

Plat Book, No. 5, Warren County, Iowa

NOT PUBLIC & NOT CO. WITHIN 1000 70-1016

(SEAL)

/s/ STEPHEN A. HALL  
Stephen A. Hall  
Notary Public, State of Iowa

PROTECTIVE COVENANTS FOR  
HOME-A-PORT SUBDIVISION

KNOW ALL MEN BY THESE PRESENTS:

That, WHEREAS, BERNARD R. NASH AND EMILY E. NASH are the owners of the following described real estate, to-wit:

Lots 1 through 11, Home-A-Port Subdivision of a part  
of the East  $\frac{1}{2}$  of Section 13, Township 75 North Range  
24 West of the 5th P.M. Warren County, Iowa,

AND, WHEREAS, the owners above named desire to restrict and regulate the location and use of buildings and structures and to regulate the use of the above described land and to regulate and determine the density of use of said land, hereby covenants as follows:

1. All lots described herein shall be known, described and used solely as residential lots and no structures shall be erected on any residential building lot other than one single family dwelling not to exceed two stores in height, a one or two car garage and a mobile home, said mobile home to be allowed on the premises for not more than one year after being set on the lot. A hanger for one airplane may be constructed on each of lots six (6), Seven (7) and Eight (8).

2. Any owner who has a mobile home on his lot may upon the written permission of adjoining lot owners extend for an additional year the placement of a mobile home on his lot.

3. No building shall be erected on any building lot nearer than thirty (30) feet to the front line nor nearer than ten (10) feet to any side lot line.

The side line restriction shall not apply to garage or hangers located on the rear one half of a lot except that on corner lots no structure shall be permitted nearer than thirty (30) feet to the side street line.

4. No basement, tent, shack, garage, barn or other out building erected in the tract shall at any time be used as a residence, temporarily or permanently.

5. No building shall be erected on any lot unless the design and location is in harmony with existing structures and locations in the plat and does not violate any of the protective covenants. In any case no dwelling shall be permitted on any lot described herein having a ground floor square foot area of less than 950 feet in the case of a one story structure nor less than 1300 square feet in the case of a one and one-half or two story structure. The square foot restriction shall not apply to mobile homes.

6. Title holder of each lot vacant or improved shall keep his lot or lots free of weeds and debris.

7. No obnoxious or offensive trade shall be carried on upon any lot nor shall anything be done thereof which may be or become an annoyance or a nuisance to the neighborhood.

8. There shall not be kept on any lot more than five head of livestock of any description, kept within 150 feet of the residence of the adjacent lot and the domestic dogs and cats shall be confined to the owners lot and shall not be in such number as to be obnoxious and a nuisance.

Recorder's note: See Plat Book 5, Page 87 for attachment to Home-A-Port Subdivision.  
Book 6 Page 89 for amendment

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MATT PARSONS &amp; SONS CO., WATERLOO, IOWA 70-1916

9. That no lot shall be subdivided and each lot shall be maintained as a unit.
10. That no owner of a lot nor any other person shall obstruct the roadways such as to impede the maintenance or clearing of said roadways or by leaving thereon any vehicle, machinery or any other property.
11. That there shall be an easement for road and utility purposes of 30 feet within and along the North boundary line of Lot 6.
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pg 89

Dated this 6th day of May, 1975.

Francis York, Chairman  
Robert Dittmer  
John Pray

Attest: Beverly Dickerson  
Warren County Auditor

\* \* \* \* \*

CERTIFICATION

I, Beverly Dickerson, Warren County Auditor, do hereby certify the above is a true copy of the minutes of the Warren County Board of Supervisors on May 6, 1975, that are recorded in this office in Board of Supervisors Minutes Book 18, Pages 296 and 297.

(SEAL) /s/ BEVERLY DICKERSON  
Warren County Auditor

#3361 Amendment to Protective Covenants Fee \$8.50 Filed for record the 8 day of August  
For Home-A-Port Subdivision A. D. 1975 at 3:07 o'clock P. M.

