

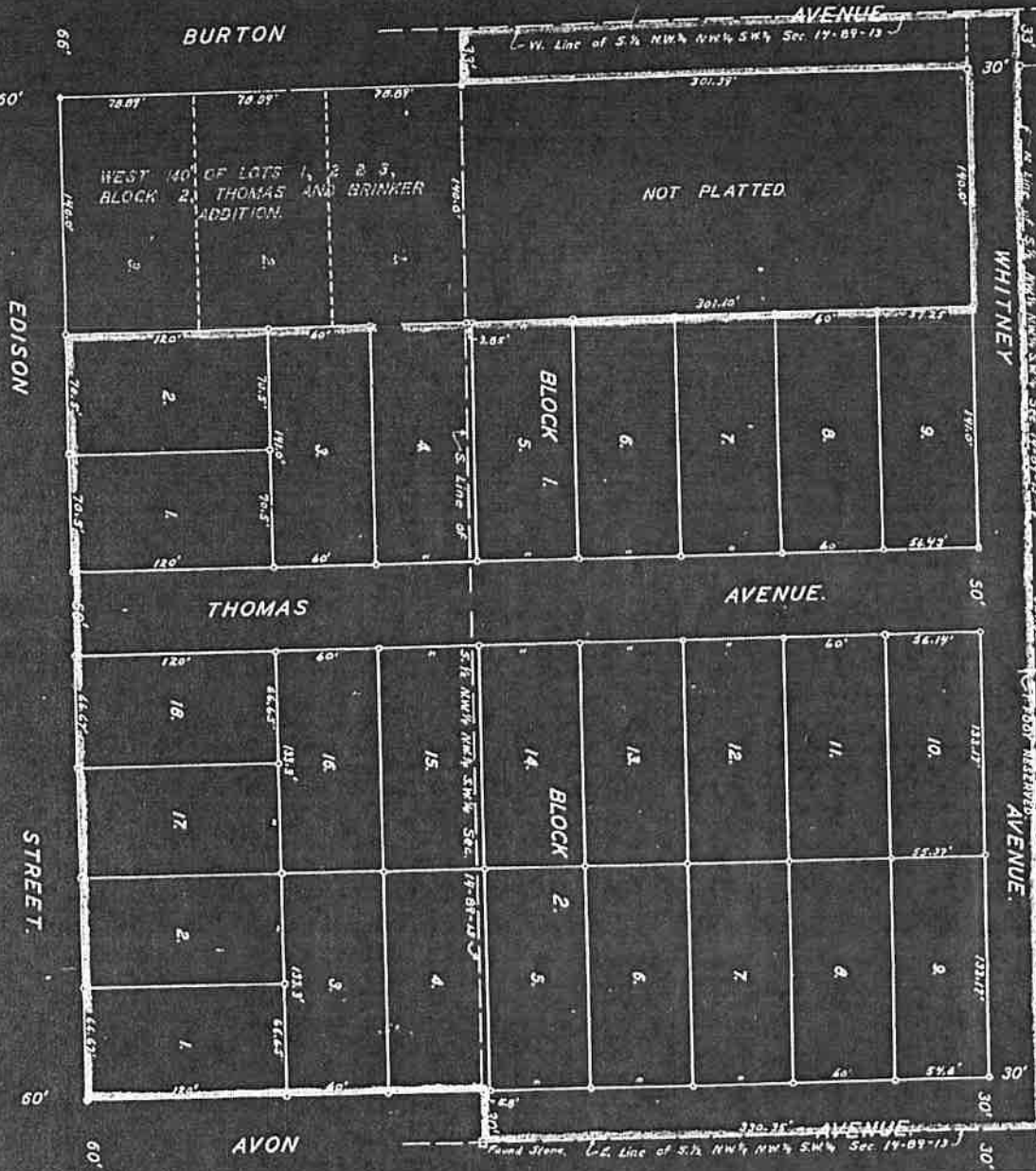
THOMAS AND BRINKER SECOND ADDITION TO WATERLOO, IOWA.

MARCH, 1946.
SCALE: 1"=50'.
- - - INDICATES IRON STATE FOUND.
- - - INDICATES IRON STATE SET.
- - - INDICATES BOUNDARY OF ADDITION.

