

COMPARED

12674

*Sub 52<sup>50</sup>*

STATE OF IOWA, Pottawattamie County  
Filed for record this 30 day of June  
1976 at 11:25 a.m. and recorded  
in book 26 page 31120

OWNER'S CERTIFICATION

*Donna L. Jensen*  
Recorder

By \_\_\_\_\_  
Deputy

On this 30th day of JUNE, 1976, TIMBERCREST VENTURE, LTD., an Iowa limited partnership, does hereby 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, and which real estate is more particularly described as follows:

A parcel of ground located in a part of the Northeast Quarter of the Southwest Quarter of Section 31, Township 75 North, Range 43 West of the 5th P.M. and the Southeast Quarter of the Southwest Quarter of Section 31, Township 75 North, Range 43 West of the 5th P.M., together with Lot 13, Greenwood Subdivision, all in Pottawattamie County, Iowa, more particularly described as follows:

Commencing at the Southeast corner of the Southwest Quarter of Section 31-75-43; thence North 00° 28' 13" West along the East line of the Southwest Quarter of Section 31-75-43 a distance of 432.41 feet to the point of beginning; thence North 52° 44' 48" West a distance of 337.35 feet; thence North 87° 22' 09" West a distance of 133.64 feet; thence South 32° 26' 00" West a distance of 122.37 feet; thence Northwesterly along a 359.61 foot radius curve to the left an arc distance of 94 feet to point of tangency; thence North 77° 10' 00" West a distance of 60.01 feet; thence North 76° 24' 44" West a distance of 133.92 feet; thence North 04° 33' 03" West a distance of 91.2 feet; thence North 09° 36' 53" East a distance of 10.99 feet; thence North 58° 47' 47" West a distance of 26.05 feet; thence North 20° 15' 00" East a distance of 127.36 feet; thence North 00° 19' 36" West a distance of 61.99 feet; thence North 29° 16' 09" West a distance of 71.24 feet to point of curvature; thence Northwesterly along a 120 foot radius curve to the left an arc distance of 100.11 feet to point of reverse curvature; thence Northwesterly along a 170.25 foot radius curve to the right an arc distance of 83.68 feet to a point of reverse curvature; thence Northwesterly along a 87.96 foot radius curve to the left an arc distance of 85.32 feet to point of tangency; thence South 75° 30' 58" West a distance of 15 feet; thence North 03° 23' 46" West a distance of 210.36 feet to the North line of Southeast Quarter of the Southwest Quarter of said Section 31; thence South 89° 58' 38" East along said North line a distance of 150 feet; thence North 00° 12' 46" East a distance of 366.69 feet; thence North 88° 19' 05" East a distance of 137.8 feet; thence Northerly along a 1100 foot

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radius curve to the left an arc distance of 23.69 feet to a point of tangency; thence North 02° 55' 00" West a distance of 48.31 feet; thence North 68° 37' 34" East a distance of 52.71 feet; thence North 87° 05' 01" East a distance of 140 feet; thence North 10° 51' 50" West a distance of 57.43 feet; thence North 69° 30' 48" East a distance of 125.73 feet; thence North 89° 51' 05" East a distance of 326.84 feet to the westerly right-of-way of Madison Avenue; thence South 24° 29' 41" East along said right-of-way a distance of 627.08 feet to the Southeast corner of Lot 13, Greenwood Subdivision; thence North 89° 58' 39" West a distance of 159.06 feet to the Northeast corner of the Southeast Quarter of the Southwest Quarter of said Section 31; thence South 00° 28' 13" East along the East line of the Southwest Quarter of said Section 31, a distance of 875 feet to the point of beginning.

Said plattors hereby state that they are the sole and only owners and proprietors in fee simple of the above described property. The addition of the above mentioned real estate is made with the consent and full knowledge of said plattors and in accordance with the desire that the above mentioned real estate be subdivided and that said addition be named Timbercrest First Addition in the City of Council Bluffs, Iowa. All of said lots are abutting on and laid out with reference to existing streets and avenues. The streets as laid out and shown on the accompanying plat, are hereby dedicated to the public for street purposes and such streets are to be known as Timbercrest Drive, Skyline Drive and Hawthorn Court.

TIMBERCREST VENTURE, LTD., An Iowa Limited Partnership

By CREATIVE LAND CONSULTANTS, INC., A Nebraska Corporation, General Partner

By Glenn I. Buck President

By G. E. Gollehon Secretary

STATE OF IOWA )  
 ) ss.  
COUNTY OF POTTAWATTAMIE )

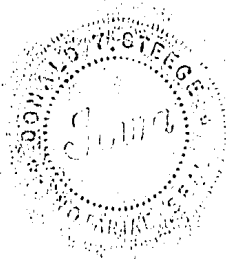
Now, on this 30th day of June, 1976, personally appeared before me, a Notary Public in and for said County, State of

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Iowa, Glenn L. Buck, and G. E. Gollehon, to me known to be the persons who executed the foregoing instrument and acknowledged that they executed the same as their voluntary act and deed for and on behalf of said Corporation, and who further being duly sworn say that they are the President and Secretary of Creative Land Consultants, Inc., and that the seal affixed to said instrument is the corporate seal of said corporation, and that said instrument was signed and sealed on behalf of said corporation under due authority under the Articles of Incorporation.

  
\_\_\_\_\_  
NOTARY PUBLIC



# COMPARED

## SURVEYOR'S CERTIFICATION

I, Clarence Roger Carrell, registered land surveyor, hereby certify that I have surveyed the following described real estate, to-wit:

A parcel of ground located in a part of the Northeast Quarter of the Southwest Quarter of Section 31, Township 75 North, Range 43 West of the 5th P.M. and the Southeast Quarter of the Southwest Quarter of Section 31, Township 75 North, Range 43 West of the 5th P.M., together with Lot 13, Greenwood Subdivision, all in Pottawattamie County, Iowa, more particularly described as follows:

Commencing at the Southeast corner of the Southwest Quarter of Section 31-75-43; thence North  $00^{\circ} 28' 13''$  West along the East line of the Southwest Quarter of Section 31-75-43 a distance of 432.41 feet to the point of beginning; thence North  $52^{\circ} 44' 48''$  West a distance of 337.35 feet; thence North  $87^{\circ} 22' 09''$  West a distance of 133.64 feet; thence South  $32^{\circ} 26' 00''$  West a distance of 122.37 feet; thence Northwesterly along a 359.61 foot radius curve to the left an arc distance of 94 feet to point of tangency; thence North  $77^{\circ} 10' 00''$  West a distance of 60.01 feet; thence North  $76^{\circ} 24' 44''$  West a distance of 133.92 feet; thence North  $04^{\circ} 33' 03''$  West a distance of 91.2 feet; thence North  $09^{\circ} 36' 53''$  East a distance of 10.99 feet; thence North  $58^{\circ} 47' 47''$  West a distance of 26.05 feet; thence North  $20^{\circ} 15' 00''$  East a distance of 127.36 feet; thence North  $00^{\circ} 19' 36''$  West a distance of 61.99 feet; thence North  $29^{\circ} 16' 09''$  West a distance of 71.24 feet to point of curvature; thence Northwesterly along a 120 foot radius curve to the left an arc distance of 100.11 feet to point of reverse curvature; thence Northwesterly along a 170.25 foot radius curve to the right an arc distance of 83.68 feet to a point of reverse curvature; thence Northwesterly along a 87.96 foot radius curve to the left an arc distance of 85.32 feet to point of tangency; thence South  $75^{\circ} 30' 58''$  West a distance of 15 feet; thence North  $03^{\circ} 23' 46''$  West a distance of 210.36 feet to the North line of Southeast Quarter of the Southwest Quarter of said Section 31; thence South  $89^{\circ} 58' 38''$  East along said North line a distance of 150 feet; thence North  $00^{\circ} 12' 46''$  East a distance of 366.69 feet; thence North  $88^{\circ} 19' 05''$  East a distance of 137.8 feet; thence Northerly along a 1100 foot radius curve to the left an arc distance of 23.69 feet to a point of tangency; thence North  $02^{\circ} 55' 00''$  West a distance of 48.31 feet; thence North  $68^{\circ} 37' 34''$  East a distance of 52.71 feet; thence North  $87^{\circ} 05' 01''$  East a distance of 140 feet; thence North  $10^{\circ} 51' 50''$  West a distance of 57.43 feet; thence North  $69^{\circ} 30' 48''$  East a distance of 125.73 feet; thence North  $89^{\circ} 51' 05''$  East a distance of 326.84 feet to the westerly right-of-way of Madison Avenue; thence South  $24^{\circ} 29' 41''$  East along said right-of-way a distance of 627.08 feet to the Southeast corner of Lot 13, Greenwood Subdivision; thence North  $89^{\circ} 58' 39''$  West a distance of 159.06 feet to the Northeast corner of the Southeast Quarter of the Southwest Quarter of said Section 31; thence South  $00^{\circ} 28' 13''$  East along the East line of the Southwest Quarter of said Section 31, a distance of 875 feet to the point of beginning.

