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See S1632 Plat Book B Page
FILE NO. 3321
BOOK 551 PAGE 3321 79

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99 APR 12 11:11 AM
Woodbine, Iowa

Gary J. Altwegg, 110 N. 2nd Avenue, Logan, Iowa 51546, Telephone (712)644-2485

STATEMENT BY PROPRIETORS
PURSUANT TO IOWA CODE SECTION
354.11(1) AND DEDICATION

KNOW ALL MEN BY THESE PRESENTS:

That Duane E. Mann and Janice A. Mann, husband and wife, state and declare that the attached plat made by James L. Petty, a licensed land surveyor, and dated March 16, 1999, and made a part hereof by this reference, was prepared with their free consent and in accordance with our desire and on our behalf and the real property described therein is onwed by us in fee simple and absolute.

Further, Duane E. Mann and Janice A. Mann, husband and wife, as the owners of the real property described in the said attached plat made a part hereof, hereby dedicate to the use of the public forever the lands included in all streets and alleys shown on said plat, which has been approved as required by law by the City of Woodbine, Harrison County, Iowa.

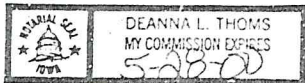
Executed in Harrison County, Iowa, this 5th day of April, 1999.

Duane E. Mann
Duane F. Mann

Janice A. Mann
Janice A. Mann

STATE OF IOWA, COUNTY OF HARRISON) ss.

On this 5th day of April, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared Duane E. Mann and Janice A. Mann, husband and wife, to me known to be the identical persons named in and who executed the foregoing instrument and acknowledged that they executed the same as their voluntary act and deed.



Deanna L. Thoms
Notary Public in and for the State of Iowa

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See S1632 Plat Book 8 Page 70

FILE NO. 3321
BOOK 551 PAGE 3321

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99 APR 12 AM 11:09
Lorie A. Thompson
10.00

Gary J. Altwegg, 110 N. 2nd Avenue, Logan, Iowa 51546 Telephone (712)644-2485

DEDICATION

KNOW ALL MEN BY THESE PRESENTS:

That Duane E. Mann and Janice A. Mann, husband and wife, the owners and proprietors of the real estate described in the attached surveyor's certificate, has in the pursuance of law, caused said described real estate to be surveyed, staked and platted into lots as set forth in the attached plat and certificate of James L. Petty, a licensed land surveyor who surveyed and platted the same to be known as Brookview Addition, an addition to Woodbine, Harrison County, Iowa, and that the same is prepared with the free consent and in accordance with its desire as sole owners and proprietors thereof.

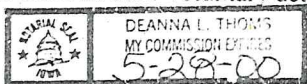
Executed in Harrison County, Iowa, this 5th day of April, 1999.

Duane E. Mann
Duane E. Mann

Janice A. Mann
Janice A. Mann

STATE OF IOWA, COUNTY OF HARRISON) ss.

On this 5th day of April, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared Duane E. Mann and Janice A. Mann, to me known to be the identical persons named in and who executed the foregoing instrument and acknowledged that they executed the same as their voluntary act and deed.



Deanna L. Thoms
Notary Public in and for the State of Iowa

RECORDER'S CERTIFICATE OF RECORDING

STATE OF IOWA, COUNTY OF HARRISON) ss.

I, Lorie A. Thompson, Recorder of Harrison County, Iowa, do hereby certify that the Plat of Brookview Addition, Harrison County, Iowa, along with all required attachments thereto was filed for record, this 12th day of April, 1999, at 11:09 o'clock A.m. recorded in Book 551, Page 3321, indexed and delivered to the County Auditor of Harrison County, Iowa.

Dated: April 12th



Lorie A. Thompson
Lorie A. Thompson, Recorder

DECLARATION OF RESTRICTIVE AND PROTECTIVE COVENANTS
GOVERNING THE OWNERS OF LOTS IN THE BROOKVIEW See S1632
SUBDIVISION - WOODBINE, IA.

