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## RESTRICTIVE COVENANT

Each owner of a lot in the Plat of Prairie Hill Subdivision shall be a member of the Prairie Hill Subdivision Lot Owners Association, hereafter "the Association", and shall be responsible for an equal share of the expenses of maintaining, repairing and replacing the private drive shown in the plat and the water utility line serving the plat as follows:

A. The Association shall assess each owner an equal share of the expenses of maintaining, repairing and/or replacing said private drive and said water utility service at least annually.

B. Assessments shall be paid on or before thirty (30) days after the date due and shall not bear interest. All sums not paid on or before thirty (30) days after the date due shall bear interest at the rate of 9% per annum until the date fully paid.

C. Unpaid assessments shall constitute a lien on the property of the lot owner who is delinquent in payment. The lien for unpaid assessments shall also secure reasonable attorney's fees incurred incident to the collection or enforcement of such lien. The Association is entitled to enforce payment of assessments by foreclosure of the lien in a manner consistent with Chapter 654, Code of Iowa, or said Association may proceed directly against the property owner at law to obtain judgment.

D. The Association shall be governed by a President elected by a majority of the owners of lots in the subdivision.

*(Signature)*

following described real estate located in Dickinson County, Iowa, to-wit

"A tract of land in that part of the Southeast Quarter of Section 27, Township 100 North, Range 36, West of the 5<sup>th</sup> P.M., Dickinson County, Iowa, lying south of the right-of-way of the Chicago, Rock Island and Pacific Railway, described as follows. Beginning at the intersection of the East right-of-way line of the north-south county road, with the South line of Section 27, thence easterly along the South line of said Section a distance of 1,040 feet, thence northerly on a line parallel with the East line of said road a distance of 223 feet, thence westerly on a line parallel with the South line of said Section 27 a distance of 1,040 feet to the East line of said county road, thence South along the East line of said county road a distance of 223 feet to the point of beginning. Said parcel containing approximately 5.324 acres "

for the purpose of platting and subdividing said real estate into an addition to be known as Prairie Hill Subdivision, Dickinson County, Iowa, the plat of which is attached hereto, and by this reference made a part hereof, that said real estate was surveyed under my direction, and the same was staked out and platting into eleven separate lots as shown on said plat; that said plat is a true and correct plat of said addition, that it sets forth the boundaries thereof with the size and dimension of all lots in accordance with said survey. I further certify that the corners of all lots are marked with iron pipes or iron rebar, and all dimensions of said plat are shown in feet or decimals thereof

IN WITNESS WHEREOF, I have hereunder set my name this 25 day of February, 1997.

