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CERTIFICATION

We, R. Jack Andersen and Leslie C. Andersen, husband and wife, do hereby declare and certify that the foregoing and accompanying plat is an addition of the following described real estate situated in the City of Council Bluffs, Pottawattamie County, Iowa; which real estate is more particularly described as follows:

"A parcel of land in the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 19, Township 75, Range 43, Pottawattamie County, Iowa, and more particularly described as follows: Commencing at the Southwest corner of Lot 19, Esaney and Spence Addition to Council Bluffs, Pottawattamie County, Iowa; thence North 88° 6' West 720 feet; thence 04° 40' East 52.5 feet; thence North 88° 6' West 105 feet; thence North 04° 47' East 60.2 feet; thence North 14° 51' West 41.4 feet; thence South 88° 15' East 65 feet; thence North 03° 10' East 124.4 feet; thence South 88° 27' East 430 feet; thence South 87° 00' East 348 feet; thence South 6° 56' West 108.5 feet; thence South 00° 09' West 40.1 feet; thence South 05° 01' West 124.6 feet to point of beginning."

Said platfords do hereby state that they are the sole and only owners and proprietors, in fee simple of the property above described.

The subdivision of the above mentioned real estate is made with our full knowledge and consent and in accordance with our desire that the above mentioned real estate be subdivided and that said addition be named Broadview Terrace Addition to the City of Council Bluffs, Iowa. All of the said lots are abutting on and laid out with reference to existing streets and avenues. We do hereby dedicate to the public for street purposes, the street as laid out and shown in the accompanying plat. We further state said street is to be known as Happy Hollow Boulevard.

We further certify that Mrs. Leslie C. Andersen joins in this certificate merely to release her dower interest and to comply with the laws of the State of Iowa.

R. Jack Andersen
R. JACK ANDERSEN

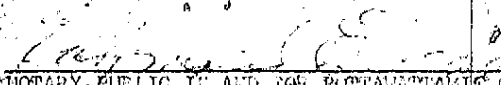
Leslie C. Andersen
LESLIE C. ANDERSEN

5-27-58

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STATE OF IOWA)
) ss.
COUNTY OF POTTAWATTAMIE)

Now, on this 23rd day of May, 1966, before
me, a Notary Public in and for Pottawattamie County, Iowa, person-
ally appeared R. Jack Andersen and Leslie C. Andersen, husband and
wife, to me known to be the persons named in and who executed the
foregoing instrument and acknowledged that they executed the same
as their voluntary act and deed.


NOTARY PUBLIC IN AND FOR POTTAWATTAMIE COUNTY

SURVEYOR'S CERTIFICATION

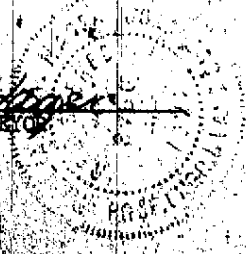
I, William Hager of Inab Engineering Company, Council Bluffs, Iowa, hereby certify that I have surveyed the following described real estate, to-wit:

"A parcel of land in the SW 1/4 of the SW 1/4 of Section 19, Township 75; Range 43, Pottawattamie County, Iowa, and more particularly described as follows: Commencing at the Southwest corner of Lot 19, Evans and Spence Addition to Council Bluffs, Pottawattamie County, Iowa; thence North 40° 06' West 720 feet; thence N 40° 40' East 32.5 feet; thence North 88° 06' West 19 feet; thence North 41° 47' East 60.2 feet; thence North 14° 11' West 41.4 feet; thence South 29° 15' East 6 feet; thence North 03° 10' East 124.4 feet; thence South 29° 27' East 430 feet; thence South 07° 00' East 3 feet; thence South 09° 56' West 108.5 feet; thence South 09° 09' West 40.1 feet; thence South 05° 01' East 124.9 feet to point of beginning"

for and on behalf of R. Jack Andersen and Leslie E. Andersen who have made a plat of the subdivision of said real estate attached hereto which gives the bearing and distance of said subdivision with reference to the Southwest Corner of Lot 1, Evans and Spence Addition to Council Bluffs, Pottawattamie County, Iowa, and that said plat accurately describes said subdivision, and that the lots of said subdivision are numbered progressively as Lots 1 through 23 inclusive, said plat giving the dimensions of each lot by length and width, and the width and courses of the street established herein. I further certify that said subdivision is to be known as Broadway Terrace Addition to the City of Council Bluffs, Iowa.

