

2024-007905
RECORDED: 05/16/2024 12:08:24 PM
RECORDING FEE: \$17.00
IOWA E-FILING FEE: \$3.32
COMBINED FEE: \$20.32
REVENUE TAX: \$0.00
RITA A. VARGAS, RECORDER
SCOTT COUNTY, IOWA

Prepared by
& Return to Samuel J. Skorepa, Lane & Waterman LLP, 220 N Main St Ste 600, Davenport, IA 52801 (563) 324-3246

| Individual's Name | Street Address | City | Phone |
|------------------------------------|----------------|------|-------|
| Samuel J. Skorepa ICIS #AT00210477 | | | |

SPACE ABOVE THIS LINE
FOR RECORDER

CLAIM

I, Father Robert T. McAleer, as a trustee of the Robert J. McAleer Trust Agreement dated June 20th, 2011, owner of Lot 21 in The Highlands Third Addition to the City of Bettendorf, Scott County, Iowa (“Owner”) and duly elected president of The Highlands Third Addition Home Owners Association, Inc., state as follows:

1. Recorded in the office of the Recorder of Scott County, Iowa, on the 25th day of July, 2003, as Document No. 2003-38780, there appears a certain Final Plat and Dedication of Restrictive and Protective Covenants for the Highlands Third Addition to the City of Bettendorf, Scott County, Iowa, applicable to the real estate described on the attached Exhibit “A”;

2. Said Restrictive and Protective Covenants are made applicable to the subdivision described as The Highlands Third Addition to the City of Bettendorf, Scott County, Iowa described on the attached Exhibit “A” including that real estate known as Lot 21 in The Highlands Third Addition to the City of Bettendorf, Scott County, Iowa, deeded to the Owner by Warranty Deed recorded as Document No. 2006-00011723 in the Office of the Scott County Recorder on April 18, 2006, and subsequent transfer via a Deed in Trust recorded as Document No. 2018-00017641 in the Office of the Scott County Recorder on July 12, 2018.

3. Iowa Code § 614.24 requires that such covenants, restrictions, easements, charges, liens and assessments be renewed within twenty-one (21) years of their original filing through the filing of a verified claim with the recorder of the County wherein the real estate is located. However, said Restrictive and Protective Covenants state that they shall remain in full force for a period of twenty (20) years from the date of their recording. Therefore, the above referenced Restrictive and Protective Covenants will expire on July 25, 2024.

4. The covenants, restrictions, easements, charges, liens and assessments contained within the above referenced Restrictive and Protective Covenants were imposed for the

purpose of providing The Highlands Third Addition Home Owners Association, Inc. with certain rights relating to the maintenance, upkeep, architectural control and the power to assess fees upon owners of real estate within the area described on Exhibit "A".

5. Father Robert T. McAleer and The Highlands Third Addition Home Owners Association, Inc. desire that said Restrictive and Protective Covenants be extended for an additional twenty-one (21) years in accordance with Iowa Code § 614.24, and that The Highlands Third Addition Home Owners Association, Inc. retain such rights and control as provided in the Restrictive and Protective Covenants referred to in Paragraph 1 above, as amended.

6. Therefore, to the extent required by Iowa Code § 614.24 and the Restrictive and Protective Covenants, this claim is to notify all persons that said Restrictive and Protective Covenants shall be extended for an additional twenty-one (21) years, and that The Highlands Third Additional Home Owners Association, Inc. shall continue to enforce the covenants, restrictions, easements, charges, liens and assessments contained in the aforesaid declaration, and for so long as permitted under Iowa law, and specifically Iowa Code §§ 614.24 and 614.25.

Father Robert T. McAleer
Father Robert T. McAleer

STATE OF IOWA)
) SS:
COUNTY OF SCOTT)

On this 14th day of May, 2024, before me, the undersigned, a Notary Public in and for said State, personally appeared Father Robert T. McAleer, to me known to be the identical person named in and who executed the foregoing instrument and acknowledged that he executed the same as his voluntary act and deed.

(Notary Seal)

Samuel J. Skorepa
Notary Public in and for said State

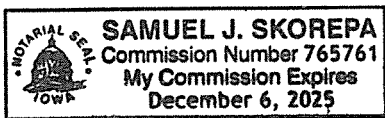


EXHIBIT "A"

Lots 1 through 42, inclusive, in The Highlands Third Addition to the City of Bettendorf, Scott County, Iowa.

Also described as: Part of the Northeast Quarter and the Southeast Quarter of Section 10, Township 78 North, Range 4 East of the Fifth Principal Meridian, in Scott County, Iowa, more particularly described as follows:

BEGINNING at the SW Corner of Lot 7 of The Highlands First Addition to the City of Bettendorf, Iowa; Thence South $54^{\circ} 59' 24''$ East, 365.00 feet along the South Line of The Highlands First Addition to a point; Thence South $73^{\circ} 20' 56''$ East, 364.09 feet along said South Line of The Highlands First Addition to a point; Thence South $77^{\circ} 05' 34''$ East, 184.11 feet along the South Line of The Highlands First Addition to a point on the West Right of Way Line of North Ridge Circle; Thence South $0^{\circ} 13' 30''$ West, 246.32 feet along said West Right of Way Line to a point; Thence southwesterly along the West Right of Way Line of North Ridge Circle and along a 224.00 foot radius curve concave westerly an arc distance of 60.81 feet to a point of reverse curvature (chord bearing South $09^{\circ} 29' 31''$ West, chord distance 60.63 feet); Thence southwesterly along said West Right of Way and along a 276.00 foot radius curve concave easterly an arc distance of 130.30 feet to a point of reverse curvature (chord bearing South $05^{\circ} 05' 27''$ West, chord distance 129.09 feet); Thence southwesterly along said West Right of Way of North Ridge Circle and along a 15.00 foot radius curve concave Westerly an arc distance of 21.78 feet to a point on the North Right of Way Line of 53rd Avenue (chord bearing South $33^{\circ} 09' 46''$ West, chord distance 19.92 feet); Thence South $74^{\circ} 45' 29''$ West, 822.42 feet along the North Right of Way Line of 53rd Avenue to a point; Thence southwesterly along said North Right of Way of 53rd Avenue and along a 2221.59 foot radius curve concave Northerly an arc distance of 4.65 feet to a point on the East line of Stoltenberg Farms, Inc. (chord bearing South $74^{\circ} 49' 05''$ West, chord distance 4.65 feet); Thence North $00^{\circ} 13' 38''$ East, 1023.66 feet along said East line of Stoltenberg Farms, Inc. to the Point of Beginning.

This tract of land contains 13.06 acres, more or less, and is subject to easements of record.