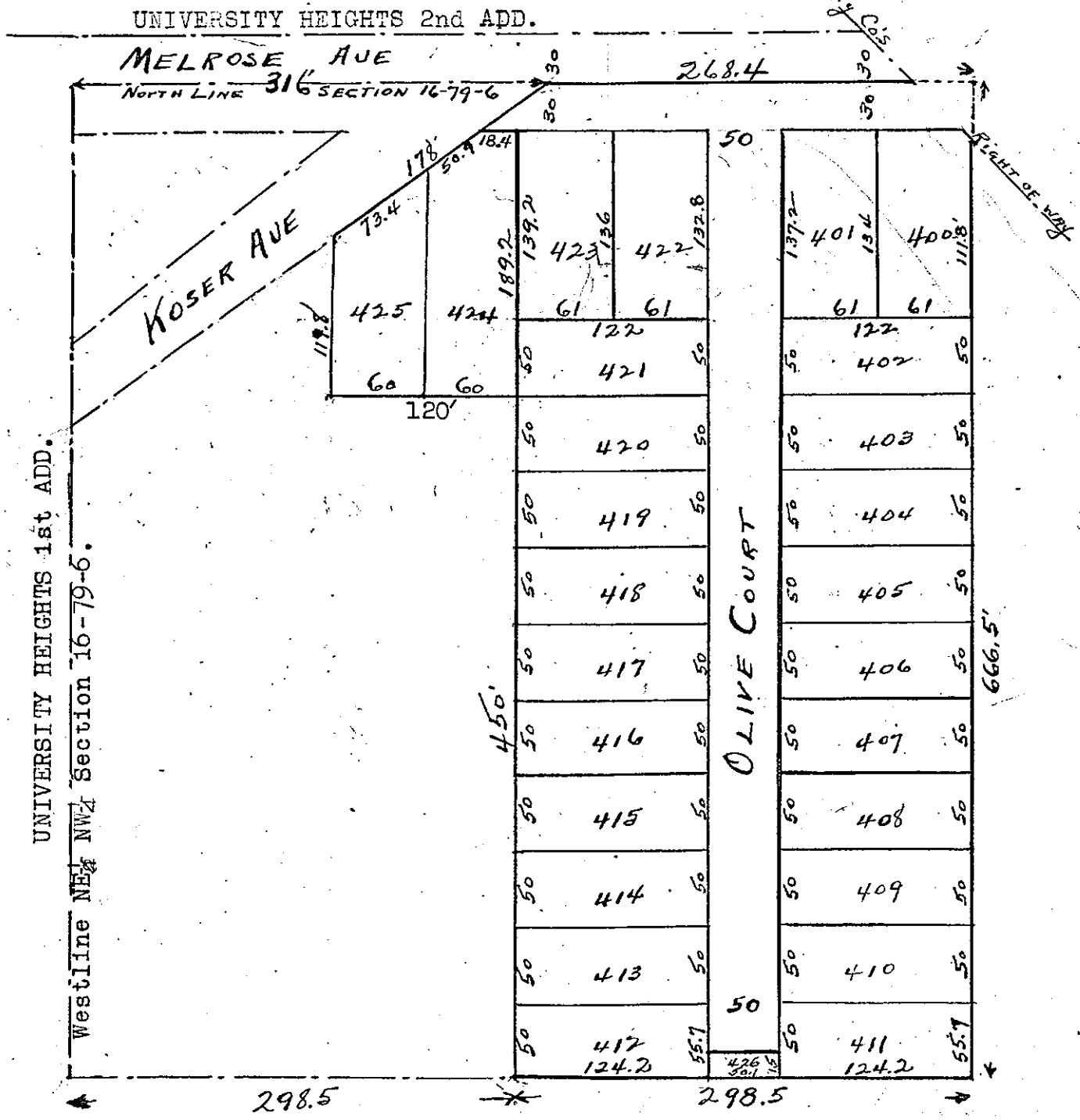


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*See Agreement to Modify Restriction in Book 222 page 33  
 See Affidavit in Book 156 page 555  
 regarding name of Sub-Division*

This is to certify that I have, on March 11, 1926, surveyed the property shown in the attached plat, situated in the NE<sup>1</sup>/<sub>4</sub> of the NW<sup>1</sup>/<sub>4</sub> of Section 16, Township 79 North, Range 6 West of the 5th P.M., and I have divided the same into lots and streets having the size, shape, and location as shown on the attached plat, the same to be known as Koser Bros University Heights Third Subdivision; and the said plat is a true and correct return of the field notes of said survey.

(Eng. Seal Attached) J.C. Watkins, Civil Engineer & Surveyor.  
 State of Iowa, Johnson County, ss:-

Subscribed by J.C. Watkins and by him sworn to before me this 12th day of March, 1926.

(SEAL) Geo. D. Koser, Notary Public in and for said County.

(SEE DEDICATION AND CERTIFICATES ON FOLLOWING PAGE.)

PLAT OF UNIVERSITY HEIGHTS THIRD SUBDIVISION.

