

2007-5778

Eagle Trail Phase 4

Preparer Information and Return to: Craig A. Knickrehm, ISBA #18671, 11240 Davenport St. Omaha, NE 68154
(402) 330-6300

DECLARATION OF COVENANTS, CONDITIONS AND
RESTRICTIONS FOR EAGLE TRAIL SUBDIVISION, PHASE 4,
IN THE CITY OF COUNCIL BLUFFS, IOWA

THIS DECLARATION made on the date hereinafter set forth, is made by Eagles Nest, L.L.C., an Iowa limited liability company, hereinafter referred to as the "Declarant."

PRELIMINARY STATEMENT

The Declarant is the owner of certain real property located within Pottawattamie County, Iowa and described as follows: Lots 109 through 174 in Eagle Trail, Phase 4, a subdivision in the City of Council Bluffs, Pottawattamie County, Iowa. Such lots are herein referred to collectively as the "Lots" and individually as each "Lot."

The Declarant desires to provide for the preservation of the values and amenities of Eagle Trail, Phase 4, as well as maintenance of the character and residential integrity of Eagle Trail, Phase 4.

NOW, THEREFORE, the Declarant hereby declares that Lots 109 through 174 shall be held, sold and conveyed subject to the Declaration of Covenants, Conditions and Restrictions for Eagle Trail Subdivision, Phase 1, in the City of Council Bluffs, Iowa, dated October 13, 2004, and as recorded on October 14, 2004 in Book 105 at Page 07338, as the same may be amended from time to time. The Covenants, Conditions and Restrictions shall run with such lots and shall be binding upon all parties having or acquiring any right, title or interest in each Lot, or any part thereof, as is more fully

described herein. The Lots are, and each Lot is and shall be subject to all and each of said conditions and other terms.

IN WITNESS WHEREOF, the Declarant has caused these presents to be executed on this 19th day of February, 2007.

EAGLES NEST, L.L.C.

By: *Robert P. McCarthy*
Robert P. McCarthy, Manager/Member

STATE OF IOWA)
) ss.
COUNTY OF POTTAWATTAMIE)

This instrument was acknowledged before me on the 19th day of February, 2007, by Robert P. McCarthy, Manager/Member of Eagles Nest, L.L.C.

Mary J. Hughes
NOTARY PUBLIC IN AND FOR SAID STATE

(SEAL)

My commission expires: _____

