DELAWARE COUNTY IOWA
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BOOK 1999 REC 103
DEBORAH L. PEYTON
DELAWARE CO. RECORDER
11.00

Prepared by: Matthew G. McQuillen, 209 E. Main Street, P. O. Box 228, Anamosa, IA 52205-0228 - (319) 462-3577

RIGHT OF FIRST REFUSAL

IN CONSIDERATION for One Dollars and other valuable consideration, Clifford A. Dirks and Verona A. Dirks, husband and wife, (hereinafter referred to as Grantors), hereby grant a right of first refusal to Pati Ardovino (hereinafter referred to as Grantee) for the following described real estate located in Delaware County, Iowa:

For Legal Description, see Exhibit A attached hereto (hereinafter referred to as "Real Estate")

In the event that Grantors would in the future elect to sell, transfer, convey the Real Estate, then and in that event Grantors must provide to Grantee, in writing, a notice detailing the terms of the proposed sale of the Real Estate to a third party. After receiving such written notice from Grantors, Grantee then shall have thirty (30) days in which to acquire the Real Estate on the same terms and conditions as have been proposed by the third party. If Grantee elects to exercise this right of first refusal and acquire the Real Estate, Grantee shall provide Grantors with written notice of this intent within seven (7) days after receiving the prescribed notice from Grantors.

This right of first refusal is personal to Grantee but shall run with the land and shall be binding on Grantors and their heirs and successors in interest. However, this right of first refusal shall terminate upon the earlier of the death of Grantee or the failure of Grantee to exercise the right of first refusal after being properly notified of a transaction which would trigger the right of first refusal.

Dated this 7 day of January, 1999.

Clifford A. Dirks

Verona A. Dirks

Clifford A. Dirks

Verona A. Dirks

STATE OF IOWA, COUNTY OF JONES: SS

On this 7 day of January, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared Clifford A. Dirks and Verona A. Dirks, husband and wife, to me known to be the identical persons named in and who executed the foregoing instrument and acknowledge that they executed the same as their voluntary act and deed.

Matt McQuillen

Notary Public In and For the State of Iowa

MATTHEW G. McQUILLEN
MY COMMISSION EXPIRES
November 4, 2000

EXHIBIT A
Attachment to Right of First Refusal from Clifford A. and Verona A. Dirks to Pati Ardovino

Lot Thirteen of "Stone's First Addition to Delaware County, Iowa", a subdivision of parts of the South East quarter of North West quarter and South West quarter of North West quarter of Section Twenty Five, Township Eighty Eight North, Range Five, West of the Fifth P.M., according to the plat thereof recorded in Plat Record 2, page 90, in office of Recorder of Delaware County, Iowa; together with use of the roadway from the public highway to said subdivision, and the use of the roadway as traveled or marked in Lots Twenty Seven and Twenty Eight of said subdivision, for ingress and egress to said Lot Thirteen, all in common with others rightfully using the same;

SUBJECT TO THE FOLLOWING COVENANTS AND RESTRICTIONS WHICH SHALL RUN WITH THE LAND IN FAVOR OF ALL OTHER OWNERS OF PROPERTY IN SAID SUBDIVISION HEREIN, their heirs, assigns, personal representatives, claimants and subsequent owners of the premises:
That said premises shall not be used for any commercial, unlawful or immoral purpose whatsoever; that the cottage or dwelling erected thereon shall contain at least 480 square feet of floor space enclosed within the building and shall be promptly completed in a neat and workmanlike manner, shall contain drains and toilet connected to septic tank, and no part of said building or porches connected thereto shall be within ten feet of any boundary line other than the water front of said Lot, that no trailers or mobile homes shall be located thereon; that all weeds, brush, garbage, ashes, refuse, junk and waste shall be burned, buried or removed from said premises and none deposited in the water adjoining the Subdivision, aforesaid; all in order to protect the desirability, beauty and value of all the land in said Subdivision for the benefit of all the owners thereof.