

BK: 2017 PG: 1012
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Fee Amount: \$22.00
Revenue Tax:
LISA SMITH RECORDER
Madison County, Iowa

DECLARATION OF COVENANTS AND RESTRICTIONS
Recorder's Cover Sheet

Preparer Information:

Tammy Lair
The Overland Group, LLC
1598 Imperial Center, Suite 2001
West Plains, MO 65775
417-256-4790

Taxpayer Information:

N/A

Return Address:

The Overland Group, LLC
1598 Imperial Center, Suite 2001
West Plains, MO 65775

Grantor: Casper Family, LC

Legal Description: Page 4

Document or instrument number if applicable:

DECLARATION OF COVENANTS AND RESTRICTIONS

Date: March 30, 2017

Owner/Grantor Casper Family, LC

When recorded return to: 1598 Imperial Center, Suite 2001, West Plains, MO 65775

Tract: See Exhibit A.

The Owner hereby declares that the Tract shall be held, sold, and conveyed subject to the following restrictions for the purpose of, among other things, insuring the quiet enjoyment of the Tract for the purpose that it is being developed and improved.

1. Benefited Parties/Binding Effect. The rights and obligations established in this Declaration of Restrictions (this "Declaration") shall run with the land and be for the benefit of the Tract and any portion of the Tract and shall run with the land and be binding upon the Tract and any use of the Tract.

2. Business Restrictions on Tract. Owner hereby further declares that the Tract shall not be used for or used to access any business operated as the following: Family Dollar Store, Bill's Dollar Store, Fred's, Dollar Tree, Dollar Express, Ninety-Nine Cents Only, Deals, Big Lots, Walgreens, CVS, Rite Aid, Wal-Mart, Wal-Mart Supercenter, Wal-Mart Neighborhood Market or any Wal-Mart retail concept.

3. Enforcement. Owner acknowledges that monetary damages would be an inadequate remedy for breach of this Declaration, and that any violation of this Declaration will result in immeasurable and irreparable harm to the other party, warranting an injunction.

4. Duration. The provisions of this Declaration shall run with and bind the land described herein and shall be and remain in effect so long as any part of the Tract is operated by Dollar General Corporation or its successors or assigns.

IN WITNESS WHEREOF, the Owner has set their hands and seals as of the day, month and year first above written.

Owner:
Casper Family, LC

By Margaret Casper

STATE OF Iowa

COUNTY OF madison

This instrument was acknowledged before me on march 30, 2017, by Margaret m. Casper, to me personally known or on the basis of satisfactory evidence proved to me to be the persons described in and who executed the foregoing instrument, and acknowledged that they executed the same as their free act and deed on behalf of Casper Family, LC.

Alice Parker
Notary Public

Printed Name: Alice Parker

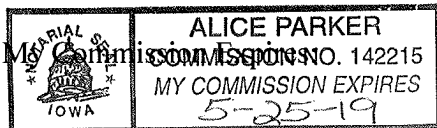


EXHIBIT A

**Parcel "H" as shown in Plat of Survey filed in Book 2016, Page 1401 on May 23, 2016, in the Office of the Recorder of Madison County, Iowa, EXCEPT that portion thereof that was re-platted as part of Casper First Addition, Winterset, Madison County, Iowa; AND
Lots 1 through 5 in Casper First Addition, Winterset, Madison County, Iowa.**