

Not a complete copy

17688  
Compare  
CERTIFICATION  
Dated July 13, 1962  
Home Realty Construction Company, Inc.

1311-461  
M-13-62

Now on this 13<sup>th</sup> day of July, 1962, Home Realty Construction Company, Inc., duly organized and incorporated under the laws of the State of Iowa by Darrell D. Anderson, President and only officer of said Corporation, and in accordance with the Articles of Incorporation of said Corporation, does 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, and which real estate is more particularly described as follows:

"The W<sup>1</sup>/<sub>2</sub> S<sup>1</sup>/<sub>2</sub> E<sup>1</sup>/<sub>2</sub> of the NE<sup>1</sup>/<sub>4</sub>, NE<sup>1</sup>/<sub>4</sub> Section 24, Township 7<sup>1</sup>/<sub>2</sub>, Range 44, except the south 1/2 rods, also described as Lots 7, 8 and 9, except the south 1/2 rods of said Lot 9, all in Auditor's Subdivision of the NE<sup>1</sup>/<sub>4</sub>, NE<sup>1</sup>/<sub>4</sub> Section 24, Township 7<sup>1</sup>/<sub>2</sub>, Range 44."

Said plat does hereby state that it is the sole and only owner and proprietor in fee simple of the property above described. The addition of the above mentioned real estate is made with the consent and full knowledge of said Corporation and its officer and in accordance with the desire that the above mentioned real estate be subdivided and that said addition be named Anderson's First 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. The street as laid out and shown on the accompanying plat, is hereby dedicated to the public for street purposes and such street is to be known as Sixteen Street.

HOME REALTY CONSTRUCTION COMPANY, INC.

By Darrell D. Anderson  
DARRELL D. ANDERSON, President

STATE OF IOWA  
COUNTY OF POTTAWATTAMIE

Now on this 13<sup>th</sup> day of July, 1962, personally appeared before me, a Notary Public in and for Pottawattamie County, State of Iowa, Darrell D. Anderson, to be known to be the person who executed the foregoing instrument and acknowledged that he executed same as his voluntary act and deed, for and on behalf of said Corporation, and who further being duly sworn that he is the President and only officer of Home Realty Construction Company, 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

Compared

Corporation under due authority under the Articles of Incorporation.

*[Handwritten Signature]*  
Attest

# Compared

## SURVEYOR'S CERTIFICATION

I, Don W. Elliott, registered land surveyor, hereby certify that I have surveyed the following described real estate, to-wit:

"The  $\frac{1}{2}$  S $\frac{1}{2}$  S $\frac{1}{2}$  of the NE $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 24, Township 75 North, Range 44 West, Pottawattamie County, Iowa, except the south 4 rods thereof; also described as lots 7, 8, and 9, except the south 4 rods of said lot 9, all in Auditor's Subdivision of the NE $\frac{1}{4}$  NE $\frac{1}{4}$  Section 24, Township 75 North, Range 44 West, Pottawattamie County, Iowa!"

for and on behalf of Home Realty Construction Company, Inc. and have made a plat of the addition of said real estate attached hereto, and that said plat

accurately describes said addition, which is known as Anderson's First Addition, and that the lots of said addition are numbered progressively as lots

1 through 27, inclusive, said plat giving the dimensions of each lot by length and width and the width and courses of the streets established therein. I further certify that said addition is to be known as Anderson's First Addition to the City of Council Bluffs, Iowa, said plat further giving reference to the quarter section corner and bearing and distance therefrom.

Dated this 3<sup>rd</sup> day of July, 1962.

