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LISA SMITH, COUNTY RECORDER  
MADISON COUNTY IOWA

✓ Prepared By and Return to: Mark L. Smith, PO Box 230, Winterset, IA 50273; 515-462-3731

**RESTRICTIVE COVENANTS**

I, Jerry L. Beech, am now the fee simple owner and record titleholder of the following described real estate:

SEE ATTACHED LEGAL DESCRIPTION

The undersigned owner does hereby impose and subject this real estate to certain regulations, covenants, restrictions and easements as to the use and occupancy thereof, as follows:

1. The above described real estate and any lots, tracts or parcels into which the above such real estate may be divided shall be used only for single-family residential purposes with accessory buildings or garages. No mobile homes, manufactured homes or modular homes of any kind at any time shall be erected or placed on any of said lots, tracts, or parcels. All residential dwelling structures shall have a concrete foundation with a full basement. For the purposes of these Restrictive Covenants the following definitions shall apply:

- a. "Mobile home" means any vehicle without motive power used or so manufactured or constructed as to permit its conveyance upon the public streets and highways and so designed, constructed, or reconstructed as will permit the vehicle to be used as a place for human habitation by one or

more persons; but shall also include any such vehicle with motive power not registered as a motor vehicle in Iowa.

b. "Modular home" means a factory-built structure which is manufactured to be used as a place of human habitation, is constructed to comply with the Iowa state building code and may display the seal issued by the state building code commissioner.

c. "Manufactured home" means a factory-built structure built under the authority of 42 U.S.C. § 5403, that is required by federal law to display a seal from the United States Department of Housing and Urban Development, and was constructed on or after June 15, 1976.

2. No trailer, basement, tent, shack, garage, barn or other accessory building in the tract shall at any time be used as a residence, temporarily or permanently, nor shall any residence of a temporary character be permitted.
3. The titleholder of each lot, tract or parcel, vacant or improved, shall keep their lot, tract or parcel free of junk, non-working cars or trucks, farm equipment, machinery, weeds and debris, and shall not engage in any activity which is a nuisance.
4. No hog confinement, nursery or finishing structure, cattle finishing structure, poultry laying or raising houses shall be erected on any of the above described lots, tracts or parcels.
5. No animals shall be kept or maintained on any of the lots except for ordinary household pets or family pets such as horses, chickens, goats. No dog breeding is allowed on any lot, tract or parcel.

6. No commercial gun or trap shooting range shall be allowed on the property.  
Target shooting or hunting only for personal and family use.
7. ATV's or UTV's are permitted for personal use only. No off-road motorcycles or tracks for ATV's, UTV's or off-road motorcycles are permitted.
8. Invalidation of any one these covenants by judgment or court order shall not affect any of the other provisions which shall remain in full force and effect.
9. These covenants will remain binding upon this property until neither Mike Merrick nor Suzanne Merrick own the neighboring property locally known as 3359 Peru Rd., Truro IA, 50257.

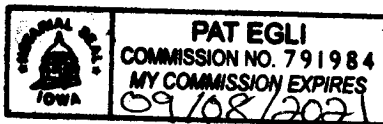
Dated this 5 day of May, 2020.

Suzanne L. Merrick (POA)  
Jerry L. Beech, by Attorney-in-fact  
Suzanne L. Merrick.

STATE OF IOWA, COUNTY OF MADISON

This instrument was acknowledged before me on this 5 day of May, 2020 by Jerry L. Beech, by Attorney-in-fact Suzanne L. Merrick.

Pat Egli  
Notary Public in and for said State of Iowa



**LEGAL DESCRIPTION**

**The West Half (W 1/2) of the West Half (W 1/2) of the Northeast Quarter (NE 1/4) of Section Twelve (12) in Township Seventy-four (74) North, Range Twenty-six (26) West of the 5th PM, Madison County, Iowa, EXCEPT Parcel "F" Located in the Southwest Quarter (SW 1/4) of the Northeast Quarter (NE 1/4) of Section Twelve (12), Township Seventy-four (74) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, as shown in Plat of Survey recorded on September 17, 2003, in Book 2003, Page 5563 of the Recorder's Office of Madison County, Iowa.**