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LISA SMITH, COUNTY RECORDER  
MADISON COUNTY IOWA

CHEK

# Amended Covenants

Type of Document

**PREPARER INFORMATION:** (name, address, phone number)

RICHARD C. BURHANS  
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ST. CHARLES, IA 50240  
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**TAXPAYER INFORMATION:** (name and mailing address)

N/A

**RETURN DOCUMENT TO:** (name and mailing address)

preparer

**GRANTOR:** (name)

JRB Investments

**GRANTEE:** (name)

**LEGAL DESCRIPTION:** (if applicable)

See page:

See page 2

**Document or instrument of associated documents previously recorded:**  
(if applicable)

2005-240

2006-475

**BUILDING RESTRICTIONS AND**  
**PROTECTIVE COVENANTS**  
**REVISED AND APPROVED FEBRUARY 1, 2017**

That JRB Investments, Inc., hereinafter referred to as "Grantors," as developers of Burhans West Addition, an Official Plat, of Truro, Madison County, Iowa, do hereby establish and place the following building restrictions and protective covenants and do hereby reserve certain easements, all as hereinafter specifically set forth, on the following described real property:

All lots in Burhans West Addition, an Official Plat, of Truro, Madison County, Iowa.

I. **Designation of Use**

All lots in Burhans West Addition shall be known and described as residential lots, and shall not be improved, used or occupied for other than private residential occupancy for no more than one family per dwelling per lot.

II. **Building Area**

No dwelling shall be constructed or permitted to remain upon any lot in this subdivision unless it meets the following floor area requirements:

1) For lots 2, 3, 4, 5, 6, 8, 9, 10, 11, 12, and 13, the following shall apply:

- (a) One-story dwelling must have a ground floor finished area of not less than 1200 square feet per family unit.
- (b) One and one-half story dwellings must have not less than 900 square feet of finished area on the ground floor, and a total on the ground floor and second floor of not less than 1300 square feet per family unit.
- (c) Two-story dwelling must have not less than a total on the ground floor and second floor of 1600 square feet per family unit.
- (d) In the computation of floor area, the same shall not include porches, breezeways or garages.

2) For lots 14, 15, 16, 17, 18, 19, 20, and 21, the following shall apply:

- (a) One-story dwelling must have a ground floor finished area of not less than 1300 square feet per family unit.
- (b) One and one-half story dwellings must have not less than 900 square feet of finished area on the ground floor, and a total on the ground floor and second floor of not less than 1300 square feet per family unit.
- (c) Two-story dwelling must have not less than a total on the ground floor and second floor of 1600 square feet per family unit.
- (d) In the computation of floor area, the same shall not include porches, breezeways or garages.

3) For lots 7, 22, 23, 24, 25, 26, and 27, the following shall apply:

- (a) One-story dwelling must have a ground floor finished area of not less than 1500 square feet per family unit.
- (b) One and one-half story dwellings must have not less than 1200 square feet of finished area on the ground floor, and a total on the ground floor and second floor of not less than 1700 square feet per family unit.
- (c) Two-story dwelling must have not less than a total on the ground floor and second floor of 1900 square feet per family unit.
- (d) In the computation of floor area, the same shall not include porches, breezeways or garages.

III. Design and Construction

No dwelling shall be constructed or permitted to remain upon any lot in this subdivision unless it meets the following restrictions.

- (a) No building shall be erected on any lot nearer than the building setback line as shown on the recorded plat or as required by city zoning regulations.
- (b) No building or structure shall be constructed, altered, or maintained on any lot unless it has a driveway running from a street to the dwelling, which must be of sufficient area to park at least two cars entirely off the street. All driveways shall be constructed of concrete or bituminous surfacing. All dwellings must have at a minimum an attached 2-car garage.
- (c) Any dog run, trash receptacle, tool shed or other outside structure of like nature shall be properly screened by reasonable shrubbery, or decorative fence or both and must be located to the side or rear of the main dwelling.
- (d) All building structures or improvements of any kind must be completed within 18 months of the commencement date of construction.
- (e) No building or structure shall be constructed, altered, or maintained on any lot unless it is built on a poured concrete slab, full concrete block, or poured concrete foundation.
- (f) No exterior shall be sided with vertical tin/steel, so as not to resemble agricultural type building.
- (g) Exterior view must be pre-approved by developer.

