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Circle Heights First Addn

PLAT AND CURRENT DATA FOR CIRCLE HEIGHTS
FIRST ADDITION TO WINTERSET, IOWA

8-26-1959

#3122B

Book 37 Page 51

STATE OF IOWA, County of Madison, City of Winterset, ss:

We, A. E. Emerson and O. D. Simmons, Mayor and City Clerk, respectively, of the City of Winterset, Iowa, located in Madison County, Iowa, do hereby certify that the plat to which this certificate is attached is a plat of an addition to the City of Winterset, Iowa, designated as Circle Heights First Addition to Winterset, Iowa, located in the South Half (S½) of the Southwest Quarter (SW¼) of the Northeast Quarter (NE¼) of the Northeast Quarter (NE¼) of Section Thirty-six (36), Township Seventy-six (76) North, Range Twenty-eight (28) West of the 5th P. M., and described as follows: A tract of real estate bounded by and included within a line running as follows: Commencing at a point Twenty (20) feet due East of the Southwest corner of the South Half (S½) of the Southwest Quarter (SW¼) of the Northeast Quarter (NE¼) of the Northeast Quarter (NE¼) of Section Thirty-six (36), Township Seventy-six (76) North, Range Twenty-eight (28) West of the 5th P. M., thence North 0° 27' West 132 feet, thence East 0° 00' 368 feet, thence South 0° 27' East 132 feet, thence West 0° 00' 368 feet to the place of beginning, which plat was filed with the City Clerk of the City of Winterset, Iowa, on the 19th day of August, 1959, and was approved by the City Council of the City of Winterset, Iowa, on August 19, 1959, by a resolution passed and adopted by said City Council on August 19, 1959, and approved by the Mayor of said City of Winterset, Iowa, on August 19, 1959, and that a true, correct and complete copy of said resolution is affixed to said plat and is made a part of the certification made by this certificate, and said Mayor and City Clerk hereby certify said resolution, and that as part of said plat and of this certification is an attached certificate of engineer, executed by Gene R. Hardy, a licensed and registered engineer and land surveyor, of Winterset, Iowa, dated August 17, 1959, with reference to said plat and which explains said plat, and also a dedication of plat, with reference to said land platted, duly signed and acknowledged on August 14, 1959, by the proprietor of said real estate, A. Carroll Meyer, and his spouse, before an officer authorized to take the acknowledgment of deeds, and also an opinion from Lewis H. Jordan, an attorney at law at Winterset, Iowa, showing that the fee title to said platted real estate is in the said proprietor, A. Carroll Meyer, and that the land platted is free from encumbrance, and also a certified statement from the County Treasurer of Madison County, Iowa, dated August 10, 1959, that said real estate platted is free from taxes, and a certified statement from the Clerk of the District Court of the State of Iowa in and for Madison County, dated August 10, 1959, that said real estate platted is free from all judgments, attachments, mechanics' or other liens as appears by the record in her office, and also a certified statement from the County Recorder of Madison County, Iowa, dated August 10, 1959, that the title in fee to said real estate platted is in such proprietor, to wit: A. Carroll Meyer, and that it is free from encumbrance, and also a deed of restrictions executed by said A. Carroll Meyer and Nola Helen Meyer, husband and wife, on August 14, 1959, with reference to said real estate; all of which is duly certified in accordance with the provisions of Chapter 409 of the Code of Iowa and all other provisions of law applicable thereto.

Dated and signed at Winterset, Iowa, in Madison County, Iowa, and sealed with the official seal of the seal of the City of Winterset, Iowa, on the 26 day of August, 1959.

WINTERSET

A. E. Emerson
(A. E. Emerson)
Mayor of the City of Winterset, Iowa

O. D. Simmons
(O. D. Simmons)
City Clerk of the City of Winterset, Iowa.

STATE OF IOWA, Madison County, ss:

On this 26th day of August, 1970, before me, a Notary Public in and for Madison County, Iowa, personally appeared A. H. Thomson and I. D. Simmons, Mayor and City Clerk, respectively, of the City of Winterset, Iowa, a municipal corporation, who being to me known as the identical persons who signed the above and foregoing instrument, and by me duly sworn, each for himself, did say that they are respectively the Mayor and City Clerk of the City of Winterset, Iowa, and that the seal affixed to said instrument is the seal of the City of Winterset, Iowa, and that said instrument was by them signed and sealed, and each of them acknowledged the execution of said instrument to be the voluntary act and deed of each of them, as an official certification in accordance with Chapter 400 of the Code of Iowa.

