



Prepared by & Return to: Timothy C. Hogan, Hogan Law Office, 3101 Ingersoll Ave., Suite 103, Des Moines, IA 50312 (515) 279-9059

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**NOTICE OF DECLARATION OF BUILDING RESTRICTIONS AND
RESTRICTIVE COVENANTS FOR DEER CREEK SUBDIVISION**

DILIGENT DEER CREEK, LLC, an Iowa limited liability company, as owner and developer of the following described real estate:

Lots 1 - 6 of Deer Creek Plat 3, an Official Plat in Indianola, Warren County, Iowa (the "Lots"), hereby provides notice to the owners of the Lots that the Lots are subject to and governed by all of the terms and conditions of that certain Declaration of Building Restrictions and Restrictive Covenants for Deer Creek Subdivision recorded February 15, 2007 in **Book 2007 at Page 1475** in the records of the Recorder of Warren County, Iowa (the "Declaration"), establishing certain covenants, conditions, restrictions and easements on the real estate described in Exhibit "A" to the Declaration and attached hereto (the "Property"), and subsequently amended by Amendment recorded September 24, 2013 in **Book 2013 at Page 9482** as it applies with respect to the following portion of the Property:

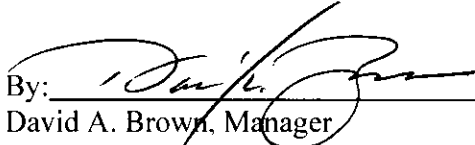
Lots 1 - 34 of Deer Creek Plat 1, an Official Plat in Indianola, Warren County, Iowa, and there was further filed of record a Notice of Declaration of Building Restrictions and Restrictive Covenants for Deer Creek Subdivision recorded November 20, 2018 as **Instrument No. 2018-09223** as it applies with respect to the following portion of the Property:

Lots 1 - 23 of Deer Creek Plat 2, an Official Plat in Indianola, Warren County, Iowa.

Words and phrases herein, including acknowledgment hereof, shall be construed as in the singular or plural number, and as masculine or feminine gender, according to the context.

Dated 3/18/21.

DILIGENT DEER CREEK, LLC,
an Iowa limited liability company
By: Diligent Development Group, LLC,
an Iowa limited liability company, its Manager

By: 
David A. Brown, Manager

STATE OF IOWA, COUNTY OF DALLAS:

This record was acknowledged before me on March 18, 2021, by David A. Brown, Manager of Diligent Development Group, LLC the Manager of Diligent Deer Creek, LLC.



By: 
Notary Public



EXHIBIT "A"

A parcel of land in the E½ NE¼ of Section 35, Township 76 North, Range 24 West of the 5th P.M., City of Indianola, Warren County, Iowa, that is more particularly described as follows:

Beginning at the E¼ corner of said Section 35; thence N88°58'03"W, 1304.08 feet along the South line of said NE¼ to the SW corner of the SE¼ NE¼ of said Section 35, said point also being the SE corner of DEER RUN, an Official Plat recorded in Book 10, Page 533-549 at the Warren County Recorder's Office; thence N00°30'44"E, 1323.63 feet along the West line of said SE¼ NE¼, said West line also being the East line of said DEER RUN, to the NW corner of said SE¼ NE¼; thence N00°30'40"E, 665.50 feet along the West line of the NE¼ NE¼ of said Section 35, said West line also being the East line of said DEER RUN, to the NW corner of the S½ NE¼ NE¼ of said Section 35; thence S89°22'10"E, 1294.40 feet along the North line of said S½ to the NE corner of said S½, said point also being the East line of said NE¼ NE¼; thence S00°14'11"W, 666.11 feet along the East line of said NE¼ NE¼ to the NE corner of SE¼ NE¼ of said Section 35; thence S00°14'11"W, 1332.22 feet along the East line of said SE¼ NE¼ to the point of beginning and containing 59.463 acres