IV. Temporary Structure of Equipment

No building or structure of a temporary character and no trailer, basement, tent, shack, garage, or outbuilding shall be used at any time as a residential dwelling on any lot, either temporarily or permanently.

V. Utilities

All utility connection facilities and services shall be underground. No individual water supply system or individual sewage disposal system shall be permitted on any lot.

VI. Towers and Antennas

No extension towers or antennas of any kind shall be constructed, modified, or permitted on any lot. Reasonable television or radio antennas are permitted on dwellings or garages.

VII. Nuisances

No noxious or offensive activity or odors shall be permitted on or to escape from any lot, nor shall anything be done thereon which is or may become an annoyance or nuisance, either temporarily or permanently.

VIII. Livestock and Poultry Prohibited

No animals, livestock, or poultry of any kind shall be raised, bred or kept on any lot except that dogs, cats and other common household pets may be kept so long as they are not kept, bred or maintained for commercial purposes. In no event, however, shall more than two dogs be maintained on any lot at any one time. Dogs must be tied or fenced in a dog run as according to Town ordinances.

IX. Easements

Certain perpetual easements are reserved as shown on the recorded plat. The owner or occupant of a lot shall, at his own expense, keep and preserve that portion of the easement within his property in good repair and condition, and shall neither erect nor permit erection of any building structure or fences of any kind within the easement which might interfere in any way with the use of such easement.

X. Fences

No fence over three feet in height shall be permitted within the front 35 feet of any lot.

XI. Run with Land

These covenants are to run with the land and shall be binding upon all parties and all persons claiming under them until January 1, 2025, at which time said covenants shall be automatically extended for an additional period of ten years unless a majority of the owners of the lots in said plat by a written agreement, filed in the Office of the Recorder of Madison County, Iowa, amend said restrictions in whole or in part. Approval of amendments is approved by a simple majority of lot owners.

If the owner or person in possession of any lot in Burhans West shall violate or attempt to violate any of the covenants or restrictions herein established before said restrictions or covenants expire or have been removed, as provided herein, it shall be lawful for any person or persons owning any other lots in said plat to prosecute any proceedings in law or in equity against the person or persons violating or attempting to violate any such covenants or restrictions, and either to prevent him or them from so doing or to recover damages or other dues for such violation.

Invalidation of any one of these covenants by judgment or court order shall in no way affect any of the other provisions which shall remain in full force and effect.

JRB Investments, Inc.

By: Richard C. Burhans, President  
Richard C. Burhans, President

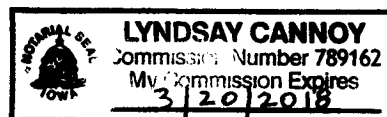
Attachment A: JRB Investments, Inc. Plat Map of Burhans West Subdivision

