Certificate of Approval of Amendment to
Restrictive Covenants - Northwest Development, Plat 1
to the City of Winterset, Iowa

We, Bernard Morrissey and Mark Nitchals, Mayor and City Clerk, respectively, of the City of Winterset, Iowa, located in Madison County, Iowa, hereby certify that the Winterset City Council passed and adopted Resolution No. 82-86, A RESOLUTION APPROVING AMENDMENTS TO RESTRICTIVE COVENANTS FOR NORTHWEST DEVELOPMENT SUBDIVISION on November 15, 1982, and that said Resolution was approved by the Mayor on November 15, 1982, a true, correct and complete copy of said Resolution is attached hereto.

We also certify that attached hereto and made part of the Northwest Development, Plat 1, to the City of Winterset, Iowa, is an AMENDMENT TO RESTRICTIVE COVENANTS as approved by the City Council and Mayor.

Dated and signed by the Mayor and City Clerk of Winterset, Iowa this 23rd day of November, 1982.

Bernard Morrissey, Mayor

ATTEST:

Mark Nitchals, City Clerk

CITY SEAL WINTERSET

721
FILED NO.
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1982 NOV 24 PM 3:50
MARY E. WELTY
RECORDER
MADISON COUNTY, IOWA
Fee $18.00

RESOLUTION 82-86
RESOLUTION APPROVING AMENDMENTS TO RESTRICTIVE COVENANTS FOR NORTHWEST DEVELOPMENT SUBDIVISION

WHEREAS, on July 20, 1981, the Winterset City Council adopted Resolution 81-42, A RESOLUTION APPROVING NORTHWEST DEVELOPMENT PLAT ONE AS A SUBDIVISION TO THE CITY OF WINTERSET, IOWA, and,

WHEREAS, said resolution approved all accompanying documents, one of which was a list of restrictive covenants, and,

WHEREAS, the present owners of real estate located in Northwest Development Plat #1 have petitioned to amend these restrictive covenants and,

WHEREAS, the City Planning and Zoning Commission has approved said amendments to the restrictive covenants,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Winterset, Iowa, that the amendments to the restrictive covenants for the Northwest Development Plat #1 be and are hereby approved.

BE IT FURTHER RESOLVED that the Mayor and Clerk of the City are hereby authorized and directed to certify this resolution to the Recorder of Madison County, Iowa, and to attend to the filing and recording of all necessary instruments and documents.

PASSED and APPROVED this 15th day of November, 1982.

Bernard Morrissey, Mayor

ATTEST:

Mark Nitchals

Mark Nitchals, City Clerk

CITY SEAL WINTERSET

AMENDMENT TO

RESTRICTIVE COVENANTS

The undersigned individuals, constituting all fee simple owners, all record titleholders, and all holders of options or contracts to purchase real property included in Northwest Development - Plat 1 to the City of Winterset, Iowa, hereby amend the Restrictive Covenants covering Northwest Development - Plat 1 to the City of Winterset, Iowa, dated May 20, 1981, and executed by W. Robert Mills, Gayla F. Mills, William R. Kent and Elzara H. Kent, by striking paragraph 5 of the said Restrictive Covenants, and substituting for it the following:

5. The minimum floor area of the main structure constructed on any lot, exclusive of one-story open porches, garages and basements, shall be as follows:

a. One-story homes shall have a minimum square footage of 960 square feet. Split-foyer homes shall be treated as two-story homes for purposes of this numbered paragraph.

b. Two-story homes shall have a minimum square footage on the first story above the ground level of 700 square feet.

c. Split-level homes shall have a minimum, cumulative square footage on all of the stories that touch the roof line of 1000 square feet.

d. No residence or structure of any kind shall be located on any lot if the structure is what is commonly known as a mobile home, whether it be of single or double width.

W. Robert Mills

Gayla F. Mills

William R. Kent

Elzara H. Kent

STATE OF IOWA :
:ss
MADISON COUNTY:

On this 29 day of October, 1982, before me, the undersigned, a Notary Public in and for said County and State, personally appeared W. ROBERT MILLS and GAYLA F. MILLS, husband and wife, and WILLIAM R. KENT and ELZARA H. KENT, 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.

