembered that on this 15th day of July, 1946, before me, Nathaniel Beilke a notary public within and for Black Hawk County, Iowa, personally appeared

W. E. Lindsey & Darius E. Lindsey
to me personally known to be the identical persons whose names are subscribed to the within restriction agreement and acknowledged the executions of the same to be their voluntary act and deed.

Witness my hand and notary seal the day and year first above written.



Nathaniel Beilke
Notary Public in and for Black Hawk County

STATE OF IOWA }
BLACK HAWK CO. } 35
Filed for record this 13 day
of August D., 1946 at
Des Moines, Iowa, and recorded in
book 48 of page 499.
Paul Roberts Recorder
Des Moines
Fee 2.00

Indexed ✓
Compare ✓
Paged ✓

Clarence E. Groathoff
1631 Howell BOOK 48 PAGE 509