

as the free and voluntary act and deed of said corporation by it voluntarily executed, and as their own free and voluntary act, for the uses and purposes therein set forth. Given under my hand and official seal this 2nd day of May, A. D. 1934. My commission expires Feb. 15, 1937.

(SEAL) Frank T. Tracy. Notary Public, District of Columbia. Residing at Washington, D. C.

Recorded this 3rd day of August, A. D. 1934 at 8:30 o'clock A. M.

R. Jones
Recorder.
Memorials Fee
See Plat

5045. PLAT AND DEDICATION OF COTTAGE RESERVE, LAKE MACBRIDE PARK, JOHNSON COUNTY, IOWA.

SURVEYOR'S CERTIFICATE

State of Iowa, Johnson County, SS: I herewith certify that I have surveyed the land described as follows, to-wit: Beginning at the northeast corner of the Southeast Quarter (SE $\frac{1}{4}$) of Section 29, Township 81 North, Range 6, West of the 5th P. M.; thence along the north line of said quarter section north 88 degrees 19 minutes west 233.9 feet to the shore line of the proposed lake, which line is at an elevation of 126.0 feet above the datum plane of the park survey; thence along the said shore line as follows: south 37 degrees 8 $\frac{1}{2}$ minutes west 551.7 feet; south 76 degrees 16 minutes west 323.9 feet; north 62 degrees 25 minutes west 273.5 feet; north 36 degrees 17 minutes west 359.4 feet; north 42 degrees 28 minutes west 146 feet; north 54 degrees 43 minutes west 166.2 feet; north 67 degrees 8 minutes west 184.9 feet; south 85 degrees 44 minutes west 174.9 feet; north 64 degrees 12 minutes west 160.4 feet; north 87 degrees 2 minutes west 73.6 feet; south 39 degrees 30 minutes east 290.8 feet; south 8 degrees 26 minutes east 432.2 feet; south 59 degrees 38 minutes west 259.7 feet; south 79 degrees 22 minutes west 273.7 feet; south 63 degrees 48 minutes west 130.5 feet; south 4 degrees 21 minutes west 75.8 feet; south 39 degrees 54 minutes east 314 feet; south 55 degrees 13 minutes east 392 feet; south 53 degrees 42 minutes east 163.3 feet; south 51 degrees 44 minutes east 361.4 feet; south 80 degrees 44 minutes east 128.6 feet; north 63 degrees 15 minutes east 259.5 feet; north 59 degrees 36 minutes east 119.7 feet; north 73 degrees 8 minutes east 193 feet; north 65 degrees 37 minutes east 352.4 feet; north 78 degrees 40 minutes east 243.3 feet; north 86 degrees 41 minutes east 210.3 feet; north 89 degrees 1 minute east 149.6 feet all along the said lake shore line to the east line of the said Southeast Quarter section; thence north along the said east line 1,085.4 feet to the place of beginning; EXCEPT the tract designated in the plat of said Cottage Reserve as Outlot No. One (1), and that I have subdivided the said tract into lots, streets, and parks, the dimensions of which are shown on a plat made by me to be known as "Cottage Reserve, Lake Macbride Park, Johnson County, Iowa," and the said plat is a correct and proper representation of the field notes of said survey.

Dated at Iowa City, Iowa, this 28th day of July, 1934. J. C. Watkins. Civil Engineer and Surveyor.

SUBSCRIBED in my presence and sworn to before me by the above named J. C. Watkins this 28th day of July, 1934.

(SEAL) L. C. W. Clearman. Notary Public in and for Johnson County, Iowa.

PLAT AND DEDICATION OF COTTAGE RESERVE, LAKE MACBRIDE PARK, JOHNSON COUNTY, IOWA.

KNOW ALL MEN BY THESE PRESENTS:

That the Security Finance Company, as Trustee, does hereby certify that it is the owner in fee and the holder of the legal title of the following described real estate in Johnson County, Iowa, to-wit:

