

AMENDMENT TO RESTRICTIVE COVENANTS  
AGAINST CERTAIN SPECIFIED PORTIONS OF LILY DALE  
ACRES, AN ADDITION IN BLACK HAWK COUNTY, IOWA.

THIS AGREEMENT, made and entered into this 6th day of March, 1950, by and between WILBUR G. TERRALL and NORMA E. TERRALL, husband and wife; DALE MCCOY, also known as Lily Dale McCoy, and HARVEY N. MCCOY, her husband; ROBERT TOMKINS and CARMEN TOMKINS, husband and wife; NORMAN T. TORKELOSON and KAROL Y. TORKELOSON, husband and wife; ROGER T. FOX and LYDIA H. FOX, husband and wife; RAYMOND P. WASCHKAT and ZETA M. WASCHKAT, husband and wife; and HARLAN B. ERDMAN and HAZEL J. ERDMAN, husband and wife, being all of the present owners of the following described real estate, to-wit:

Lots Nos. One (1), Two (2), Three (3), Four (4), Five (5), Six (6), Seven (7), and Eight (8) in Block Six (6), Lily Dale Acres, an addition in Black Hawk County, Iowa, except for the following described portions thereto:

1. The East 86 feet of the West 175 feet of the North 141.5 feet of Lot No. 4;
2. The West 89 feet of the North 141.5 feet of Lot No. 4;
3. The East 135 feet of Lot No. 1, and
4. The East 135 feet of Lot No. 8,

all situated in said Block No. 6, Lily Dale Acres, an Addition in Black Hawk County, Iowa.

WHEREAS, said Dale McCoy, also known as Lily Dale McCoy, and Harvey N. McCoy, husband and wife, the owners of the above described property on April 18, 1949, caused to be filed certain restrictive covenants against the above described property on said date last mentioned, which covenants were filed for record in Book 58 of Miscellaneous Records on Page 384, and,

WHEREAS, Paragraph 4 of said restrictive covenants stated:

"All lots in described tract are intended to be used solely by the Caucasian race, and no race or nationality other than those for whom the premises are intended, shall use or occupy any building on 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," and

WHEREAS, it appears that said covenant and restriction is unreasonable and is in restraint of free alienation, and,

WHEREAS, it is the desire of all the present owners of the tracts within said area to amend said restrictive covenant by deleting and expunging from the record said Paragraph 4,

NOW THEREFORE, IT IS AGREED, by and between the parties hereto that Paragraph 4 of said restrictive covenants be stricken, deleted, expunged and cancelled and annuled.

IT IS FINALLY AGREED that except for the deletion and cancellation of said Paragraph 4, that all other covenants, restrictions, and stipulations as contained in said restrictive covenants as originally filed shall remain in full force and effect during the time, and for the purposes, stated therein.

<u>Lily Dale McCoy</u>	<u>Esther M. Washkat</u>
<u>Harvey W. McCoy</u>	<u>Charles B. Erdmann</u>
<u>Norman J. Washkat</u>	<u>Harold G. Erdmann</u>
<u>Harold G. Washkat</u>	<u>Wilbur G. Terrall</u>
<u>Joydia H. Fox</u>	<u>Norma E. Terrall</u>
<u>Roger T. Fox</u>	<u>Robert Tompkins</u>
<u>Raymond P. Washkat</u>	<u>Carmen Tompkins</u>

STATE OF IOWA, Black Hawk County, ss.

On this 13 day of March, A.D., 1950, before me, the undersigned Notary Public in and for Black Hawk County, Iowa, personally appeared Wilbur G. Terrall and Norma E. Terrall, to me known to be the persons named in and who executed the foregoing instrument, and acknowledged that they executed the same as their 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.



L.C. Lee  
Notary Public in and for Black Hawk County, Iowa

STATE OF IOWA, Black Hawk County, ss.

On this 13 day of March, A.D., 1950, before me, the undersigned Notary Public in and for Black Hawk County, Iowa, personally appeared Dale McCoy, also known as Lily Dale McCoy and Harvey W. McCoy, to me known to be the persons named in and who executed the foregoing instrument, and acknowledged that they executed the same as their 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.



L.C. Lee  
Notary Public in and for Black Hawk County, Iowa

STATE OF IOWA, Black Hawk County, ss.

On this 13 day of March, A.D., 1950, before me, the undersigned Notary Public in and for Black Hawk County, Iowa, personally appeared Robert Tomkins and Carmen Tomkins, to me known to be the persons named in and who executed the foregoing instrument, and acknowledged that they executed the same as their 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.



L. S. Leeper

Notary Public in and for Black Hawk County, Iowa

STATE OF IOWA, Black Hawk County, ss.

On this 13 day of March, A.D., 1950, before me, the undersigned Notary Public in and for Black Hawk County, Iowa, personally appeared Norman T. Torkelson and Karol Y. Torkelson, to me known to be the persons named in and who executed the foregoing instrument, and acknowledged that they executed the same as their 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.



L. S. Leeper

Notary Public in and for Black Hawk County, Iowa

STATE OF IOWA, Black Hawk County, ss.

On this 13 day of March, A.D., 1950, before me, the undersigned Notary Public in and for Black Hawk County, Iowa, personally appeared Roger T. Fox and Lydia H. Fox, to me known to be the persons named in and who executed the foregoing instrument, and acknowledged that they executed the same as their 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.



L. S. Leeper

Notary Public in and for Black Hawk County, Iowa

STATE OF IOWA, Black Hawk County, ss.

On this 13 day of March, A.D., 1950, before me, the undersigned Notary Public in and for Black Hawk County, Iowa, personally appeared Raymond P. Waschkat and Zita M. Waschkat, to me known to be the persons named in and who executed the foregoing instrument, and acknowledged that they executed the same as their 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.



L. S. Leeper

Notary Public in and for Black Hawk County, Iowa

STATE OF IOWA, Black Hawk County, ss.

On this 13 day of March, A.D., 1950, before me, the undersigned Notary Public in and for Black Hawk County, Iowa, personally appeared Harlan B. Erdman and Hazel J. Erdman, to me known to be the persons named in and who executed the foregoing instrument, and acknowledged that they executed the same as their 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.

*C. L. Leeper*

Notary Public in and for Black Hawk County, Iowa

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STATE OF IOWA }  
BLACK HAWK CO. } SS

Filed for record this 15 day  
of March, A.D., 1950 at  
2:15 o'clock P.M. and recorded in  
book 62 of Page on page 624  
Fee 1.75 \_\_\_\_\_  
*Masier & Masier*