

Prepared by: Benjamin M. Lange
222 1st St E
Independence, IA 50644

Taxpayer/Return Address: 804 Pine Dr.
Independence, IA 50644

Agreement Re: Lot Combination

State of Iowa)
)§
County of Buchanan)

We, the undersigned, owners of the following described property located in **Lots 11 and 12, The Pines First Addition in the City of Independence, Buchanan County, Iowa** ("Property"), do hereby agree to the following terms and provisions:

The purpose of this Agreement is to set forth our understanding and agreement to bind our "Property", made up of more than one platted lot, together as one, to agree to at no time transfer one lot without the other, in recognition of the fact that to do so would be violative of the Independence, Iowa Code of Ordinances, and to further acknowledge our understanding and Agreement is irrevocable and shall run with the land in perpetuity, binding our heirs, transferees, and successors in interest. The Property was combined pursuant to the Amendment to Restrictive Covenants for The Pines First Addition to the City of Independence, Iowa in File No. 2010R02098 in the records of the Buchanan County Recorder (the "Amendment"). While the Amendment attempted to combine the lots, the City does not recognize this as the City was not a party to the Amendment. Due to this fact, the Amendment effectively only restricted the ability of the owners of the Property to build a separate primary structure on each lot, and therefore this agreement is needed by the City to combine said lots together in order to build a single-family residence the Property.

The City Council of the City of Independence approved this agreement by Resolution 2024-_____ on the __ day of _____, 2024, in lieu of requiring Owners to obtain a survey officially combining said lots into one parcel, as a means of resolving side yard setback concerns where one house is proposed to be constructed on the Property, over the shared lot line of the lots described above.

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: _____, 2024

Nathan Hansen

Heather Hansen, spouse

STATE OF IOWA)
) §
COUNTY OF BUCHANAN)

On this _____ day of _____, 2024, before me, the undersigned, a Notary Public in and for said State, personally appeared Nathan and Heather Hansen husband and wife, to me known to be the identical persons named in and who executed the above and foregoing as an expression of their voluntary act and deed.

Notary Public in and for State of Iowa