

Ordinance 09-21  
RESTRICTED COVENANTS

REGARDING THE BENZ ADDITION TO THE CITY OF LAURENS, IOWA

The following protective covenants are to run with the land described as Benz Addition Laurens, Iowa. Said covenants are as follows:

All rules, regulations, and ordinances of the City of Laurens shall apply to the Benz Addition, including but not limited to, the Zoning Ordinance of the City of Laurens, as amended.

1. No residential lots shall be re-subdivided into building plots.
2. Lots 1-8 as described herein shall be known, described, and used solely as One- and Two- Family Residential lots with a zoning classification under the Laurens Zoning Ordinance as R-1 classification. All rules and regulations as set forth under the Laurens Zoning Ordinance for R-1 classification shall apply to Lots 1-8.
  - a. **Principal Permitted Uses:** No principal permitted uses or structures shall be allowed other than:
    - a. One-family dwellings (as long as said structures meet the area requirements below).
    - b. Two-family dwellings (as long as said structures meet the requirements below).

All dwellings shall have a ground floor area of at least one thousand eight hundred (1,800) feet, exclusive of porches, terraces, patios, garages, and basements. All two-story dwellings shall have a ground floor area of at least one thousand (1000) feet with a minimum total floor area of one thousand eight hundred (1800) feet, exclusive of porches, terraces, patios, garages, and basements.
  - b. **Special Exception Uses:** No special exception uses or structures (or any accessory structures incidental to said special exception uses or structures) shall be allowed without approval of (i) the City of Laurens Board of Adjustment.
  - c. **Accessory Uses:** All accessory buildings shall be made and finished of the same building material as the primary structure.
    - a. No fences shall be permitted in the front yard.
    - b. No chain link fences shall be permitted.
    - c. All fences, hedges, or boundary walls shall be permitted only if said structures are of a finished and ornamental nature, and not over six (6) feet above the finished or graded surfaces.

No accessory use or structure shall be allowed without the approval of the Laurens Zoning Administrator.
3. Two lots may be purchased together, however, the size of the square footage of primary structure shall increase to be proportionate to the size of the lot.
4. All primary structures must be constructed within a twelve (12) – to eighteen (18) month time frame from time of purchase.
5. All structures must be finished with a neutral earth tone color. If desired color is in question, it shall be submitted to planning and zoning for prior approval.
6. Roofing material cannot be constructed of ag steel; if a steel roof is desired, only decorative architectural steel is permitted.
7. Curbs for driveways must be ground out with a 28' maximum width and constructed of Portland Cement Concrete.
8. Absolutely none of the following will be permitted on any of the lots within the Benz Addition:

- a. No mobile homes
  - b. No existing buildings to be moved onto lot from another location
  - c. No carports
  - d. No outdoor wood furnaces
  - e. No livestock/chickens
  - f. No commercial kennels
  - g. No trees planted in the Right of Way (ROW)
9. The following shall be permitted upon the approval of the (i) the City of Laurens Board of Adjustment, (ii) the City of Laurens Planning and Zoning Administration, and (iii) the City of Laurens City Council:
- a. Modular homes
  - b. Solar panels located in an inconspicuous location
10. All properties shall maintain a grass lawn/landscaping and only trees approved within the Laurens City Code of Ordinances.
11. This instrument may be amended up on the recording of a written instrument executed by the owners of at least seventy-five (75%) of the lots within the subdivision. For the purpose of this Paragraph 12, each lot shall be deemed to have one (1) owner, and each said owner shall be entitled to one (1) vote for each lot owned.

The above and foregoing Restricted Covenants are for the mutual benefit of all persons who shall acquire any of the Lots in the Benz Addition, Laurens, Pocahontas County, Iowa and are imposed by the City of Laurens.

Lots within the Benz Addition are described as follows:

**DESCRIPTION: CITY OF LAURENS BENZ ADDITION: A TRACT OF LAND LOCATED IN THE WEST HALF OF THE SOUTHEAST QUARTER (W 1/2 SE ¼ ) OF SECTION 22, TOWNSHIP 93 NORTH, RANGE 34 WEST OF THE 5TH P.M., WITHIN THE CORPORATE LIMITS OF THE TOWN OF LAURENS, POCAHONTAS COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

Commencing at the Southwest (SW) corner of the Southeast Quarter (SE ¼) of said Section 22; Thence North 00°12'30" East, along the West line of said Southeast Quarter (SE ¼), 999.13 feet to the Point of Beginning; Thence continuing North 00°12'30" East, along said West line, 745.21 feet to the centerline of a drainage ditch; Thence South 37°25'30" East, along said centerline, 219.55 feet; Thence continuing along said centerline, South 65°14'30" East, 592.95 feet to the West line of Lot Two (2), Block Two (2) in Eastview Fifth Addition; Thence South 03°01'04" East, along said West line, 158.89 feet to the North line of Lot One (1) in said Eastview Fifth Addition; Thence South 54°25'14" West, along said North line 190.39 feet to the West line of said Lot One (1); Thence along said West line on the arc of a 390.00 radius curve, concave Westerly 118.25 feet, said curve having a chord which bears South 34°23'53" East, for 117.80 feet to the North line of Garfield Street; Thence along said North line on the arc of a 345.52 radius curve, concave Southerly 60.00 feet, said curve having a chord which bears South 67°39'31" West, for 59.93 feet; Thence along the arc of a 473.52 radius curve, concave Westerly 189.82 feet, said curve having a chord which bears North 38°12'03" West, for 188.56 feet; Thence South 42°10'13" West, 96.29 feet; Thence South 60°48'35" West, 105.15 feet; Thence North 22°03'05" West, 8.00 feet; Thence North 82°39'01" West, 265.37 feet to the Point of Beginning.

Tract contains 7.33 acres and is subject to all easements of record.

NOTE: FOR THE PURPOSES OF THIS DESCRIPTION, THE WEST LINE OF THE SE 1/4 IS ASSUMED TO BEAR NORTH 00° 12' 30" EAST TO CORRESPOND TO PRIOR SURVEYS AND DESCRIPTIONS

**WHEN EFFECTIVE:** This ordinance shall be in effect from and after its final passage, approval, and publication as provided by law.

Passed by the Laurens City Council on the \_\_1st\_\_ day of \_\_November\_\_ 2021 and approved this \_\_6th\_\_ day of \_\_December\_\_\_\_, 2021.

First Reading: 11/1/21

Second Reading: 11/15/21

Third Reading: 12/6/21

---

Rod Johnson, Mayor

---

Hilary Reed, City Clerk/Manager