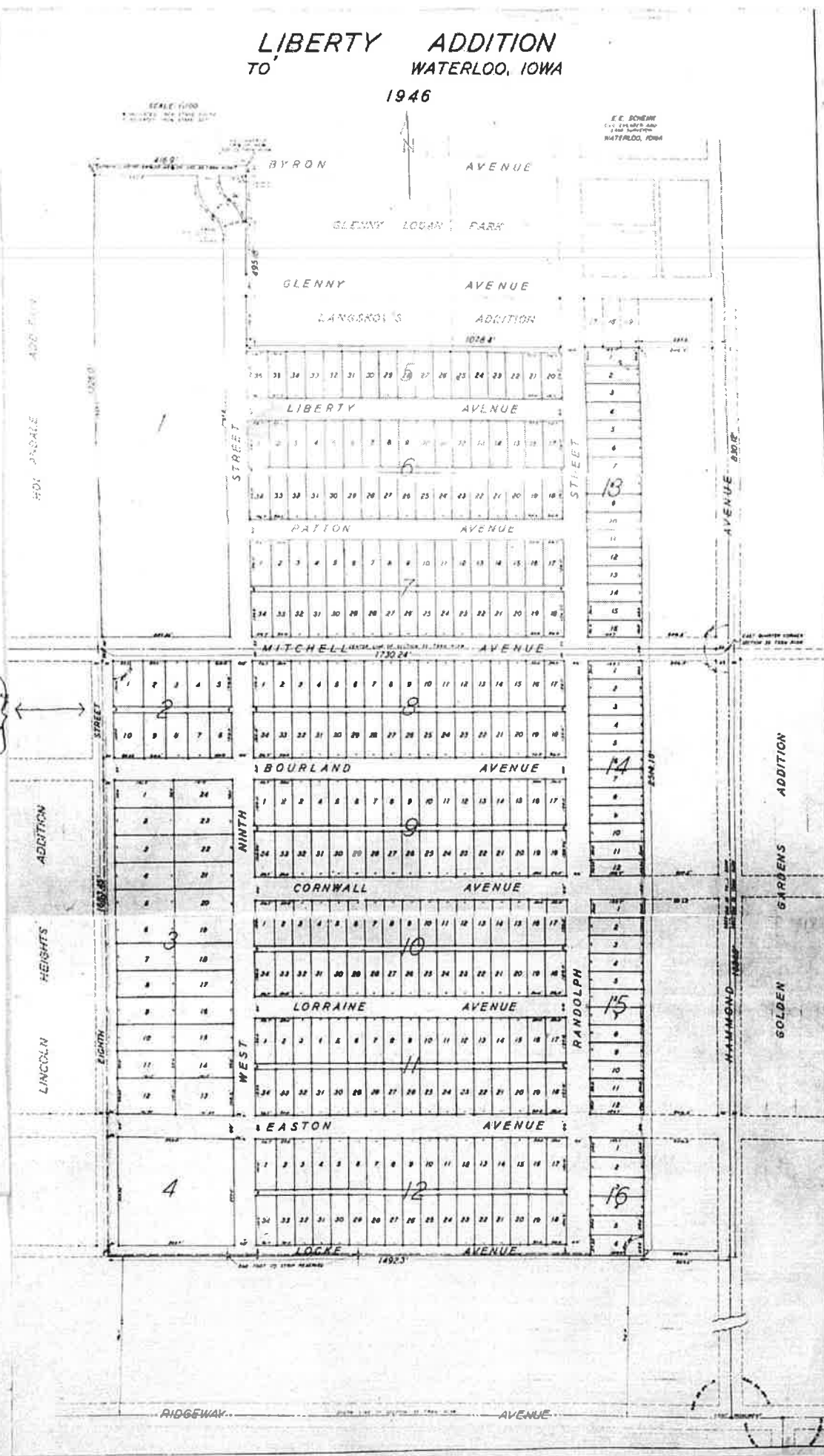


# LIBERTY ADDITION TO WATERLOO, IOWA

1946

SCALE: 1/4" = 100'  
 PLANNED BY STATE ENGINE  
 T. H. HARTMAN, WATERLOO, IOWA

E. E. SCHWAB  
 CIVIL ENGINEER AND  
 LAND SURVEYOR  
 WATERLOO, IOWA



*For Ordinance locating  
 alley in Blk. 2 see  
 Book 66. Misc. Records  
 Page 511*

## ENGINEER'S CERTIFICATE OF SURVEY

## OF LIBERTY ADDITION

## TO WATERLOO, IOWA

STATE OF IOWA

SS:

COUNTY OF BLACK HAWK

I, E. M. Schenk, Civil Engineer and Land Surveyor, do hereby certify that I have made a survey of what is to be known as "LIBERTY ADDITION TO WATERLOO, IOWA", which is located on and embraces the following described premises, to-wit:

Beginning at a point Nine Hundred Sixty-four (964.0) feet North and Two Hundred Thirty-nine and five-tenths (239.5) feet West of the Southeast corner of Section Thirty-five (35), Township Eighty-nine (89) North, Range Thirteen (13) West of the Fifth Principal Meridian; thence North on a line that is Two Hundred Thirty-nine and five-tenths (239.5) feet from and parallel with the East line of said Section 35-89-13, a distance of Twenty-five Hundred Fourteen and sixteen hundredths (2514.16) feet to the Southeast corner of lot 18, Langskov's Addition; thence West along the South line of Langskov's Addition a distance of Ten Hundred Seventy-eight and Four-tenths (1078.4) feet; thence North along the West line of Langskov's Addition and the West line of Glenn-Lagan Park to the Northeast corner of the Southwest Quarter of the Northeast Quarter of said Section 35-89-13, a distance of Four Hundred Ninety-five and eighteen hundredths (495.18) feet; thence West along the North line of the Southwest Quarter of the Northeast Quarter of said Section 35-89-13 (which is also the centerline of Byron Ave.) a distance of Four Hundred Sixteen and nine-tenths (415.9) feet; thence South along the East line of Holladaydale Addition a distance of Thirteen Hundred Twenty-six (1326.0) feet to a point in the East and West centerline of said Section 35-89-13, which point is Seventeen Hundred Thirty and twenty-four hundredths (1730.24) feet from the East Quarter corner of said Section 35-89-13; thence North along the East line of Lincoln Heights Addition to the Southeast corner of said Lincoln Heights Addition, a distance of Sixteen Hundred Eighty-three and forty-five hundredths (1683.45) feet, which point is Nine Hundred Sixty-four (964) feet North of the South line of said Section 35-89-13; thence East a distance of Fourteen Hundred Ninety-two and three-tenths (1492.3) feet to the point of beginning.

I further certify that the accompanying plat is a true representation of such survey and is made in accordance with my field notes thereof; that the figures on said plat representing distances

are in feet and decimals of feet; that the location of streets, avenues, lots and their respective names, numbers, widths, courses and dimensions are to be as shown on the accompanying plat, that said survey and plat contain and show any surpluses and/or deficiencies from former surveys; and that iron stakes are set at all lot corners.

The South one foot in width of Locke Avenue extending from the ~~corner~~<sup>that</sup> line of Eighth Street to the East line of Randolph Street, as shown and designated on the accompanying plat, is reserved from use as a street or roadway until such time as the owner or owners of the property abutting said Locke Avenue on the South side shall grant or dedicate to the public for street purposes a strip of land not less than thirty feet in width and abutting on said Locke Avenue along the entire length thereof as said street is shown on the accompanying plat, so that such street may be immediately opened to the public a full sixty feet in width. Upon the granting of such thirty foot strip of abutting ground, as aforesaid, the particular one foot reservation affected shall automatically cease and be of no further effect, and such one foot strip shall thereupon be a part of said street the same as if fully dedicated without reservation at this time.

WITNESS MY HAND AND SEAL at Waterloo, Iowa, this 3rd day  
of May, 1946.

  
E. M. Schenk, Civil Engineer and  
Land Surveyor

RESOLUTION OF THE WATERLOO CITY PLAN COMMISSION

BE IT RESOLVED BY THE WATERLOO CITY PLAN COMMISSION OF WATERLOO, IOWA:

WHEREAS, on this 5<sup>th</sup> day of JUNE, 1946,

at a SPECIAL meeting of the Waterloo City Plan Commission of the City of Waterloo, Iowa, the proposed plat of the Liberty Addition to Waterloo,

Iowa, was presented for approval;

WHEREAS, the said proposed plat has been considered and should be approved;

NOW, THEREFORE, BE IT RESOLVED that the said plat be and it is hereby approved and it is recommended to the City Council of the City of Waterloo for its approval also and that the Chairman and Secretary of this Commission be directed to certify a copy of this resolution.

ATTEST:

Craig H. Mosier  
Secretary

Albert L. Drake  
Chairman

CERTIFICATE

Albert L. Drake, Chairman, and Craig H. Mosier, Secretary, of the Waterloo City Plan Commission of Waterloo, Iowa, do hereby certify that the above and foregoing is a true, complete and correct copy of a resolution as passed and adopted by the said Commission on the 5<sup>th</sup> day of JUNE, and that this witness is made pursuant to the said resolution.

