

RESTRICTIVE COVENANTS

AGAINST LOTS IN SUNSHINE SUB-DIVISION IN BLACK HAWK COUNTY, IOWA

KNOW ALL MEN BY THESE PRESENTS:

That John Roof and Gladys Roof, his wife, of Waterloo, Black Hawk County, Iowa, the said John Roof being the owner of the following described real estate:

All that part of the Northwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section No. Thirty (30), in Township No. Eighty-nine (89) North, Range No. Twelve (12), West of the Fifth (5th) Principal Meridian, lying Northeasternly of the right of way of the Illinois Central Railroad Company, and West of the right of way of the Waterloo, Cedar Falls and Northern Railway Company, in Black Hawk County, Iowa,

situated in Black Hawk County, Iowa, and having executed the plat known as SUNSHINE SUB-DIVISION IN BLACK HAWK COUNTY, IOWA, and having dedicated to the people the streets and alleys as shown on said plat, desire to place restrictions and protective covenants on the use and occupancy of the lots included in said plat for the use and benefit of the present owners and future grantees thereof.

NOW, THEREFORE, IN CONSIDERATION OF THE PREMISES, the said John Roof for himself and grantees, administrators, executors, successors and assigns, hereby covenants that all of the lots in said addition shall be and are hereby restricted as to their use and occupancy in the manner hereinafter set forth so far as the same shall apply to each particular lot.

NOW, THEREFORE, all persons and corporations who now own or shall hereinafter acquire any right, title or interest in said lots and with their or its successors 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 25 years from the date of the filing of the said plat.

NOW, THEREFORE, the restrictions hereinbefore referred to shall be as follows, to-wit:

1. There shall be reserved for use of public utilities an easement of four (4) feet to the rear of each lot for the construction, maintenance and development of utility improvements.

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

3. No outdoor toilets shall be permitted on any lot when sanitary sewage is available or when material, labor and outlets are readily accessible for cesspools.

4. 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 January 1, 1965, 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 or recover damages or other dues for such violations.

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

Dated at Waterloo, Iowa, this 25 day of September, 1946.

John Roof
Gladys Roof

STATE OF IOWA, COUNTY OF BLACK HAWK, ss:

On this 25 day of September, 1946, before me, a Notary Public, in and for Black Hawk County, Iowa, personally appeared John Roof and Gladys Roof, his 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.

Witness my hand and official seal the day and year last above written.

B. F. Butler
Notary Public in and for
Black Hawk County, Iowa.

RESOLUTION OF THE WATERLOO CITY PLAN COMMISSION

BE IT RESOLVED BY THE WATERLOO CITY PLAN COMMISSION OF WATERLOO, IOWA:

WHEREAS, on this 25th day of SEPTEMBER, 1946, at

a REGULAR meeting of the Waterloo City Plan Commission of the City of Waterloo, Iowa, the proposed plat of the SUNSHINE SUB-DIVISION IN BLACK HAWK COUNTY, IOWA, was presented for approval;

WHEREAS, the said proposed plat has been considered and should be approved;

NOW, THEREFORE, BE IT RESOLVED that the said plat be and it is hereby approved and it is recommended to the City Council of the City of Waterloo for its approval also and that the President and Secretary of this Commission be directed to certify a copy of this resolution.

ATTEST:

Albert L. Drake
President

Craig H. Mosier
Secretary

CERTIFICATE

Albert L. Drake, President, and Craig H. Mosier, Secretary, of the Waterloo City Plan Commission of Waterloo, Iowa, do hereby certify that the above and foregoing is a true, complete and correct copy of a resolution as passed and adopted by the said Commission on the 25th day of SEPTEMBER, 1946, and that this witness is made pursuant to the said resolution.

Dated this 25th day of SEPTEMBER, 1946.

Albert L. Drake
President

Craig H. Mosier
Secretary

RESOLUTION NO. 9755

RESOLUTION APPROVING THE PLAT OF THE SUNSHINE SUB-DIVISION IN BLACK HAWK COUNTY, IOWA

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WATERLOO, IOWA:

That the plat heretofore filed with the City Clerk of the City of Waterloo, Iowa, of the tract, or parcel of land, so known as SUNSHINE SUB-DIVISION IN BLACK HAWK COUNTY, IOWA, and which plat having been duly considered by the City Council and the same was found to conform to the provisions of the Code of Iowa, and in accordance with Section 6272 of the 1938 Code of Iowa, and the same is hereby approved, accepted and confirmed, and the Mayor and City Clerk of the City of Waterloo, Iowa, are hereby directed to certify a copy of this Resolution, which shall be affixed to the said plat, to the County Recorder of Black Hawk County, Iowa.

Passed and adopted this 27th day of January, 1947.

Knapp F. Matthews
Mayor

ATTEST:

H. W. Hume
City Clerk

CERTIFICATE

I, Knapp F. Matthews, Mayor, and J. E. W. Hume, City Clerk, of the City of Waterloo, Iowa, do hereby certify that the above and foregoing is a true, complete and correct copy of Resolution No. 9755 as passed and adopted by the City Council of the City of Waterloo, Iowa, on the 27th day of January, 1947, and that this certificate is made pursuant to said Resolution.

Witness our hands and seal of the City Clerk of the City of Waterloo, Iowa, this 30th day of January, 1947.

Knapp F. Matthews
Mayor



J. E. W. Hume
City Clerk of the City of Waterloo, Iowa.

PLAT OF
SUNSHINE SUB-DIVISION IN BLACK HAWK COUNTY, IOWA
COUNTY CLERK'S CERTIFICATE

STATE OF IOWA }
 } ss:
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 as shown by the attached plat, to be known as SUNSHINE SUB-DIVISION IN BLACK HAWK COUNTY, IOWA, and situated in Black Hawk County, Iowa, is free from all judgments, attachments, mechanic's liens or other liens, as shown by the records in the office of the Clerk of the District Court of Iowa, in and for Black Hawk County.

Dated this 3rd day of February, 1946.



Clerk of the District Court of
Iowa, in and for Black Hawk County.

PLAT OF
SUNSHINE SUB-DIVISION IN BLACK HAWK COUNTY, IOWA
COUNTY RECORDER'S CERTIFICATE

STATE OF IOWA }
COUNTY OF BLACK HAWK } SS:

I, Pearl Roberts, Recorder of the County of Black Hawk, State of Iowa, do hereby certify that the title to the land embraced in the attached Engineer's Certificate and plat made by E. E. Schenk, Civil Engineer, and to be hereafter known as SUNSHINE SUB-DIVISION IN BLACK HAWK COUNTY, IOWA, and situated in the County of Black Hawk, State of Iowa, is in fee and of record in the proprietor of said plat, to-wit: John Rooff.

I further certify that the land platted as SUNSHINE SUB-DIVISION IN BLACK HAWK COUNTY, IOWA, is free from encumbrances as shown by the records in the office of the County Recorder of Black Hawk County, Iowa.

Dated this 3 day of Feb., 1947.

Pearl Roberts
County Recorder of Black Hawk
County, Iowa.

Indexed
Compared
Filed

T.L. needs
land
records

11:44

State of Iowa }
Black Hawk Co. } SS

Entered for taxation

This 3 day of Feb. 1947

Barney Barnes Auditor

J. Dempster Deputy

STATE OF IOWA }
BLACK HAWK CO. } SS

Filed for record this 3 day
of Feb. 1947
by *H. C. [illegible]* Recorder
and recorded to
book *204*
page *204*
by *Pearl Roberts* Deputy
fee *3 00*

Pike, Sias, Butler