

MISCELLANEOUS RECORD BOOK 300, MILLS COUNTY, IOWA

Preparer: James A. Thomas, Peters Law Firm, P.C., 10 N. Walnut St., Glenwood IA 51534, 712-527-4877

**PROTECTIVE COVENANTS
RAINSVIEW SUBDIVISION**

Re: A parcel of land located in part of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 33, Township 72 North, Range 41 West of the 5th Principal Meridian, Mills County, Iowa, said parcel being more fully described as follows: Commencing at the N $\frac{1}{4}$ Corner of said Section 33 and the Point of Beginning; thence S00°33'55"E along the East line of said NE $\frac{1}{4}$ NW $\frac{1}{4}$ a distance of 909.55 feet; thence N89°48'44"W a distance of 650.00 feet; thence S11°58'33"E a distance of 429.60 feet to the South line of said NE $\frac{1}{4}$ NW $\frac{1}{4}$; thence N89°48'44"W along said South line a distance of 752.52 feet to the Southwest Corner of said NE $\frac{1}{4}$ NW $\frac{1}{4}$; thence N00°30'53"W along the West line of said NE $\frac{1}{4}$ NW $\frac{1}{4}$ a distance of 1325.22 feet to the Northwest Corner of said NE $\frac{1}{4}$ NW $\frac{1}{4}$; thence N90°00'00"E along the North line of said NE $\frac{1}{4}$ NW $\frac{1}{4}$ a distance of 1316.30 feet to the Point of Beginning. Said parcel contains 34.27 acres, more or less, including presently established right-of-way (1.66 acres), and is subject to easements of record. Note: The East line of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 33 is assumed to bear S00°33'55"E for this description.

1. All lots herein shall be known, described and used solely as single family, acreage, residential lots.

Minimum square footage per family:

- a. 1100 square feet, ranch style, main floor living area,
 - b. 1250 square feet, split entry style, main floor living area,
 - c. 1650 square feet, tri-level style, main floor and upstairs living area,
 - d. 1650 square feet, one and one-half story style, main floor and upstairs living area,
 - e. 1800 square feet, two story style, main floor and upstairs living area,
 - f. 1400 square feet, multi-level style, main floor and upstairs living area.
2. No trailer, mobile homes, basement, tent, shack, garage, barn or other outbuilding erected in the tract shall at any time be used as a residence temporarily or permanently nor shall any residence of a temporary character be permitted.
 3. The assembly, disassembly or general service work on any car, truck, equipment or other machinery shall be prohibited except in an enclosed garage or shop.
 4. No trailers or mobile homes shall be allowed on the premises on a temporary or permanent basis.
 5. Each owner shall be responsible to maintain their premises free from all junk, abandoned cars and accumulated debris.
 6. No junk yards shall be permitted.
 7. No commercial dog kennels, no hogs or livestock confinement operations shall be permitted. Horses are allowed, two per acre.
 8. All homes constructed to be of lumber, brick, concrete or concrete block and other common house building materials with a two car garage. The two car garage can be under the home, attached or detached. The developer reserves the right to approve or disapprove earth style, earth berm, or component homes in the subdivision.

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- 9. The titleholders of a platted lot shall care for their pets so they will not be a nuisance to the neighborhood.
- 10. In constructing the residence and building, all set back buildings shall be within the following specifications: Same as county subdivision ordinance, recorded in Book 244, Pages 687-727, Miscellaneous Records, Mills County, Iowa.
- 11. Titleholders of the property, vacant or improved, shall keep his lot or lots free of weeds and debris.
- 12. No obnoxious or offensive trade shall be carried on nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood.
- 13. Nothing contained in this instrument shall in any way be construed as imposing on the undersigned any liability, obligation or requirement for its enforcement.
- 14. The fence in front of the residence shall not exceed four feet in height. Any type of fence constructed behind the residence shall not exceed six feet in height.
- 15. Farming is allowed on the land.
- 16. All satellite dishes over 30 inches in diameter are to be installed behind the house on the respective lots.
- 17. Developer can split Lot 2; all other lots shall be one residence per lot.
- 18. These covenants are to run with the land and shall be binding on all parties and all persons claiming under them for a period of twenty-five years from the date these covenants are recorded, after which time said covenants shall be automatically extended for successive periods of ten years, unless an instrument signed by a majority of the then owners of the lots has been recorded agreeing to change said covenants in whole or in part.
- 19. If the present or future owners of any of these lots, or their grantees, heirs or assigns, shall violate or attempt to violate any of these covenants, it shall be lawful for any other person or persons owning any part of said real estate to prosecute any proceedings at law or in equity against the person or persons violating or attempting to violate any such covenant and either to prevent him or them from so doing or to recover damages or other dues for such violation.

Dec. 16, 2002
Dated:

James R. Hughes
James R. Hughes

Monica A. Hughes
Monica A. Hughes

STATE OF IOWA }
COUNTY OF MILLS } SS:

On this 16th day of Dec, 2002, before me, the undersigned, a Notary Public in and for said State, personally appeared James R. Hughes and Monica A. Hughes, 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.

Marian A. Otto
MARIAN A. OTTO
NOTARY PUBLIC IN AND FOR
SAID COUNTY AND STATE



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