Witness my hand and notarial seal the day and year last above

MARGUERITE GALLERY
NOTARIAL SEAL
IOWA

Marguerite Gallery,
(Marguerite Gallery)
Notary Public in and for Madison County, Iowa.

RESOLUTION - Approving Plat of
Circle Heights First Addition
to Winterset, Iowa

WHEREAS, there was on the 19th day of August, 1959, filed in the office of the City Clerk of the City of Winterset, Iowa, a plat of the proposed addition to be platted of real estate within the Corporate Limits of the City of Winterset, Iowa, owned by A. Carroll Meyer, to be known as Circle Heights First Addition to Winterset, Iowa, located in the South Half (S½) of the Southwest Quarter (SW¼) of the Northeast Quarter (NE¼) of the Northeast Quarter (NE¼) of Section Thirty-six (36), Township Seventy-six (76) North, Range Twenty-eight (28) West of the 5th P.M., and described as follows:

> a tract of real estate bounded by and included within a line running as follows:
> Commencing at a point Twenty (20) feet due East of the Southwest corner of the South Half (S½) of the Southwest Quarter (SW¼) of the Northeast Quarter (NE¼) of the Northeast Quarter (NE¼) of Section Thirty-six (36), Township Seventy-six (76) North, Range Twenty-eight (28) West of the 5th P.M., thence North 0° 27' West 132 feet, thence East 0° 00' 368 feet, thence South 0° 27' East 132 feet, thence West 0° 00' 368 feet to the place of beginning, and,

WHEREAS, there was also filed with said plat, on the 19th day of August, 1959, a correct description of the land involved, and a statement to the effect that the subdivision as it appears on the plat is with the free consent and in accordance with the desire of the proprietor, signed and acknowledged by the proprietor, A. Carroll Meyer, and the spouse of said proprietor, before an officer authorized to take the acknowledgment of deeds, and,

WHEREAS, said plat was accompanied by a complete abstract of title and an opinion from an attorney at law showing that the fee title is in the said proprietor and that the platted land is free from encumbrance, and a certified statement from the Treasurer of Madison County, Iowa, that said land platted is free from taxes, and from the Clerk of the District Court of Madison County, Iowa, that it is free from all judgments, attachments, mechanic's or other liens, as appears by the record in her office, and from the Recorder of Madison County, Iowa, that the title in fee is in such proprietor and that it is free from

encumbrance, and,

WHEREAS, there was also filed with said plat, on the 19th day of August, 1959, an instrument entitled "Deed of Restrictions", executed by said A. Carroll Meyer and Nola Helen Meyer, husband and wife, with reference to said platted land, and,

WHEREAS, this City Council does not make any requirements for installation of sidewalks, paving, sewers, water, gas, and electric utilities, or platting of alleys in said tract, other than such as are shown by said plat and said instruments hereinbefore mentioned, before the approval of said plat, and,

WHEREAS, the recommendation of the City Planning and Zoning Commission of the City of Winterset, Iowa, has been obtained, recommending the approval of said plat, and,

WHEREAS, this City Council finds that said plat conforms to the provisions of law of the State of Iowa, particularly of Chapter 409 of the Code of Iowa as applicable thereto, and that all provisions of law of the State of Iowa, particularly of Chapter 409 of the Code of Iowa, as applicable thereto, have been complied with, and that said plat and said insturments and papers and documents presented in connection therewith should be approved by this City Council and that said addition known as Circle Heights First Addition to Winterset, Iowa, should be approved and accepted by this City Council and by the City of Winterset, Iowa, and that the dedication of the portion therein dedicated to the public for use for public street purposes should be accepted by this City Council for and in behalf of the City of Winterset, Iowa,

Now, Therefore, Be It Resolved by the City Council of the City of Winterset, Iowa:

That said plat for said Circle Heights First Addition to Winterset, Iowa, be and the same is hereby approved by the City Council of the City of Winterset, Iowa, for and in behalf of the City of Winterset, Iowa, and by the City of Winterset, Iowa, acting through its City Council, and that said instruments and papers and documents presented in connection therewith are hereby approved, and that said

addition, known as Circle Heights First Addition to Winterset, Iowa, be and is hereby approved and accepted, and that the dedication of the portion therein dedicated to the public for use for public street purposes be and is hereby approved and accepted by this City Council, for and on behalf of the City of Winterset, Iowa, and by the City of Winterset, Iowa, acting through its City Council, and that the Mayor and City Clerk of the City of Winterset, Iowa, be and are hereby directed to certify this resolution, which shall be affixed to said plat, to the County Recorder of Madison County, Iowa, and attend to the filing and recording of all instruments and papers and documents which should be filed and recorded in connection therewith, and that all things shall be done to carry out the provisions of Section 409.12 of the Code of Iowa, so far as applicable, and to carry out any other provisions of Chapter 409 of the Code of Iowa applicable thereto, or any other provisions of law applicable thereto.

On roll call the members of the City Council voted as follows:

Clarence Johnson	Yes	Wilbur Callison	Yes
Earl W. Brown	Yes	Bernard Wight,	Yes

Approved by me this 19th day of August, 1959:

(Signed) A. E. Emerson
Mayor of the City of Winterset, Iowa

Attest:

O. D. Simmons (Signed)
City Clerk of the City of Winterset, Iowa



CIRCLE HEIGHTS FIRST ADDITION TO WINTERSET, IOWA

CERTIFICATE OF ENGINEER

I, Gene Hardy, a licensed engineer residing in Winterset, Madison County, Iowa, do hereby certify that at the request of A. Carroll Meyer and Nola Helen Meyer, I have surveyed and set iron stakes at the corners of the lots as shown on the attached plat of the Circle Heights First Addition to Winterset, Iowa; that the distances marked on said plat are correct and are marked in feet; that the location and width of the street is as shown on said plat; that the said Circle Heights First Addition to Winterset, Iowa, comprises real estate located in the South Half ($S\frac{1}{2}$) of the Southwest Quarter ($SW\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$) of Section Thirty-six (36), Township Seventy-[illegible] (76) North, Range Twenty--eight (28) West of the 5th P. M., and the land comprising said plat is more specifically described as follows, to-wit:

> Commencing at a point Twenty (20) feet due East of the Southwest Corner of the South Half ($S\frac{1}{2}$) of the Southwest Quarter ($SW\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$) of Section Thirty-six (36), Township Seventy-six (76) North, Range Twenty-eight (28) West of the 5th P. M., thence North 0° 27′ West 132 feet, thence East 0° 00′ 368 feet, thence South 0° 27′ East 132 feet, thence West 0° 00′ 368 feet to place of beginning.

That the following described real estate shown on said plat is dedicated to The Public for use as a public street, to-wit:

> Commencing at a point 338 feet due East of the Southwest corner of the South Half ($S\frac{1}{2}$) of the Southwest Quarter ($SW\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$) of Section Thirty-six (36), Township Seventy-six (76) North, Range Twenty-eight (28) West of the 5th P. M., Madison County, Iowa, thence North 0° 27′ West 132 feet, thence East 0° 00′ 50 feet, thence South 0° 27′ East 132 feet, thence West 0° 00′ 50 feet to place of beginning.

That in addition to that portion of the plat previously described as being dedicated to The Public for use as a public street, the remaining area of the real estate shown on said plat is subdivided into lots and numbered One through Four as shown on said plat, commencing at the Southwest Corner of said plat.