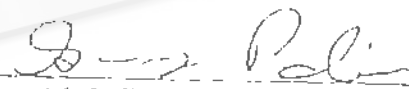
  
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Gary M. Pelisek

STATE OF IOWA

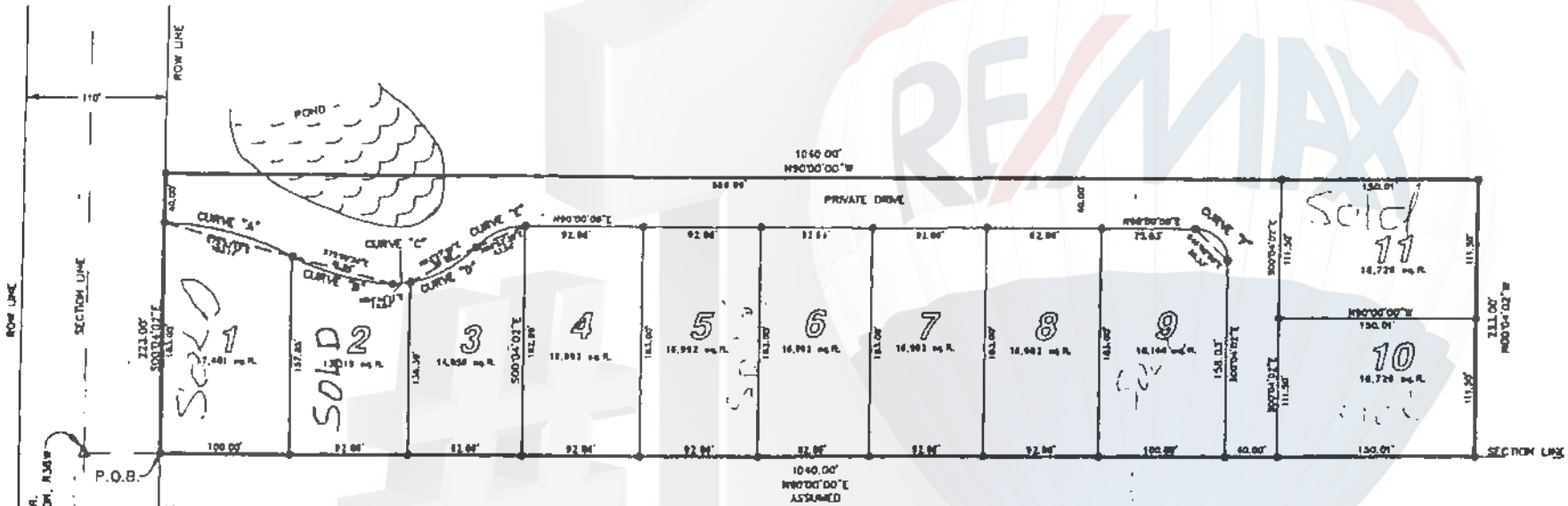
SS

DICKINSON COUNTY

I, Gary M. Pelisek, being first duly sworn, depose and state that I have read the foregoing Certificate of Surveying, know the contents thereof, and the same are true and correct as I verily believe

  
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Gary M. Pelisek

# FINAL PLAT OF PRAIRIE HILL SUBDIVISION



**LEGAL DESCRIPTION**

A TRACT OF LAND IN THAT PART OF THE SOUTHEAST 1/4 OF SECTION 27, TOWNSHIP 100 NORTH, RANGE 38, WEST OF THE 5TH P.M., DICKINSON COUNTY, IOWA, LYING SOUTH OF THE RIGHT-OF-WAY OF THE CHICAGO, ROCK ISLAND AND PACIFIC RAILWAY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE EAST RIGHT-OF-WAY LINE OF THE NORTH-SOUTH COUNTY ROAD WITH THE SOUTH LINE OF SECTION 27;

THENCE EASTERLY ALONG THE SOUTH LINE OF SAID SECTION A DISTANCE OF 1040 FEET;

THENCE NORTHERLY ON A LINE PARALLEL WITH THE EAST LINE OF SAID ROAD A DISTANCE OF 223 FEET;

THENCE WESTERLY ON A LINE PARALLEL WITH THE SOUTH LINE OF SAID SECTION 27 A DISTANCE OF 1040 FEET TO THE EAST LINE OF SAID COUNTY ROAD;

THENCE SOUTH ALONG THE EAST LINE OF SAID COUNTY ROAD A DISTANCE OF 223 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS APPROXIMATELY 3.324 ACRES.

**CURVE DATA**

CURVE	DELTA	TANGENT	LENGTH	RADIUS	CHORD DIST.	CHORD BRC.
"A"	24°05'50"	53.18'	104.18'	212.48'	103.14'	S75°53'15"E
"B"	23°37'53"	41.39'	85.81'	197.82'	81.04'	S75°09'50"E
"C"	08°41'09"	7.34'	14.85'	86.84'	14.84'	N84°44'11"E
"D"	35°51'34"	31.27'	80.48'	86.84'	59.50'	N62°37'48"E
"E"	44°40'57"	23.54'	44.87'	57.28'	43.54'	N68°32'30"E
"F"	82°55'58"	24.87'	39.24'	25.00'	35.37'	S45°02'00"E

**LEGEND**  
 Ⓞ = SET CAPPED IRON PIN



OWNER/DEVELOPER: DENNIS RUNLAND  
 PR 6234  
 SPIRIT LAKE, IOWA 51340

ZONING: SINGLE FAMILY RESIDENTIAL DISTRICT (R-2)

SETBACKS: FRONT : 35'  
 SIDE : 5'  
 REAR : 45'

