

DIVISION ALUMINUM DEVELOPMENT RECORD PLAT

This subdivision, Highways, Section 2, by Otto C. Hoffmann and Helen L. Hoffmann, owners of the real estate described on sheet one of this plat, does hereby certify that it lays out, plans and subdivides the same in accordance with the plat shown on said sheet one. This subdivision shall be known and designated as Highways, Section 2.

This subdivision shall be subject to the following restrictions which shall operate as perpetual covenants.

RESTRICTIONS, COVENANTS AND ENCUMBRANCES

1. This subdivision shall be known and designated as Highways, Section 2. All streets shown and not heretofore dedicated are hereby dedicated to the public.
2. Front building setback lines are hereby established as shown on this plat, between which lines and property line of the streets there shall be erected or maintained no building or structure. The strips of ground shown on this plat and marked "Reserve" are reserved for the use of the public utilities for the installation of water and sewer mains, poles, wires, lines and wires, drainage facilities subject to all times to the proper authorities and to the easement herein reserved. No permanent or other structures are to be erected or maintained on said strips of land, but owners of lots in this subdivision shall take title subject to the rights of the public utilities, and to the rights of the owners of the other lots in this subdivision.
3. Drainage swales (ditches) along dedicated roadways and within the right-of-way, or on dedicated drainage easements, are not to be altered, dug out, filled in, tiled, or otherwise changed without the written permission of the Hancock County Surveyor. Property owners must maintain these swales as sodded, grassy, or other non-eroding surfaces. Water from roofs or parking areas must be collected on the property long enough so that said drainage swales or ditches will not be damaged by such water. Roadways may be constructed over these swales or ditches only when appropriate sized culverts or other approved structures have been permitted by the County Surveyor.
4. Any property near altering, changing or damaging the drainage swales or ditches will be held responsible for such action and will be given 10 days notice by registered mail to repair said damage, after which time, if no action is taken the Hancock County Surveyor will cause said repairs to be accomplished, and the bill for such repairs will be sent to the affected property owner for immediate payment.
5. No fence, wall, hedge, tree or shrub planting which obstructs sight lines and alterations between 2.5 and 8 feet above the street shall be placed or permitted to remain on any corner lot within the triangular area formed by the street-right-of-way lines and a line connecting points 10 feet from the intersection of said street lines (10 feet for minor streets and 75 feet for arterial streets) or in the case of a rounded property corner, from the intersection of the street right-of-way lines extended.
6. The same sight limitations shall apply to any lot within 10 feet of the intersection of a street right-of-way lines with the edge of a driveway, passageway, alley, lane. No driveway shall be located within 70 feet of the intersection of two street lines.
7. All one-story residences must have 1,000 square feet of living area exclusive of porches and garages and shall be constructed of first quality materials.

Verification of any use of the foregoing covenants or restrictions by any other shall be in any event any of the other covenants or restrictions in this force and effect.

WITNESS our hand and seal this 22<sup>nd</sup> day of July, 1977  
Otto C. Hoffmann  
Helen L. Hoffmann

STATE OF IOWA  
COUNTY OF HANCOCK

Before me, a Notary Public in and for said County and State, personally known to me, Otto C. Hoffmann and Helen L. Hoffmann, who upon recital of the above and foregoing facts with comments and reservations set out and read.

My Commission Expires 9-5-79

This instrument prepared by Richard E. Frye.

Be it resolved by the Board of County Commissioners, Hancock County, Iowa dedications shown on this plat are hereby approved and accepted this 22<sup>nd</sup> day of July, 1977.

Richard E. Frye  
BOARD OF COUNTY COMMISSIONERS

Approved by the Hancock County Plan Commission in accordance with the Subdivision Ordinance this 22<sup>nd</sup> day of July, 1977.

John D. Smith  
PRESIDENT

RECEIVED FOR

PROVATIVE COVENANTS AND RESTRICTIONS

1. This subdivision shall be known and designated as High Acres, Section 2. All streets shown and not heretofore dedicated are hereby dedicated to the public.
2. Front building setback lines are hereby established as shown on this plat, between which lines and property line of the streets there shall be erected or maintained no building or structure. The strips of ground shown on this plat and marked "Easement" are reserved for the use of the public utilities for the installation of water and sewer mains, poles, ducts, lines and wires, drainage facilities subject to all times to the proper authorities and to the easement herein reserved. No permanent or other structures are to be erected or maintained on said strips of land, but owners of lots in this subdivision shall take title subject to the rights of the public utilities, and to the rights of the owners of the other lots in this subdivision.
3. Drainage swales (ditches) along divided roadways and within the right-of-way, or on dedicated drainage easements, are not to be altered, dug out, filled in, filled, or otherwise changed without the written permission of the Hancock County Surveyor. Property owners must maintain these swales as sodded grassways, or other non-eroding surfaces. Water from roofs or parking areas must be contained on the property. No damage to said swales, roads or ditches will not be damaged by such water. Driveways may be constructed over these swales or ditches only when appropriate sized culverts or other approved structures have been permitted by the County Surveyor.
4. Any property owner altering, changing or damaging the drainage swales or ditches will be held responsible for such action and will be given 10 days notice by registered mail to repair said damage. After which time, if no action is taken the Hancock County Surveyor shall cause said repairs to be accomplished, and the bill for such repairs will be sent to the affected property owner for immediate payment.
5. No fences, tall hedges, trees or shrub planting which obstructs sight lines and easements between 2, 5 and 8 feet above the street shall be placed or permitted to remain on any corner lot within the triangular area formed by the street right-of-way lines and a line connecting points 40 feet from the intersection of said street lines (40 feet for minor streets and 75 feet for arterial streets) or in the case of a rounded property corner, from the intersection of the street right-of-way lines extended.
6. The same sight limitations shall apply to any lot within 10 feet of the intersection of a street right-of-way line with the edge of the driveway pavement or alley line. No driveway shall be located within 70 feet of the intersection of two street lines.
7. All one-story residences must have 1400 square feet of living area exclusive of porches and garages and will be constructed of first quality materials.
8. All two-story residences must have a minimum of 1000 square feet on the first level exclusive of porches and garages.
9. All residences must have a two car attached garage.
10. All houses will be used for single-family dwellings only.
11. All houses will be used as permanent residences only with no commercial business.
12. No prefabricated, factory constructed or modular homes are to be built.
13. All out buildings such as storage sheds, mini barns, etc., are to be constructed with like materials as the house.
14. When the construction of a house has been started, it must be completed within one year.
15. No animals except domesticated pets shall be permitted in this subdivision and no pens, animal runs, etc. will be kept in an unsanitary manner that would be noxious to others. No rabbit hutches or other livestock will be kept for personal or commercial usage.
16. No abandoned or unlicensed vehicles will be kept on any lot unless concealed from view.
17. Garbage and trash storage areas will be maintained in such a way that they will not be noxious to other property owners.
18. All outdoor swimming pools must have closed privacy fences as provided by the State Statute.
19. No commercial truck and or trailer exceeding 21 feet in length or having a weight capacity of more than 6 tons will be parked on a regular basis within the subdivision.
20. No monument will be permitted to be constructed on any lot in this subdivision.
21. The foregoing covenants and restrictions are to run with the land and shall be binding on all parties, and all persons claiming under them until March 1, 1997, at which time said covenants and restrictions shall be automatically extended for successive periods of 10 years unless change by vote of a majority of the owners of the building sites covered by these covenants, and restrictions, in whole or in part.