F. E. SCHENK,
CITY ENGINEER,
WATERLOO, IOWA.

Centerline
Sec. 14-87-13
W. 1/2 Cor.
17-89-13

Found Stone and Iron State



BLOCK 1, THOMAS AND BRINKER ADDITION.

CHRISTIE

ADDITION.

ENGINEER'S CERTIFICATE OF SURVEY
OF THOMAS AND BRINKER SECOND ADDITION
TO WATERLOO, IOWA

33

I, E. B. Schenk, Civil Engineer and Land Surveyor, do hereby certify that a survey of what is to be known as "THOMAS AND BRINKER SECOND ADDITION TO WATERLOO, IOWA", which is located and embraces the following described

All of Block No. 2 of Thomas and Brinker Addition, City of Waterloo, Iowa, except the West 140.0 feet of Lots 1, 2 and 3 of said Block No. 2; and all of the South one-half of the Northwest Quarter of the Northwest Quarter of the Southwest Quarter of Section No. 14, Township No. 42 North, Range No. 13 West of the 5th Principal Meridian, Black Hawk County, Iowa, except a parcel described as:

Beginning at a point Thirty-three (33) feet East of the Southwest corner of the South Half of the Northwest Quarter of the Northwest Quarter of the Southwest Quarter (S $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section Fourteen (14), Township Eighty-nine (89) North, Range Thirteen (13) West of the Fifth P. M., which point is in the East line of Burton Avenue; thence North 301.39 feet to a point in the South line of Whitney Avenue extended; thence East 140 feet; thence South 301.1 feet; thence West 140 feet to the point of beginning.

I further certify that the accompanying plat is a true representation of such as is shown 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 bearings are to be as shown on the accompanying plat; that said survey and plat show no encumbrances and/or deficiencies that exist at this time between the shown boundaries; and that iron stakes are set at all lot corners.

The North one foot in width of Whitney Avenue, as shown and designated on the accompanying plat, is reserved from use as a street or roadway until such as the owner or owners of the property abutting said Whitney Avenue on the West shall grant or dedicate to the public for street purposes a strip of land thirty feet in width and abutting on said Whitney Avenue along the East line thereof as said street is shown on the accompanying plat, so that the same may be immediately opened to the public a full sixty feet in width. If the reservation of such thirty foot strip of abutting ground, as aforesaid, the same shall be immediately opened to the public a full sixty feet in width, and such one foot strip shall thereupon be a part of said street and shall be immediately dedicated without reservation at this time.

WITNESSED BY HAND AND SEAL at Waterloo, Iowa, this 17th day of April 1910

E. B. Schenk, Civil Engineer and
Land Surveyor

PROF. ENG. SURV. IOWA

PLAT OF THOMAS & BRINKER SECOND ADDITION TO WATERLOO, IOWA

PROPRIETORS' STATEMENT

STATE OF IOWA }
COUNTY OF BLACK HAWK } SS.

BEFORE ME BY THESE PRESENTS:

That S. W. Thomas and Katherine I. Thomas, husband and wife, L. E. Thomas and Margaret Thomas, husband and wife, and Albert W. Brinker and Elsie Brinker, and the said wife, all of Waterloo, Black Hawk County, Iowa, the said S. W. Thomas, L. E. Thomas and Albert W. Brinker being the proprietors of the real estate made the subject matter hereof, and being desirous of making and laying out an addition in the City of Waterloo, Iowa, do hereby and by these presents designate and set apart the premises described in the Certificate of E. E. Schenk, Civil Engineer, dated April 17, 1946, and as set out and designated on the plat of said premises made by the said E. E. Schenk, Civil Engineer, which statement and plat are attached hereto, to be hereinafter known, called and described as THOMAS & BRINKER SECOND ADDITION TO WATERLOO, IOWA, and situated in the City of Waterloo, County of Black Hawk and State of Iowa. The said plat of said addition as it appears on said plat and engineer's certificate is made with the free consent and in accordance with the desire of the undersigned proprietors of said addition.

Dated this 17th day of April, 1946.