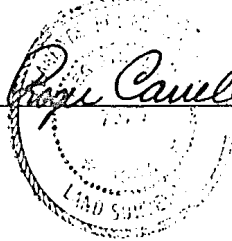
# COMPARED

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I further certify that on behalf of Timbercrest Venture, Ltd., an Iowa limited partnership, I have surveyed and staked with iron pins a parcel of land located in the Northeast Quarter of the Southwest Quarter of Section 31, Township 75 North, Range 43, West of the 5th P.M., and the Southeast Quarter of the Southwest Quarter of Section 31, Township 75 North, Range 43, West of the 5th P.M., together with Lot 13, Greenwood Subdivision, all in Pottawattamie County, Iowa, to be known as Timbercrest First Addition, in Council Bluffs, Iowa, consisting of Lots 1 through 56 inclusive, said plat giving the dimensions of each lot by length and width and that the width and the courses of the streets established therein are set out on the plat.

Dated this 17<sup>th</sup> day of May, 1976.

Clarence Pope Caull



# COMPARED

LAW OFFICES  
FOGGE, ROOT AND STEEGE

RAYMOND E. FOGGE  
THOMAS L. ROOT  
DONALD T. STEEGE

ASSOCIATE:  
JOHN D. LESLEY

TELEPHONE 322-2579  
AREA CODE 712

FEDERAL I. D. No. 42-0837223

308 FIRST FEDERAL SAVINGS & LOAN BLDG.  
COUNCIL BLUFFS, IOWA 51501

June 30, 1976

## ABSTRACT OPINION

TO: County Recorder  
County Treasurer  
Clerk of the District Court

This is to advise that I have examined the abstract of title to the following described real estate, to-wit:

A Parcel of ground located in a part of the NE $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 31, Township 75, Range 43 and the SE $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 31, Township 75, Range 43, together with Lot 13, Greenwood Subdivision, all in Council Bluffs, Pottawattamie County, Iowa, more particularly described as follows:

Commencing at the Southeast corner of the SW $\frac{1}{4}$  of Section 31, Township 75, Range 43; thence North 00° 28' 13" West along the East line of the SW $\frac{1}{4}$  of Section 31, Township 75, Range 43 a distance of 432.41 feet to the point of beginning; thence North 52° 44' 48" West a distance of 337.35 feet; thence North 87° 22' 09" West a distance of 133.64 feet; thence South 32° 26' 00" West a distance of 122.37 feet; thence Northwesterly along a 359.61 foot radius curve to the left an arc distance of 94 feet to a point of tangency; thence North 77° 10' 00" West a distance of 60.01 feet; thence North 76° 24' 44" West a distance of 133.92 feet; thence North 04° 33' 03" West a distance of 91.2 feet; thence North 09° 36' 53" East a distance of 10.99 feet; thence North 58° 47' 47" West a distance of 26.05 feet; thence North 20° 15' 00" East a distance of 127.36 feet; thence North 00° 19' 36" West a distance of 61.99 feet; thence North 29° 16' 09" West a distance of 71.24 feet to point of curvature; thence Northwesterly along a 120 foot radius curve to the left an arc distance of 100.11 feet to point of reverse curvature; thence Northwesterly along a 170.25 foot radius curve to the right an arc distance of 83.68 feet to a point of reverse curvature; thence Northwesterly along a 87.96 foot radius curve to the left an arc distance of 85.32 feet to point of tangency; thence South 75° 30' 58" West a distance of 15 feet; thence North 03° 23' 46" West a distance of 210.36 feet to the North line of SE $\frac{1}{4}$  of the SW $\frac{1}{4}$  of said Section 31; thence South 89° 58' 38" East along said North line a distance of 150 feet; thence North 00° 12' 46" East a distance of 366.69 feet; thence North 88° 19' 05"

East a distance of 137.8 feet; thence Northerly along a 1100 foot radius curve to the left an arc distance of 23.69 feet to a point of tangency; thence North 02° 55' 00" West a distance of 48.31 feet; thence North 68° 37' 34" East a distance of 52.71 feet; thence North 87° 05' 01" East a distance of 140 feet; thence North 10° 51' 50" West a distance of 57.43 feet; thence North 69° 30' 48" East a distance of 125.73 feet; thence North 89° 51' 05" East a distance of 326.84 feet to the Westerly Right-Of-Way of Madison Avenue; thence South 24° 29' 41" East along said Right-Of-Way a distance of 627.08 feet to the Southeast corner of Lot 13, Greenwood Subdivision; thence North 89° 58' 39" West a distance of 159.06 feet to the Northeast corner of the SE¼ of the SW¼ of said Section 31; thence South 00° 28' 13" East along the East line of the Southwest Quarter of said Section 31, a distance of 875 feet to the point of beginning. Said tract contains 24.34 acres, more or less.

I find that the abstract commences with the United States Government and that the abstract was prepared pursuant to Sections 614.29 to 614.38 of the 1975 Code of Iowa, Chapter 11 of the Iowa Land Title Examinations Standards and the Abstracting Standards of the Iowa Land Title Association and the abstract is continued to 11:20 o'clock A.M. on the 30th day of JULY, 1976, as certified by the Abstract Guaranty Company of Council Bluffs, Iowa.

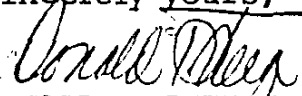
I find good and merchantable title to be vested in TIMBERCREST VENTURE LTD, an Iowa Limited Partnership.

I find that the general taxes for the year 1974 and prior years are paid. All previous taxes, including personal taxes applicable to said real estate, have been paid and there are no special assessments against said property.

I find that there is an easement to Iowa Power and Light Company to lay, maintain, operate, repair and remove underground conduit, wire, etc.

I find no other liens, judgments or encumbrances against said real estate.

Sincerely yours,

  
DONALD T. STEEGE  
Attorney at Law

DTS/dw

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

STATE OF IOWA )  
 ) ss.  
COUNTY OF POTTAWATTAMIE )

I, Charles R. Tellander, Chairman of the City Planning Commission of Council Bluffs, do hereby certify that at a meeting of the City Planning Commission duly held in Council Bluffs, Iowa, on the 6th day of April, 1976, there was passed and approved the final plat of Timbercrest First Addition in the City of Council Bluffs, Iowa.

Dated this 9th day of March, 1976.

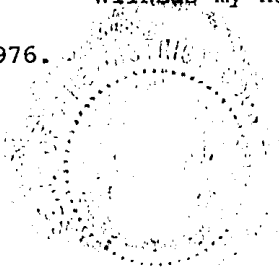
  
CHARLES R. TELLANDER, Chairman of  
the City Planning Commission

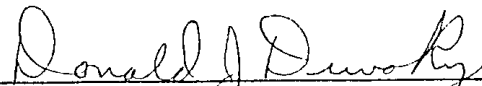
CLERK OF THE DISTRICT COURT'S CERTIFICATION

STATE OF IOWA )  
 ) ss.  
COUNTY OF POTTAWATTAMIE )

I, Donald Diwoy, being duly sworn on oath, depose and state that I am Clerk of the District Court of Pottawattamie County, Iowa, and I 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, is free and clear of 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 in this office.

WITNESS my hand and official seal this 30 day of June, 1976.



