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LISA SMITH, COUNTY RECORDER
MADISON COUNTY IOWA

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**COVENANT AND AGREEMENT TO
HOLD PROPERTY AS ONE PARCEL**

Recorder's Cover Sheet

Preparer Information: (name, address and phone number)

John E. Casper, 223 E. Court Avenue, P.O. Box 67, Winterset, Iowa 50273-0067
(515) 462-4912

Taxpayer Information: (name and complete address)

Pizza Ranch of Winterset LLC, 1404 Boston Avenue, Ames IA 50010

✓ **Return Document To:** (name and complete address)

John E. Casper, 223 E. Court Avenue, P.O. Box 67, Winterset, Iowa 50273-0067

Grantors:

City of Winterset, Iowa

Grantees:

Pizza Ranch of Winterset LLC

Legal Description: See Page 2

Document or instrument number of previously recorded documents: N/A

COVENANT AND AGREEMENT TO HOLD PROPERTY AS ONE PARCEL

The undersigned hereby certify that Pizza Ranch of Winterset LLC (hereafter Owner) is the owner of real property in Winterset, Madison County, Iowa, that is legally described as follows:

Lot Five (5) of the Replat of Lot Three (3), Gold Buffet Subdivision, City of Winterset, Madison County, Iowa, according to the Final Plat filed of record July 24, 1998, in Book 2, Page 367 in the records of the Madison County Recorder,

as recorded with the Madison County Recorder on August 15, 2014 in Book 2014, at Page 2033, locally known as 1009 N. First Street, Winterset, Iowa,

AND

Parcel "R" in the Northwest Quarter of the Northwest Quarter of Section 31, Township 76 North, Range 27 West of the 5th P.M., City of Winterset, Madison County, Iowa, being the Easterly 30.00 feet of Right-of-Way of John Wayne Drive (North First Street) adjacent to Lot 5 of Replat of Lot 3 of the Gold Buffet Subdivision more particularly described as follows:

Beginning at the Northwest Corner of Lot 5, Replat of Lot 3, Gold Buffet Subdivision, City of Winterset, Madison County, Iowa, thence South 00°01'22" West 103.14 feet along the West line of said Lot 5; thence extending the South line of said Lot 5 South 89°59'43" West 30.00 feet; thence North 00°00'00" West 103.05 feet; thence North 89°48'39" East 30.04 feet along the South line of existing Parcel "O" to the Point of Beginning, containing 3095 square feet.

as recorded with the Madison County Recorder on 12-11-2014 (date) in Book 2014, at Page 3122.

The Owner agrees and covenants with the City of Winterset that the above legally described properties shall be held as one parcel and no portion shall be sold separately.

This Covenant and Agreement is executed for the purpose of creating a single building site and a single City lot of record as regulated by Section 4.12003 of the Winterset Municipal Code.

This Covenant and Agreement shall run with all of the above-described land and shall be binding upon Pizza Ranch of Winterset LLC, and future owners, encumbrances, their successors, heirs and assignees, and shall continue in effect until released by the authority of the Mayor of the City of Winterset, Iowa, upon submittal of request, applicable fees and evidence that this Covenant and Agreement is no longer required by law.

STATE OF IOWA)
) ss
COUNTY OF MADISON)

On this 11th day of December, 2014, before me the undersigned, a Notary Public in and for said county and state, personally appeared Russell Weis and _____, who being by me duly sworn, did state that they are the Manager/Owner and _____, respectively, of Pizza Ranch of Winterset LLC, the corporation named in the foregoing instrument; that the seal affixed to the foregoing instrument is the seal of said corporation; and that said instrument was signed and sealed on behalf of said corporation by authority of its Board of Directors; and the said Russell Weis and _____, as such officers, acknowledged the execution of said instrument to be the voluntary act and deed of said corporation, by it and by them voluntarily executed.

Cindy M Bush

Notary Public in and for the State of Iowa



CITY OF WINTERSET, IOWA

Pizza Ranch of Winterset LLC

By: James C. Olson
James C. Olson, Mayor

By: Russell Weiss
Manager/owner (title)

By: Mark Nitchals
Mark Nitchals, City Administrator

By: _____
_____ (title)

STATE OF IOWA)
) ss
COUNTY OF MADISON)

This instrument was acknowledged before me on December 12, 2014 by James C. Olson and Mark Nitchals as Mayor and City Administrator of the City of Winterset, Iowa.

Cindy Bush

Notary Public in and for the State of Iowa