Dated at Council Bluffs, Iowa, this 23rd day of May 1958.

William Hager
REGISTERED LAND SURVEYOR



23208
RMS-sel

Impair

D. L. ROSS
(FRANK E. NORTHRUP
(DECEASED))
OSCAR E. JOHNSON
ROBERT M. STUART
EMERY TINLEY
PAUL H. BULLHOFF
CLAUDE L. MOHAIN
JACK W. PECKHS

LAW OFFICES OF
ROSS, JOHNSON, NORTHRUP, STUART & TINLEY
501-508 PARK BUILDING
TELEPHONE 4033
COUNCIL BLUFFS, IOWA

May 26, 1958

County Recorder, County Treasurer and
Clerk of the District Court of
Pottawattamie County, Iowa

Gentlemen:

We have examined abstract of title in ONE part covering:

Part of Lots 1, 2, 4 and 5 in Auditor's
Subdivision of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 10,
Township 75 North, Range 43, West of the
5th P. M., Pottawattamie County, Iowa, and
more particularly described as follows:
Commencing at the Southwest corner of Lot 1,
Esancy and Spence Addition to Council Bluffs,
Iowa; thence North 88° 6' West 720 feet;
thence North 04° 40' East 52.5 feet; thence
North 88° 6' West 105 feet; thence North
04° 47' East 60.2 feet; thence North 14° 51'
West 41.4 feet; thence South 88° 15' East
65 feet; thence North 03° 10' East 124.4
feet; thence South 88° 27' East 430 feet;
thence South 87° 00' East 348 feet; thence
South 6° 56' West 108.5 feet; thence South
00° 09' West 40.1 feet; thence South 05°
01' West 124.8 feet to point of beginning;

said abstract commencing with the Government and certified to
May 27, 1958 at 12:00 o'clock Noon, consisting of 150 entries,
and find:

1. At Entry No. 135 is an ordinance of the City
of Council Bluffs, Iowa, regulating and re-
stricting the construction, location and use
of buildings, grounds, etc. The property
under examination appears to lie in a residential
zone.

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County Recorder, County Treasurer and
Clerk of the District Court of
Pottawattamie County, Iowa

May 26, 1958

2. At Entry No. 137 is shown personal taxes of Esaney & Co. for 1957 unpaid in the amount of \$73.64. It is our opinion that these personal taxes are not a lien against the property under examination since title was conveyed prior to the date such taxes became due and conveyance subsequent to such date was for the sole purpose of correcting descriptions to real estate.
3. General taxes for the year 1957 and prior years are shown fully paid.

The abstract and this opinion do not cover rights of parties in possession, the actual location of the premises and the buildings thereon with reference to legal description, public and private easements by prescription and unpaid bills for labor and material which have been performed or furnished in connection with improvements on the premises within the past ninety days.

Subject to the foregoing, we find good title in R. JACK ANDERSEN, grantee in Quit Claim Deeds at Entries Nos. 120, 121, 122 and 149; grantee in Special Warranty Deed at Entry No. 129 and grantee in Warranty Deeds at Entries Nos. 140 - 148, both inclusive.

Very truly yours,

ROSS, JOHNSON, NORTHRUP, STUART & TINLEY

By

Robert M. Stuart

RMS:sel

CERTIFICATE OF APPROVAL OF THE CITY PLANNING COMMISSION
OF COUNCIL BLUFFS, IOWA

STATE OF IOWA)
) ss.
COUNTY OF PONTIAC)

I, Frank L. Swanson, Chairman of the City Planning
Commission do hereby certify that at a regular meeting of the
City Planning Commission held on the 18th day of April,
1958, there was passed and approved the plat of Frontview Terrace
Addition to the City of Council Bluffs, Iowa.