  
DONALD DIWOY, Clerk of the District Court



# COMPARED

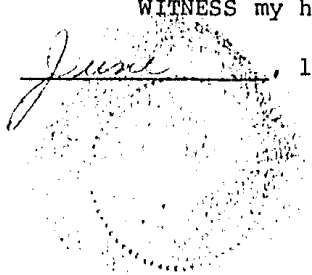
## TREASURER'S CERTIFICATION

STATE OF IOWA                    )  
   ) ss.  
 COUNTY OF POTTAWATTAMIE )

I, Judy Ann Miller, being first duly sworn on oath, depose and state that I am the Treasurer of Pottawattamie County, Iowa, and do hereby certify that the tract of land described in the foregoing Owner's Certification, said tract of land being laid out in town lots by the attached plat, is free and clear of any and all unpaid taxes and tax liens.

WITNESS my hand and official seal this 30 day of

June, 1976.



Judy Ann Miller by Merian D. Baker Deputy  
 TREASURER OF POTTAWATTAMIE COUNTY, IOWA

STATE OF IOWA                    )  
   ) ss.  
 COUNTY OF POTTAWATTAMIE )

I, Dorothy Letner, being first duly sworn on oath, depose and state that I am the Recorder of Pottawattamie County, Iowa, and I do hereby certify that the tract of land described in the foregoing Owner's Certification, said tract of land being laid out in town lots by the attached plat, is free and clear of any and all encumbrances and that title to said tract of land is in Timbercrest Venture, Ltd., an Iowa limited partnership.

WITNESS my hand ~~and official seal~~ this 30 day of June, 1976.

*Recorder has no seal*  
Dorothy Letner  
 RECORDER OF POTTAWATTAMIE COUNTY, IOWA

# COMPARED

## DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR TIMBERCREST FIRST ADDITION IN THE CITY OF COUNCIL BLUFFS, IOWA

THIS DECLARATION, made on the date hereinafter set forth by TIMBERCREST VENTURE, LTD., an Iowa Limited Partnership, hereinafter referred to as "Declarant";

WITNESS:

WHEREAS, Declarant is the owner of certain real property, which is more particularly described as:

Lots 1 through 56, inclusive, in Timbercrest First Addition,  
in Council Bluffs, as surveyed, platted and recorded in  
Pottawattamie County, Iowa.

and,

WHEREAS, Declarant will convey the said lots, subject to certain protective covenants, and restrictions, as hereinafter set forth:

NOW, THEREFORE, Declarant hereby declares that all of the lots described above shall be held, sold, and conveyed subject to the following restrictions, and covenants, all of which are for the purpose of enhancing and protecting the value, desirability, and attractiveness of the real property. These covenants, and restrictions shall run with the real property and shall be binding upon all parties having or acquiring any right, title or interest in the described lots or any part thereof, and shall inure to the benefit of each owner thereof.

### ARTICLE I USE RESTRICTIONS

A. The subject property is hereby restricted to residential dwellings for residential use and structures and uses related to the convenience and enjoyment of such residential use.

B. No animals, livestock, fowl or poultry of any kind shall be raised, bred or kept on any lot, except that dogs, cats, or other household pets maintained within the dwelling may be kept, provided they are not kept, bred or maintained for any commercial purpose. It is intended specifically to prohibit horses, ponies, or other animals sheltered outside the main dwelling.

C. No advertising signs (except one of not more than five square feet "For Rent" or "For Sale" sign per lot), billboards, unsightly objects or nuisances shall be erected, placed or permitted to remain on the premises, nor shall the premises be used in any way for any purpose which may endanger the health or unreasonably disturb the Owner of any lot or any resident thereof. Further, no business activities of any kind whatever shall be conducted in any building, or on any portion of the subject property. Provided, further, however, the foregoing covenants shall not apply to the business activities, signs and billboards, or the construction and maintenance of buildings, if any, of the Declarant, its agents and assigns during the construction and sale period.

D. No exterior television or radio antennae of any sort shall be placed, allowed or maintained upon any portion of the improvements to be located upon the premises, nor upon any structure situated upon said real property, unless approved in writing by the hereinafter mentioned architectural committee.

E. No noxious or offensive activity shall be carried on upon any lot, nor shall anything be done thereon which may be, or may become, an annoyance or nuisance to the neighborhood.

F. No repair of automobiles will be permitted outside of garages on any lot at any time; nor will any vehicle offensive to the neighborhood be visibly stored, parked or abandoned in the neighborhood.

G. No boat, camping trailer, snowmobile, auto-drawn trailer of any kind, mobile home, truck, jeep, motorcycle, grading or excavating equipment, or other heavy machinery or equipment, vehicle undergoing repair, or aircraft shall be stored outside the garage or in any manner left exposed on any lot at any time. Recreational vehicles may be kept on the premises provided they are fully screened from view from fronting street.

H. Except for the purpose of controlling erosion on vacant lots, no field crops shall be grown upon any lot at any time.

I. Vegetable gardens are prohibited on any yards adjoining streets.

J. No incenerator or trash burner shall be permitted on any lot. No fuel tank shall be permitted to remain outside of any dwelling, except on

## COMPARED

garbage pick-up days, no garbage or trash can shall be permitted outside of any dwelling unless fully screened from view (not visible from street or neighboring lots). No garden lawn or maintenance equipment of any kind whatsoever shall be stored or permitted to remain outside of any dwelling except when in actual use. No garage door shall be permitted to remain open except when entry to and exit from the garage are required. Any exterior air conditioning condenser unit shall be placed in the rear or side yard.

K. Dwellings shall not be moved from outside of *TIMBERCREST FIRST ADDITION* to any lot within this subdivision.

L. Exposed portions of the foundation of each dwelling are to be covered with either siding or brick unless approved in writing by the hereinafter described architectural committee.

M. A dwelling on which construction has begun must be completed within one (1) year from the date the foundation was dug for said dwelling.

N. The roof of each dwelling shall be constructed of wood shingles unless substituted roofing material is approved in writing by the hereinafter described architectural committee.

O. No structure of a temporary character, trailer, basement, tent, shack, or other outbuilding shall be erected upon, or used, on any lot at any time as a residence, either temporarily or permanently.

P. No unused building material, junk, or rubbish shall be left exposed on any lot at any time.

Q. No stable or other shelter for any animal, livestock, fowl or poultry shall be erected, altered, placed or permitted to remain on any lot except that a dog house shall be permitted provided the construction plans and specifications and the location of the proposed structure have been first approved in writing by the hereinafter described architectural committee.

R. Only wood fencing or other type of fencing approved by the hereinafter described architectural committee shall be allowed.

S. No trees with trunks over three inches in diameter shall be moved, removed, damaged or destroyed without prior written approval of the hereinafter described architectural committee.

T. All telephone and electric power service lines shall be underground.

ARTICLE II  
ARCHITECTURAL CONTROL

A. The Architectural Committee shall originally consist of five persons appointed by Declarant. Said original members need not be residents of Timbercrest First Addition. Upon the resignation, for any reason, of one of the committee members, the remaining members shall promptly appoint a replacement. Until such appointment has been made, the remaining members shall exercise the committee's authority. All future members, other than the original five members appointed by Declarant, must be property owners in the Timbercrest First Addition. On or before December 31, 1983, the committee must vote to replace any member not living in Timbercrest First Addition with a resident of Timbercrest First Addition. Any member not residing in Timbercrest First Addition must, after voting with the committee to select a resident replacement, resign on or before said date.

B. The approval or disapproval of the Architectural Committee as required in these covenants shall be in writing. Written approval or disapproval must be signed by a majority of the Committee members and mailed or delivered to the applicant's last known address. In case of disapproval, the Committee shall include a statement of the reasons for disapproval and shall indicate in a general way, the kind of plans and specifications which the Committee will approve for the subject property. Failure of the Committee to give either written approval or written disapproval of a submitted plan within thirty (30) days after submission of said plan, by mailing such written approval or disapproval to the last known address of the applicant for approval as shown on the submitted plan, shall operate to release such building plot from the Architectural Committee control provisions of these restrictions in regard to said submitted plan.

C. Unless approved in writing by the Architectural Committee, no building shall be created, altered, placed, or permitted to remain on any lot other than one detached single-family dwelling not to exceed two stories in height, nor containing finished living areas, exclusive of porches, breezeways, carports, and garages of less than: 1,200 square feet on the ground floor for a one-story

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house, unless it has a basement garage, in which case 1,300 square feet shall be required on the ground floor; 1,200 square feet on the ground floor for a one and one-half story house; 1,800 square feet above basement level with 1,000 square feet on the main floor for a two-story house; 1,550 square feet of living area above ground for a bi-level, tri-level, or a split-level house; and 1,300 square feet of main floor living area for a split-entry house; nor having a garage for less than two automobiles. The Architectural Committee shall have the right to define the terms one-story house; one and one-half story house; two story house; bi-level, tri-level, or split-level house; and split-entry house. Houses of unusual design and not included in the categories herein listed will be considered on an individual basis. Square foot areas are to be computed to the outside surface of enclosing walls.