Plat Book 8 Page 70
FILE NO 3321
BOOK 551 PAGE 3321

Duane E. Mann
Janice A. Mann

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Janice A. Mann

HARRISON
IOWA

Dated: April 6, 1999

To:

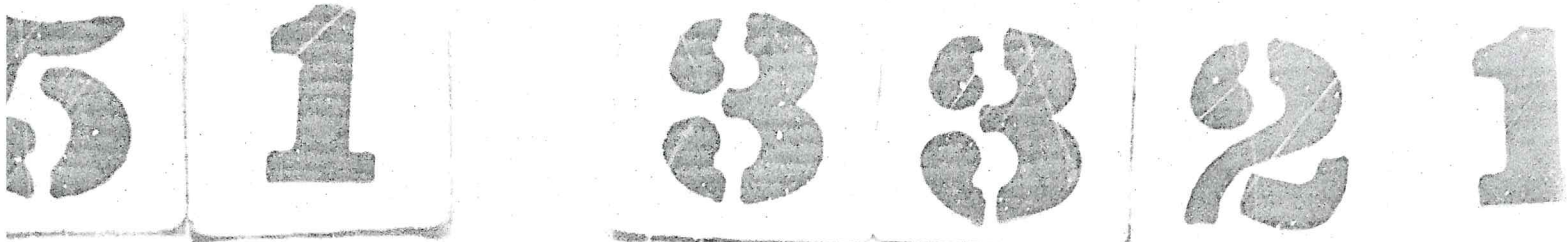
The Public

Duane E. Mann and Janice A. Mann (husband and wife) in the Warranty Deed conveying to the undersigned, herein declare that we are the owners of the following described real estate located in Harrison County, Iowa to-wit:

Real Estate described as shown in Exhibit A attached hereto:

The undersigned hereby declare that the following are the restrictive and protective covenants governing ownership and use of the lots in said subdivision or any combination thereof for residential building sites, to wit:

- A. All lots described herein shall be known described and used solely as single family residential lots, shall be no more than two stories in height, shall have a minimum square footage of 1250 square feet of living space on the ground level of a one-level family dwelling, or 1050 square feet on the ground level of a family dwelling one and one-half to two stories in height, exclusive of basement, garage and have at least a two car garage. The roofline shall be broken in such a manner as to eliminate dwellings that are purely rectangular or square in shape. All separate buildings must be neat in appearance and compatible with and like in quality with the homes situated on the lots which are a part of this development. No lot shall be subdivided.
- B. All structures in said addition shall be of new construction.
- C. Each lot owner must construct a dwelling within 2 years from the purchase date of the lot.
- D. No dwelling or structure shall be erected on any building lot until the plans and specifications for such building have been submitted to and approved by the Brookview Subdivision Review Committee. The submitted plans and specifications shall contain details of design, color scheme, elevation, location and dimensions of structures, type of construction, materials to be used, and shall show plans for landscaping, fences, decks and patios. Approval in writing by the Brookview Subdivision Review Committee must be made before construction commences, unless the review committee fails to approve or disapprove such plans and



specifications within (30) days after such plans and specifications have been submitted, in which case approval shall be deemed to have been granted. No Modular homes may be built on these lots without the prior approval of the Brookview Subdivision Review Committee. Duane E. & Janice A. Mann shall serve as the Brookview subdivision Review Committee until further notice.

- E. Each resident shall provide for off-street parking, which may be in the manner of a drive, at least 20 feet wide from curb to garage door opening and all driveways must be constructed of Portland concrete.
- F. No building or structure shall be located closer than 30 feet from the front property line of the lot. No building or structure can be located closer than 5 feet from the sides and back of the lot. No buildings or structures can be located upon any utility easement.
- G. All construction shall be completed within 180 days of the date when construction is commenced. Within 90 days of the date construction is commenced, the exterior construction of such structure shall be finished.
- H. No dogs shall be allowed on the property described herein unless said property is fenced or dogs are on a leash and in control of the owner. There shall be no boarding kennels on the premises.
- I. No motor home, travel trailer, boat or camper shall be parked or stored on the property more than 72 continuous hours unless housed in a garage or proper building as herein allowed. No camper, trailer, mobile home type residence, whether on wheels or placed on a permanent foundation and whether in one unit or multiple units, shall be erected or located on any of said real estate. No temporary home, basement, tent, shack, shed, garage, barn, or other outbuildings shall be erected or located on any of said real estate at any time, except as otherwise herein allowed, nor shall any building or residence of a temporary character be permitted or located on any of said real estate.
- J. No automobiles shall be parked in the street right-of-way, except temporarily, and all automobiles shall be in operating order. No vehicle shall be upon blocks or inoperative more than five days except in an enclosed garage.
- K. Lawns are to be seeded, mowed and generally groomed so to be neat in appearance. All lots shall be mowed and kept in neat appearance from time of purchase and during construction of a residence.
- L. All additions or renovations must be completed as to outside appearance within 60 days from date of construction commences.
- M. No livestock of any kind is allowed on said lots.
- N. No posters or outdoor signs of any kind may be erected or placed on any part of the above described premises, except only that residential "For Sale" signs not exceeding four feet square shall be permitted. This restriction shall not apply to the developer of development and sale of said subdivision.
- O. These covenants are to run with the land and shall be binding on all parties and all persons claiming under them until January 1, 2010 at which time said covenants shall be automatically extended for a successive period of ten years unless by a vote of the majority of the owners of the lots, it is agreed to change the said covenants in whole or in part, one vote allocated to each lot in the subdivision.