BEGINNING AT THE northeast corner of the Southeast Quarter (SE $\frac{1}{4}$) of Section 29, Township 81 North, Range 6, West of the 5th P. M.; thence along the north line of said quarter section north 88 degrees 19 minutes west 233.9 feet to the shore line of the proposed lake, which line is at an elevation of 126.0 feet above the datum plane of the park survey; thence along the said shore line as follows: south 37 degrees 8 $\frac{1}{2}$ minutes west 551.7 feet; south 76 degrees 16 minutes west 323.9 feet; north 62 degrees 25 minutes west 273.5 feet; north 36 degrees 17 minutes west 359.4 feet; north 42 degrees 28 minutes west 146 feet; north 54 degrees 43 minutes west 166.2 feet; north 67 degrees 8 minutes west 184.9 feet; south 85 degrees 44 minutes west 174.9 feet; north 64 degrees 12 minutes west 160.4 feet; north 87 degrees 2 minutes west 73.6 feet; south 39 degrees 30 minutes east 290.8 feet; south 8 degrees 26 minutes east 432.2 feet; south 59 degrees 38 minutes west 259.7 feet; south 79 degrees 22 minutes west 273.7 feet; south 63 degrees 48 minutes west 130.5 feet; south 4 degrees 21 minutes west 75.8 feet; south 39 degrees 54 minutes east 314 feet; south 55 degrees 13 minutes east 392 feet; south 53 degrees 42 minutes east 163.3 feet; south 51 degrees 44 minutes east 361.4 feet; south 80 degrees 44 minutes east 128.6 feet; north 63 degrees 15 minutes east 259.5 feet; north 59 degrees 36 minutes east 119.7 feet; north 73 degrees 8 minutes east 193 feet; north 65 degrees 37 minutes east 352.4 feet; north 78 degrees 40 minutes east 243.3 feet; north 86 degrees 41 minutes east 210.3 feet; north 89 degrees 1 minute east 149.6 feet

all along the said lake shore to the east line of the said Southeast Quarter section; thence north along the said east line 1,085.4 feet to the place of beginning; EXCEPT the tract designated in the plat of said Cottage Reserve as Outlot No. One (1).

That it has caused said real estate to be surveyed, sub-divided, and laid out into lots, streets, highways, and easements as the same appear upon the plat attached hereto, and to be known as Cottage Reserve, Lake MacBride Park, Johnson County, Iowa. That in platting said tract it is with the free consent and in accordance with the desire of the owners and proprietors of said real estate as herein set out.

That the lots in said Cottage Reserve are numbered from one (1) to 132 inclusive, with the dimensions of such lots and highways indicated thereon.

That the ground in the streets, highways, and drives (except Hillcrest Drive), as shown in said plat, is hereby dedicated for street and highway purposes as the same are commonly known and accepted for the exclusive use and benefit of the owners of lots therein, and including the owners and occupants of the tract shown on said plat as Outlot No. One (1), but reserving to the Security Finance Company as Trustee, and its assigns, the legal title thereto, together with the right to use such streets and highways for ordinary improvements, including surfacing, sewers, water mains, utility service, and similar improvements and uses for the benefit of the property owners within said Cottage Reserve.

That the ground indicated upon said plat as rights-of-way and easements is hereby dedicated to the use of such persons to gain access to the lake front, but such rights shall not include the right to erect or maintain any buildings, docks, or other structures of any kind, but reserving however to the Security Finance Company as Trustee, and its assigns, the same rights and privileges as reserved and applied to the streets and highways in said subdivision.

That Hillcrest Drive is dedicated to the exclusive use of the owners of the Water Tower lot and lots 58 to 82 inclusive.

All of the interest, rights, privileges, and powers in the streets, highways, drives, easements, water and sewer systems herein reserved to the Trustee and its assigns for the benefit of all lot owners within said sub-division, shall be transferred and assigned to the Cottage Reserve Corporation with all of the rights and powers with reference thereto as are conferred upon said corporation by its articles of incorporation.

In order to protect all owners of lots in said Cottage Reserve in the peaceable and comfortable use and possession of their property, said corporation shall have the right, power, and authority to establish reasonable rules and regulations for the prevention and/or suppression of nuisances generally, and particularly with regard to brush fires, and the disposal of garbage and other refuse.

That in subdividing and platting said tract as herein set forth, the following conditions and restrictions are made a part of this said plat and shall be binding upon both present and future owners of each and every lot or parcel of ground in said subdivision, and to be of the same force and effect as if contained in each and every deed conveying any lot or parcel of ground in said Cottage Reserve, and to be considered as restrictions and conditions running with the land.

(1) There is specifically reserved to the State of Iowa the right to control the height of the water in said proposed lake by the construction and maintenance of a dam across Mill Creek, which dam is now under construction, and there is further reserved to the State of Iowa the right to maintain the water level of said lake at a level higher than the water line shown on said plat.

(2) There is further specifically reserved to the State of Iowa and such of its agencies as shall have jurisdiction and control of the proposed lake, an easement along the lake shore line of said Cottage Reserve for the construction of a trail for public use and for fishing and for the landing of boats along such shore line, but the use of such easement by the State of Iowa or by the public shall not include the right to erect or maintain any boathouses, docks, boat landings, or other structures of any kind in connection therewith.

(3) There is further expressly reserved to the State of Iowa and its agencies which shall have control of the lake bed adjacent to such Cottage Reserve, the riparian and shore line rights reserved to the State of Iowa by the statutes thereof.

(4) No boat landings, boat houses, or docks shall be erected or maintained by any of the owners of lots or parcels of ground in said Cottage Reserve except and until a permit has been granted for such structure by the agency of the State of Iowa having control of the lake and lake bed.