Frank L. Swanson
CHAIRMAN OF CITY PLANNING
COMMISSION

RESOLUTION

WHEREAS, a proposed plat, together with a statement of proposed improvements and utilities for Broadview Terrace Addition to the City of Council Bluffs, Iowa, has heretofore been submitted to this City Council for its study and approval; and

WHEREAS, said proposed plat has been examined and found to conform with the provisions of Sections 409.4, 409.5 and 409.6, Code of Iowa 1954; and

WHEREAS, said proposed plat has heretofore been referred to the City's Planning Commission and has been examined by said Commission and approved; and

WHEREAS, the Director of Public Works of the City of Council Bluffs, Iowa has heretofore determined that the City's requirements have been complied with, with the exception of the construction of concrete paving and sidewalks in said Addition, as heretofore required by this City Council; and

WHEREAS, the proprietors of said Addition have caused to be filed with the City Clerk of the City of Council Bluffs, Iowa, a Surety Bond in the total amount of \$12,000.00, in compliance with Section 409.5, Code of Iowa 1954, and have requested that this City Council accept and approve said platted Addition as a platted Addition to the City of Council Bluffs, Iowa, prior to the completion of the required improvements in said Addition, as above set forth:

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COUNCIL BLUFFS, IOWA:

That the proposed plat of Broadview Terrace Addition to the City of Council Bluffs, Iowa be and the same is hereby accepted and approved as a platted Addition to the City of Council Bluffs, Iowa.

BE IT FURTHER RESOLVED that the Mayor and City Clerk be and they are hereby directed, upon adoption of this resolution, to certify a true copy of same to the County Recorder of Des Moines, Iowa.

Adopted March 24 1958

Approved March 24 1958

Paul L. Gronstal
MAYOR, CITY OF COUNCIL BLUFFS, IOWA

ATTEST:

Richard G. Buntin
CLERK, CITY OF COUNCIL BLUFFS, IOWA

C E R T I F I C A T E

We, Paul L. Gronstal, Mayor, and Richard G. Buntin, City Clerk, of the City of Council Bluffs, Iowa; hereby certify that the foregoing is a true and correct copy of a Resolution adopted and approved by the City Council of the City of Council Bluffs, Iowa, on the 24th day of March, 1958, accepting and approving the proposed plat of Broadview Terrace Addition to the City of Council Bluffs, Iowa.

Dated this 25th day of March, 1958.

Paul L. Gronstal
MAYOR, CITY OF COUNCIL BLUFFS, IOWA

ATTEST:

Richard G. Buntin
CLERK, CITY OF COUNCIL BLUFFS, IOWA

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TREASURER'S CERTIFICATION

STATE OF IOWA)
) ss.
 COUNTY OF POTTAWATTAMIE)

I, Walter W. Lehman, Treasurer of Pottawattamie County, Iowa, do hereby certify that the tract of land described in the foregoing owner's certification, said tract of land being laid out into town lots by the attached plat upon which this certified statement is endorsed, is free and clear from any and all unpaid taxes and tax liens.

Witness my hand and official signature this 27 day of

May, 1958.

Walter W. Lehman

 TREASURER OF POTTAWATTAMIE
 COUNTY, IOWA.

RECORDER'S CERTIFICATION

STATE OF IOWA)
)
 COUNTY OF POTTAWATTAMIE)

I, Dorothy E. Christensen, County Recorder of Pottawattamie County, Iowa, do hereby certify that the tract of land described in the foregoing owner's certification, said tract of land being laid out into town lots by the attached plat upon which this certified statement is endorsed, is free and clear from any and all encumbrances, and that the title to said tract of land in fee, is in R. Jack Andersen and Leslie C. Andersen.

Witness my hand and official signature this 27 day of

May, 1958.

Dorothy E. Christensen

 COUNTY RECORDER OF POTTAWATTAMIE
 COUNTY, IOWA.

