

2024-005240
RECORDED: 04/04/2024 08:34:04 AM
RECORDING FEE: \$12.00
IOWA E-FILING FEE: \$3.00
COMBINED FEE: \$15.00
REVENUE TAX: \$0.00
RITA A. VARGAS, RECORDER
SCOTT COUNTY, IOWA

Prepared by & return to: Vollertsen, Britt & Gorsline, P.C., 5119 Utica Ridge Road, Davenport, Iowa 52807; 563-324-0441

VERIFIED CLAIM PURSUANT TO IOWA CODE SECTION 614.24
TO RENEW
REVISED DECLARATION OF EASEMENTS,
COVENANTS, AND RESTRICTIONS
FOR
PEBBLE CREEK NORTH
An Addition to the City of LeClaire, Iowa

COMES NOW, the undersigned, Emory A. Franklin and Leta M. Franklin, Trustees of the Emory A. and Leta M. Franklin Living Trust dated October 10, 2014, being the owners of Lot 37 of the Amended Final Plat of Pebble Creek North, an Addition to the City of LeClaire, Scott County, Iowa ("Lot"), state as follows:

WHEREAS, the original Certificate to Plat and Declaration of Easements, Covenants and Restrictions of Pebble Creek North, an Addition the City of LeClaire, Iowa was recorded on April 17, 2003 as Document # 2003-019410 in the Office of the Recorder for Scott County; and the Revised Declaration of Easements, Covenants and Restrictions for Pebble Creek North, an Addition to the City of LeClaire, Iowa recorded March 9, 2004 as Document # 2004-007829 in the Office of the Recorder for Scott County (collectively the "Covenants"), which Covenants included certain use restrictions on the following described real property:

All lots of Pebble Creek North Addition to the City of LeClaire, Iowa ("Property"); and

WHEREAS, the restrictions on use are valid for a period of twenty-one years from the date of recording of the Covenants; and

WHEREAS, the provisions of Iowa Code §614.24 (2023) require renewal of the Covenants as they relate to the use restrictions in and to the Property described herein, and in and to all real property located within the Property, as such use restrictions have been established pursuant to the Covenants. Such renewal must occur within twenty-one years of the initial filing of the Covenants through the filing of a Verified Claim.

WHEREAS, the undersigned, as owners of the Lot referenced herein, which is located within the Property, as a member of a class of persons entitled to or claiming such rights or interests, and who acquired their interest in an on said respective Lot by Quit Claim Deed dated September 8, 2020 and recorded September 29, 2020 at 12:11:04 PM as Document #2020-00029728 in the Office of the Recorder of Scott County, Iowa, desires to extend the restrictions on use under Iowa Code § 614.24.

NOW, THEREFORE, the undersigned, pursuant to Iowa Code § 614.24 hereby files this Verified Claim to renew, extend, and claim the restrictions on use in the Covenants of which was recorded on April 17, 2003 as Document # 2003-019410 and revised and recorded on March 9, 2004 as Document # 2004-007829 in the Office of the Recorder for Scott County. This renewal, extension, and claim is made and submitted on behalf of the undersigned and as class members on behalf of any and all present and future owners of the Property who are entitled to and/or may claim the rights and interest for which protection and confirmation is sought hereunder for a period of 10 years as provided in Article XIII of the revised and recorded Restrictive and Protective Covenants recorded on March 9, 2004 as Document # 2004-007829 in the Office of the Recorder for Scott County.

Dated: 29 March 2024

Emory A. and Leta M. Franklin Living Trust
dated October 10, 2014

Emory A. Franklin
By: Emory A. Franklin, Trustee

Leta M. Franklin
By: Leta M. Franklin, Trustee

STATE OF IOWA)
)ss.
COUNTY OF SCOTT)

The undersigned being first duly sworn on oath, states that they are the Claimants herein and named above, and that they have read the Verified Claim and know the contents thereof and that the statements and allegations contained therein are true and correct as they and each of them verily believes.

Emory A. Franklin
By: Emory A. Franklin, Trustee

Leta M. Franklin
By: Leta M. Franklin, Trustee

Subscribed and sworn to before me, this 29 day of March, 2024.

April Davis
Notary Public

