

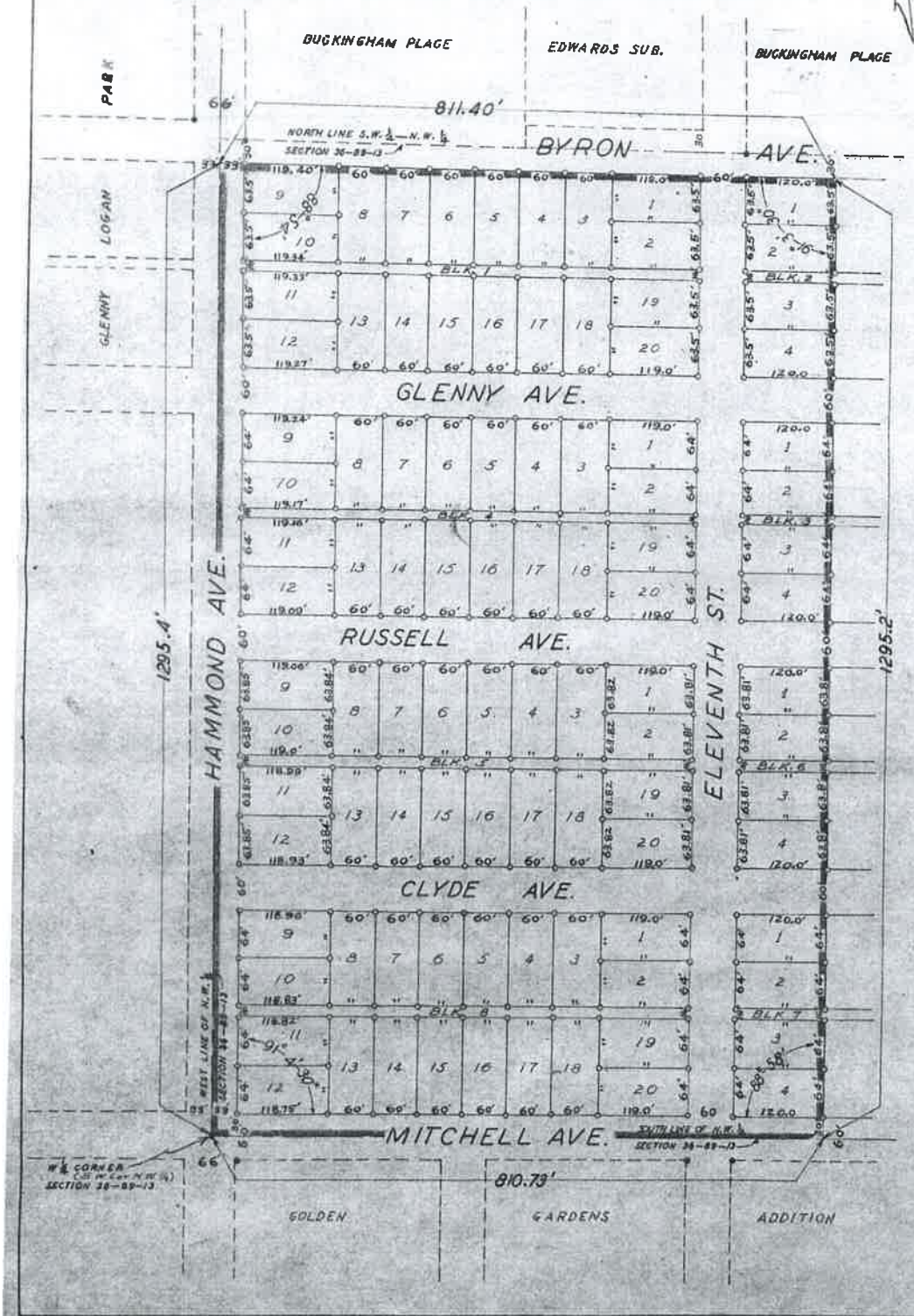
H-108

RUSSELL HEIGHTS
IN THE CITY OF WATERLOO, IOWA
19 46.

SCALE: 1"=100'
• INDICATES IRON STAKES SET
• INDICATES IRON STAKES FOUND

E.E. SCHENK
CIVIL ENGINEER AND
LAND SURVEYOR
WATERLOO, IOWA

re-gener all lots in Russell Heights
See Book 56 West Page 61



ENGINEER'S CERTIFICATE OF SURVEY OF
RUSSELL HEIGHTS IN THE CITY OF WATERLOO,

STATE OF IOWA

STATE OF IOWA }
COUNTY OF BLACK HAWK } ss:

I, E. E. Schenk, Civil Engineer and Land Surveyor of Waterloo, Iowa, hereby certify that I have made a survey of what is to be known as RUSSELL HEIGHTS in the City of Waterloo, Iowa, which is located on and embraces the following described premises, to-wit:

A parcel of land located in the Southwest Quarter of the Northwest Quarter of Section No. Thirty-six (36), Township No. Eighty-nine (89) North, Range No. Thirteen (13) West of the Fifth Principal Meridian, more particularly described as follows:

Beginning at the Southwest corner of the Northwest Quarter of Section No. Thirty-six (36), Township No. Eighty-nine (89) North, Range No. Thirteen (13) West of the Fifth Principal Meridian; thence North along the West line of said Section 36-89-13 to a point which is 30 feet South of the North line of the Southwest Quarter of the Northwest Quarter of said Section 36-89-13, a distance of Twelve Hundred Ninety-five and four tenths (1295.4') feet; thence East along a line that is thirty feet (30.0') South of and parallel to said North line of the Southwest Quarter of the Northwest Quarter of said Section 36-89-13 a distance of Eight Hundred Eleven and four tenths (811.4') feet; thence South to a point in the South line of the Northwest Quarter of said Section 36-89-13, a distance of Twelve Hundred Ninety-five and two tenths (1295.2') feet; thence West a distance of Eight Hundred Ten and seventy-three hundredths (810.73') feet to the point of beginning.

I further certify that the accompanying plat is a true representation of such survey and is made in accordance with my field notes thereof; that the figures on said plat representing distances are in feet and decimals of feet; that the location of roads, streets, avenues, lots and their respective names, numbers, widths, courses and dimensions are to be as shown on the accompanying plat, that said survey and plat contain and show any surpluses and/or deficiencies from former surveys; and that iron stakes are set at all lot corners.

WITNESS MY HAND AND SEAL at Waterloo, Iowa, this 24th day of June, 1946.

E. E. Schenk
E. E. Schenk, Civil Engineer and
Land Surveyor

DEDICATION OF RUSSELL HEIGHTS
IN THE CITY OF WATERLOO, IOWA

I, Lillian Russell Lanson, Unmarried, being desirous of making and laying out a subdivision in Waterloo, Black Hawk County, Iowa, do hereby and by these presents dedicate and set apart the premises described in the attached Certificate of F. E. Schenk, Civil Engineer and Land Surveyor A.E., as set out in the attached plan, to be hereafter known and described as Russell Heights in the City Waterloo, Iowa, with my free consent and in accordance with my desire as the owner of said described real estate.

All persons and corporations who now own or shall hereafter acquire any right, title or interest in said lots and their or its successor and assigns, shall be taken and held to agree and covenant with the owners of the lots shown on said plat to conform to and observe the following covenants, restrictions and stipulations as to the use and occupancy thereof and the construction of residences and improvements thereon for a period of twenty-five (25) years from the date of the filing of said plat, to wit:

1. All lots in the subdivision shall be known and described as residential lots and no structure other than schools and churches shall be erected on any lot other than a residence not to exceed two and one-half stories in height, and a one or two-car garage and non-prohibited accessory buildings. Not more than one residence shall be erected on any lot and such house shall be finished and painted on the outside before it can be occupied. Each house of either one or one and one-half stories in height shall have a minimum ground floor square foot area of not less than six hundred twenty-four (624) square feet, and each house of either two or two and one-half stories in height shall have a minimum ground floor square foot area of not less than four hundred eighty (480) feet.

2. All residences and accessory buildings shall be constructed at least twenty-five (25) feet from the front lot line, at least ten (10) feet from the side street lot line on corner lots, and

at least five (5) feet from ownership lines.

3. No building on any lot shall be used for any purpose other than a residence. No outdoor toilet shall be permitted on any lot. No one shall be permitted to live in trailers, garages, basements or other buildings other than the residence on said lot except one period of six months during the time the residence is being constructed.

4. There shall be a rear yard of at least thirty (30) feet in depth and buildings accessory to the dwelling shall not exceed twelve (12) feet in height nor occupy more than thirty per cent (30%) of the required rear yard space.

5. No person other than a member of the Caucasian race shall own, rent, lease or occupy any of the property covered by this plat.

6. Height Regulation: No building shall exceed two and one-half (2½) stories or thirty-five (35) feet in height except churches and schools which shall have one foot more sideyard over and above the minimum sideyard hereinabove specified for each foot of height over thirty-five (35) feet.

7. Vacant lots may be devoted to tennis courts or similar recreational uses, provided, however, that the same must be on a non-commercial basis; and real estate signs not exceeding sixteen (16) square feet in area for advertising the sale, lease or rental of the premises on which said signs are located, shall be permitted, provided such signs are set back at least twenty (20) feet from the street lot line.

8. 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 laid down, it shall be lawful for any other persons owning any other lots in said development or subdivision to prosecute any proceedings at law or 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

at least five (5) feet from ownership lines.

3. No building on any lot shall be used for any purpose other than a residence. No outdoor toilet shall be permitted on any lot. No one shall be permitted to live in trailers, garages, basements or other buildings other than the residence on said lot except one period of six months during the time the residence is being constructed.