(5) No building or other structures shall be built or erected upon any lot or parcel of ground within said Cottage Reserve to be used for other than residential purposes or buildings accessory thereto, and/or boat houses or docks under permit from the agency of the State of Iowa having control of the lake bed, and/or a water tower and the necessary structures in connection therewith, and/or septic tanks or other structures necessary in maintaining proper sanitary facilities within said area.

(6) The said Cottage Reserve area is hereby platted for the sole use and benefit of the Caucasian Race, and no lot or parcel of ground shall be sold, owned, used, or occupied by the people of any other race except when used in the capacity of servant or helper.

(7) No hogs, cattle, horses, or sheep shall be kept or maintained within the platted area nor allowed to run at large thereon.

(8) No commercial or business enterprise of any kind shall be conducted within the platted area.

(9) No buildings or other structures, except boat houses and docks under permit, shall be built on any lot or parcel of ground closer to the water line than the building line as indicated and established in the Plat of said Cottage Reserve.

(10) All sewage disposal and sanitary conditions shall be subject to the jurisdiction of the Department of Health of the State of Iowa.

(11) Highways shall be graded and surfaced with crushed rock by the Trustee within the Cottage Reserve area, and a water system installed with water mains in the streets and highways accessible to all lots without additional cost to the lot-owner, but such Trustee shall in no case be liable for any maintenance and/or repairs.

(12) There is specifically reserved to the Trustee and its assigns the right to construct and maintain sewer mains across any or all lots as may be necessary in connection with the installation of the sewer system in said Cottage Reserve, and to construct and maintain manholes on lots as may be necessary and required in the proper operation and maintenance of said sewer system, such mains and manholes to be so constructed as not to destroy or injure trees upon such lots.

The construction of such sewer mains, manholes, and septic tanks shall be completed by the Trustee, and the cost thereof shall be apportioned in equal amounts to the various lots within such cottage area, except such lots as are reserved for public easements, and such amounts shall be a lien on such lots and shall be added to the original purchase price and paid as a part thereof prior to delivery of deed.

There is further reserved to the State of Iowa the right, at its own cost, to construct and maintain sewer and water connections to the Cottage Reserve sewer for the Park Custodian's residence, and there is further reserved to the owner of Outlot One (1), as shown on said plat, the right to construct and maintain such water and sewer connections at his own cost.

(13) Costs for the maintenance and repair of the sewer and water system and highways shall be apportioned and assessed equally against each of the lots in said area, except those reserved for public easements, and in favor of any person or agency contracting for or paying the same, and such proportionate share shall be a charge and lien against each of such lots and assumed by the owner thereof.

There is, however, further reserved to the Trustee and its assigns, and to the State of Iowa, jointly, the right to provide agencies for the joint maintenance of the Park and Cottage Reserve sewer systems.

(14) No cottage or building to be used and occupied for residence purposes shall be erected thereon at a cost of less than Five Hundred (\$500.00) Dollars, and no more than one such building shall be built on each lot.

(15) No private cesspools, septic tanks, out-houses, or other sewage facilities shall be established or maintained upon or in connection with any of the lots within said Cottage Reserve.

(16) The use of the Cottage Reserve shall be in harmony with the rules and regulations of the State of Iowa for the use of fish and game preserves and of State Parks. State peace officers shall have the same power and authority to preserve the public peace within the Cottage Reserve as is conferred upon them by law for such purposes in State Parks and game preserves.

Signed this 28th day of July, 1934.

SECURITY FINANCE COMPANY, as Trustee,
By. A. A. Welt.

(Corporate Seal)

President.

By. Gertrude M. Judy.

Secretary.

State of Iowa, Johnson County, SS:

On this 28 day of July, 1934, before me, the undersigned, L. C. W. Clearman, a Notary Public in and for Johnson County, Iowa, personally appeared A. A. Welt and Gertrude M. Judy, each of whom to me are personally known, and each of whom by me are severally sworn on oath for himself did say that the said A. A. Welt is President and the said Gertrude M. Judy is Secretary of the said Security Finance Company, incorporated, of Johnson County, Iowa, and the seal affixed to the above said instrument is the corporate seal of the said corporation, and that the foregoing instrument was signed and sealed in behalf of the said corporation as Trustee by authority of its board of directors, and the said A. A. Welt as President, and Gertrude M. Judy, as Secretary, did severally acknowledged the execution of said instrument to be the voluntary act and deed of the said corporation, as such trustee.

WITNESS my hand and notarial seal the day and year last above written.

(SEAL)

L. C. W. Clearman.
Notary Public in and for
Johnson County, Iowa.

Recorded this 30th day of July, A. D. 1934 at 11:00 o'clock A. M.

R. Jones
Recorder.

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