

Filed: 3/3/92

RESTRICTIVE COVENANTS

WHEREAS, the undersigned are the sole owners of all the property located within **LAKE RIDGE SUBDIVISION TO VAN BUREN COUNTY, IOWA**, AND WHEREAS, in order to establish and maintain the residential character of each of the lots in said addition, the undersigned do hereby covenant and agree for themselves, and their successors in interest, and with persons who may hereafter purchase any of said lots, that the use of the said lots is restricted and the sale of the said lots is subject to the covenants running with the land, as follows:

1. All property subject hereto shall be used solely for residential purposes and no structure shall be erected on any lot, or any part thereof, other than a single family dwelling, which shall not exceed two stories in height, a 1, 2, or 3 car garage which may or may not be attached to said dwelling, and one outbuilding permitted, which may or may not be attached to said dwelling, but must be comparable to house design and not be of a business nature.
2. No residence shall be constructed or maintained of less than 700 square feet in area on the first floor, which area shall be exclusive of garage, porch, and breezeway, if any.
3. Each lot and any improvements located thereon shall be used for private residence purposes only and shall never be used for any kind of trade, business or employment, or for apartment or boarding houses.
- 4A. No building except as provided in 4B below shall be erected on any lot or part thereof nearer than 50 feet from any platted street or private road, or nearer than 50 feet from any lot line except the exterior boundary lines of the entire subdivision. Subject to the limitations imposed by the County Zoning Laws of Van Buren County, Iowa, the 50' side yard width may be varied by agreement between the owner of a lot and the **LAKE RIDGE HOMEOWNERS ASSOCIATION**, an Iowa corporation. The foregoing notwithstanding, buildings can be erected on Lots 1, 2, 11, 12 and 13, which shall be no nearer than 5 feet from any platted street or private road, or nearer than 25 feet from any interior lot line.
- 4B. No stable or building used in conjunction with horses shall be erected on any lot or part thereof nearer than 100 feet from any street or nearer than 100 feet from any lot line or platted street.

11. The **LAKE RIDGE HOMEOWNERS ASSOCIATION** shall govern all private road maintenance within the development.

12. All septic tanks or other sewerage disposal system shall be installed according to and in compliance with applicable rules and regulations including those of the Van Buren County to provide better bacterial action and eliminate pollution and field seepage problems.

13. These covenants shall run with the land and shall be binding upon all of the parties and all persons claiming under them until January 1, 2013, at which time said covenants shall be automatically extended for successive periods of ten (10) years each, unless by vote of the majority of the then owners of the lots in **LAKE RIDGE SUBDIVISION TO VAN BUREN COUNTY, IOWA** it is agreed to change said covenants in whole or in part.

14. Invalidity of any one of these covenants by judgment or court order shall in no way affect any of the other provisions which shall remain in full force and effect.

15. If the parties hereto, their heirs, executors, administrators, grantees, personal representatives or assigns shall violate, or attempt to violate, any of the covenants or restrictions set forth herein while in effect, it shall be lawful for any other person or persons owning any other lots or parts thereof in **LAKE RIDGE SUBDIVISION TO VAN BUREN COUNTY, IOWA** or the **LAKE RIDGE HOMEOWNERS ASSOCIATION**, to prosecute at law or in equity against the person or persons violating, or attempting to violate, any of said covenants or restrictions in order to prevent said violation, or to recover damages for said violation.

16. Any owner of a lot located within **LAKE RIDGE SUBDIVISION TO VAN BUREN COUNTY, IOWA** shall automatically be a member of the **LAKE RIDGE HOMEOWNERS ASSOCIATION** according to and in compliance with the Articles of Incorporation and Bylaws of the corporation.

17. The original developers of **LAKE RIDGE SUBDIVISION TO VAN BUREN COUNTY, IOWA** shall be allowed to subdivide any lot within this subdivision that contains, according to the original plat, in excess of 4.0 acres; provided, however, that no such lot shall be subdivided after their sale. After the original sale of any lot in this subdivision by the developers, no further subdivision of the same will be allowed regardless of lot size.

Amended

LAKE RIDGE SUBDIVISION RESTRICTIVE COVENANTS AMENDMENT
ADOPTED JANUARY 23 2007

On October 8, 2006, three ballots were mailed to all of the lot owners in Lake Ridge Subdivision to Van Buren County, Iowa for the purpose of amending paragraph 17 and adding paragraphs 18 and 19 to the Restrictive Covenants originally filed on March 2, 1992, in Misc. Rec. 32 at page 64, in the office of the Van Buren County Recorder. The purposes of said amendments were to modify the Restrictive Covenants to reflect the experiences of the Lake Ridge Homeowner's Association and the lot owners since the filing of the original Restrictive Covenants. The majority vote of all lot owners was needed to adopt the amendments. 77% of the lot owners voted in favor of the amendment to paragraph 17; 94% of the lot owners voted in favor of new paragraph 18; 77% of the lot owners voted in favor of amending the covenants to add paragraph 19, therefore, the amendments were adopted as follows:

1) Numbered paragraph 17 of the Restrictive Covenants reads as follows: any Owner of a lot within this Subdivision that contains, according to the original Plat, in excess of 4.0 acres, may further subdivide their lot, provided that each subdivided lot must be not less than 2.0 acres and the subdividing owner shall be responsible for all costs of additional roads and utilities. Further, any subdividing owner shall be responsible for all costs of further subdivision, surveys, road construction, and/or utility relocation. The Lake Ridge Homeowner's Association shall not be responsible for any costs associated with the additional subdivision procedure. Further these Restrictive Covenants as amended shall apply to all lots sold after further subdivision.

2) The following numbered paragraph 18 shall be added to the Restrictive Covenants and shall read as follows:

"Lot owners will pay dues yearly by August 15. Dues not paid by August 15 will be assessed a \$25.00 surcharge. If dues go unpaid, the Association will place a lien on the property holder's lot."

3) Numbered paragraph 19 shall be added to the Restrictive Covenants and shall read as follows:

"Lot owners will be required to mow lots at least twice a year. If mowing is not done by lot owners, it will be arranged by the Association and costs will be billed to the lot owner. Lot owners not paying for mowing services will have a lien placed on their property by the Association."



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