D. No building, fence, landscaping or other structure or improvement, including but not limited to playground equipment, storage sheds, antennae, rock gardens, fountains, statues, trees, and shrubs, shall be commenced, erected or maintained upon the premises, nor shall any exterior painting, resurfacing, addition to or change or alteration therein, be made until plans and specifications showing the nature, kind and shape, heights, materials, color of paint, and location of the same shall have been submitted to and approved in writing as to harmony of external design, color, and location in relation to surrounding structures and topography by the Architectural Committee.

E. The Architectural Committee shall have the right to disapprove any such plans or specifications or grading or landscaping plans which are not suitable or desirable in the Committee's opinion for aesthetic or other reasons, and in passing upon such plans, specifications, grading or landscaping plans, the Committee shall have the right to take into consideration the suitability of the proposed building or other structure and of the materials of which it is to be built, the color scheme, the site upon which it is proposed to erect the same, the harmony thereof with the surroundings, the topography of the land and the effect of the building or other structure or landscaping as planned on the outlook from the adjacent or neighboring property, and if it is in accordance with all of the provisions of this declaration.

F. The Committee may disapprove if the plans and specifications submitted are incomplete, or in the event the Committee deems the plans, specifications, details or any part thereof, to be contrary to the spirit or interest of these conditions and restrictions. The decisions of the Committee shall be final.

G. Neither the undersigned nor any architect or agent of the undersigned nor any member of the Committee by virtue of his membership thereon, or discharge of his duties required thereby, shall be responsible in any way for any defects in any plans or specifications submitted, revised or approved in accordance with the foregoing, nor for any structural or other defects in any work done according to such plans or specifications. No building or improvements of any kind constructed or placed upon any of said lots thereafter shall be moved without the prior written approval of the Committee.

ARTICLE III  
GENERAL PROVISIONS

A. Enforcement The Declarant or any Owner, shall have the right to enforce, by a proceeding at law or in equity, all restrictions, conditions, covenants, and reservations, now or hereinafter imposed by the provisions of this Declaration, either to prevent or restrain any violation of same, or to recover damages or other dues for such violation. Failure by the Declarant or by any Owner to enforce any covenant or restriction herein contained shall in no event be deemed a waiver of the right to do so thereafter.

B. Amendment The Covenants and restrictions of this Declaration shall run with and bind the land, for a term of twenty-five (25) years from the date this Declaration is recorded, after which time they shall be automatically extended for successive periods of ten (10) years. This Declaration may be amended by Declarant as it sees fit for a period of five (5) years from the date hereof. This Declaration may be amended by an instrument signed by the

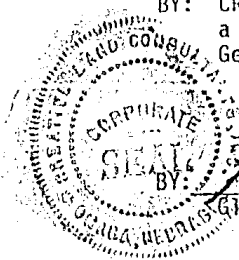
owners of not less than seventy-five percent (75%) of the lots. Any amendment must be recorded.

EXECUTED this 1st day of May, 1976.

TIMBERCREST VENTURE, LTD.,  
an Iowa Limited Partnership

BY: CREATIVE LAND CONSULTANTS, INC.,  
a Nebraska Corporation,  
General Partner

ATTEST:



*Glenn L. Buck*  
\_\_\_\_\_  
Glenn L. Buck, President

*E. M. Gollehon*  
\_\_\_\_\_  
E. M. Gollehon, Secretary

STATE OF NEBRASKA )  
                          ) ss.  
COUNTY OF DOUGLAS )

On the date last above written, before me, the undersigned, a Notary Public in and for said County, personally came GLENN L. BUCK, president of CREATIVE LAND CONSULTANTS, INC., a Nebraska Corporation, which corporation is to me personally known to be the General Partner of TIMBERCREST VENTURE, LTD., and Iowa Limited Partnership, and said GLENN L. BUCK, the identical person whose name is affixed to the foregoing Declaration, and acknowledged the execution thereof to be his voluntary act and deed on behalf of said Corporation for said Limited Partnership.

WITNESS my hand and Notarial Seal at Omaha, in said County, on the date last above written.



*Faymone Betzer*  
\_\_\_\_\_  
Notary Public

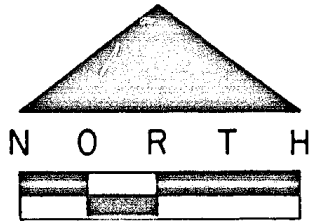
My commission expires: June 7, 1978.



COMPARED

# TIMBERCREST 1

LOCATED IN A PART OF THE NORTHEAST QUARTER OF THE SOUTHWEST  
RANGE 43 WEST OF THE 5TH P.M., AND THE SOUTHEAST QUARTER  
TOWNSHIP 75 NORTH, RANGE 43 WEST OF THE 5TH P.M., TOGETHER  
ALL IN POTTAWATTAMIE COUNTY, IOWA.



0 50 100 200

DWG. NO. 767A-12

DATE: JAN. 14, 1976

$L. 69^{\circ}30'48'' E. 125.73'$   
 $L. 10^{\circ}51'50'' N. 57.43'$   
 $L. 87^{\circ}05'01'' E. 140'$   
 $L. 68^{\circ}37'34'' E. 52.71'$   
 $L. 02^{\circ}55'00'' N. 48.31'$   
 $R=1100'$   
 $A=23.69'$   
 $L. 88^{\circ}19'05'' E. 137.8'$

$5.89^{\circ}58'38'' E. 150'$   
M.Y. COR. OF THE SE  $\frac{1}{4}$  OF  
S.  $\frac{1}{4}$  SEC. 31-75-43