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CLERK OF THE DISTRICT COURT'S CERTIFICATION

STATE OF IOWA)
COUNTY OF POTTAWATTAMIE) 58.

I, John W. Stouffer, Clerk of the District Court of Pottawattamie County, Iowa, do hereby certify that the tract of land described in the foregoing owner's certification, said tract of land being laid out into town lots by the attached plan upon which this certified statement is endorsed, is free and clear from all unpaid judgments, attachments, mechanic's liens or any other liens, and that there are no suits pending which would affect the title to said real estate as shown by the records of this office.

Witness my hand and official seal this 31 day of July, 1958.

John W. Stouffer
CLERK OF THE DISTRICT COURT OF
POTTAWATTAMIE COUNTY, IOWA

John W. Stouffer
John W. Stouffer

Ordinance

RESTRICTIONS AND COVENANTS UPON THE REAL ESTATE KNOWN AS
BROADVIEW TERRACE ADDITION TO THE CITY OF COUNCIL BLUFFS, IOWA

WHEREAS, R. Jack Andersen and Leslie C. Andersen are now the owners of all the property and lots contained in Broadview Terrace Addition to the City of Council Bluffs, in Pottawattamie County, and State of Iowa, and,

WHEREAS, the said R. Jack Andersen and Leslie C. Andersen desire to restrict all of the above described property as hereinafter stated for their benefit and for the benefit of all future owners of lots in said Subdivision:

NOW, THEREFORE, the said R. Jack Andersen and Leslie C. Andersen do hereby create and establish the following restrictions which shall become binding on all the above described property in said Subdivision and also upon the grantees or owners at any time of any of the above described lots in said Subdivision to the extent herein indicated, to-wit:

1. All lots described herein shall be known, described and used solely as residential lots, and no structure shall be erected on any residential building lot other than on detached single family dwelling not to exceed two stories in height and a one or two car garage.
2. No building shall be erected on any residential building plot nearer than 25 feet to nor farther than 40 feet from the front lot line, nor nearer than 4 feet to any side lot line. The side line restriction 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 25 feet to the side street line.
3. No residential lot shall be resubdivided into building plots having less than 3,000 square feet of area or a width of less than 50 feet each, nor shall any building be erected on any residential building lot having an area of less than 4,000 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. Title holder of each lot, vacant or improved, shall keep his lot or lots free of weeds and debris.
6. No building shall be erected on any lot unless the design and location is in harmony with existing structures and locations in the tract 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 900 square feet in the case of a one story structure nor less than 800 square feet in the case of a one and one-half or two story structure.
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 feet of each lot for utility installation and maintenance.
9. These covenants are to run with the land and shall be binding on all parties and all persons claiming under them until 1977, at

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which time said Covenants shall be automatically extended for successive periods of ten years unless by a vote of the majority of the then owners of the lots it is agreed to change the said covenants in whole or in part.

10. If the parties hereto, or any of them, or their heirs or assigns shall violate or attempt to violate any of the Covenants or Restrictions herein before 1977, it shall be lawful for any other person or persons owning any other lots in said development or subdivision to prosecute any proceedings at law or in equity against the person or persons violating or attempting to violate any such covenant or restriction and either to prevent him or them from so doing or to recover damages or other dues for such violation.

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

12. By the acceptance of any deed or conveyance to any lot in said subdivision, the grantees therein shall agree to uphold and comply with the foregoing restrictions and covenants.

R. Jack Andersen

Leslie C. Andersen

STATE OF IOWA)
) ss.
COUNTY OF POTTAWATTAMIE)

Now, on this 27th day of May, 1958, before me, a Notary Public in and for Pottawattamie County, Iowa, personally appeared R. Jack Andersen and Leslie C. Andersen, husband and wife, to me known to be the persons named in and who executed the foregoing instrument and acknowledged that they executed the same as their voluntary act and deed.

[Signature]
NOTARY PUBLIC IN AND FOR POTTAWATTAMIE COUNTY

ORIGINAL



BROADWAY TERRACE

William A. Hargreave