That the description of said lots is as follows:

Lot One (1) commences at a point 20 feet due East of the Southwest Corner of the South Half (S½) of the Southwest Quarter (SW¼) of the Northeast Quarter (NE¼) of the Northeast Quarter (NE¼) of Section Thirty-six (36), Township Seventy-six (76) North, Range Twenty-eight (28) West of the 5th P. M., Madison County, Iowa, thence North 0° 27' West 132 feet, thence East 0°00' 79.5 feet, thence South 0° 27' East 132 feet, thence West 0° 00' 79.5 feet to place of beginning;

Lot Two (2) commences at the Southeast corner of Lot One (1), thence North 0° 27' West 132 feet, thence East 0° 00' 79.5 feet, thence South 0° 27' East 132 feet, thence West 0° 00' 79.5 feet to the place of beginning;

Lot Three (3) commences at the Southeast corner of Lot Two (2), thence North 0° 27' West 132 feet, thence East 0° 00' 79.5 feet, thence South 0° 27' East 132 feet, thence West 0° 00' 79.5 feet to the place of beginning;

Lot Four (4) commences at the Southeast corner of Lot Three (3), thence North 0° 27' West 132 feet, thence East 0° 00' 79.5 feet, thence South 0° 27' East 132 feet, thence West 0° 00' 79.5 feet to the place of beginning.

Gene Hardy, Licensed Engineer

Subscribed and sworn to before me by Gene Hardy this 17th day of August, 1959.

Notary Public in and for Madison County, Iowa.

PLAT OF THE CIRCLE HEIGHTS FIRST ADDITION TO WINTERSET, IOWA

A. CARROLL MEYER and NOLA HELEN MEYER

to

THE PUBLIC — DEDICATION OF PLAT

KNOW ALL MEN BY THESE PRESENTS:

That we, A. Carroll Meyer and Nola Helen Meyer, husband and wife, do hereby certify that we are the sole owners and proprietors of the following described real estate, to-wit:

A tract of real estate, the Southwest Corner of which is located Twenty (20) feet due East of the Northwest Corner of Pitzer & Knight's Addition to the City of Winterset, Iowa, the legal description of which tract is as follows:

Commencing at a point Twenty (20) feet due East of the Southwest Corner of the South Half (S½) of the Southwest Quarter (SW¼) of the Northeast Quarter (NE¼) of the Northeast Quarter (NE¼) of Section Thirty-six (36), Township Seventy-six (76) North, Range Twenty-eight (28) West of the 5th P. M., thence North 0° 27' West 132 feet, thence East 0° 00' 368 feet, thence South 0° 27' East 132 feet, thence West 0° 00' 368 feet to place of beginning.

That the disposition of said land, as shown by the annexed plat and Engineer's Certificate, is with our free consent and in accordance with our desires; and we each hereby dedicate to The Public for use as public streets so much of the above described land as is, by said plat, set forth and designated as an extension of Third Avenue in the City of Winterset, Iowa, and we each hereby relinquish all rights of dower therein.

IN WITNESS WHEREOF, we have hereunto set our hands this 14th day of August, 1959.

A. Carroll Meyer

A. Carroll Meyer

Nola Helen Meyer

Nola Helen Meyer

STATE OF IOWA :
: ss
MADISON COUNTY :

On this 14th day of August, 1959, before me, the undersigned, a Notary Public in and for Madison County, Iowa, personally appeared A. Carroll Meyer and Nola Helen Meyer, to me known to be the identical persons named in and who executed the foregoing instrument and acknowledged that they execured the same as their voluntary act and deed.



Notary Public in and for Madison County, Iowa.

SHIRLEY A. WEBSTER
ROBERT O. FREDERICK

LEWIS H. JORDAN
ASSOCIATE

LAW OFFICES
WEBSTER & FREDERICK
FARMERS' & MERCHANTS' BANK BLDG.
WINTERSET, IOWA

PHONE 153

August 13, 1959

13-8-592H

ABSTRACT OF TITLE---ATTORNEY'S OPINION

City Council of Winterset
Winterset,
Iowa

Gentlemen:

We have this day examined abstract of title purporting to show the chain of title to the following described real estate, to-wit:

> Commencing at a point Twenty (20) feet due East of the Southwest Corner of the South Half ($S\frac{1}{2}$) of the Southwest Quarter ($SW\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$); of Section Thirty-six (36), Township Seventy-six (76) North, Range Twenty-eight (28) West of the 5th P. M., thence North 0° 27' West 132 feet, thence East 0° 00' 368 feet, thence South 0° 27' East 132 feet, thence West 0° 00' 368 feet to the place of beginning;

from the United States Government to date of last continuation, to-wit: August 11, 1959 at 11:02 A. M.

