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DELAWARE COUNTY IOWA
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PEYTON
RECORDER
#11.00

Cliff Brown
414 2nd St. NW
Mt. Vernon, IA
52314

Prepared by: Mary Lou Tracey, 105 N. Franklin, Manchester, IA 52057 319-927-4925

25-88-5

PROTECTIVE COVENANTS AND RESTRICTIONS

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

Lot Ten (10) 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 Ten (10) lying between the extension of the North line of said Lot Ten (10) and the extension of the South line of said Lot Ten (10), said extensions being more specifically described as follows:

The extension of the South line of Lot Ten (10) is a line beginning at the Southwest corner of Lot Ten (10), then extending the South line of Lot Ten (10) Westerly to the shoreline, thence continuing in a Northwesterly direction to a point in the line forming the middle of the Maquoketa River, also known as Delhi Lake, wherein the line from the shoreline to the point where it intersects with the middle of the Maquoketa River forms a 90° angle with the line forming the middle of the Maquoketa River.

The extension of the North line of Lot Ten (10) is a line beginning at the Northwest corner of Lot Ten (10), then extending the North line of Lot Ten (10) Westerly to the shoreline, thence continuing in a Northwesterly direction to a point in the line forming the middle of the Maquoketa River, also known as Delhi Lake, wherein the line from the shoreline to the point where it intersects with the middle of the Maquoketa River line forms a 90° angle with the line forming the middle of the Maquoketa River.

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

1. No mobile homes, other types of manufactured housing, trailers, recreational vehicles, campers, or similar vehicles or housing entities shall be placed on the real estate for any purpose.

2. These restrictive covenants and restrictions are 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 any of the protective covenants and restrictions herein before fifteen (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 covenants or restrictions and either prevent them, him or her from doing so or to recover damages or other dues for such violation.

4. These Protective Covenants and Restrictions may be amended by Ruth A. Ipsan-Brown and Clifford C. Brown and Patrick Schmitz or their successors and assigns, during the fifteen (15) year period referred to at Paragraph 3, by written agreement.

IN WITNESS WHEREOF, we have executed these Protective Covenants and Restrictions this 10 day of June, 1996.

Ruth A. Ipsan-Brown

Clifford C. Brown

STATE OF IOWA )
) ss:
LINN COUNTY )

On this 10 day of June, 1996, before me, 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.

Notary Public in and for
the State of Iowa.

Michael E. Schirm

MICHAEL E. SCHIRM
IOWA
NOTARIAL SEAL

9-6-98