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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:

Joe Hintzen, 15906 Tanglewood Drive, Urbandale, Iowa 50323,
Phone: (515) 557-0120

Taxpayer Information:

Joe Hintzen and Kelly Hintzen, 15906 Tanglewood Drive, Urbandale, Iowa 50323,
Phone: (515) 557-0120

✓ **Return Document To:**

Joe Hintzen, 15906 Tanglewood Drive, Urbandale, Iowa 50323

Grantors:

Joe Hintzen
Kelly Hintzen

Grantees:

Joe Hintzen
Kelly Hintzen

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 Joe Hintzen and Kelly Hintzen, Husband and Wife, (hereafter Owner) is the owner of real property in Madison County, Iowa, that is legally described as follows:

**LOT 11 EXCEPT FOR PARCEL G OF POLO POINTE PLAT 2
SUBDIVISION, A SUBDIVISION IN THE S 1/2 OF THE NW 1/4, S 1/2
OF THE NE 1/4, NE 1/4 OF THE SW 1/4, AND THE N 1/2 OF THE SE
1/4 OF SECTION 24, TOWNSHIP 77 NORTH, RANGE 26 WEST OF
THE 5TH P.M., MADISON COUNTY, IOWA, AS AMENDED BY THE
CORRECTED SUBDIVISION PLAT OF LOTS 11 AND 12 OF POLO
POINTE PLAT 2 SUBDIVISION, FILED APRIL 15, 2004 IN THE
MADISON COUNTY RECORDER'S OFFICE IN BOOK 2004 AT 1633.**

AND

**PARCEL F OF LOT 12 AS RECORDED IN PLAT OF SURVEY FILED IN
BOOK 2009 AT PAGE 46, ON JANUARY 7, 2009, IN THE OFFICE OF
THE RECORDER OF MADISON COUNTY, IOWA.**

The Owner agrees and covenants with the Madison County, Iowa that the above legally described properties shall be held hereafter as one (1) parcel and no portion at anytime in the future shall be sold separately or held by the record title holder for any purpose other than a single rural estate subdivision lot.

This Covenant and Agreement is executed for the purpose of creating, establishing and declaring a single building lot on this property and a single rural estates subdivision lot of record as thereby and hereafter regulated by the Madison County Zoning Ordinance as that Code may now or hereafter provide.

The Owner acknowledges and agrees under the Declaration of Association of the Polo Pointe Homeowners Association, L.C., as amended, (hereafter the Declaration) for the purposes of any current or future Common Expense Allocation and Special Assessments as provided in the Declaration that the single lot as herein created shall be responsible for and pay a single assessment for these purposes only. The Owners acknowledge and agree this Agreement is not intended to avoid any liability for such Association expenses by the establishment of one (1) rural estate subdivision lot of record.

The Polo Pointe Homeowners Association, L.C. (hereafter the Association) executes this Agreement only insofar as this Agreement may affect the Declaration.

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

Dated at Winterset, Iowa on the 31st day of August, 2012.

MADISON COUNTY, IOWA

By: [Signature]
Jeff Nichol, Zoning Administrator

By: [Signature]
Joe Hintzen, Owner

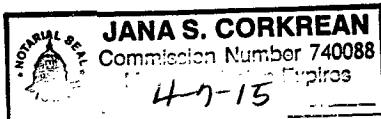
By: [Signature]
Kelly Hintzen, Owner

POLO POINTE HOMEOWNERS ASSOCIATION, L.C.

By: [Signature]
Kevin Anderson, President

STATE OF IOWA)
) ss
COUNTY OF MADISON)

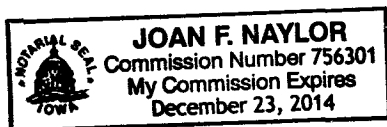
Signed and sworn to (or affirmed) before me on August 30, 2012 by Joe Hintzen and Kelly Hintzen.



[Signature]
Notary Public in and for the State of Iowa

STATE OF IOWA)
) ss
COUNTY OF MADISON)

This instrument was acknowledged before me on August 31, 2012 by Jeff Nichol as the Zoning Administrator for Madison County.

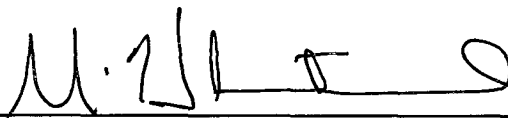


[Signature]
Notary Public in and for the State of Iowa

STATE OF IOWA)
) ss
COUNTY OF MADISON)

On this 29th day of August, 2012, before me the undersigned, a Notary Public in and for said county and state, personally appeared Kevin Anderson, who being by me duly sworn, did state that he is the President of Polo Pointe Homeowners Association, L.C. the Limited Liability Company named in the foregoing instrument; and that said instrument was signed on behalf of said company by authority of its Board of Directors; and the said Kevin Anderson as such officer, acknowledges the execution of said instrument to be the voluntary act and deed of said company, by it and by them voluntarily executed.





Notary Public in and for the State of Iowa