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- P. 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 2010, it shall be lawful for any person or persons owning other lot 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 prevent him or them from do so doing or to recover damages or dues of such violation.
- Q. Invalidation of any one of these covenants by Judgement or Court Order shall not affect any of the other provisions, which shall remain in full force and affect.

Executed in Harrison County, Iowa, this 6th day of April, 1999

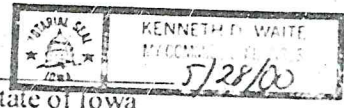
Signature: Duane E. Mann
Duane E. Mann

Signature: Janice A. Mann
Janice A. Mann

STATE OF IOWA, COUNTY OF HARRISON)ss.

On this 6th day of April, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared Duane E. Mann and Janice A. Mann, husband and wife, to me known to be the identical persons named in and who executed the foregoing instrument and acknowledged that they executed the same as their voluntary act and deed.

Kenneth D. Waite
Notary Public in and for the State of Iowa



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See S1632 Plat Book 8 Page 70

FILE NO 3321
BOOK 551 PAGE 3321

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Yara & Clayton
LOTT & JOHNSON

HARRISON IOWA

ALTWEGG & ANDERSON

ATTORNEYS AT LAW

110 N. 2nd Ave., Logan, Iowa 51546 (712) 644-2485
Fax # (712) 644-2448

April 8, 1999

RE: Brookview Addition to the Town of Woodbine, Harrison County, Iowa.

TO WHOM IT MAY CONCERN:

On this date, I, Gary J. Altwegg, an attorney at law licensed to practice in the State of Iowa, and engaged in an active practice of law in Harrison County, Iowa, have examined the abstract of title in one part, from the platting of said real estate, to the following described real estate:

A parcel of land located in the East Half (E½) of Lot "A" and Lot "C" in the Woodbine Land and Improvement Co. Irregular Survey of the NE¼NW¼ and Lot "C" in the Woodbine Land and Improvement Co. Irregular Survey of the NW¼NW¼, all in Section 14, Township 80 North, Range 42 West of the 5th P.M., Harrison County, Iowa, more fully described as follows:
Commencing at the Northwest corner of the NW¼NW¼ of Section 14, thence N 89°37'35" E a distance of 567.98 feet to the point of beginning; thence N 89°37'35" E a distance of 770.82 feet, thence S 46°45'59" E a distance of 213.74 feet, thence S 39°31'51" E a distance of 107.92 feet; thence S 66°52'17" E a distance of 136.39 feet; thence S 42°06'57" E a distance of 174.41 feet, thence S 60°04'12" E a distance of 29.20 feet, thence S 00°54'42" E a distance of 26.63 feet, thence S 89°37'35" W a distance of 1261.58 feet, thence N 00°13'30" W a distance of 457.00 feet to the point of beginning. Said parcel contains 10.75 acres, more or less and is subject to all easements of record. Note: The West line of the NW¼NW¼ of Section 14 is assumed to bear S 00°00'00" W for this description.

as last certified to by the Harrison County Title & Guaranty Company under the date of April 7, 1999, at 8:00 o'clock a.m.

TITLE

Based upon my examination of said abstract, I find merchantable title in fee simple and free from any material objections, to be in Duane E. Mann and Janice A. Mann, husband and wife as tenants in common.

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The abstract shows that all certified real estate and special assessments are paid.

The abstract shows that this real estate has been annexed by the City of Woodbine, Iowa.

The abstract shows no mortgages liens or other encumbrances as defined by Iowa Code Section 354.11(3).

Respectfully submitted,

Gary J. Altwegg

Gary J. Altwegg
of Altwegg & Anderson

GJA:ss

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FILE NO. 3321
BOOK 551 PAGE 3321

99 APR 12 AM 11:09
Aurea Thompson

Gary J. Altwegg, 110 N. 2nd Ave, Logan, Iowa 51546, Telephone (712)644-2485

RESOLUTION No: 99-4-1 See S1632 Plat Book 8 Page 70

Resolution accepting and approving the final plat of Brookview Addition, an addition to the City of Woodbine, Harrison County, Iowa.