S. W. Thomas
Katherine I. Thomas
L. E. Thomas
Margaret Thomas
Albert W. Brinker
Elsie Brinker

STATE OF IOWA }
COUNTY OF BLACK HAWK } SS.

On this 17th day of April, A. D., 1946, before me, a Notary Public in and for Black Hawk County, State of Iowa, personally appeared S. W. Thomas and

7135

T.L. Needs
Land
Plats

Indexed
Compared
Paged

STATE OF IOWA }
BLACK HAWK CO. } st

Filed for record this 19
of April A.D. 1946
at 10:00 A.M. and recorded in
Book 11 Page 68
\$440

Page Two

Katherine I. Thomas, husband and wife, L. E. Thomas and Margaret Thomas, husband and wife, and Albert W. Brinker and Elsie Brinker, husband and wife, 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.

Witness my hand and official seal the day and year last above written.



[Signature]
Notary Public in and for Black Hawk County, Iowa.

RESTRICTIVE COVENANTS

AGAINST LOTS IN THOMAS & BRINKER SECOND ADDITION TO WATERLOO, IOWA

KNOW ALL MEN BY THESE PRESENTS:

That S. W. Thomas and Katherine I. Thomas, husband and wife, L. E. Thomas and Margaret Thomas, husband and wife, and Albert W. Brinker and Elsie Brinker, husband and wife, all of Waterloo, Black Hawk County, Iowa, the said S. W. Thomas, L. E. Thomas and Albert W. Brinker being the owners of the following described real estate:

All of Block No. 2 of Thomas and Brinker Addition, City of Waterloo, Iowa, except the West 140.0 feet of Lots 1, 2 and 3 of said Block No. 2; and all of the South one-half of the Northwest Quarter of the Northwest Quarter of the Southwest Quarter of Section No. 14, Township No. 89 North, Range No. 13 West of the 5th Principal Meridian, Black Hawk County, Iowa, except a parcel described as:

Commencing at a point Thirty-three (33) feet East of the Northwest corner of the South Half of the Northwest Quarter of the Northwest Quarter of the Southwest Quarter ($S\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section Fourteen (14), Township Eighty-nine (89) North, Range Thirteen (13) West of the Fifth P. M., which point is in the East line of Burton Avenue; thence North 301.39 feet to a point in the South line of Whitney Avenue extended; thence East 140 feet; thence South 301.1 feet; thence West 140 feet to the point of beginning.

situated in Waterloo, Black Hawk County, Iowa, and having executed the plat known as Thomas & Brinker Second Addition to Waterloo, Iowa, and having dedicated to the people the streets and alleys as shown on said plat, desire to place restrictions and protective covenants on the use and occupancy of the lots included in said plat for the use and benefit of the present owners and future grantees thereof.

NOW, THEREFORE, IN CONSIDERATION OF THE PREMISES, the said S. W. Thomas, L. E. Thomas and Albert W. Brinker for themselves and grantees, administrators, executors, successors and assigns, hereby covenant that all of the lots in said addition shall be and are hereby restricted as to their use and occupancy in the manner hereinafter set forth so far as the same shall apply to each particular lot.

NOW, THEREFORE, all persons and corporations who now own or shall hereinafter acquire any right, title or interest in said lots and with their or its successors and assigns, shall be taken and held to agree and covenant with the owners of the lots shown on said plat to conform to and observe the following covenants, restrictions and stipulations as to the use and occupancy thereof and the constructions of residences and improvements thereon for a period of 25 years from the date of the filing of the said plat.

NOW, THEREFORE, the restrictions hereinbefore referred to shall be as follows,
to-wit:

1. All lots in the tract shall be known and described as residential lots and no structure shall be erected on any lot other than residences not to exceed two stories in height, a one or two car garage and non-prohibited accessory buildings. Not more than one residence shall be erected on any lot and such house shall be finished and painted on the outside before it can be occupied. Each house shall have a minimum ground floor square foot area of not less than 672 square feet in case of a one-story structure nor less than 480 square feet in the case of a one and one-half or two-story structure.

2. All residences and accessory buildings shall be constructed at least 25 feet from the front lot line, at least 10 feet from the side street lot line on corner lots and at least 5 feet from ownership lines.

