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DECLARATION OF COVENANTS, CONDITIONS,
RESTRICTIONS AND EASEMENTS WITH RESPECT TO GOLF VIEW ADDITION
DIVISION II TO THE CITY OF GLENWOOD, MILLS COUNTY, IOWA

This Declaration is made by Ronald N. Leistad and Judith A. Leistad, and Clarold E. Rogers and A. Christel Rogers, owners of the real estate to be known as Golf View Addition Division II to the City of Glenwood, Iowa. The purpose of this Declaration is to prescribe covenants, conditions, restrictions and easements with respect to the use of the land in that addition for the purpose of providing the best and most appropriate development and improvement of each building site and for the protection of owners of lots in Golf View Addition Division II.

The word "parcel", whenever used in this Declaration, shall mean the real estate in Golf View Addition Division II to the City of Glenwood, Iowa, described in any conveyance by the proprietors of said Addition.

There is reserved for the benefit of the Declarants, the City of Glenwood, and all private utility companies a perpetual easement over ten feet at each side of each parcel and over ten feet at the rear of each parcel for utility installation and maintenance and drainage facilities unless it is specified otherwise on the Plat of Golf View Addition Division II.

The following provisions shall apply to the use and development of all lots of Golf View Addition Division II:

1. The lots may be used only for residential purposes, and each lot may be used for only one single family dwelling. A dwelling shall not exceed two stories in height, and shall not contain less than the following finished living areas exclusive of porches, breezeways and garages:
 - a. 1,200 square feet on the ground floor for a one story dwelling.
 - b. 1,200 square feet on the ground floor for a one and one-half story dwelling.
 - c. 1,700 square feet above the basement level with 900 square feet on the main floor for a two story dwelling.
 - d. 1,400 square feet of living area above the ground for a bi-level, tri-level or a split-level dwelling.
 - e. 1,300 square feet of living area above the ground for a split-entry or raised ranch with 2 car under dwelling.

Exposed portions of the foundation on the front of each dwelling are to be covered with either siding or brick, and exposed portions of the foundation on the sides and rear of each dwelling shall be covered either with brick or siding or shall be painted. Garages shall be constructed for not less than two cars, and garage doors must be closed except for entry and exit.

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2. No improvements shall be made without the approval of the architectural committee for which provision is made in this Declaration.
3. No noxious or offensive activity shall be conducted on any lot.
4. No boat, recreational vehicle, camping trailer, snowmobile, auto drawn trailer of any kind, garden tractor or heavy equipment shall be stored outside of the garage or left exposed on any parcel at any time.
5. No satellite dish, exterior television or radio antenna or other similar structure shall be located on any lot without specific approval of the architectural committee.
6. Day care for more than four children shall not be provided at any time in any dwelling in the addition.
7. No woven or barbed wire fences shall be permitted. No fences or walls shall be erected without the approval of the architectural committee. Any fences or walls shall not be higher than 6 feet nor extended forward of the back of the foundation of the dwelling on any lot, and no posts or braces shall be on the outside of the fence or wall.
8. All lots shall be kept free of weeds and debris including unused building material.
9. No temporary structure may be erected on any lot for use as a residence.
10. No animals of any kind other than household pets may be kept on any lot, and household pets may not be sheltered outside the dwelling house. No dogs owned by owners of lots shall be allowed to run free.
11. No repair of automobiles or other motor vehicles will be permitted outside of garages on any lot at any time.
12. No trees with trunks over three inches in diameter shall be removed or destroyed without approval of the architectural committee.
13. All telephone and electric power service lines shall be underground.
14. If required by the City of Glenwood, each individual lot owner shall be responsible for the installation and maintenance of sidewalks in the public street adjacent to the lot, which sidewalk must be installed and maintained according to all applicable ordinances.

15. No storage building or ancillary building shall be constructed without approval of the architectural committee.

16. There shall be no vegetable gardens in any front or in any side yard adjoining any street in the addition.

17. No incinerator or trash burner shall be allowed on any lot by homeowners. No fuel tanks shall be permitted to remain outside of the house on any lot.

Architectural control for development of the lots shall be provided by an architectural committee. This committee shall originally consist of Ronald N. Leistad and Judith A. Leistad, who shall be considered permanent members of the committee and who shall be members for so long as they desire. Two years from the date of this Declaration one person shall be added to this committee; four years from the date of this Declaration another person shall be added; and six years from the date of this Declaration another person shall be added to the committee, for a total of five members. All members appointed to this committee for the first six years shall be elected by Ronald N. Leistad and Judith A. Leistad, who shall also appoint members to take the place of those members who have been appointed but can no longer serve on the committee. On the seventh anniversary of this Declaration the first annual election shall be held to determine the members of this committee. An owner of a parcel in the Addition shall have one vote for each parcel owned. A special election shall be held for a replacement member of the committee in the event a committee member must resign during the year. Only owners of lots in Golf View Addition Division II may serve on the committee.

The architectural committee is directed to take into consideration the suitability of grading or landscaping plans for esthetic purposes and consistency with the development of other lots. Concerning each proposed dwelling, modification or other proposed structure the committee shall take into consideration with respect to the house or other structures the materials to be used, the color scheme, the site on which they are proposed to be erected, the harmony with the surroundings, the topography of the land and the effect of the building or other structure on adjacent or neighboring lots.

Dated this 9th day of June, 1994.

Ronald N. Leistad
Ronald N. Leistad

Clarence E. Rogers
Clarence E. Rogers

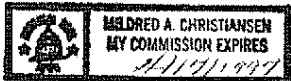
Judith A. Leistad
Judith A. Leistad

A. Christel Rogers
A. Christel Rogers

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STATE OF IOWA)
) SS.
MILLS COUNTY)

On this 9th day of June, 1994, before me, the undersigned, a Notary Public in and for said state, personally appeared Ronald N. Leistad and Judith A. Leistad to me known to be the identical persons named in and who executed the same as their voluntary act and deed.



Mildred A. Christiansen
Mildred A. Christiansen Notary Public

STATE OF IOWA)
) SS.
MILLS COUNTY)

On this 9th day of June, 1994, before me, the undersigned, a Notary Public in and for said state, personally appeared Clarold E. Rogers and A. Christel Rogers to me known to be the identical persons named in and who executed the same as their voluntary act and deed.



Mildred A. Christiansen
Mildred A. Christiansen Notary Public

CONSENT TO DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS WITH RESPECT TO GOLF VIEW ADDITION DIVISION II TO THE CITY OF GLENWOOD, MILLS COUNTY, IOWA:

The undersigned, Glenwood State Bank, consents to the filing of the Declaration of Covenants, Conditions, Restrictions and Easements with Respect to Golf View Addition Division II to the City of Glenwood, Mills County, Iowa.

ATTEST:

John C. Dean
John C. Dean
President, Glenwood State Bank

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