WHEREAS, the owners and proprietors did on the 8th day of March, 1999, file with the City Clerk of the City of Woodbine, Iowa, a certain plat designated as Brookview Addition, an addition to the City of Woodbine, Harrison County, Iowa, which was approved subject to minor clarification, and

WHEREAS, it appears that said plat conforms with all of the provisions of the Code of the State of Iowa and the Ordinances of the City of Woodbine, Harrison County, Iowa, with reference to the filing of same.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Woodbine, Harrison County, State of Iowa, that the plat of Brookview Addition, an addition to the City of Woodbine, Harrison County, Iowa, be, and the same is hereby accepted and approved, and the Mayor and City Clerk of the City of Woodbine, Harrison County, State of Iowa, are hereby Directed to Furnish to the owners and proprietors a certified copy of this Resolution as required by law.

Passed and Adotped this 5th day of April, 1999.

Aurea Thompson
Mayor
City of Woodbine, Iowa

ATTEST:

Robert Sullivan
City Clerk

CLERK'S CERTIFICATE

I, the duly appointed, qualified and acting City Clerk of the City of Woodbine, Iowa, do hereby certify that the above Resolution regarding the Brookview Addition to the Town of Woodbine, Harrison County, Iowa, was accepted and approved on the 5th day of April, 1999 by unanimous vote of the Council members as shown in the above minutes.

Robert (Bob) Sullivan
Bob Sullivan, City Clerk
Woodbine, Iowa 51579

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See S1632 Plat Book 8 Page 70

FILE NO. 3321
BOOK 551 PAGE 3321

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Lorie A. Thompson
LORIE A. THOMPSON
HARRISON COUNTY IOWA

CERTIFICATE OF THE TREASURER
PURSUANT TO IOWA CODE SECTION 354.11(5)

STATE OF IOWA, COUNTY OF HARRISON) ss.

I, Vicki Argotsinger, Treasurer of Harrison County, Iowa, do hereby certify that the real estate described in the attached Exhibit "A" and made a part hereof by this reference, is free from certified taxes and certified special assessments.

Dated: April 6, 1999.

Renee King
Vicki Argotsinger, Treasurer
Harrison County, Iowa
Deputy Treasurer

RECORDER'S ACCEPTANCE FOR RECORDING AND
CERTIFICATE OF RECORDING OF SUBDIVISION PLAT

STATE OF IOWA, COUNTY OF HARRISON) ss.

I, Lorie A. Thompson, Recorder of Harrison County, Iowa, have accepted for recording the attached subdivision plat together with the accompanying required attachments and do hereby certify that the plat of Brookview Addition, Woodbine, Harrison County, Iowa, was filed for record on this 12th day of April, 1999, at 11:09 o'clock A.m. and recorded in Plat Cabinet 8, Slide 70, indexed and exact copies of the plat were delivered to the County Auditor and Assessor.

Dated: April 12, 1999.

Lorie A. Thompson
Lorie A. Thompson, Recorder
Harrison County, Iowa



EXHIBIT "A"

A parcel of land located in the East Half (E $\frac{1}{2}$) of Lot "A" and Lot "C" in the Woodbine Land and Improvement Co. Irregular Survey of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ and Lot "C" in the Woodbine Land and Improvement Co. Irregular Survey of the NW $\frac{1}{4}$ NW $\frac{1}{4}$, all in Section 14, Township 80 North, Range 42 West of the 5th P.M., Harrison County, Iowa, more fully described as follows:
Commencing at the Northwest corner of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 14, thence N 89°37'35" E a distance of 567.98 feet to the point of beginning; thence N 89°37'35" E a distance of 770.82 feet, thence S 46°45'59" E a distance of 213.74 feet, thence S 39°31'51" E a distance of 107.92 feet; thence S 66°52'17" E a distance of 136.39 feet; thence S 42°06'57" E a distance of 174.41 feet, thence S 60°04'12" E a distance of 29.20 feet, thence S 00°54'42" E a distance of 26.63 feet, thence S 89°37'35" W a distance of 1261.58 feet, thence N 00°13'30" W a distance of 457.00 feet to the point of beginning. Said parcel contains 10.75 acres, more or less and is subject to all easements of record. Note: The West line of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 14 is assumed to bear S 00°00'00" W for this description.