$L. 03^{\circ}23'46'' N. 210.36'$

$S. 75^{\circ}30'58'' N. 15'$

$R=87.96'$   
 $A=85.32'$

$R=170.25'$   
 $A=83.68'$

$R=120'$   
 $A=100.11'$

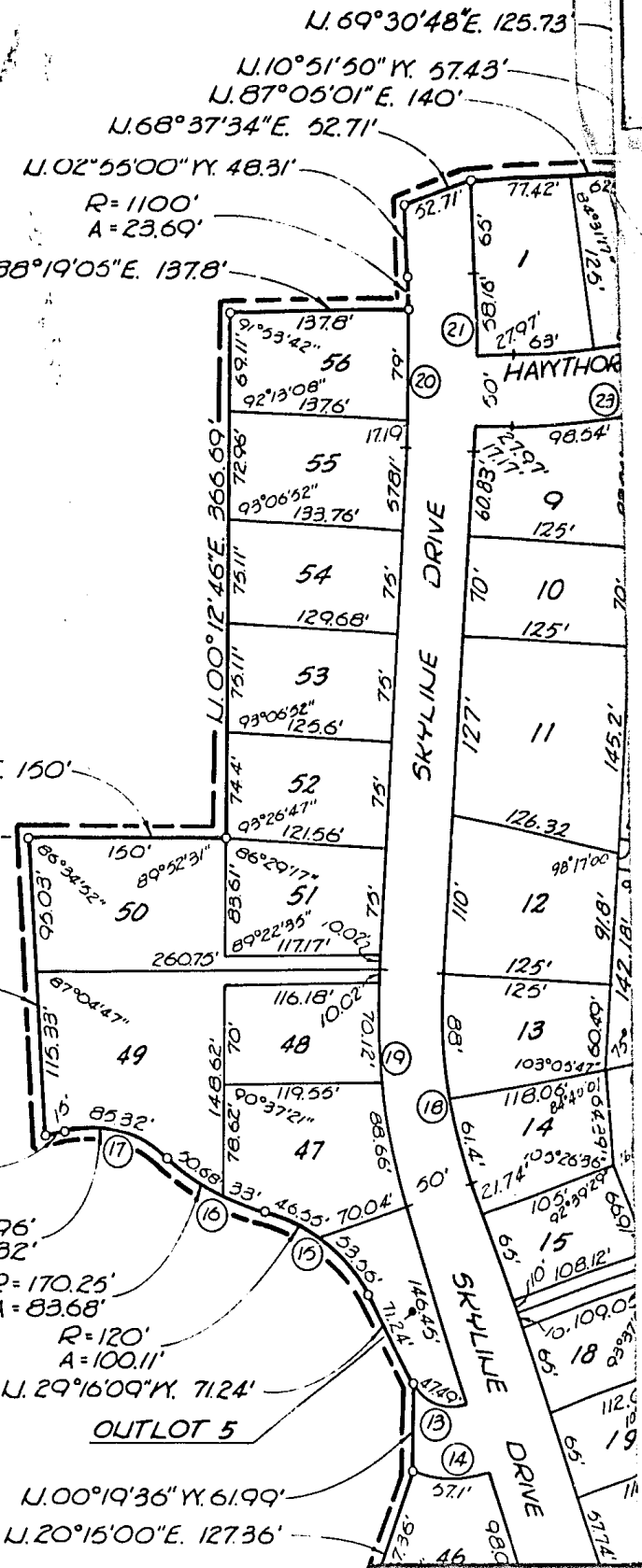
$L. 29^{\circ}16'09'' N. 71.24'$

OUTLOT 5

$L. 00^{\circ}19'36'' N. 61.99'$

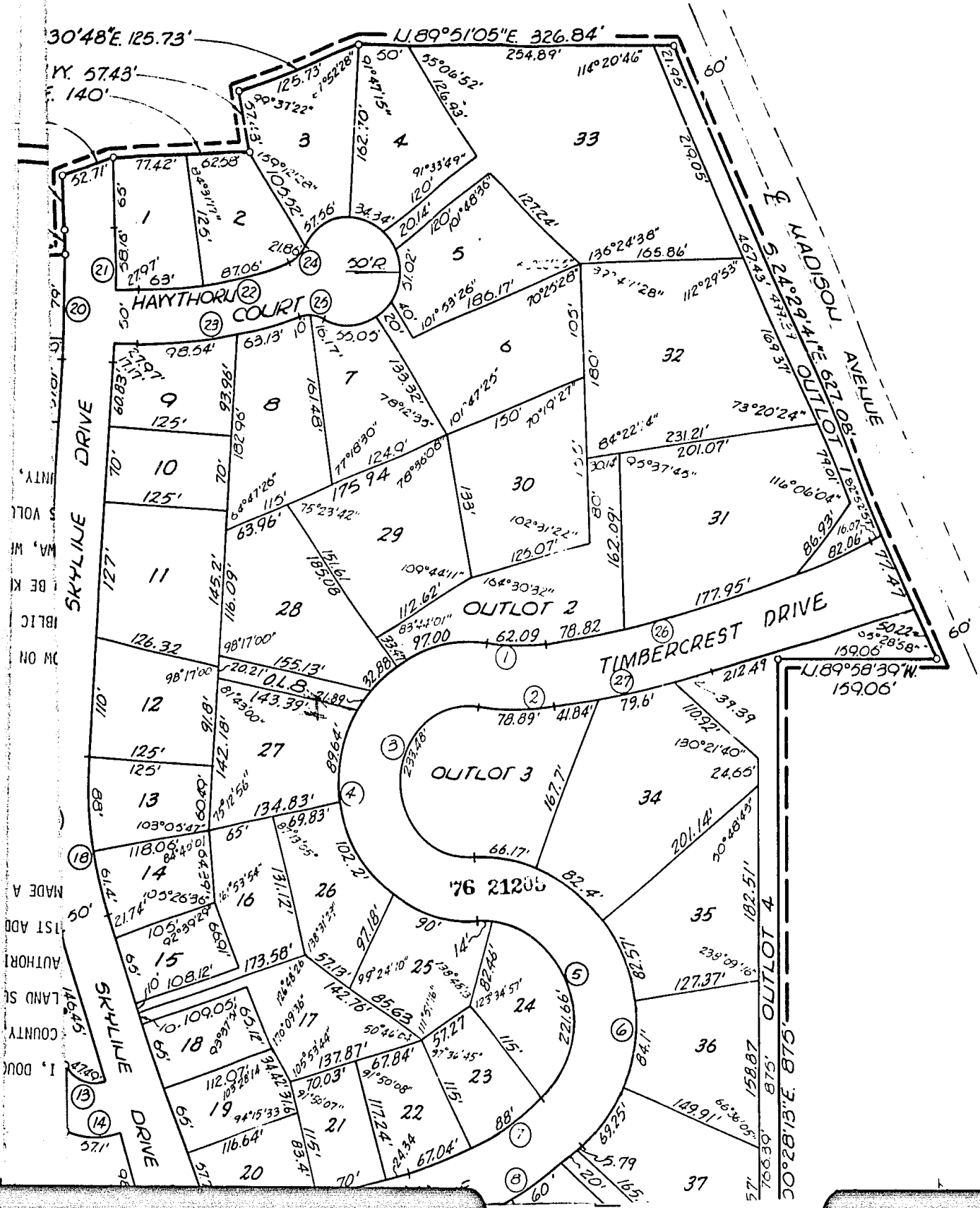
$L. 20^{\circ}15'00'' E. 127.36'$

76 21204



# LOT 1ST ADDITION

QUARTER OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 75 NORTH,  
 THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 31,  
 THE 5TH P.M., TOGETHER WITH LOT 13, GREENWOOD SUBDIVISION,



MADE A  
 1ST ADD  
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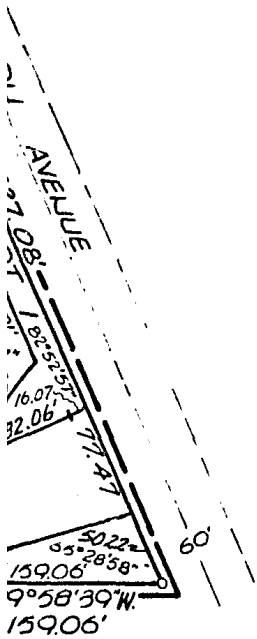


SURVEYORS CERTIFICATE

TIMBERCREST 1ST ADDITION

I, CLARENCE ROGER CARRELL, REGISTERED LAND SURVEYOR, DO HEREBY CERTIFY THAT I HAVE SURVEYED THE PROPERTY DESCRIBED BELOW, ALL IN POTTAWATTAMIE COUNTY, IOWA. A PART OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 75 NORTH, RANGE 43 WEST OF THE 5TH P.M. AND THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 75 NORTH, RANGE 43 WEST OF THE 5TH P.M., TOGETHER WITH LOT 13, GREENWOOD SUBDIVISION, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SECTION 31-75-43; THENCE NORTH 00°28'13" WEST ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF SECTION 31-75-43 A DISTANCE OF 432.41 FEET TO POINT OF BEGINNING; THENCE NORTH 52°44'48" WEST A DISTANCE OF 337.35 FEET; THENCE NORTH 87°22'09" WEST A DISTANCE OF 133.64 FEET; THENCE SOUTH 32°26'00" WEST A DISTANCE OF 122.37 FEET; THENCE NORTHWESTERLY ALONG A 359.61 FOOT RADIUS CURVE TO THE LEFT AN ARC DISTANCE OF 94 FEET; THENCE NORTH 77°10'00" WEST A DISTANCE OF 60.01 FEET; THENCE NORTH 76°24'44" WEST A DISTANCE OF 133.92 FEET; THENCE NORTH 04°33'03" WEST A DISTANCE OF 91.2 FEET; THENCE NORTH 09°36'53" EAST A DISTANCE OF 10.99 FEET; THENCE NORTH 58°47'47" WEST A DISTANCE OF 26.05 FEET; THENCE NORTH 20°15'00" EAST A DISTANCE OF 127.36 FEET; THENCE NORTH 00°19'36" WEST A DISTANCE OF 61.99 FEET; THENCE NORTH 29°16'09" WEST A DISTANCE OF 71.24 FEET TO POINT OF CURVATURE; THENCE NORTHWESTERLY ALONG A 120 FOOT RADIUS CURVE TO THE LEFT AN ARC DISTANCE OF 100.11 FEET TO POINT OF REVERSE CURVATURE; THENCE NORTHWESTERLY ALONG A 170.25 FOOT RADIUS CURVE TO THE RIGHT AN ARC DISTANCE OF 83.68 FEET TO A POINT OF REVERSE CURVATURE; THENCE NORTHWESTERLY ALONG A 87.96 FOOT RADIUS CURVE TO THE LEFT AN ARC DISTANCE OF 35.32 FEET TO POINT OF TANGENCY; THENCE SOUTH 75°30'58" WEST A DISTANCE OF 15 FEET; THENCE NORTH 03°23'46" WEST A DISTANCE OF 210.36 FEET TO THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 31; THENCE SOUTH 89°58'38" EAST ALONG SAID NORTH LINE, A DISTANCE OF 150 FEET; THENCE NORTH 00°12'46" EAST A DISTANCE OF 366.69 FEET; THENCE NORTH 38°19'05" EAST A DISTANCE OF 137.8 FEET; THENCE NORTHERLY ALONG A 1100 FOOT RADIUS CURVE TO THE LEFT AN ARC DISTANCE OF 23.69 FEET TO A POINT OF TANGENCY; THENCE NORTH 02°55'00" WEST A DISTANCE OF 48.31 FEET; THENCE NORTH 68°37'34" EAST A DISTANCE OF 52.71 FEET; THENCE NORTH 87°05'01" EAST A DISTANCE OF 140 FEET; THENCE NORTH 10°51'50" WEST A DISTANCE OF 57.43 FEET; THENCE NORTH 69°30'48" EAST A DISTANCE OF 125.73 FEET; THENCE NORTH 89°51'05" EAST A DISTANCE OF 326.84 FEET TO THE WESTERLY RIGHT-OF-WAY OF MADISON AVENUE; THENCE SOUTH 24°29'41" EAST ALONG SAID RIGHT-OF-WAY A DISTANCE OF 627.08 FEET TO THE SOUTHEAST CORNER OF LOT 13, GREENWOOD SUBDIVISION; THENCE NORTH 89°58'39" WEST A DISTANCE OF 159.96 FEET TO THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER



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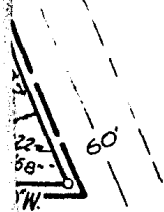
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76 21206

76 21207

OWNERS CERTIFICATE

GLENN L. BUCK, PRESIDENT OF CREATIVE LAND CONSULTANTS, INC., A NEBRASKA CORPORATION, GENERAL PARTNER OF TIMBERCREST VENTURE, LTD., AN IOWA LIMITED PARTNERSHIP, BEING FIRST JULY SWORN ON OATH, DEPOSES AND SAYS THAT SAID LIMITED PARTNERSHIP IS THE SOLE OWNER AND PROPRIETOR OF THE REAL ESTATE DESCRIBED IN THE SURVEYORS CERTIFICATE ATTACHED HERETO, TO BE KNOWN AS TIMBERCREST 1ST ADDITION AND ACKNOWLEDGES THAT THE DESCRIBED REAL ESTATE HAS BEEN SUBDIVIDED AND A PLAT CAUSED TO BE MADE OF SAID REAL ESTATE BY A REGISTERED LAND SURVEYOR OF THE STATE OF IOWA, AND SAID REAL ESTATE HAS BEEN SUBDIVIDED INTO SINGLE-FAMILY LOTS. THAT THE SUBDIVISION INTO SAID LOTS IS MADE WITH SAID LIMITED PARTNERSHIP'S FULL KNOWLEDGE AND CONSENT AND SAID LIMITED PARTNERSHIP HEREBY VEDICATES TO THE PUBLIC FOR STREET PURPOSES, PLATTED ROADWAYS OR STREETS AS LAID OUT AND SHOWN ON THIS PLAT FOR USE IN PROVIDING INGRESS AND EGRESS TO THE LOTS SHOWN IN SAID SUBDIVISION AND THE USE OF SAID REAL ESTATE OR ROADWAYS SHALL CONSTITUTE A RIGHT APPURTENANT TO ALL LOTS IN SAID SUBDIVISION, SAID STREETS TO BE KNOWN AS SKYLINE DRIVE, TIMBERCREST DRIVE AND HAWTHORN COURT AS DONE BY THE AUDITOR OF POTTAWATTAMIE COUNTY, IOWA.

TIMBERCREST VENTURE, LTD.  
an Iowa Limited Partnership

By: CREATIVE LAND CONSULTANTS, INC.  
a Nebraska corporation, General  
Partner of said Limited Partner-  
ship,

By *Glenn L. Buck*  
President

STATE OF )  
                  ) SS.  
COUNTY OF )

ON THIS 16<sup>th</sup> DAY OF January, 1976, BEFORE ME, A NOTARY PUBLIC, DULY COMMISSIONED AND QUALIFIED IN AND FOR SAID COUNTY AND STATE, PERSONALLY CAME GLENN L. BUCK, PRESIDENT OF CREATIVE LAND CONSULTANTS, INC., A NEBRASKA CORPORATION, AS THE GENERAL PARTNER OF TIMBERCREST VENTURE, LTD., AN IOWA LIMITED PARTNERSHIP, TO ME PERSONALLY KNOWN TO BE THE IDENTICAL PERSON WHO EXECUTED THE AFOREGOING INSTRUMENT, TO ME PERSONALLY KNOWN TO BE THE OFFICER OF SAID CORPORATION, AND SAID CORPORATION TO ME PERSONALLY KNOWN TO BE THE GENERAL PARTNER OF SAID LIMITED PARTNERSHIP, AND ACKNOWLEDGED THE EXECUTION OF SAID INSTRUMENT TO BE HIS VOLUNTARY ACT AND DEED AS AN INDIVIDUAL AND OFFICER OF SAID CORPORATION, THE VOLUNTARY ACT AND DEED OF SAID CORPORATION AS A CORPORATION AND AS THE GENERAL PARTNER OF THE LIMITED PARTNERSHIP, AND THE VOLUNTARY ACT AND DEED OF SAID LIMITED PARTNERSHIP.

