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FILED IN TOWN RECORDS
FILE TO RECORD THE PROCEEDINGS OF TOWN COUNCIL
64 MARCH 15 1964 P M and recorded
BOOK 1122 PAGE 487
Dorothy Jones
Recorder

MINUTES OF TOWN COUNCIL OF TREYNOR, IOWA
March 11th 1964

* * * * *

At a Special meeting of the Town Council
of the Town of Treynor, Iowa duly and regularly called held at
regular meeting place, Treynor State Bank, at 7:00 o'clock
P.M. on the date above set forth, there were present, Harvey
Saar, Mayor in the chair and the following named Councilmen:

- William Bryant
 - Lavan Walter
 - Harman Hansen
 - Francis D. Bottoms
 - Lyle A. Klabe
- Absent None

After calling the meeting to order, the matter of the
proposed Barnes' First Addition to the Town of Treynor, Iowa was
brought before the Council for its consideration.

After due consideration, Councilman Bryant
introduced a resolution to accept and adopt the proposed Barnes'
First Addition as a regular addition of the Town of Treynor, Iowa,
copy of said resolution attached to these Minutes. Councilman
Walter moved its adoption and Councilman
Bottoms seconded the motion. The vote being
put, the result was:

AYES: William Bryant Lavan Walter
Harman Hansen Francis D. Bottoms Lyle A. Klabe
NAYS: _____
Absent: None.

The Mayor then declared the resolution duly adopted and
directed the Town Clerk to make said resolution a part of the regular
and official records of the said Town.

There being no further business, the meeting adjourned.

ATTEST:
[Signature] TOWN CLERK
[Signature] TOWN MAYOR
MAY 13 1964 PAGE 487

COMPARED

RESOLUTION

WHEREAS, there has been proposed by John J. H. Schnepel, Elfreda M. Schnepel, Betty Barnes and D. F. Barnes, owners of certain described real estate recently annexed as a part of the Town of Treynor, Iowa, that same be platted as a regular addition to the said Town, and

WHEREAS, an agreement has duly been entered between the said Town and said Developers regarding the regular and proper development of said addition as to streets, and

WHEREAS, the said Town Council has given full consideration to said proposed platting and finds same to be proper and in the best interests of the said Town.

~~NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:~~

1. That the proposed Plat of Barnes' First Addition to the Town of Treynor, Iowa be and the same is hereby adopted and approved.
2. That there is hereby platted as set forth in the Plat attached to the platting proceedings, the following described real estate, being a part of the Town of Treynor, Iowa, to-wit:

A part of the $\frac{1}{4}$ of the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 7, Township 74, Range 41 described as follows: Commencing at a point which is 650 feet East and South 00° 06' East 527.0 feet, from the North 1/4 corner of said Section 7; thence East 330.0 feet; thence North 00° 06' West 60.0 feet; thence East 135.0 feet; thence South 00° 06' West 460.0 feet; thence West 465.0 feet; thence North 00° 06' East 400.0 feet to point of beginning,

in the blocks and lots as set forth therein, with the streets as set forth therein being duly adopted as a part of the public streets situated in the Town of Treynor, Iowa.

3. That the Plat thereof and these proceedings be made a part of the official records of the Town of Treynor, Iowa.

APPROVED March 11th 1964.

TOWN OF TREYNOR, IOWA

MAYOR

Harvey A. Scan

ATTEST:

TOWN CLERK.

H. F. Schmitt

COMPARED

-2-

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

Richard C. Peterson

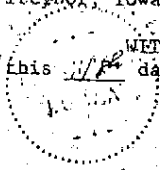
NOTARY PUBLIC

TOWN CERTIFICATE

STATE OF IOWA)
COUNTY OF POTTAWATTAMIE) ss.

We, HARVEY SAAR, Mayor, and HANS F. SCHMIDT, Town Clerk, of the Town of Treynor, Iowa do hereby certify that at meeting of the Town Council of Treynor, Iowa held on the 11th day of March, 1964, there was passed and approved a resolution accepting, approving and adopting the Plat of Barnes' First Addition to the Town of Treynor, Iowa.

WITNESS our official signatures and seal of the Town of Treynor, Iowa this 11th day of March, 1964.



MAYOR

H. F. Schmidt

TOWN CLERK

TREASURER'S CERTIFICATE

STATE OF IOWA)
COUNTY OF POTTAWATTAMIE) ss.

I, WILLIAM KELSÖ, Treasurer of the County aforesaid, do hereby certify that the tract of land laid out into town lots by the Plat upon which this certified statement is endorsed is free and clear from all unpaid taxes and tax liens.

WITNESS my hand and official signature this 26 day of March, 1964.

William E. Kelsö

COUNTY TREASURER - William E. Kelsö

COUNTY RECORDER'S CERTIFICATE

STATE OF IOWA)
COUNTY OF POTTAWATTAMIE) ss.

I, DOROTHY LETNER, County Recorder of the County aforesaid, do hereby certify that the tract of land laid out into town lots as shown by the Plat upon which this certified statement is endorsed is free and clear from any and all encumbrances. I further certify that title to said tract of land described above is in the names of John J. H. Schnepel, and Elfreda M. Schnepel, as legal titleholders, and contract sellers, and Betty Barnes and D. F. Barnes, as contract purchasers, as it appears in the records of this office.