Notary Public in and for the State of Iowa

Dennis W. Jordan
Dennis Jordan

Denise A. Jordan
Denise Jordan

STATE OF IOWA :
:ss
MADISON COUNTY:

On this 2 day of November, 1982, before me, the undersigned, a Notary Public in and for said County and State, personally appeared DENNIS JORDAN and DENISE JORDAN, 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.

CAROL KNAPP Iowa NOTARIAL SEAL

Carol Knapp
Notary Public in and for the State of Iowa

Anthony Gerard Weiler
Anthony Gerard Weiler

Sharon K. Weiler
Sharon K. Weiler

STATE OF IOWA :
:ss
MADISON COUNTY:

On this 23 day of October, 1982, before me, the undersigned, a Notary Public in and for said County and State, personally appeared ANTHONY GERARD WEILER and SHARON K. WEILER, 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.

CAROL KNAPP Iowa NOTARIAL SEAL

Carol Knapp
Notary Public in and for the State of Iowa

Jim Agan
Jim Agan

STATE OF IOWA :
:ss
P O L K COUNTY:

On this 23 day of September, 1982, before me, the undersigned, a Notary Public in and for said County and State, personally appeared JIM AGAN, a single person, to me known to be the identical person named in and who executed the foregoing instrument, and acknowledged that he executed the same as his voluntary act and deed.

IMOGENE G. BEARDSLEY Iowa NOTARIAL SEAL

Imogene G Beardsley
Notary Public in and for the State of Iowa

LANDMARK BUILDERS, INC.

By Kevin P. Kobles
, President

By _____
Secretary

STATE OF IOWA :
:
Polk COUNTY:

On this 23rd day of Sept., 1982, before me, a Notary Public in and for said County, personally appeared Kevin P. Kobles and _____, to me personally known, who being by me duly sworn, did say that he is the President and Secretary of Landmark Builders, Inc., (that the seal affixed to said instrument is the seal of said) ~~(that no seal has been procured by said)~~ corporation, and that said instrument (strike one) was signed and sealed on behalf of the said corporation by authority of its board of directors, and the said President and _____ acknowledged the execution of said instrument to be the voluntary act and deed of said corporation by it voluntarily executed.

IMOGENE G. BEARDSLEY NOTARIAL SEAL Iowa

Imogene G. Beardsley
Notary Public in and for the State of Iowa

WINTERSET DEVELOPMENT COMPANY

By Jeffrey W. Voorhees
Jeffrey W. Voorhees, General Partner

By Michael G. Voorhees
Michael G. Voorhees, General Partner

STATE OF IOWA :
:ss
Polk COUNTY:

On this 5th day of October, 1982, before me, a Notary Public in and for said County and State, personally appeared Jeffrey W. Voorhees and Michael G. Voorhees, to me personally known, who being by me duly sworn did say that they are general partners in Winterset Development Company, a limited partnership, and that said instrument was signed on behalf of the said limited partnership by authority of the general partners, and the said general partners acknowledged the execution of said instrument to be the voluntary act and deed of said limited partnership by it and by them voluntarily executed.

O. ROSS NOTARIAL SEAL Iowa

O. Ross
Notary Public in and for the State of Iowa

Robert H. Feldman

Bonnie E. Feldman

STATE OF IOWA :
:ss
MADISON COUNTY:

On this 18th day of October, 1982, before me, the undersigned, a Notary Public in and for said County and State, personally appeared ROBERT H. FELDMAN and BONNIE E. FELDMAN, 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.

G. STEPHENSON Iowa NOTARIAL SEAL

Notary Public in and for the State of Iowa

Nancie Jo Dorrell

Randy Dorrell

STATE OF IOWA :
:ss
MADISON COUNTY:

On this 14th day of October, 1982, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Nancie Jo Dorrell and Randy Dorrell, 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.

TERI COLLINS Iowa NOTARIAL SEAL

Notary Public in and for the State of Iowa