PROTECTIVE COVENANT AND RESTRICTION

We, the undersigned, being owners of the following described real estate:

Lot Twelve (12) of Turtle Creek Heights Addition to Delaware County, Iowa, according to plat recorded in Book 2 Plats, Page 190; also all lake frontage running to the middle of Delhi Lake abutting the West line of said Lot Twelve (12) lying between the extension of the North line of said Lot Twelve (12) and the extension of the South line of said Lot Twelve (12), said extensions more specifically described as follows:

The extension of the South line of Lot Twelve (12) is a line beginning at the Southwest corner of Lot Twelve (12), then extending the South line of Lot Twelve (12) Westerly to the shoreline, thence continuing in a Northwesterly direction to a point in the line forming the middle of Delhi Lake, wherein the line from the shoreline to the point where it intersects with the middle of the Delhi Lake line forms a 90° angle with the line forming the middle of Delhi Lake.

The extension of the North line of Lot Twelve (12) is a line beginning at the Northwest corner of Lot Twelve (12), then extending the North line of Lot Twelve (12) Westerly to the shoreline, thence continuing in a Northwesterly direction to a point in the line forming the middle of Delhi Lake, wherein the line from the shoreline to the point where it intersects with the middle of the Delhi Lake line forms a 90° angle with the line forming the middle of Delhi Lake,

hereby impose the following covenant and restriction on said real estate, and said covenant and restriction shall be binding upon all the present and future owners of said real estate, as a covenant running with the land and with such force and effect as if contained in each subsequent conveyance of land.

1. No mobile homes, shall be placed on the real estate for any purpose.

2. This restrictive covenant and restriction is to run with the land and shall be binding on all the parties and all persons claiming under them for fifteen (15) years from the date this document is recorded in the Delaware County Courthouse.

3. If the owners of said real estate, or their heirs or assigns shall violate or attempt to violate this protective covenant and restriction herein before fifteen

25-88-5 2-190

FILE No. 89-1504
RECORDING FEE $ 11.00
TRANSFER FEE $

FILED FOR RECORD THE 6 DAY OF Dec, 19 94 AT 9:56 O'CLOCK A.M. BOOK 5 PAGE 76

STATE OF IOWA, DELAWARE COUNTY
Deborah L. Peyton, Recorder
Misc.

(15) years after this document is recorded in the Delaware County Courthouse, it shall be lawful for any other person or persons owning any other real estate in Turtle Creek Heights Addition to Delaware County, Iowa, 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 them, him or her from doing so or to recover damages or other dues for such violation.

IN WITNESS WHEREOF, we have executed this Protective Covenant and Restriction this 5th day of December, 1994.

Ruth A. Ipsan-Brown

Ruth A. Ipsan-Brown

Clifford C. Brown

Clifford C. Brown

STATE OF IOWA )
) ss.
LINN COUNTY )

On this 5th of December, 1994, before a Notary Public, personally appeared Ruth A. Ipsan-Brown and Clifford C. Brown, to me personally 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.

Sharon L. Krambeck

Notary Public in and for the State of Iowa

NOTARIAL SEAL IOWA
SHARON L. KRAMBECK
MY COMMISSION EXPIRES
December 12, 1997