3. There shall be reserved for use of public utilities an easement of four feet at the rear of each lot for the construction, maintenance and development of utility improvements.

4. No building on any lot shall be used for any purpose other than a residence. No out-door toilet shall be permitted on any lot. No one shall be permitted to live in trailers, garages, basements or other buildings other than the residence on said lot, except one period of six months during the time the residence is being constructed.

5. No structure shall be moved on any lot unless it shall conform to and be in harmony with the existing structures on the tract.

6. There shall be a rear yard of at least 30 feet in depth and buildings necessary to the dwelling shall not exceed 12 feet in height nor occupy more than 30 per cent of the required rear yard space.

7. No person other than a member of the Caucasian race shall own, rent, lease or occupy any of the property covered by this plat.

8. If the parties hereto, or any of them, or their 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

lets in said development or subdivision to prosecute any proceedings at law or 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 recover damages or other ones for such violations.

3. 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.

Dated at Waterloo, Iowa, this 17th day of April, 1946.

S. W. Thomas
Katherine I. Thomas
L. E. Thomas
Margaret Thomas
Albert W. Brinker
Elsie Brinker

STATE OF IOWA, COUNTY OF BLACK HAWK, SS:

On this 17 day of April A. D. 1946, before me, a Notary Public in and for Black Hawk County, State of Iowa, personally appeared S. W. Thomas, Katherine I. Thomas

L. E. Thomas

Margaret Thomas

Albert W. Brinker

Elsie Brinker

and who executed the foregoing instrument, and they acknowledged that they executed the same as their voluntary act and deed.

I, _____, Notary Public in and for Black Hawk County, Iowa, do hereby certify by my hand and official seal the day and year last above written.

M. J. Gutter
Notary Public in and for
Black Hawk County, Iowa.



RESOLUTION OF THE WATERLOO CITY PLAN COMMISSION

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

WHEREAS, on this 11TH day of MARCH, 1946,

at a REGULAR meeting of the Waterloo City Plan Commission of the City of Waterloo, Iowa, the proposed plat of the Thomas & Brinker Second 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 President and Secretary of this Commission be directed to certify a copy of this resolution.

ATTEST:

Craig H. Mosier
Secretary

Albert L. Drake
President

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 11TH day of MARCH, 1946, and that this witness is made pursuant to the said resolution.

Dated this 11TH day of MARCH, 1946.

Albert L. Drake
Chairman

Craig H. Mosier
Secretary

RESOLUTION NO. 9 5 7 2

RESOLUTION APPROVING THE PLAT OF THOMAS & BRINKER SECOND ADDITION
TO WATERLOO, IOWA

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WATERLOO, IOWA:

That the plat heretofore filed with the City Clerk of the City of Waterloo, Iowa, of the tract, or parcel of land, to be known as THOMAS & BRINKER SECOND ADDITION TO WATERLOO, IOWA, the said plat having been duly considered by the City Council and having been found to conform to the provisions of the Code of Iowa, and in accordance with Section 6272 of the 1939 Code of Iowa, be, and the same is hereby approved, accepted and confirmed, and the Mayor and City Clerk of the City of Waterloo, Iowa, are hereby directed to certify a copy of this Resolution, which shall be affixed to the said plat, to the County Recorder of Black Hawk County, Iowa.

Passed and adopted this 8th day of April, 1946.

ATTEST:

Knapp F. Mathews
City Clerk

Stanley B. Shane
Mayor

CERTIFICATE

I, Stanley B. Shane, Mayor, and I, Knapp F. Mathews, City Clerk, of the City of Waterloo, Iowa, do hereby certify that the above and foregoing is a true, complete and correct copy of Resolution No. 9 5 7 2 as passed and adopted by the City Council of the City of Waterloo, Iowa, on the 8th day of April, 1946, and that this certificate is made pursuant to said Resolution.

Witness our hands and seal of the City Clerk of the City of Waterloo, Iowa, this 15th day of April, 1946.

Stanley B. Shane
Mayor

Knapp F. Mathews
City Clerk of the City of
Waterloo, Iowa

CITY OF WATERLOO
IOWA
SEAL