STATE OF Iowa COUNTY OF Madison

This document was acknowledged before me on Feb. 16, 2017

by Richard Burhans

Lyndsay Cannoy  
Notary Public in and for the State of Iowa



NORTH

100  
200  
300 FEET

FIELD AREA INTEREST FEED & GRAIN

APPEND. 1/4 1/4  
SEC. LINE

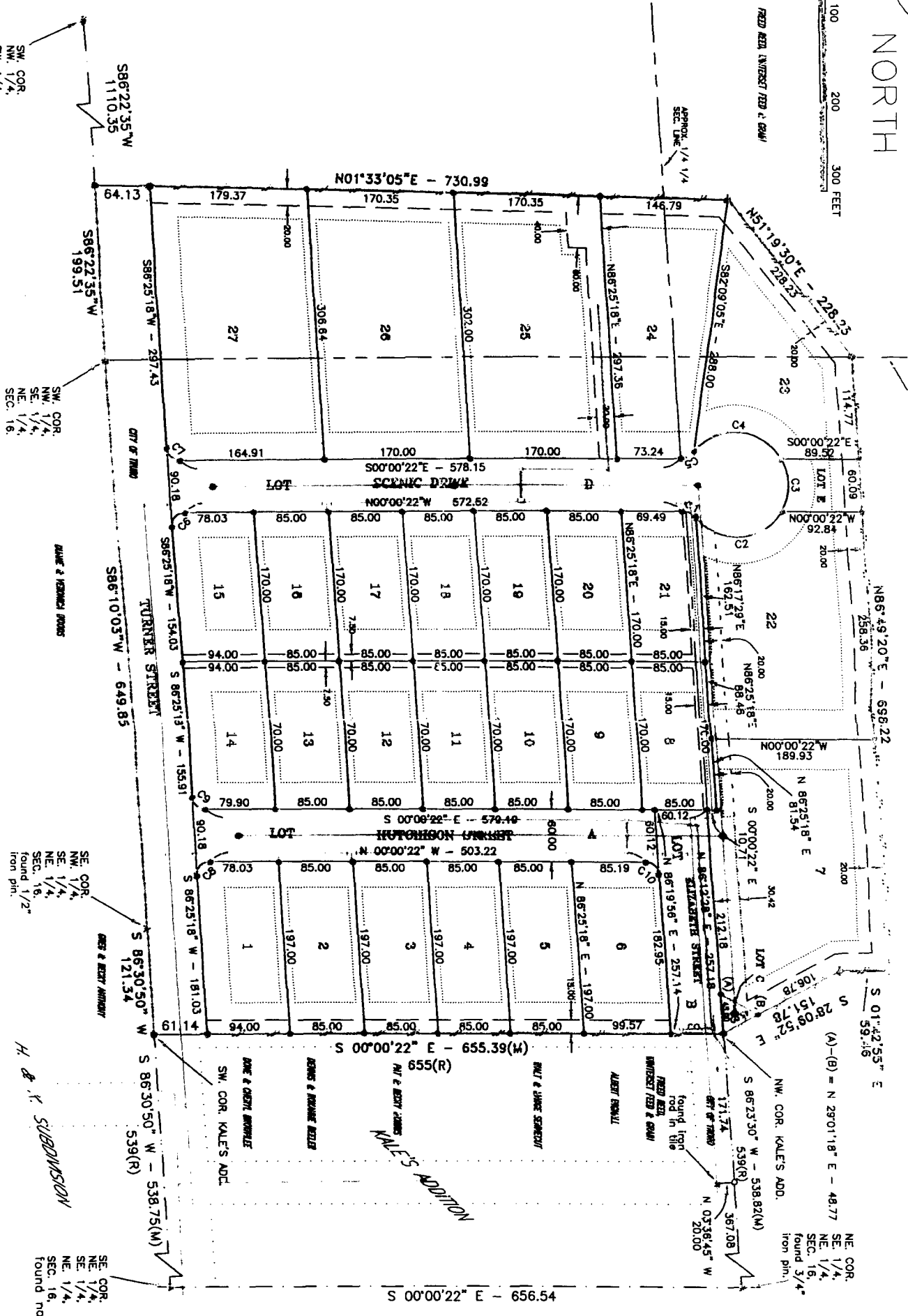
SW. COR.  
NW. 1/4,  
SW. 1/4,

SW. COR.  
NW. 1/4,  
SE. 1/4,  
NE. 1/4,  
SEC. 16.

SE. COR.  
NW. 1/4,  
SE. 1/4,  
NE. 1/4,  
SEC. 16,  
found 1/2"  
iron pin.

H. & K. SUBDIVISION

SE. COR.  
NE. 1/4,  
SE. 1/4,  
NE. 1/4,  
SEC. 16,  
found nail.



SW. COR.  
NW. 1/4,  
SW. 1/4,

SE. COR.  
NE. 1/4,  
SE. 1/4,  
NE. 1/4,  
SEC. 16,  
found nail.