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8. 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 laid down, it shall be lawful for any other persons owning any other lots in said development or subdivision to prosecute any proceedings at law or 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

Page 3 - Dedication

or recover damages or other dues for such violations.

9. Invalidation of any one these covenants by judgment or decree shall in nowise affect any of the other provisions which shall remain in full force and effect.

And the undersigned, Lillian Russell Lamson, by these presents does hereby dedicate and set apart to the public and for public use all streets and alleys shown and laid out in said attached plat, and relinquishes all right under the homestead laws of the State of Iowa in and to said streets and alleys.

DATED at Waterloo, Iowa, this 8th day of July, 1946.

Lillian Russell Lamson

Page 4 - Dedication

State of IOWA }
COUNTY OF BLACK HAWK } ss

On this 8th day of July, 1946, before me, Horace Van Metre, a Notary Public in and for Black Hawk County, Iowa, personally appeared LILLIAN RUSSELL LAMSON, to me known to be the person named in and who executed the foregoing instrument, and acknowledged that she executed the same as her voluntary act and deed.

IN WITNESS WHEREOF, I have hereunto signed my name and affixed my Notarial Seal the day and year last above written.

Horace Van Metre
Notary Public in and for
Black Hawk County, Iowa

RESOLUTION NO. 7631

Resolution on Accepting and Approving
the Plat known as "Russell Heights"
in Waterloo, Iowa

BE IT RESOLVED by the City Council of the City of Waterloo,
Iowa, that the Plat heretofore filed, to be known as "Russell Heights"
in Waterloo, Iowa, be, and the same is hereby accepted and approved,
and that the Mayor and City Clerk be, and they are hereby, authorized
and directed to certify a copy of this Resolution to the County Re-
corder of Black Hawk County, Iowa; it appearing that the Waterloo
Planning and Zoning Commission has heretofore recommended to this
Council that said Plat be approved.

PASSED and ADOPTED this 8th day of July, 1946.

Stanley B. Shaw
Mayor

ATTEST:

Kenneth F. Matthews
City Clerk

CERTIFICATE

TO THE RECORDER OF THE COUNTY OF
BLACK HAWK COUNTY, IOWA:

This is to certify that the above and foregoing is
a full, true and correct copy of a Resolution duly
passed and adopted by the City Council of the City
of Waterloo, Iowa, at a regular meeting of said
Council held on the 8th day of July, 1946.

IN WITNESS WHEREOF, we have hereunto set our hands
and affixed the seal of said City of Waterloo, Iowa,
this 17th day of July, 1946.

Stanley B. Shaw
Mayor

ATTEST:

Kenneth F. Matthews
City Clerk

CERTIFICATE OF COUNTY TREASURER

STATE OF IOWA

COUNTY OF BLACK HAWK

I, Anna W. Denker, County Treasurer of Black Hawk County, Iowa, do hereby certify that the land laid out into lots and streets as shown by the attached plat to be hereafter known and described as Russell Heights in the City of Waterloo, Iowa, is free and clear from all taxes and tax liens as shown by the records in my office.

WITNESS my hand this 20 day of July, A. D. 1946.

State of Iowa } ss
Black Hawk Co. }

Entered for record on

this 27 day of July, 1946

By *William G. Smith* Auditor

Paul W. Denker Deputy

Anna W. Denker
County Treasurer of Black
Hawk County, Iowa

CLERK'S CERTIFICATE

STATE OF IOWA

COUNTY OF BLACK HAWK

I, Ira W. Blough, Clerk of the District Court of Iowa, in and for Black Hawk County, do hereby certify that the land laid out into lots and streets as shown by the attached plat to be known and described as Russell Heights in the City of Waterloo, Iowa, is free from all attachment, judgment, mechanics, or other liens, as shown by the records in my office.

WITNESS my hand and Official Seal this 21 day of July, A. D. 1946.

I. W. Blough
Clerk of the District Court
of Black Hawk County, Iowa
By *W. L. Linn* Deputy

RECORDER'S CERTIFICATE

STATE OF IOWA

COUNTY OF BLACK HAWK

I, Pearl Roberts, County Recorder of Black Hawk County, Iowa, do hereby certify that the title to the land laid out into lots and streets as shown by the attached plat to be hereafter known and described as Russell Heights in the City of Waterloo, Iowa, is in fee in the name of Lillian Russell Landon, and that the same is free and clear of all liens and encumbrances as shown by the records in my office.

WITNESS my hand this 20 day of July, A. D. 1946.

STATE OF IOWA } ss
BLACK HAWK CO. }

Filed for record this 20 day of July, A. D. 1946, at
10:50 A.M. and recorded in
Book 112, Page 112
Pearl Roberts
Recorder

Pearl Roberts
County Recorder of Black
Hawk County, Iowa

W. L. Linn
Deputy