Dated this 5<sup>th</sup> day of JUNE, 1946.

Albert L. Drake  
Chairman

Craig H. Mosier  
Secretary

DEED OF DEDICATION OF LIBERTY ADDITION

TO THE CITY OF WATERLOO, IOWA

KNOW ALL MEN BY THESE PRESENTS:

That the Iowa Improvement Company, a corporation organized under the Laws of the State of Iowa and having its principal place of business in the City of Waterloo, Black Hawk County, Iowa, being desirous of laying out and platting into lots, blocks, streets and avenues the land described as follows and located in the City of Waterloo, Iowa, to-wit:

Beginning at a point Nine Hundred Sixty-four (964.0) feet North and Two Hundred Thirty-nine and five-tenths (239.5) feet West of the Southeast corner of Section Thirty-five (35), Township Eighty-nine (89) North, Range Thirteen (13) West of the Fifth P. M.; thence North on a line that is Two Hundred Thirty-nine and five-tenths (239.5) feet from and parallel with the East line of said Section 35-89-13, a distance of Twenty-five Hundred Fourteen and six one-hundredths (2514.06) feet to the Southeast corner of Lot No. Nineteen (19) in Langskov's Addition as now platted; thence West along the South line of Langskov's Addition a distance of Ten Hundred Seventy-seven and four-tenths (1077.4) feet; thence North along the West line of Langskov's Addition and the West line of Glenny-Logan Park to the Northeast corner of the Southwest Quarter of the Northeast Quarter of said Section 35-89-13, a distance of Four Hundred Ninety-five and eighteen one-hundredths (495.18) feet; thence West along the North line of the Southwest Quarter of the Northeast Quarter of said Section 35-89-13 (which is also the centerline of Byron Ave.), a distance of Four Hundred Sixteen and nine-tenths (416.9) feet; thence South along the East line of Hollandale Addition a distance of Thirteen Hundred Twenty-six (1326.0) feet to a point in the East and West centerline of said Section 35-89-13, which point is Seventeen Hundred Thirty and twenty-four one-hundredths (1730.24) feet from the East Quarter corner of said Section 35-89-13; thence South along the East line of Lincoln Heights Addition to the Southeast corner of said Lincoln Heights Addition, a distance of Sixteen Hundred Eighty-three and forty-five one-hundredths (1683.45) feet, which point is Nine Hundred Sixty-four (964) feet North of the South line of said Section 35-89-13; thence East a distance of Fourteen Hundred Ninety-one and three-tenths (1491.3) feet to the point of beginning;

and which land is described in the attached certificate of survey by Ernest Schenk, civil engineer and land surveyor, dated May 3, 1946, does by these presents designate and set apart the aforesaid premises as an Addition to the City of Waterloo in Black Hawk County, Iowa, the same to be hereafter known as and called "Liberty Addition to Waterloo, Iowa"; and we do hereby

dedicate and set apart for public use the streets, alleys and avenues as shown upon the attached plat; excepting only that it hereby reserves from use as a street or avenue the South one (1) foot in width of Locke Avenue, as the same is shown and designated on the attached plat of such addition, until such time as the owner or owners of the property abutting on the said Locke Avenue on the South shall respectively grant or dedicate to the public for street purposes a strip of land not less than thirty (30) feet in width abutting on the said Locke Avenue along the entire length of such one (1) foot reservation, so that said Locke Avenue may be immediately opened to the public a full sixty (60) feet in width. Upon the granting of such thirty (30) feet abutting such ground as aforesaid the particular one (1) foot strip herein reserved as to such reservation shall automatically cease and be of no further effect, and the said one (1) foot strip shall thereupon become a part of said Locke Avenue the same as if fully dedicated without reservation at this time.

Be it also known that each and all of the lots in said Addition, excepting only Block 1, Block 1A, Block 2 and Block 4, shall be and the same are hereby made subject to the following restrictions upon the use and occupancy as fully and effectively to all intents and purposes as if the same were contained and set forth in each deed of conveyance that the undersigned, Iowa Improvement Company, or its respective successors, grantees or assignees in interest may hereafter make for any of said lots, excepting only Blocks 1, 1A, 2 and 4, and that such restrictions shall run with the land and with each individual lot for the length of time and in the particulars hereinafter stated, to-wit:

1. All lots covered by these restrictions shall be known and described as residential lots, and no structure shall be erected, altered, placed or permitted on any one of these lots other than one detached single family dwelling not to exceed two stories in height and a private garage.

