

Record
12-24-55

File No. 28540

Fee \$2.00

Compared

Book 1151 Page 451

RESTRICTIONS AND COVENANTS UPON THE REAL ESTATE
KNOWN AS VERGAMINI ADDITION TO THE CITY OF COUNCIL BLUFFS,
IOWA

WHEREAS, Leo Vergamini and Rodella Vergamini, husband and wife, are now the owners of all the property and lots contained in Vergamini Addition to the City of Council Bluffs, In Pottawattamie County, and State of Iowa, and,

WHEREAS, the said Leo Vergamini and Rodella Vergamini 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 Leo Vergamini and Rodella Vergamini do hereby create and establish the following restrictions which shall become binding on all the property and lots in Vergamini Addition to the City of Council Bluffs, Iowa, and also upon the owner, or owners at any time, of any of the above-described lots in said subdivision to the extent herein indicated, to-wit:

1. 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.
2. No building shall be erected on any residential building plot nearer than 25 feet to nor farther than 40 from the front lot line, nor nearer than 5 feet to any side lot line. The side line restriction 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 25 feet to the side street line.
3. No residential lot shall be resubdivided into building plots having less than 4,000 square feet of area or a width of less than 47 feet each, nor shall any building be erected on any residential building plot having an area of less than 4,000 feet.
4. No trailer, 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.
5. Title holder of each lot, vacant or improved, shall keep his lot or lots free of weeds and debris.
6. 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 covenants. In any case no dwelling shall be permitted on any lot described therein, having a ground floor square foot area of not less than 900 square feet in the case of a one story structure nor less than 750 square feet in the case of a one and one-half or two story structure.
7. 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.

Compared

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8. A perpetual easement is reserved over the front five feet of each lot for utility installment and maintenance.

9. These covenants are to run with the land and shall be binding on all parties and all persons claiming under them until 1975, at which time said covenants shall be automatically extended for successive periods of ten years unless by a vote of the majority of the then owners of the lots it is agreed to change the said covenants in whole or in part.

10. 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 1975, it shall be lawful for any other person or persons owning any other lots in said developement or sub 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.

11. Invalidation of any one of these covenants by judgement or court order shall in no wise affect any of the other provisions which shall remain in full force and effect.

12. By the acceptance or any deed or conveyance to any lot in said subdivision, the grantee therein shall agree to uphold and comply with the foregoing restrictions and covenants.

Leo Vergamini
Rodella Vergamini

STATE OF IOWA)
) ss
POTTAWATTAMIE COUNTY)

Now on this 27 day of December, 1955, before me, a Notary Public in and for Pottawattamie County, Iowa, personally appeared Leo Vergamini and Rodella Vergamini, husband and wife, to me known to be the persons named in and who executed the foregoing instrument and acknowledged that they executed the same as their voluntary act and deed.

Robert C. Neithoff
Notary Public in and for
Pottawattamie County, Iowa

COMPARED

11082

BOOK NO. 33

PAGE NO. 22

LOCATION Vergamini Addition - Council Bluffs

CLIENT William Phillips

DRAWN BY K.L.D

PROJECT NO. IBT-43

KENNY'S SURVEYING
3611 7th AVE. COUNCIL BLUFFS, IOWA 51501

Kenneth L. Dukes
Land Surveying
SCHOLARSHIP IN LAND SURVEYING
PHONE (712) 232-3221

TO THE OFFICE OF Pottawattamie County Recorder

Bill Phillips

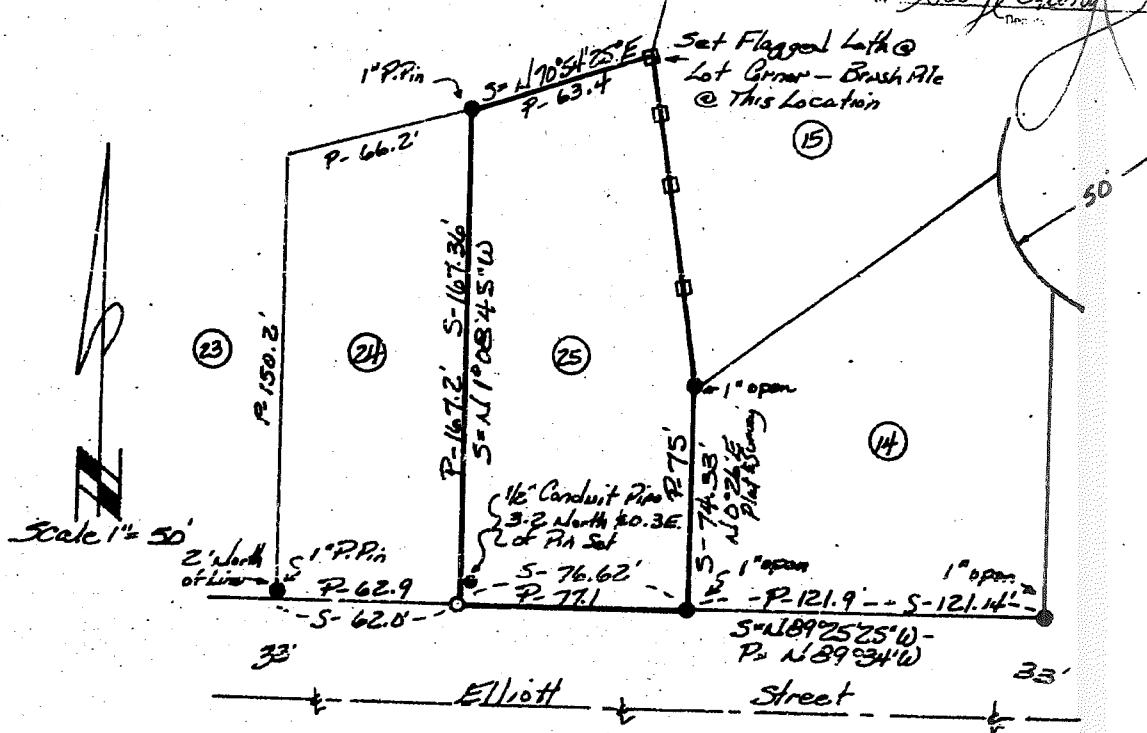
252 Elliott St.

Council Bluffs, Iowa 51501

LEGAL DESCRIPTION Lot 25 Vergamini Addition To The City of Council Bluffs, Pottawattamie County Iowa.

STATE OF IOWA, Pottawattamie County
Filed for record the 11 day of MARCH
1987 at 12 o'clock P.M. and recorded
in book 27 page 22756

John Sciotino
George Cherry



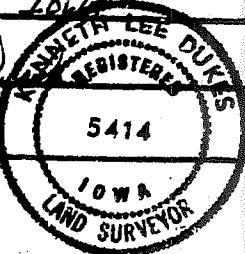
- - Pin Found P-Plat S-Survey
- - Set $\frac{1}{2} \times 18$ " Capped (514) Re-Bar □ - Set Flagged Lath on Line

LAND SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THIS PLAT, MAP, SURVEY OR REPORT WAS MADE BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A FULLY REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

MAR 11 1987

Kenneth L. Dukes



DATE RECEIVED

DATE March 9 1987

REG. NO.

5414

OFFICIAL APPROVED

BLOC PEANUT NO.