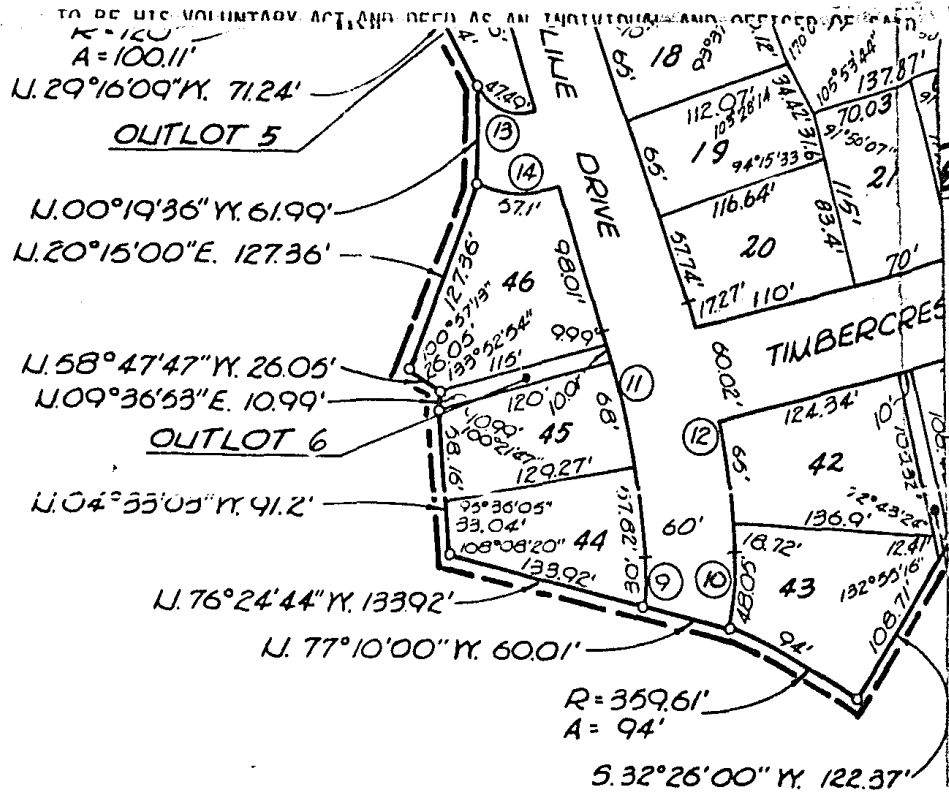
76 21208

76 21207



*Jaymone Betzer*  
NOTARY PUBLIC

76 21204



CURVE DATA

NO.	DELTA	T	R	D	L
1	16°02'18"	31.25	221.82	25.82995	62.09
2	24°53'00"	39.70	281.82	20.33069	78.89
3	197°11'19"	-463.15	70.00	81.85108	240.91
4	197°11'20"	-860.14	130.00	44.07367	447.41
5	142°36'45"	257.12	87.00	65.85718	216.55
6	142°36'45"	434.45	147.00	38.97671	365.89
7	32°25'25"	96.28	331.14	17.30278	187.39
8	32°25'25"	113.72	391.14	14.64855	221.34
9	15°37'34"	15.09	110.00	52.08700	30.00
10	16°11'38"	24.19	170.00	33.70338	48.05
11	14°30'17"	73.30	576.00	9.94718	145.82
12	14°30'17"	80.94	636.00	9.90877	161.01
13	81°05'09"	28.71	33.56	170.72962	47.49
14	39°09'21"	29.72	83.56	68.56896	57.10
15	47°47'50"	53.17	120.00	47.74654	100.11
16	28°09'38"	42.70	170.25	33.65411	83.68
17	55°34'40"	46.36	87.96	65.13701	85.32
18	22°14'01"	75.65	385.00	14.88201	149.40
19	22°14'01"	85.48	435.00	13.17144	168.80
20	06°14'39"	60.00	1100.00	5.20871	119.88
21	06°14'39"	62.73	1150.00	4.98224	125.33
22	22°55'40"	76.05	375.00	15.27889	150.06
23	21°47'45"	81.83	425.00	13.48138	161.67
24	41°45'15"	11.44	30.00	190.98856	21.86
25	49°58'25"	13.98	30.00	190.98611	26.17
26	15°57'48"	170.52	1216.12	4.71136	338.83
27	07°13'16"	80.52	1276.12	4.48985	160.83

APPROVAL OF COUNCIL BLUFF

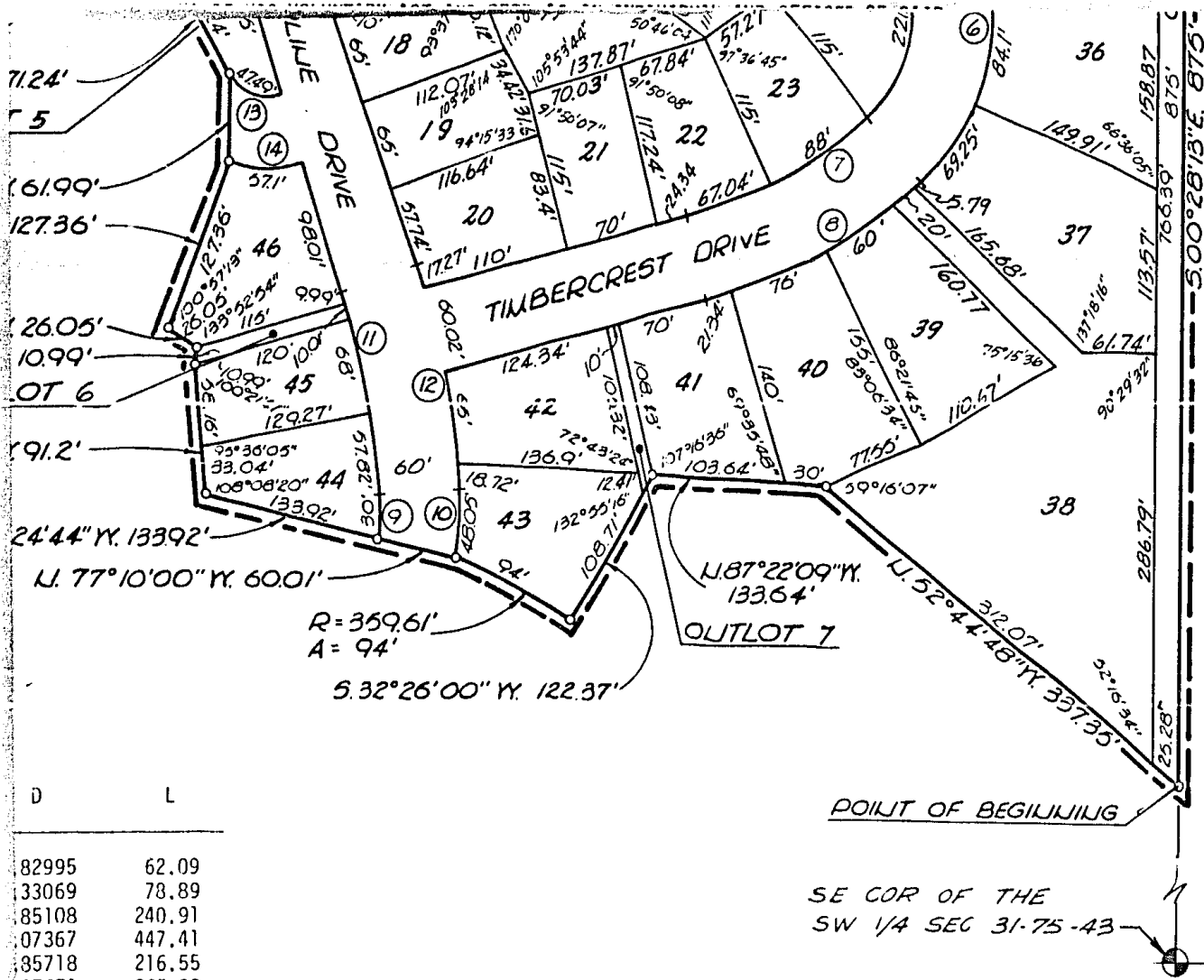
THIS PLAT OF TIMBERCREST  
ENGINEER ON THIS 6

APPROVAL OF COUNCIL BLUFF

THIS PLAT OF TIMBERCREST  
PLANNING COMMISSION ON TH

76 21209

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D	L
82995	62.09
33069	78.89
85108	240.91
07367	447.41
85718	216.55
97671	365.89
30278	187.39
64855	221.34
08700	30.00
70338	48.05
94718	145.82
00877	161.01
72962	47.49
56896	57.10
74654	100.11
65411	83.68
13701	85.32
88201	149.40
17144	168.80
20871	119.88
98224	125.33
27889	150.06
48138	161.67
98856	21.86
98611	26.17
71136	338.83
48985	160.83

APPROVAL OF COUNCIL BLUFFS CITY ENGINEER

THIS PLAT OF TIMBERCREST 1ST ADDITION WAS APPROVED BY THE COUNCIL BLUFFS CITY ENGINEER ON THIS 6 DAY OF April, 19 76, A.D.

*A. R. Pearce*  
CITY ENGINEER

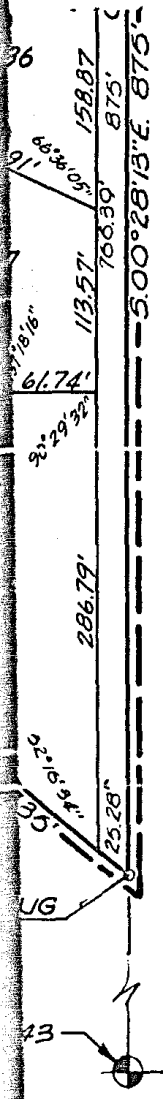
APPROVAL OF COUNCIL BLUFFS CITY PLANNING COMMISSION

THIS PLAT OF TIMBERCREST 1ST ADDITION WAS APPROVED BY THE COUNCIL BLUFFS CITY PLANNING COMMISSION ON THIS 9 DAY OF MARCH, 19 76, A.D.

CHAIRMAN *Paul K. ...*  
COUNCIL BLUFFS CITY PLANNING COMMISSION

76 21210

"I (WE) HEREBY CERTIFY THAT WE WILL MEET ALL EQUAL"



"I (WE) HEREBY CERTIFY THAT WE WILL MEET ALL EQUAL OPPORTUNITY AND FAIR MARKETING OBJECTIVES CONSISTENT WITH FEDERAL, STATE AND LOCAL GUIDELINES."