In connection with such examination, it is our opinion that this constitutes a complete abstract of title to the above described real estate and that said abstract shows merchantable fee simple title in said real estate to be in:

A. CARROLL MEYER

as of date of last continuation thereof and shows said real estate to be free of all encumbrances.

Respectfully submitted,

WEBSTER & FREDERICK

By Lewis H. Jordan

LHJ:sm

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CERTIFICATE OF COUNTY TREASURER

OF MADISON COUNTY, IOWA

I, C. A. McMurray, hereby certify that I am the duly elected and acting Treasurer of Madison County, Iowa; that I have examined the records in my office and there are no unpaid taxes against the following described real estate, to-wit:

A tract of real estate, the Southwest Corner of which is located Twenty (20) feet due East of the Northwest Corner of Pitzer & Knight's Addition to the City of Winterset, Iowa, the legal description of which tract is as follows:

Commencing at a point Twenty (20) feet due East of the Southwest Corner of the South Half ($S\frac{1}{2}$) of the Southwest Quarter ($SW\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$) of Section Thirty-six (36), Township Seventy-six (76) North, Range Twenty-eight (28) West of the 5th P. M., thence North 0° 27' West 132 feet, thence East 0° 00' 368 feet, thence South 0° 27' East 132 feet, thence West 0° 00' 368 feet to place of beginning.

Dated at Winterset, Iowa, this 10th day of August 1959, 1959.

C A McMurray

C. A. McMurray, County Treasurer of Madison County, Iowa.

CERTIFICATE OF THE CLERK OF THE DISTRICT COURT OF IOWA

IN AND FOR MADISON COUNTY

I, Marguerite Morrissey, hereby certify that I am the duly elected and acting Clerk of the District Court of the State of Iowa, in and for Madison County; that the following descri bed real estate, to-wit:

> A tract of real estate, the Southwest Corner of which is located Twenty (20) feet due East of the Northwest Corner of Pitzer & Knight's Addition to the City of Winterset, Iowa, the legal description of which tract is as follows:
>
> Commencing at a point Twenty (20) feet due East of the Southwest Corner of the South Half (S½) of the Southwest Quarter (SW¼) of the Northeast Quarter (NE¼) of the Northeast Quarter (NE¼) of Section Thirty-six (36), Township Seventy-six (76) North, Range Twenty-eight (28) West of the 5th P. M., thence North 0° 27' West 132 feet, thence East 0° 00' 368 feet, thence South 0° 27' East 132 feet, thence West 0° 00' 368 feet to place of beginning;

belonging to A. Carroll Meyer and Nola Helen Meyer, is free from all judgments, attachments, mechanic's liens, or other liens as the same appear of record in my office.

Dated at Winterset, Iowa, this 12th day of August, 1939.

SEAL OF THE DISTRICT COURT MADISON COUNTY IOWA

Marguerite Morrissey

Marguerite Morrissey, Clerk of the District Court of Iowa, in and for Madison County

s

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CERTIFICATE OF THE COUNTY RECORDER

OF MADISON COUNTY, IOWA

I, Mary E. Welty, hereby certify that I am the duly elected and acting Recorder of Madison County, Iowa; that A. Carroll Meyer holds record title in fee simple to the following described real estate, to-wit:

A tract of real estate, the Southwest Corner of which is located Twenty (20) feet due East of the Northwest Corner of Pitzer & Knight's Addition to the City of Winterset, Iowa, the legal description of which tract is as follows:

Commencing at a point Twenty (20) feet due East of the Southwest Corner of the South Half ($S\frac{1}{2}$) of the Southwest Quarter ($SW\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$) of Section Thirty-six (36), Township Seventy-six (76) North, Range Twenty-eight (28) West of the 5th P. M., thence North 0° 27' West 132 feet, thence East 0° 00' 368 feet, thence South 0° 27' East 132 feet, thence West 0° 00' 368 feet to place of beginning;

and that the same is free from encumbrance.

Dated at Winterset, Iowa, this 10 day of August, 1959.

Mary E. Welty

Mary E. Welty, County Recorder of Madison County, Iowa.