Bernard R. Nash, et al to Velma I. Snider, Recorder  
The Public

AMENDMENT TO PROTECTIVE COVENANTS FOR HOME-A-PORT SUBDIVISION

AMENDMENT TO PROTECTIVE COVENANTS FOR HOME-A-PORT SUBDIVISION

COME NOW the undersigned owners and contract purchasers of real estate in Home-A-Port Subdivision of a part of The East Half (E½) of Section 13, Township 75 North, Range 24 West of the 5th P. M., Iowa, described as follows: Commencing at the North quarter corner of said Section 13, thence East 305.7 feet; thence South 01°00'00" East 1311.0 feet to the point of beginning, thence South 89°49'30" East 436.0 feet; thence North 86°47'00" East 665.9 feet; thence along Iowa Highway 65-69 right-of-way South 11°34'30" West 1323.4 feet; thence along said highway right-of-way South 01°33'30" East 88.0 feet; thence along said highway right-of-way South 11°34'30" West 415.9 feet; thence North 76°28'30" West 464.86 feet; thence North 11°34'30" East 200.0 feet; thence North 41°07'50" East 90.3 feet; thence North 76°28'30" West 45.1 feet; thence North 00°48'30" East 175.6 feet; thence North 89°49'30" West 396.0 feet, thence North 00°48'30" East 1200.0 feet to the point of beginning, all in Warren County, Iowa and containing 24.162 acres, more or less, and state that the undersigned Bernard R. Nash and Emily E. Nash, husband and wife; Frank E. Smith and Marilyn A. Smith, husband and wife; Frank P. Edgington, unmarried; George A. Oliver and E. Merle Oliver, husband and wife; Michael W. Erb and Shirley A. Erb, husband and wife; Ronald D. Kaster and Joyce A. Kaster, husband and wife; and Arthur E. Guntau and Karen S. Guntau, husband and wife are the sole owners and contract purchasers of all the real estate constituting the HOME-A-PORT Subdivision described above.

That all of said real estate is subject to the provisions of an instrument recorded in the office of the Recorder of Warren County, Iowa denominated "Protective Covenants for HOME-A-PORT Subdivision" and that one of the provisions thereof and particularly paragraph nine is as follows:

"That no lot shall be subdivided and each lot shall be maintained as a unit."

And the undersigned now individually and collectively agree that said provision prohibiting the subdivision of lots in said HOME-A-PORT Subdivision shall be and is hereby cancelled, removed and expunged from said protective covenants and is hereby made of no further force and effect.

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Done this 28 day of July, 1975.

/s/	BERNARD R. NASH Bernard R. Nash	/s/	EMILY E. NASH Emily E. Nash
/s/	FRANK E. SMITH Frank E. Smith	/s/	MARYLIN A. SMITH Marylin A. Smith
/s/	FRANCIS P. EDGINGTON Francis P. Edgington	/s/	_____
/s/	GEORGE A. OLIVER John A. Oliver George	/s/	E. MERLE OLIVER E. Merle Oliver
/s/	MICHAEL W. ERB Michael W. Erb	/s/	SHIRLEY A. ERB Shirley A. Erb
/s/	RONALD D. KASTER Ronald D. Kaster	/s/	JOYCE A. KASTER Joyce A. Kaster
/s/	ARTHUR E. GUMTAU Arthur E. Guntau	/s/	KAREN S. GUMTAU Karen S. Guntau

STATE OF IOWA, WARREN COUNTY, SS:

On this 28 day of July, 1975, before me the undersigned, a Notary Public in and for Warren County, Iowa, personally appeared Bernard R. Nash, Emily E. Nash, Frank E. Smith, Marylin A. Smith, Francis P. Edgington, George A. Oliver, E. Merle Oliver, Michael W. Erb, Shirley A. Erb, Ronald D. Kaster, Joyce A. Kaster, Arthur E. Guntau and Karen S. Guntau to be known to be the identical persons named in and who executed the foregoing instrument and acknowledged that they executed the same as their voluntary act and deed.

(SEAL) /s/ M. D. HALL  
Notary Public, Warren County, Iowa

CONSENT OF LIEN HOLDERS  
TO THE AMENDMENT OF PROTECTIVE COVENANTS OF HOME-A-PORT SUBDIVISION

COME NOW the undersigned who are lien holders against a portion of the property of HOME-A-PORT Subdivision above referred to and agree and consent to the said amendment above set out and agree that the prohibition against subdivision of lots in said HOME-A-PORT Subdivision shall be of no further force and effect.

PEOPLES TRUST & SAVINGS BANK	MARION COUNTY SAVINGS & LOAN ASSOC.
By /s/ JAMES DAVIES SR. V. P.	By /s/ EUGENE TURNER
By /s/ RUTH PATRICK, A. V. P.	By _____

STATE OF IOWA, WARREN COUNTY, SS:

On this 8 day of August, A. D. 1975, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared James Davies and Ruth Patrick, to me personally known, who, being by me duly sworn, did say that they are the Vice President and Vice President respectively, of Peoples Trust and Savings Bank executing the within and foregoing instrument to which this is attached, that no seal has been procured by the said corporation; that said instrument was signed and sealed on behalf of said corporation by authority of its Board of Directors; and that the said J. Davies and Ruth Patrick as such officers acknowledged the execution of said instrument to be the volu act and deed of said corporation, by it and by them voluntarily executed.

