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In building shall be erected, placed, or altered on any building plot in this addition until the building plans, specifications and plot plans showing the location of each building have been approved in writing as to the conformity and harmony of exterior design with existing structures in the subdivision and as to location of the building with respect to topography and finished ground elevations, by a committee composed of S. J. Kagan, Irene Kagan and Arthur Bayham, or by a representative designated by a majority of the members of said committee. In the event of death or resignation of any member of said committee, the remaining members shall have full authority to approve or disapprove such design and location, or to designate a representative with full authority. In the event said committee or its designated representative fails to approve or disapprove such design or location within 30 days after said plans and specifications have been submitted to it, or in any event, if no suit to enforce the erection of such building or the making of such alterations has been commenced prior to the completion thereof, such approval will not be required and this representative shall be deemed to have been fully complied with. Neither the members of such committee nor its designated representative shall be entitled to any compensation for services performed pursuant to this covenant. The powers and duties of this committee and its designated representative shall cease on and after five years from the date of the signing of this covenant. Hereafter, the approval designated in this covenant shall not be required unless prior to said date and effective hereinafter a written instrument shall be executed by the then recorded owners of a majority of the lots in this addition and duly recorded, appointing a representative or representatives, who shall thereafter exercise the same powers previously exercised by said committee.

The right to enforce the foregoing restrictions, provisions and covenants by injunction, together with the right to cause the removal by the process of law of any septic tanks, absorption bed or structure erected or maintained in violation thereof, is hereby dedicated to the public and reserved to the owners of adjoining tracts, their heirs or assigns. The owner shall be entitled to such relief without being required to show any damage of any kind to any such owner by or through any such violation or attempted violation. The said provisions shall be in full force and effect until July 13, 1944, at which time said covenants shall be automatically extended for successive periods of 10 years unless by a vote of the majority of the then owners of the tracts it is agreed to change said covenants in whole or in part.

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

Witness our signatures this 11th day of July, 1934.

Arthur Bayham and Shelton Bayham  
Irene Bayham

Fred Davidson and Ellie Davidson  
Fred Davidson  
Ellie Davidson

Herbert Davidson  
Herbert Davidson  
CLARENCE AND VANCELIN, INC.  
By Clarence A. Clarke President

STATE OF IOWA )  
COUNTY OF MARION )  
Attest: Clarence A. Clarke President  
Secretary Clarence A. Clarke

Before me, a Notary Public in and for said County and State, personally appeared Arthur Bayham and Irene Bayham, husband and wife, and Fred Davidson and Ellie Davidson, his wife, and Herbert Davidson, unmarried, who acknowledged the execution of the foregoing instrument as their voluntary act and deed for the purposes therein expressed.

Witness my hand and seal this 12th day of July, 1934.

APPROVED THIS 14th day of Aug. 1934  
DAY OF Aug.

My commission expires: May 17, 1934 W. CALVERT Notary Public  
RECORDED AT 834  
AUG 1 6 1934

APPROVED THIS 13th day of July, 1934.  
DAY OF July, 1934.  
COUNTY PLAN COMMISSION  
COUNTY OF MARION

Frank H. Thompson  
President

Clarence A. Clarke  
Secretary

Before me, a Notary Public in and for said County and State, personally appeared Arthur Bayham and Irene Bayham, husband and wife, and Fred Davidson and Ellie Davidson, his wife, and Herbert Davidson, unmarried, who acknowledged the execution of the foregoing instrument as their voluntary act and deed for the purposes therein expressed.

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