*Don W. Elliott*  
DON W. ELLIOTT

LAW OFFICES  
Smith, Peysge & King

Ray W. Smith  
Raymond E. Peysge  
Richard C. King

Compared

Council Bluffs, Iowa

July 14, 1962

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

Gentlemen and Mrs. Letour:

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

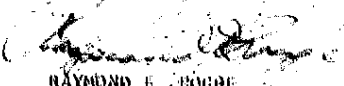
The  $\frac{1}{2}$  S $\frac{1}{2}$  S $\frac{1}{2}$  of the NE $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 24, Township 7 $\frac{1}{2}$  North, Range 44 West, Pottawattamie County, Iowa, except the south  $\frac{1}{4}$  rods thereof; also described as Lots 7, 8, and 9, except the south  $\frac{1}{4}$  rods of said Lot 9, all in Auditor's Subdivision of the NE $\frac{1}{4}$  NE $\frac{1}{4}$  Section 24, Township 7 $\frac{1}{2}$  North, Range 44 West, Pottawattamie County, Iowa.

I find good and merchantable title to be vested in King Realty Construction Company, Inc. I further find that said abstract commences with the United States Government and is continued to 4:00 P.M. on the 13th day of July, 1962, by the Abstract Guaranty Company of Council Bluffs, Iowa.

I find that the general taxes for 1961, payable in 1962, and all personal taxes applicable to said real estate, have been paid.

I further find that there are no liens, judgments or encumbrances against said title.

Very truly yours,

  
RAYMOND E. PEYSGE  
Attorney at Law

**Compared**

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

STATE OF IOWA

COUNTY OF POTTAWATTAMIE

I, Frank L. Swanson, Chairman of the City Planning Commission of Council Bluffs, Iowa, do hereby certify that at a regular meeting of the City Planning Commission held on the 26th day of June, 1962, there was passed and approved, the plat of Anderson's First Addition to the City of Council Bluffs, Iowa.

*Frank L. Swanson*  
FRANK L. SWANSON, Chairman of the City  
Planning Commission

CONTINUING

RESTRICTIONS AND COVENANTS UPON THE REAL ESTATE KNOWN AS:  
ANDERSON'S FIRST ADDITION TO THE CITY OF COUNCIL BLUFFS, IOWA

WHEREAS, Home Realty Construction Company, Inc. is now the owner of all the property and lots contained in Anderson's First Addition to the City of Council Bluffs, Pottawattamie County, Iowa, and

WHEREAS, said Home Realty Construction Company, Inc. desires to restrict all of the above described property as hereinafter stated for its benefit and for the benefit of all future owners of lots in said Addition:

NOW, THEREFORE, the said Home Realty Construction Company, Inc. does hereby create and establish the following restrictions which shall become binding on all of the above described property in said addition and also upon the grantees or owners at any time of any of the above described lots in said Addition to the extent hereinafter 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. Titleholder 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 square foot area of less than 800 square feet.

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.

**Compared**

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 1982, at 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.

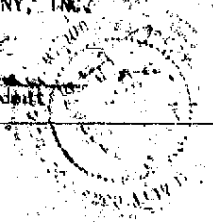
10. If the parties hereto, or any of them, or their heirs or assigns shall violate or attempt to violate any of the covenants or restrictions herein before 1982, it shall be lawful for any other person or persons owning any other lots in said development or subdivision to prosecute any proceedings at 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.

HOME REALTY CONSTRUCTION COMPANY, INC.

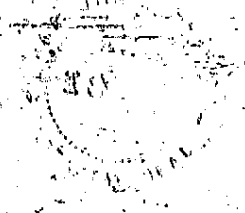
By Darrell D. Anderson, President



STATE OF IOWA }  
COUNTY OF POTTAWATTAMIE } SS.

Now on this 23 day of July, 1962, personally appeared before me, a Notary Public in and for Pottawattamie County, State of Iowa; Darrell D. Anderson, to me known to be the person who executed the foregoing instrument and acknowledged that he executed same as his voluntary act and deed, for and on behalf of said Corporation, and who further being duly sworn did say that he is the President and only officer of Home Realty Construction Company, 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.

Darrell D. Anderson  
Notary Public



Comparet

# ANDERSON'S FIRST

4. GRASSY AREA