(SEAL) /s/ PEGGY WICKETT  
Notary Public in and for the State of Iowa

STATE OF IOWA, WARREN COUNTY, SS:

On this 8th day of August, A. D. 1975, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Eugene Turner and \_\_\_\_\_, to me personally known, who, being by me duly sworn, did say that he is the Vice President of Marion County Savings & Loan Assoc. executing the within and foregoing instrument to which this is attached, that no seal has been procured by the said corporation; that said instrument was signed on behalf of said corporation by authority of its Board of Directors; and that the said Eugene Turner as such officer acknowledged the execution of said instrument to be the voluntary act and deed of said corporation, by it and by them voluntarily executed.

(SEAL) /s/ ROBERT L. DAVEY  
Notary Public in and for the State of Iowa.

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#3344 Covenants Running With Fee \$6.50 Filed for record the 8 day of August  
Land A. D. 1975 at 11:29 o'clock A. M.

Milan E. Bellile, et al  
to  
The Public Velma I. Snider, Recorder

COVENANTS RUNNING WITH LAND

COVENANTS RUNNING WITH LAND

WHEREAS, the undersigned, Milan E. Bellile and Beverly A. Bellile, are the owners of the title in the following described premises situated in Warren County, Iowa, to-wit:

The SW $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 17, Township 76 North, Range 25 West of  
the 5th P. M. Warren County, Iowa

and,

WHEREAS, it is the desire of said owners to subdivide said property into tracts, and,

WHEREAS, it is deemed desirable to execute and require restricted covenants on the land above described after said subdivision.

NOW THEREFORE, the owners of said premises covenant as follows:

A. All lots described herein shall be now described and used solely as residential and agricultural lots, and no structure shall be erected on any residential building lot for any purpose other than residence or agricultural use.

B. That the minimum size of dwellings to be erected on said tracts shall not be less than 900 square feet size, and that same shall be set back at least 40 feet from the highway serving said tracts and at least 40 feet from each side or back of the tract, and there shall be no basement homes.

C. That the dwellings to be constructed thereon shall be permanent dwellings.

D. That only a dwelling, barn and a garage shall be permitted on each tract and no other buildings other than those used for storage of machinery or the keeping of livestock and livestock feeds shall be permitted thereon. That no unsightly junk or junk cars shall be stored or left on any of said tracts, and no hogs shall be raised on any of said tracts at any time, and that no commercial enterprises shall be carried on or engaged in on any of said tracts.

E. That no more than a total of 8 horses, cattle and sheep and no poultry or hogs shall be permitted on each of said tracts.

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WARR. PLATBOOK 6 2018 SO. WARREN CO., IOWA 74-1259

#3445 Amendment to Protective Covenants For Home-A-Port Subdivision

Fee \$2.50

Filed for record the 14 day of August A. D. 1975 at 3:43 o'clock P. M.

Warren County, Iowa

Velma I. Snider, Recorder

to  
The Public

AMENDMENT TO PROTECTIVE COVENANTS  
FOR HOME-A-PORT SUBDIVISION

AMENDMENT TO PROTECTIVE COVENANTS FOR  
HOME-A-PORT SUBDIVISION

COMES NOW Warren County, Iowa, the owner of Lot A of Home-A-Port Subdivision of a part of the East Half of Section 13, Township 75 North, Range 24 West of the 5th P. M. of Iowa, said lot being an area used as a street and roadway in said Subdivision, and agrees to, and joins in the Amendment to the protective covenants relating to said Subdivision, now appearing of record in the Office of the Recorder of Warren County, Iowa in Plat Book 6 at Page 89, and in particular to the removal from said protective covenants of the restriction against subdivision of lots and the requirement that each lot be maintained as a unit. And they agree that said restriction shall be of no further force and effect.

WARREN COUNTY, IOWA

By

Francis L. York, Member of Board of Supervisors

/s/ ROBERT DITTMER  
Robert Dittmer, Member of Board of Supervisors

/s/ JOHN F. PRAY  
John F. Pray, Member of Board of Supervisors

STATE OF IOWA, WARREN COUNTY, SS:

On this 14 day of Aug., 1975 before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Francis L. York, Robert Dittmer and John F. Pray to me known to be the identical persons named in and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.

(SEAL)

/s/ M. D. HALL  
M. D. Hall  
Notary Public in and for the State of Iowa