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75-4062
4-4-75

RESTRICTIONS COVERING THE LAND IN
BELGIAN ACRES, SECOND ADDITION TO THE CITY OF OAKLAND, IOWA

WHEREAS, the undersigned, Marion T. Wright and Orval W. Pierce are now the owners in fee of all the property and lots contained in "Belgian Acres Second Addition" to the City of Oakland, Pottawattamie County, Iowa, and

WHEREAS, the said Marion T. Wright and Orval W. Pierce, desire to restrict all of the above described property as hereinafter stated for their benefit and for the benefit of all future owners of lots in said Addition.

NOW, THEREFORE, the said Marion T. Wright and Orval W. Pierce do hereby create and establish the following restrictions which shall become binding upon all of the above described property and also upon the owner or owners at any time, to the extent herein indicated and set forth, to-wit:

1. All lots located in said Addition shall be known, described and used solely as residential lots and no construction shall be permitted on any lot other than for residential purposes.

2. No building shall be erected on any residential building plot nearer than twenty (20') feet to, nor farther than thirty (30') feet from the front lot line, nor nearer than five (5') feet to any side lot line. The side line restrictions shall not apply to a garage located on the rear one-quarter of a lot, except that on corner lots, no structure shall be permitted nearer than twenty (20') feet to the side street line. The restriction with reference to the distance from any side lot line applies to any part of a building, including the eaves or overhang from a roof. In the case of a garage constructed on the rear quarter portion of said lots, the side line restriction shall not apply, except that in no instance is any part of any building to overlap any boundary line.

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3. No dwelling shall be erected or placed on any lot having a width of less than sixty (60') feet at the minimum building set-back line, nor shall any dwelling be erected or placed on any lot having an area of less than fifty-five hundred (5500) square feet.

4. No basement home, cement block home (unless the same be finished with stucco or wood), trailer, tent, shack, garage, barn or other out-building erected in the platted area shall at any time, be used as a residence, temporarily or permanently, nor any residence of temporary nature be permitted. The same restrictions apply to any structure or structures being moved upon any lots within the platted area. 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 protective covenants. In any case, no dwelling shall be permitted on any lot described herein, having a ground floor square foot area of less than nine hundred (900) square feet.

5. Construction is limited to one story or split-level structures.

6. No obnoxious or offensive trade shall be carried on upon any lot, nor shall anything be done therein which may be or become an annoyance or nuisance to the owners in the neighborhood or platted area.

7. No farm animals will be harbored, sheltered or kept within the platted area.

8. A perpetual easement is reserved over the rear five (5') feet of each lot for utility installation and maintenance. The covenants and restrictions are to perpetually run with the land and shall be binding upon all parties or persons claiming under them.

9. If the parties hereto, or any of them, their heirs, assigns or legal representatives, shall violate or attempt to violate any of the covenants or restrictions herein, it shall be lawful for any other

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person or persons owning other lot or lots in said development or Addition, 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 to prevent him or them from so doing, or to recover damages or other dues from such violation.

10. Invalidation of any covenants by Judgment or Court Order shall in no way affect any of the other provisions which shall remain in full force and effect.

W. H. Hargis
Witness

Marion T. Wright
Marion T. Wright
Orval W. Pierce
Orval W. Pierce