WITNESS my hand and official signature this 26th day of March, 1964.

Dorothy Letner

COUNTY RECORDER

DOROTHY LETNER

COMPARABLE

RAYMOND A. SMITH
JOHN LERDY PETERSON
HAROLD F. BECKMAN
PHILIP J. WILLSON
RICHARD W. PETERSON

SMITH, PETERSON, BECKMAN & WILLSON
ATTORNEYS

301 308 PARK BUILDING
COUNCIL BLUFFS, IOWA

March 26, 1964

PHONE 324 4131
AREA CODE 712

To:
County Recorder,
County Treasurer and
Clerk of the District Court,
all of Council Bluffs, Pottawattamie County, Iowa

Dear Friends:

We have examined the abstract of title consisting of one section and containing 15 entries on the following described real estate in Pottawattamie County, Iowa to-wit:

A part of the E $\frac{1}{2}$ of the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 7, Township 74, Range 41 described as follows: Commencing at a point which is 650 feet East and South 00° 06' East 527.0 feet, from the North 1/4 corner of said Section 7; thence East 330.0 feet; thence North 00° 06' West 60.0 feet; thence East 135.0 feet; thence South 00° 06' West 460.0 feet; thence West 465.0 feet; thence North 00° 06' East 400.0 feet to point of beginning,

which abstract extends from United States Government to March 26, 1964 at 10 o'clock P. M., and would say that at said time the title to said premises appears to be in JOHN J.H. SCHNEPEL, ELFREDA M. SCHNEPEL, D. F. BARNES and BETTY BARNES, subject to the following:

1. At Entry No. 10 is shown reclassification of the County Zoning Commissioner which shows that the real estate under examination is now a suburban residential classification.
2. At entry No. 11 is shown proceedings before the Town Council of the Town of Treynor, Iowa which shows that the real estate under examination has been annexed to and made a part of the town of Treynor, Iowa.
3. At entry No. 15 general taxes for the year 1963 are shown paid.

Very truly yours,

SMITH, PETERSON, BECKMAN & WILLSON

By: *Richard W. Peterson*

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RWP/mrp

COMPARED

RESTRICTIVE COVENANTS

* * * * *

KNOW ALL MEN BY THESE PRESENTS:

That John J. H. Schnepel and Elfreda M. Schnepel (as Contract Sellers) and Betty Barnes and D. P. Barnes (as Contract Purchasers), are the owners in fee simple of the following described real estate in Pottawattamie County, Iowa, to-wit:

A part of the E½ of the NW¼ NE¼, Section 7, Township 74, Range 41 described as follows: Commencing at a point which is 650 feet East and South 00°06' East 527.0 feet, from the North 1/4 corner of said Section 7; thence East 330.0 feet; thence North 00°06' West 60.0 feet; thence East 135.0 feet; thence South 00°06' West 460.0 feet; thence West 465.0 feet; thence North 00°06' East 400.0 feet to point of beginning.

Lots 1 through 8, inclusive, all in Block 1 and Lots 1 through 4, inclusive, all in Block 2, all of said real estate being located in Barnes' First Addition to the Town of Treynor, Iowa.

That the said persons are the respective owners of all of the lots in said addition and for the purpose of establishing a general building plan covering said addition and for the protection of and benefit to the purchasers of lots in said addition, do hereby declare that the following protective covenants shall apply to and restrict as to all lots in said Barnes' First Addition to the Town of Treynor, Iowa:

1. All lots described herein shall be used only as residential for single or multiple family residences and no structure shall be erected on any residential building lot other than a single or multiple family dwelling, not to exceed two stories in height, to have only a one, two or three car garage and of not less than 800 square feet of floorspace per living unit.

2. No building shall be erected on any residential building plot nearer than thirty (30) feet to nor farther than thirty-five (35) feet from the front lot line, nor nearer than five (5) feet to any side lot line. The side line restrictions shall not apply to a

garage located on the rear one-quarter of a lot, except that on corner lots no structure shall be permitted nearer than twelve and one-half (12½) feet to the side street line.

3. Lot Area and Width. No dwelling shall be erected or placed on any lot having a width of less than seventy (70) feet or the minimum building setback line nor shall any dwelling be erected or placed on any lot having an area of less than eight thousand seven hundred fifty (8,750) square feet.

4. No trailer, 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, nor shall any residence of a temporary character be permitted.

5. No building shall be erected on any lot unless the design and location is in harmony with existing structures and locations in the addition, and does not violate any 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 one thousand (1,000) square feet for a one-family dwelling, or less than eight hundred (800) square feet per living unit in a multiple dwelling in the case of a one story structure; no less than eight hundred (800) square feet on the ground floor in the case of a one and one-half (1½) or two (2) story structure, as to a one-family dwelling and each multiple dwelling, eight hundred square feet of floor space per living unit.

6. Titleholder or purchaser under contract, as the case may be, 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 thereon which may be or become an annoyance or nuisance to the neighborhood.

8. A perpetual easement is reserved over the rear five (5) feet of each lot for utility installation and maintenance.