KNOW ALL MEN BY THESE PRESENTS: that we, L.R.Leamer and Elizabeth Leamer, his wife, do hereby certify that we are the owners in fee of the following described real estate, to-wit: Beginning at a point on the north line of Sec. 16, Twp. 79 North, Range 6 West of the 5th P.M., 316 feet east of the northeast corner of the northwest quarter (NW $\frac{1}{4}$ ) of the northwest quarter (NW $\frac{1}{4}$ ) of said Sec. 16; thence east 268.4 feet; thence in a southerly direction 666.5 feet to a point 597 feet east of the east line of the northwest quarter (NW $\frac{1}{4}$ ) of the northwest quarter (NW $\frac{1}{4}$ ) of said Sec. 16; thence west 298.5 feet; thence in a northerly direction parallel with the east line of this said subdivision 450 feet; thence west 120 feet; thence in a northerly direction parallel with the east line of this subdivision 119.8 feet to the south line of Koser Avenue in University Heights; thence in a northeasterly direction along the south line of said Koser Avenue to the place of beginning; except however the right-of-way of the Chicago, Rock Island and Pacific Railway Company right-of-way in the northeast corner of the above platted ground.

That we have caused said real estate to be surveyed, subdivided and laid out into lots, streets, avenues and Court as the same appears upon a plat hereto attached and to be known as UNIVERSITY HEIGHTS THIRD SUBDIVISION. That in platting said University Heights Third Subdivision it is with the free consent and in accordance with the desire of the proprietors as herein set forth.

That the lots in said University Heights Third Subdivision are numbered from Four Hundred to Four Hundred Twenty-six inclusive, with the dimensions of all streets and lots indicated by the small figures along the lines of said streets and lots; and that the said subdivision is laid out and platted with reference to the northeast corner of the northwest one-fourth (NW $\frac{1}{4}$ ) of the northwest one-fourth (NW $\frac{1}{4}$ ) of Section Sixteen (16), Township Seventy-nine (79) North, Range Six (6) West of the 5th P.M.

That the ground contained in the streets, avenues and court as set out in said plat, is hereby dedicated for street purposes as the same is commonly known and accepted for the use and benefit of the owners of Lots in said University Heights Third Subdivision, but granting to Lee D. Koser and Geo.D. Koser the right to use said streets for the putting in of such modern improvements such as sewer, water, electricity, gas, paving, side-walk and similar improvements.

That in sub-dividing and platting said ground as herein set forth as University Heights Third Subdivision the following restrictions and conditions 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 a lot or parcel of ground in the said University Heights Third Sub-division, and to be considered as covenants of restrictions and conditions running with the land.

(1)

That said restrictions or conditions are for the sole benefit of the owners of each and every lot or parcel of ground in said subdivision and may be altered, modified or annuled at any time provided a certain written agreement covering said modifications or alterations is signed by at least a majority owners of lots in said subdivision and provided said agreement is recorded in the office of the Recorder of Johnson County, Iowa, but said restrictions and conditions are to cease and determine on January 1st, 1945.

(2)

That the said University Heights Third Subdivision is hereby platted and dedicated 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 a servant or helper.

(3)

That no old buildings shall be moved on said sub-division, that no high board fence or close built fence shall be built on said subdivision and no fence of any kind except a shrub or hedge fence less than four feet high shall be build within thirty (30) feet of the front lot line of any lots in said subdivision. That no building shall be erected as a hog house and no pigs or hogs or cattle shall be kept on said sub-division.

(4)

That no part of said sub-division shall be used for the purpose of erecting a factory or business building thereon, and no store or business of any kind is to be conducted on said sub-division except such business as is usually transacted in a private home.

(5)

That said sub-division shall be used for private resident purposes only except as above noted, and that no private dwelling shall be built on said subdivision to cost less than Four Thousand (\$4000) Dollars.

(6)

A front building line is hereby established in said subdivision and no building or part of a building shall be erected within thirty (30) feet of the front line of all lots in said sub-division as indicated in plat. and no garage is to be built extending further to the front line than the front line of the dwelling.

In witness whereunto we have set our hands this 11th day of March, 1926.

L.R.Leamer  
Elizabeth Leamer.

State of Iowa, Johnson County, ss:-

On this 11 day of March, 1926, before me a Notary Public in and for said County, personally came L.R.Leamer and Elizabeth Leamer, his wife, to me personally known to be the identical persons, whose names are affixed to the above and foregoing plat and dedication and they acknowledged the execution of the same to be their free consent and in accordance with their desire in platting said sub-division and to be their voluntary act and deed.

Witness my hand and notarial seal this 11th day of March, 1926.

(SEAL) Geo. D. Koser, Notary Public in and for Johnson County, Iowa.

Recorded April 8th, 1926, at 3 o'clock P. M.

J.M. Kadlec  
Recorder.

*See agreement to Modify and Extend Restrictions and Building Regulations in University Heights 3rd Sub-division in Book 175 page 579.580*