*Clarence Roger Carrell*

DATE 1976

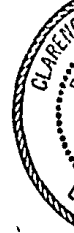
EAST A DISTANCE OF 125.73 FEET; THENCE NORTH 89°51'05" EAST A DISTANCE OF FEET TO THE WESTERLY RIGHT-OF-WAY OF MADISON AVENUE; THENCE SOUTH 24°29'41" ALONG SAID RIGHT-OF-WAY A DISTANCE OF 627.08 FEET TO THE SOUTHEAST CORNER OF LOT 13, GREENWOOD SUBDIVISION; THENCE NORTH 89°58'39" WEST A DISTANCE OF 15 FEET TO THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUAR OF SAID SECTION 31; THENCE SOUTH 00°28'13" EAST ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 31, A DISTANCE OF 875 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINS 24.31 ACRES, MORE OR LESS.

I FURTHER CERTIFY THAT THE PLAT OF SAID PROPERTY WAS MADE UNDER MY PERSONAL SUPERVISION ON BEHALF OF CREATIVE LAND CONSULTANTS, INC., THE PROPRIETORS, WITH REFERENCE TO KNOWN MONUMENTS, AND THAT THE PLAT ACCURATELY DESCRIBES ALL DIMENSIONS OF THE SUBDIVISION OF TIMBERCREST 1ST ADDITION BY LENGTH AND BREADTH AND THE BREADTH AND COURSE OF ALL BOUNDARIES CERTIFIED HEREIN.

DATED THIS 4<sup>TH</sup> DAY OF January, 1976, A.D.

*Clarence Roger Carrell*  
*Clarence Roger Carrell*  
 CLARENCE ROGER CARRELL  
 REGISTERED LAND SURVEYOR  
 IOWA L.S. #7575



BLUFFS CITY

APPROVAL OF COUNCIL BLUFFS CITY COUNCIL

THIS PLAT OF TIMBERCREST 1ST ADDITION WAS APPROVED BY THE COUNCIL BLUFFS CITY COUNCIL ON THIS 5<sup>TH</sup> DAY OF April, 1976, A.D.

*Dennis Anderson*  
 MAYOR

BLUFFS CITY  
 , A.D.

ATTEST: *Elmer J. Weopthal*  
 CITY CLERK

*Marlene*  
 PLANNING COMMISSION

76 21211



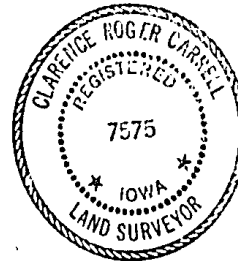
A DISTANCE OF 125.73 FEET; THENCE NORTH 89°51'05" EAST A DISTANCE OF 326.84  
 TO THE WESTERLY RIGHT-OF-WAY OF MADISON AVENUE; THENCE SOUTH 24°29'41" EAST  
 SAID RIGHT-OF-WAY A DISTANCE OF 627.08 FEET TO THE SOUTHEAST CORNER OF  
 13, GREENWOOD SUBDIVISION; THENCE NORTH 89°58'39" WEST A DISTANCE OF 159.06  
 TO THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER  
 SAID SECTION 31; THENCE SOUTH 00°28'13" EAST ALONG THE EAST LINE OF THE  
 SOUTHWEST QUARTER OF SAID SECTION 31, A DISTANCE OF 875 FEET TO THE POINT OF  
 BEGINNING.

SAID TRACT CONTAINS 24.31 ACRES, MORE OR LESS.

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 WITH REFERENCE TO KNOWN MONUMENTS, AND THAT THE PLAT ACCURATELY DESCRIBES ALL  
 DIMENSIONS OF THE SUBDIVISION OF TIMBERCREST 1ST ADDITION BY LENGTH AND BREADTH,  
 AND THE BREADTH AND COURSE OF ALL BOUNDARIES CERTIFIED HEREIN.

DONE THIS 4<sup>TH</sup> DAY OF January, 1976, A.D.

*Laurence Roger Carrell*  
*Laurence Roger Carrell*  
 CLARENCE ROGER CARRELL  
 REGISTERED LAND SURVEYOR  
 L.S. #7575



RESOLUTION OF COUNCIL BLUFFS CITY COUNCIL

THE PLAT OF TIMBERCREST 1ST ADDITION WAS APPROVED BY THE COUNCIL BLUFFS CITY

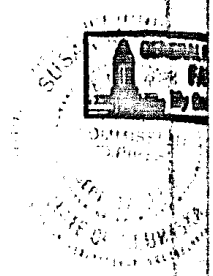
COUNCIL ON THIS 5<sup>TH</sup> DAY OF April, 1976, A.D.

*Donna Anderson*  
 MAYOR

ATTEST:

*Elmer J. Weopthal*  
 CITY CLERK

TO BE HIS VOLUNTARY  
 CORPORATION, THE VO  
 CORPORATION AND AS  
 AND THE VOLUNTARY A



I, DOUGLAS D. PRIMM  
 COUNTY, STATE OF IO  
 LAND SURVEYOR'S CER  
 AUTHORIZED BY CHAPT  
 1ST ADDITION, AND A  
 MADE A PART THEREOF

NOW ON THIS 15<sup>TH</sup>  
 PUBLIC IN AND FOR P  
 TO BE KNOWN TO BE T  
 IOWA, WHO ACKNOWLED  
 HIS VOLUNTARY ACT A  
 COUNTY, STATE OF IO

TO BE HIS VOLUNTARY ACT AND DEED AS AN INDIVIDUAL AND OFFICER OF SAID CORPORATION, THE VOLUNTARY ACT AND DEED OF SAID CORPORATION AS A CORPORATION AND AS THE GENERAL PARTNER OF THE LIMITED PARTNERSHIP, AND THE VOLUNTARY ACT AND DEED OF SAID LIMITED PARTNERSHIP.



*Jaymon Betzer*  
NOTARY PUBLIC

AUDITOR'S CERTIFICATE

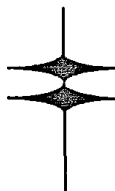
I, DOUGLAS D. PRIMMER, THE DULY ELECTED AND QUALIFIED AUDITOR OF POTTAWATTAMIE COUNTY, STATE OF IOWA, DO HEREBY CERTIFY THAT THE PROPERTY DESCRIBED IN THE LAND SURVEYOR'S CERTIFICATE ATTACHED HERETO, BE AND IT IS HEREBY SUBDIVIDED AS AUTHORIZED BY CHAPTER 409, CODE OF IOWA, AS AMENDED, TO BE KNOWN AS TIMBERCREST 1ST ADDITION, AND AS SHOWN BY THE PLAT TO WHICH THIS CERTIFICATE ATTACHED AND MADE A PART THEREOF.

*Douglas D. Primmer*  
DOUGLAS D. PRIMMER  
POTTAWATTAMIE COUNTY AUDITOR

ACKNOWLEDGEMENT OF NOTARY

NOW ON THIS 15<sup>TH</sup> DAY OF April, 1976, BEFORE ME, A NOTARY PUBLIC IN AND FOR POTTAWATTAMIE COUNTY, STATE OF IOWA, APPEARED DOUGLAS D. PRIMMER, TO BE KNOWN TO BE THE DULY ELECTED AND QUALIFIED AUDITOR OF POTTAWATTAMIE COUNTY, IOWA, WHO ACKNOWLEDGED THAT HE EXECUTED THE ABOVE AND FOREGOING CERTIFICATE AS HIS VOLUNTARY ACT AND DEED IN HIS OFFICIAL CAPACITY AS AUDITOR OF POTTAWATTAMIE COUNTY, STATE OF IOWA.

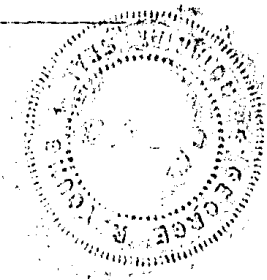
*George R. Young*  
NOTARY PUBLIC



GOLLEHON, SCHEMMER & ASSOCIATES, INC.

ARCHITECTS — ENGINEERS — PLANNERS  
OMAHA, NEBRASKA — DAVENPORT, IOWA

ORLANDO, FLORIDA



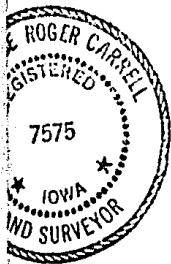
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