

STATE OF IOWA, Pottawattamie County
Filed for record this 25th day of August 1964
at Pottawattamie County, Iowa

21821

ADDITIONAL RESTRICTION AND COVENANT UPON REAL ESTATE KNOWN AS
WILSHIRE HEIGHTS IN POTTAWATTAMIE COUNTY, IOWA

WHEREAS, A. T. & C. Corporation of Omaha, Douglas County, Nebraska,
is the owner of all the property and lots contained in Wilshire Heights Sub-
division in Council Bluffs, Pottawattamie County, Iowa, and

WHEREAS, the A. T. & C. Corporation on July 3, 1964, filed restric-
tions and covenants upon said subdivision and being desirous of further re-
stricting said property for the benefit of all future owners of lots in said
subdivision;

NOW, THEREFORE, the A. T. & C. Corporation does hereby create and es-
tablish the following additional restriction which shall become binding on all
property and lots in Wilshire Heights with the exception of Lot 1 of said sub-
division, said Lot 1 being designated as a proposed commercial lot: That an
easement is hereby reserved over a five-foot wide area adjoining each side lot
line of the lots of said subdivision for the installation and maintenance of
utility and drainage facilities. Within these easements no structure or other
material shall be placed or permitted to remain which may damage or interfere
with the installation and maintenance of utilities or which may change the di-
rection of flow of drainage channels in the easements or which may obstruct
or retard the flow of water through drainage channels in the easements.

This covenant and restriction is to run with the land and shall be
binding on all of the parties and all of the persons claiming under them until
June 1, 1990, at which time said covenant and restriction herein shall terminate.

By acceptance of this conveyance, the grantee, in consideration of
the premises, binds himself, his heirs, executors and administrators or grantees
to strictly observe and perform the restriction and covenant herein contained.

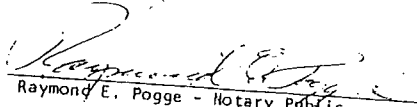
The grantor agrees that all further deeds of property in this subdivi-
sion made by it shall contain this covenant and restriction.

A. T. & C. CORPORATION

By Thomas F. Carl
Thomas F. Carl - Vice-President and
Treasurer

STATE OF IOWA)
COUNTY OF POTTAWATTAMIE) SS.

Now on this 14th day of August, 1964, personally appeared before me,
a Notary Public in and for Pottawattamie County, Iowa, Thomas F. Carl, 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 Vice-President
and Treasurer of A. T. & C. Corporation and that he had authority to execute the
foregoing instrument for and on behalf of the Corporation and in accordance with
its Articles and By-laws and the acts of the Board of Directors of said Corpora-
tion, 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 of the Articles of Incorporation.


Raymond E. Pogge - Notary Public