

Rita Ridge

03632

FILED Sept 25, 1998 3:10P M.
RECORDED Misc. BK 240 PG 865-868
MILLS COUNTY RECORDER/REGISTRAR
ROBERTA DASHNER
FEE \$ 20.00
RMP \$ 100.00

Indexed
Recorded
Mills Co

R. Paddy
Hughes RE

CORRECTIVE COVENANTS
RITA RIDGE SUBDIVISION

Re: A parcel of land located in part of Lot 16 and all of Lot 15 of Timber Ridge Estates Subdivision No. 2, all located in part of the SW 1/4 SW 1/4 of Section 33, together with a parcel of land located in part of the SE 1/4 SW 1/4 and in part of the SW 1/4 SE 1/4 of Section 33, all located in Township 73 North, Range 43 West of the 5th Principal Meridian, Mills County, Iowa, said parcel being more fully described as follows:

Commencing at the Northwest Corner of said Lot 15 and the Point of Beginning; thence N89°39'33"E along the North line of said Lot 15 a distance of 671.34 feet to the Northeast Corner of said Lot 15; thence S00°01'43"W along the East line of said Lot 15 a distance of 336.54 feet; thence S78°57'09"E a distance of 185.43 feet to the North line of Parcel C recorded in Book 221 at Page 584 of the Mills County Recorder's Office; thence S89°25'16"E along the North line of said Parcel C a distance of 1775.39 feet to the Northeast Corner of said Parcel C; thence S00°36'33"W along the East line of said Parcel C a distance of 900.00 feet to the Southeast Corner of said Parcel C; thence N89°25'12"W along the South line of said Parcel C a distance of 1948.29 feet to the Southwest Corner of said Parcel C and the Southwest Corner of said SE 1/4 SW 1/4; thence N00°01'43"E along a portion of the West line of said Parcel C and along a portion of the West line of said SE 1/4 SW 1/4 a distance of 866.45 feet; thence N78°57'09"W a distance of 17.70 feet; thence N78°34'48"W a distance of 149.58 feet to the South line of said Lot 15; thence S89°48'43"W along said South line a distance of 492.65 feet to the Southwest Corner of said Lot 15 and the centerline of a county road; thence N00°13'57"E along the West line of said Lot 15 and along said centerline a distance of 33.22 feet to the beginning of a curve concave Southwesterly having a central angle of 3°00'00" and a radius of 1145.92 feet; thence Northwesterly along the West line of said Lot 15 and along said curve an arc length of 60.00 feet with a chord bearing and distance of N01°16'03"W, 59.99 feet to the end of said curve; thence N02°46'03"W, along said West line a distance of 275.51 feet to the Point of Beginning. Said parcel contains 46.10 acres, more or less, including presently established county road right-of-way (2.21 acres), and is subject to easements of record. Note: The West line of the SW 1/4 of said Section 33 is assumed to bear N00°01'43"E for this description.

Division of Lot 6
Restrictive Cov. —
Change
7-30-01 273/573-574
Addendum

CADA all 178B

Whereas Restrictive Covenants were prepared and recorded involving Rita Ridge

Copies Auditor, assessed
and abstract

240/865

Corrective
273/573

02
to Restrictive Covenants
a Ridge Sub
1/24-248

Subdivision in Book 236, page 573-574, Miscellaneous Records, Mills County, Iowa, and

Whereas all of the owners of property within Rita Ridge Subdivision wish to modify and change the Restrictive Covenants.

Now Therefore the undersigned as the owners of the real estate hereby cancel, remove and extinguish the Restrictive Covenants recorded in Book 236, Page 573-574, Miscellaneous Records, Mills County, Iowa.

The undersigned further declare that the following shall be a declaration and establishment of restrictive covenants for Rita Ridge Subdivision.

This Declaration is made by Padgett J. Hoffman, Joanne M. Hoffman, Rita Hoffman, Casey Hoffman, and Sharon Cole Hoffman, owners of the real estate known as Rita Ridge Subdivision at Pacific Junction, Mills County, Iowa. The purpose of this Declaration is to prescribe covenants, conditions, restrictions and easements with respect to the use of the land in the addition for the purpose of providing the best and most appropriate development and improvement of each building lot and for the protection of owners of lots in Rita Ridge Subdivision.

The following provisions shall apply to the use and development of all lots of Ridge Ridge Subdivision.