CIRCLE HEIGHTS FIRST ADDITION TO WINTERSET, IOWA

A. CARROLL MEYER and NOLA HELEN MEYER	:	
to	:	
THE PUBLIC	:	DEED OF RESTRICTION

KNOW ALL MEN BY THESE PRESENTS:

That we, A. Carroll Meyer and Nola Helen Meyer, husband and wife, of Winterset, Madison County, Iowa, are now the fee simple owners and record title holders of the following described real estate, to-wit:

> A tract of real estate, the Southwest Corner of which is located Twenty (20) feet due East of the Northwest Corner of Pitzer & Knight's Addition to the City of Winterset, Iowa, the legal description of which tract is as follows:
>
> Commencing at a point Twenty (20) feet due East of the Southwest Corner of the South Half ($S\frac{1}{2}$) of the Southwest Quarter ($SW\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$) of Section Thirty-six (36), Township Seventy-six (76) North, Range Twenty-eight (28) West of the 5th P. M., thence North 0° 27' West 132 feet, thence East 0° 00' 368 feet, thence South 0° 27' East 132 feet, thence West 0° 00' 368 feet to place of beginning,

which we, as Grantors, are platting as Circle Heights First Addition to Winterset, Iowa.

That the said owners do hereby impose and subject said real estate to certain regulations, covenants, restrictions, and easements as to the use and occupancy thereof as follows:

(a) All lots described herein shall be known, described, and used solely as residential lots, and no structure shall be erected on any residential building lot other than one detached, single family dwelling not to exceed two stories in height, and a one or two car garage.

(b) Any garage or carport erected shall have a common roofline with some part of the dwelling, and shall be connected thereto either directly or by a breezeway.

(c) On Lots One (1), Two (2), and Three (3), no building shall be erected nearer than Forty-two (42) feet to nor farther than Sixty (60) feet from the front lot line, nor nearer than Ten (10) feet to any side lot line. On Lot Four (4), no building shall be erected nearer than Forty-two (42) feet to nor farther than Sixty (60) feet from the front lot line, nor nearer than Ten (10) feet to the West side lot line, nor nearer than Twenty (20) feet to the East side lot line.

(d) No residential lot shall be re-subdivided into building plots having less than Five Thousand (5000) Square feet of area or a width less than Sixty (60) feet each, nor shall any building be erected on any residential building plot having an area of less than Five Thousand (5000) square feet.

(e) No building shall be erected on any lot unless the design and location is in harmony with existing structures and locations in the tract, and does not violate any protective covenant. In any case, no dwelling shall be permitted on any lot described herein, having a ground floor square foot area of less than Seven Hundred Sixty (760) square feet in the case of a one-story structure, nor less than Seven Hundred Sixty (760) square feet in the case of a One and one-half (1½) or Two (2) story structure.

(f) No trailer, basement, tent, shack, garage, barn or other out building erected on the tract shall, at any time, be used as a residence, temporarily or permanently, nor shall any residence of a temporary character be permitted.

(g) Any improvements commenced on any lot must be completed within a reasonable time.

(h) Title holder of each lot, vacant or improved, shall keep his lot or lots free of weeds and debris.

(i) No obnoxious or offensive trade shall be carried on upon any lot, nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood.

(j) A perpetual easement is reserved over the rear Five (5) feet of each lot for utility installation and maintenance.

(k) These covenants are to run with the land and shall be binding on all parties and all persons claiming under them until July 1, 1969, at which time, said covenants shall be automatically extended for successive periods of Ten (10) years unless by vote of the majority of the then owners of the lots, it is agreed to change the said covenants in whole or in part.

(l) If the parties hereto or any of them, or their heirs or assigns, shall violate or attempt to violate any of the covenants or restrictions herein before July 1, 1969, it shall be lawful for any other person or persons owning any other lots in said development or subdivision 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 to prevent him or them from so doing or to recover damages or other dues for such violation.

(m) Invalidation of any one of these covenants by judgment or Court order shall in no wise affect any of the other provisions which shall remain in full force and effect.

Dated at Winterset, Iowa, this 14th day of August, 1959.