**GRAS LARBY SURVEYORS**  
 1620 222A AUSTIN  
 27000 66th, JUNE 21, 2014



I HEREBY CERTIFY THAT THIS PLAT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A QUALIFIED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.  
 Gary M. Puhak 3-31-19  
 Gary M. Puhak, L.S. 11423  
 MY RECOMMISSION EXPIRES 12-31-20

CERTIFICATE OF SURVEYING

I, Gary M. Pelisek, a duly licensed land surveyor, authorized to practice in the State of Iowa, do hereby certify that at the instance and request of the owners thereof, I have surveyed the following described real estate located in Dickinson County, Iowa, to-wit:

"A tract of land in that part of the Southeast Quarter of Section 27, Township 100 North, Range 36, West of the 5<sup>th</sup> P.M., Dickinson County, Iowa, lying south of the right-of-way of the Chicago, Rock Island and Pacific Railway, described as follows: Beginning at the intersection of the East right-of-way line of the north-south county road, with the South line of Section 27; thence easterly along the South line of said Section a distance of 1,040 feet; thence northerly on a line parallel with the East line of said road a distance of 223 feet; thence westerly on a line parallel with the South line of said Section 27 a distance of 1,040 feet to the East line of said county road; thence South along the East line of said county road a distance of 223 feet to the point of beginning. Said parcel containing approximately 5.324 acres."

for the purpose of platting and subdividing said real estate into an addition to be known as Prairie Hill Subdivision, Dickinson County, Iowa, the plat of which is attached hereto, and by this reference made a part hereof, that said real estate was surveyed under my direction, and the same was staked out and platting into eleven separate lots as shown on said plat; that said plat is a true and correct plat of said addition; that it sets forth the boundaries thereof with the size and dimension of all lots in accordance with said survey. I further certify that the corners of all lots are marked with iron pipes or iron rebars, and all dimensions of said plat are shown in feet or decimals thereof.

IN WITNESS WHEREOF, I have hereunder set my name this 25 day of February, 1997.

Gary M. Pelisek  
Gary M. Pelisek

STATE OF IOWA :  
: SS.  
DICKINSON COUNTY :

I, Gary M. Pelisek, being first duly sworn, depose and state that I have read the foregoing Certificate of Surveying, know the contents thereof, and the same are true and correct as I verily believe.

Gary M. Pelisek  
Gary M. Pelisek

INSTR. NO. 51  
PLAT BOOK 9 PAGE 27  
10 1997

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PROPRIETORS' CERTIFICATE

JAMES M. SELLER  
REGISTERED  
DICKINSON COUNTY, IOWA  
5/2

KNOW ALL MEN BY THESE PRESENTS:

That Dennis Tungland and Rae Jean Tungland, husband and wife, have caused that a tract of land shown on the Plat of Prairie Hill Subdivision, Dickinson County, Iowa, which is attached hereto, be surveyed, staked and platted as shown by the attached plat, and the certificate of Gary M. Pelisek of Spirit Lake, Iowa, who surveyed, staked and platted the same.

That the full legal description of the premises is:

"A tract of land in that part of the Southeast Quarter of Section 27, Township 100 North, Range 36, West of the 5<sup>th</sup> P.M., Dickinson County, Iowa, lying south of the right-of-way of the Chicago, Rock Island and Pacific Railway, described as follows: Beginning at the intersection of the East right-of-way line of the north-south county road, with the South line of Section 27; thence easterly along the South line of said Section a distance of 1,040 feet; thence northerly on a line parallel with the East line of said road a distance of 223 feet; thence westerly on a line parallel with the South line of said Section 27 a distance of 1,040 feet to the East line of said county road; thence South along the East line of said county road a distance of 223 feet to the point of beginning. Said parcel containing approximately 5.324 acres."

That a certain private drive shown in said Plat of Prairie Hill Subdivision is dedicated to the use of lot owners in said plat, together with the water utility line serving said property.

That it is with the free consent and in accordance with the desires of the proprietors and owners of said premises that said property now be platted officially and placed on the public record.

IN WITNESS WHEREOF, we subscribe our names on this 10<sup>th</sup> day of February, 1997

Dennis Tungland  
Dennis Tungland

Rae Jean Tungland  
Rae Jean Tungland