1. The lots may be used only for residential purposes, and each lot may be used for only one single-family dwelling. A dwelling shall not exceed two stories in height, and shall not contain less than the following finished living areas exclusive of porches, breezeways and garages:

- a. 1450 square feet on the ground floor for a one story dwelling.
- b. 1200 square feet on the ground floor and at least 550 square feet up for a one and one-half story dwelling.
- c. 2000 square feet above the basement level for a two story building.
- d. 1600 square feet of living area above the ground for a bi-level, tri-level or a split-level dwelling.
- e. 1550 square feet of living area above the ground for a split-entry or raised ranch with 2 car under dwelling.
- f. All homes shall have at least a 2 car attached garage.
- g. No mobile homes.

Exposed portions of the foundation on the front of each dwelling are to be covered with either siding, brick or stone, and exposed portion of the foundation on the sides and rear of each dwelling shall be covered either with brick, stone or siding or shall be painted. Garages shall be constructed for not less than two cars, and garage doors must be closed except for entry and exit.

2. Any of the lots in Rita Ridge Subdivision may be re-subdivided. The lots may not be

8/16

less than one acre.

- 3. No noxious or offensive activity shall be conducted on any parcel.
- 4. No boat, recreational vehicle, camping trailer, snowmobile, auto drawn trailer of any kind, garden tractor or heavy equipment shall be stored outside of the garage or left exposed on any parcel on a permanent basis. These types of items may be stored during the item's seasonal period. This rule is to eliminate unsightly areas for protection of all property owners.
- 5. All satellite dishes in excess of 40 inches in diameter shall be installed in the rear of the home.
- 6. No hog or barbed wire fences shall be permitted. Any fences or walls shall not be higher than 6 feet nor extended forward of the back of the foundation of the dwelling on any parcel, and no posts or braces shall be on the outside of the fence or wall. Split rail fence and picket fence are allowed in the front of a home, not to exceed 4 feet in height.
- 7. No temporary structure may be erected on any parcel for use as a residence.
- 8. No animals of any kind other than household pets (maximum of 3) may be kept on any parcel. Household pets may be sheltered outside the dwelling. Any and all pet housing structures shall be located behind the dwelling. No dogs shall be allowed to run free. Continually noisy animals will not be allowed.
- 9. No repair of automobiles or other motor vehicles will be permitted outside of garages on any parcel at any time.
- 10. Storage and/or ancillary buildings shall be constructed of similar materials as the main dwelling.
- 11. No incinerator or trash burning shall be allowed on any parcel by homeowners.
- 12. Fuel tanks shall not be permitted to remain outside of the house on any parcel except for one propane tank for supporting household appliances.

Dated: 9.9.98

Rita Hoffman
Rita Hoffman

Padgett J. Hoffman
Padgett J. Hoffman

Joanne M. Hoffman
Joanne M. Hoffman

Casey Hoffman
Casey Hoffman

Sharon Cole Hoffman
Sharon Cole Hoffman

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STATE OF IOWA)
) SS:
COUNTY OF MILLS)

On this 4 day of Sept, 1998, before me, the undersigned, a Notary Public in and for said State, personally appeared Padgett J. Hoffman and Joanne M. Hoffman, 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.

James R. Hughes
James R. Hughes
NOTARY PUBLIC IN AND FOR
SAID COUNTY AND STATE

STATE OF)
) SS:
COUNTY OF)

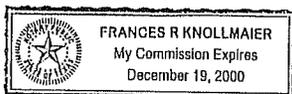
On this 5 day of Sept, 1998, before me, the undersigned, a Notary Public in and for said State, personally appeared Casey Hoffman and Sharon Cole Hoffman, to me known to be the identical persons named in and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.

James R. Hughes
James R. Hughes
NOTARY PUBLIC IN AND FOR
SAID COUNTY AND STATE

STATE OF TEXAS)
) SS:
COUNTY OF Cameron)

On this 9 day of Sept, 1998, before me, the undersigned, a Notary Public in and for said State, personally appeared Rita Hoffman, to me known to be the identical person named in and who executed the foregoing instrument, and acknowledged that said person executed the same as a voluntary act and deed.

Frances R. Knollmaier
FRANCES R. KNOLLMAIER
NOTARY PUBLIC IN AND FOR
SAID COUNTY AND STATE



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