2. No buildings shall be erected on any residential building lot nearer than twenty-five (25) feet to nor farther than thirty-five (35) feet from the front lot line, and no nearer than five (5) feet to any side lot line. The side

line restrictions shall not apply to a garage located on the rear one-fourth of a lot except on corner lots; nor shall they apply where an owner holds title to more than one lot where such property so owned is contiguous and the owner desires to build across a lot line, but they shall apply as to the side lines of the contiguous property owned by one owner.

3. Only one single house may be built upon a single lot.

4. No obnoxious 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. This restriction shall apply also to Blocks 1, 1A, 2 and 4.

5. No persons of any race 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 who do not belong to the Caucasian race and who are domiciled with a lot-owner or tenant belonging to the Caucasian race. This restriction shall also apply to Blocks 1, 1A, 2 and 4.

6. No trailer, basement, tent, shack, garage, barn or other outbuilding on any lot in said addition shall at any time be used as a residence either permanently or temporarily, nor shall any structure of a temporary character be used as a residence. This restriction shall apply to Blocks 1, 1A, 2 and 4.

7. No dwelling shall be permitted on any lot covered by these restrictions the ground floor of the main structure of which, exclusive of one story open porches and attached garages, shall be less than 640 square feet in the case of one story houses or 672 square feet in the case of 1½ and 2 story houses.

8. No portion of Block 2 in such Addition shall be used for business or commercial uses except as follows:

- A. Stores and shops for retail business.
- B. Professional offices.
- C. Restaurants, tea rooms and other eating places, but no beer or intoxicating liquors of any kind shall be sold or kept for sale upon any portion of such Block.
- D. Storage garages for the storage or repair of privately owned automobiles only.
- E. Automobile service stations for the retail sale of

gasolene, oil and minor automobile accessories.

9. An easement is reserved over the rear four (4) feet or each of the lots in Block 3 in this Addition for the use and benefit of the Iowa Public Service Company and the Northwestern Bell Telephone Company or their successors or assigns for the purpose of installing, erecting, maintaining and repairing of telephone or power underground conduits or overhead lines or cables or gas lines, with the right to enter upon such property covered by this easement for the purpose of the installation, erection, maintenance or repair of any of such services, and with the right to trim trees or shrubbery for the protection of such services.

10. These restrictions are covenants to run with the land and shall be binding upon the undersigned and upon all persons or corporations hereinafter acquiring any right, title or interest in any of the lots in said Addition covered by these restrictions for a period of twenty-five (25) years from this date, and shall be automatically extended for successive periods of ten (10) years, unless at the expiration of such twenty-five (25) year period or any one of the succeeding ten (10) year periods it is agreed by a vote of a majority of the then owners of such lots to change the said restrictions in whole or in part, each owner to have one vote for each lot owned by him in such Addition.

11. All of the provisions hereof shall be enforceable by appropriate legal proceedings by any present or future owners of the legal or equitable title to any lot in said Addition. Invalidation of any one or more of the within restrictions by judgment or decree of court shall not be regarded as affecting the validity of any of the other provisions hereof, nor shall any judicial determination with regard to any of the respective provisions hereof be regarded as affecting the validity or sufficiency of this instrument as a Deed of Dedication of said plat.

IN WITNESS WHEREOF the Iowa Improvement Company has caused this Deed of Dedication to be executed by its Vice-President and Secretary properly authorized thereto and the seal of the corporation affixed this 7<sup>th</sup> day of June, 1946.

IOWA IMPROVEMENT COMPANY

*K. A. Kowland*





STATE OF IOWA

COUNTY OF BLACK HAWK

SS

On this 7<sup>th</sup> day of June, A. D. 1946, before me  
 a Notary Public in and for Black Hawk County, Iowa, appeared L. A. Rowland and  
 Marvin H. Schmidt to me personally known, who being by me duly sworn did say that  
 they are the Vice-President and Secretary respectively, of the said Iowa Improve-  
 ment Company, a corporation; that the seal affixed to said instrument is the seal  
 of said corporation and that said instrument was signed and sealed on behalf of  
 the said corporation by authority of its Board of Directors and the said L. A.  
 Rowland and Marvin H. Schmidt acknowledged the execution of said instrument to  
 be the voluntary act and deed of said corporation by it voluntarily executed.

*L. A. Rowland*  
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*L. A. Rowland*  
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Notary Public in and for Black Hawk  
 County, Iowa.

