Compared

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BOOK 118 PAGE 534
1985 MAR 22 PM 4:20
MARY E. WELTY
RECORDER
MADISON COUNTY, IOWA
Fee $15.00
3pp.

RESTRICTIVE COVENANT

THIS AGREEMENT made and entered into by and between IVAN PRYOR and DARLENE PRYOR, husband and wife, hereinafter called "Pryors" and PAUL R. SHIFFLETT and HELEN M. SHIFFLETT, hereinafter called "Shiffletts" and BRUCE BELLAMY, GEORGINE BELLAMY and GREGORY L. BELLAMY, hereinafter called "Bellamys".

WHEREAS, Pryors have entered into a contract to sell to Shiffletts the following-described real esate:

> The West 105 rods of the North 32 rods of the South Half ($S\frac{1}{2}$) of the Northwest Quarter ($NW\frac{1}{4}$) of Section Thirty-three (33), Township Seventy-seven (77) North, Range Twenty-eight (28) West of the 5th P.M.

and

WHEREAS, Pryors have entered into a contract to sell to Bellamys the following-described real estate:

> The Northwest Quarter ($NW\frac{1}{4}$) of the Northwest Quarter ($NW\frac{1}{4}$) of Section Thirty-three (33), Township Seventy-seven (77) North of Range Twenty-eight (28), West of the 5th P.M., Madison County, Iowa, except a tract in the Southwest Corner thereof being 10 rods East and West, and 16 rods North and South, and except commencing at the Northwest Corner of the Northwest Quarter ($NW\frac{1}{4}$) of Section Thirty-three (33), thence East 500 feet, thence South 175 feet, thence West 500 feet, thence North 175 feet to the point of beginning,
>
> AND
>
> The South Half ($S\frac{1}{2}$) of the Northwest Quarter ($NW\frac{1}{4}$) except the West 105 rods of the North 32 rods thereof and the Northwest Quarter ($NW\frac{1}{4}$) of the Southwest Quarter ($SW\frac{1}{4}$), and the West 3/4 of the Northeast Quarter ($NE\frac{1}{4}$) of the Southwest Quarter ($SW\frac{1}{4}$) of Section Thirty-three (33), Township Seventy-seven (77) North of Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa.

and

WHEREAS, all parties desire to enter into this Agreement to place a restriction upon a portion of the land being sold to Bellamys.

NOW THEREFORE IT IS AGREED as follows:

1. The parties agree that for the term set forth herein no cattle confinement or hog confinement building or facility shall be constructed on that portion of the real estate sold to Bellamys located south of the real estate sold to Shiffletts.

2. The restriction referred to in paragraph 1 of this Agreement shall run for a term of twenty years at which time this restriction shall terminate.

3. This restriction shall be a covenant running with the land and shall be binding upon the parties their heirs, successors and assigns.

DATED this 21 day of March, 1985.

Ivan Pryor

Ivan Pryor

Darlene Pryor

Darlene Pryor

Paul R. Shifflett

Paul R. Shifflett

Helen M. Shifflett

Helen M. Shifflett

Bruce Bellamy

Bruce Bellamy

Georgine Bellamy

Georgine Bellamy

Gregory L. Bellamy

Gregory L. Bellamy

STATE OF IOWA :
: ss
MADISON COUNTY :

On this 21st day of March, 1985, before me the undersigned, a Notary Public in and for said County and said State, personally appeared Ivan Pryor and Darlene Pryor to me known to be the identical persons named in and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.

Notary Public in and for the State of Iowa

STATE OF Maryland :
: ss
Charles COUNTY:

On this 14th day of March, 1985, before me the undersigned, a Notary Public in and for said County and said State, personally appeared Paul R. Shifflett and Helen M. Shifflett to me known to be the identical persons named in and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.

Notary Public in and for the above State and County.

STATE OF IOWA :
: ss
MADISON COUNTY :

On this 21st day of March, 1985, before me the undersigned, a Notary Public in and for said County and said State, personally appeared Bruce Bellamy, Georgine Bellamy and Gregory L. Bellamy to me known to be the identical persons named in and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.

Patrick F. Parker
Notary Public in and for the State of Iowa