EWS
Ronald Kluenaap
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Document 2018 591 Type 06 018 Pages 2
Date 3/13/2018 Time 8:36:19AM
Rec Amt $12.00

Daneen Schindler, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

Preparer
Information & Return to: Thomas J. Hanson, 401 East Main Street, Manchester, (563) 927-5920
Individual's Name Street Address City Phone

Thomas J. Hanson, ISBA # 02110

SPACE ABOVE THIS LINE
FOR RECORDER

DECLARATION OF PROTECTIVE COVENANTS AND RESTRICTIONS OF RIVER POINTE THIRD SUBDIVISION, DELAWARE COUNTY, IOWA

The undersigned are the owners of certain property located in Delaware County, Iowa and desire to provide for protective covenants and restrictions with regard to the following lots located within River Pointe Third Subdivision to Delaware County, Iowa:

Lots 3 through 7 of River Pointe Third Subdivision, a subdivision of Lot Six (6) and part of Lot Two (2) of the Subdivision of part of the West one-half (W½) of the Northeast Quarter (NE¼) and the West one-half (W½) of the Southeast Quarter (SE¼), Section Five (5), and Lots Seven (7), Eight (8), and Nine (9) of the Subdivision of the East one-half (E½), of Section Five (5), and part of the North 991/2 rods of the Southeast Quarter (SE¼), of Section Five (5), and part of the Southeast Quarter (SE¼) of the Northeast Quarter (NE¼), of Section Five (5), all in Township Eighty Eight North (T88N), Range Five (5), West of the Fifth P.M., Delaware County, Iowa, according to plat recorded in Book 2007, Plats, Page 2144 of the records of the Delaware County Recorder.

On or after the date hereof, title to the aforesaid properties shall be subject to the following covenants to run with the land which are restrictive covenants applicable to the herein described lots in River Pointe Third Subdivision to Delaware County, Iowa.:

1. All lots described shall be used solely as residential lots. Provided however, a commercial building not to exceed 1200 square feet in size shall be allowed on Lot 3 under the terms and conditions as stated herein.
2. Houses must be a minimum of 1800 square feet (excluding basement) with an attached garage.
3. One single story out-building may be erected with a maximum of 200 square feet. In addition, an additional outbuilding not to exceed 1200 square feet in size shall be allowed on Lots 3, 5 and 7 so long as the same is not constructed within 400 feet of the front of the lot line (the front of the lot line being along 180th Avenue).
4. No building structures may be within 30 feet of the lot line. Lot seven (7) is exempt due to its atypical shape.

5. Only one residential unit per lot shall be erected on any lot as shown on the plat, and no portion of the lot may be subdivided nor sold separately,
6. All utility lines, pipes and wires extending from the right-of-way must be underground.
7. The titleholder of each plotted lot, vacant or improved, shall keep their lots free of debris and shall permit no unsightly, or offensive accumulation of junk, garbage or materials.
8. No single or doublewide trailer may be moved onto or constructed on premise at any time.
9. No livestock nor animals of any kind shall be kept, raised nor bred on any lot or property. Dogs, cats or ordinary household pets may be kept provided that they are not raised, bred or maintained for any commercial purpose. Such animals must remain on owner's premises.
10. No trade or business can be established on Lots 4, 5, 6 or 7. No trade or business or business shall be established on Lot 3 except a photography studio shall be allowed to be maintained in a separate building on said Lot 3. The business shall not be allowed to have employees other than the titleholders residing in the residence on the lot.

This Agreement shall be binding upon the parties hereto, their heirs, successors and assigns, and shall run with the land.

Dated this 7 day of March, 2018.

Ronald D. Gienapp

Diane L. Gienapp – Owners of Lots 3, 4 5 and 6

Subscribed and sworn to before me by Ronald D. Gienapp and Diane L. Gienapp, husband and wife this 7th day of March, 2018.

Notary Public in and for the State of Iowa

LINDSAY DOMEYER
Commission Number 733814
My Commission Expires 4/5/20

Bob Ungs

Jana Ungs – Owners of Lot 7

Subscribed and sworn to before me by Bob Ungs and Jana Ungs, husband and wife this 8 day of March, 2018.

Notary Public in and for the State of Iowa

NOTARIAL SEAL IOWA
JENNIFER VASKE
Commission Number 778617
My Commission Expires
May 21, 2019