A. Carroll Meyer

A. Carroll Meyer

Nola Helen Meyer

Nola Helen Meyer

STATE OF IOWA :
: ss
MADISON COUNTY :

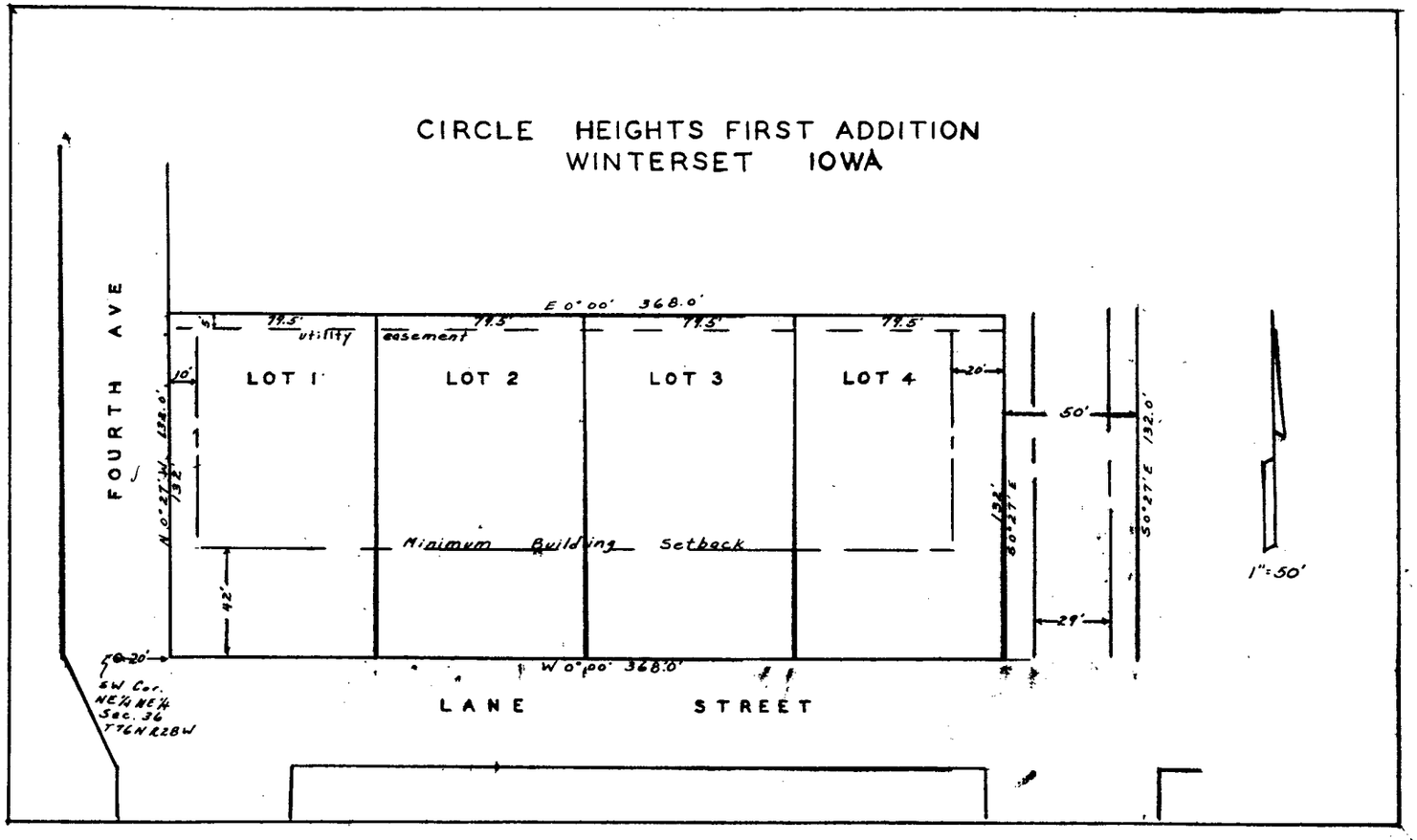
Subscribed and sworn to before me by A. Carroll Meyer and Nola Helen Meyer this 14th day of August, 1959.

LEWIS H. JORDA
Iowa
NOTARIAL SEAL

Lewis H. Jorda

Notary Public in and for Madison County, Iowa.

CIRCLE HEIGHTS FIRST ADDITION
WINTERSET IOWA



26 august
59
1 po
Mary E. Welty
Acc # 1.00

GENE R HARDY
WINTERSET IOWA
JULY 1 1959