

**DECLARATION OF COVENANTS, CONDITIONS
AND RESTRICTIONS FOR HUNSBERGER PROPRIETOR PLAT 3,
AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART
OF THE CITY OF WAUKEE, DALLAS COUNTY, IOWA**

THIS DECLARATION is made this 1st day of July, 2005.

WHEREAS, Declarant is the owner of certain real property known as Outlot "X" and "Y" in Hunsberger Proprietor Plat 3, an Official Plat, now included in the City of Waukee, Dallas County, Iowa.

WHEREAS, Declarant is desirous of establishing covenants, conditions and restrictions on the above-described property.

NOW, THEREFORE, Declarant hereby publishes and declares that the above property shall be held, sold and conveyed subject to the following terms and conditions, all of which shall run with the land and shall be a burden and benefit to the land and all parties acquiring or owning any right, title or interest in any part of the property, their heirs, successors, assigns, grantees, executors, administrators and devisees:

1. Current or future owners of Outlots "X" and "Y" being created by this final plat shall not be able to redevelop the land, receive site plan approval or a building permit of any kind for such lot until the outlot has been submitted and approved by City Council as replat of such outlot. This requirement shall run with the land.
2. Current or future owners shall be required to replat their outlot with the denoted future public street extensions or other such street layouts as approved by the City of Waukee as it is developed. This requirement shall run with the land.

3. Current or future owners shall be required to provide easements for the installation of utilities including but not limited to gas, water and sewer. This requirement shall run with the land.

**HUNSBERGER FAMILY, L.P.,
an Iowa Limited Partnership**

By *Warren M. Hunsberger, Sr.*
Warren M. Hunsberger, Sr.,
General Partner

STATE OF IOWA)
) SS:
POLK COUNTY)

On this 1st day of July, 2005, before me, a Notary Public in and for said county, personally appeared Warren M. Hunsberger, Sr., to me personally known, who being by me duly sworn, did say that that person is general partner of said Partnership, and that said instrument was signed on behalf of the said Partnership by the said Warren M. Hunsberger, Sr., as such officer, acknowledged the execution of said instrument to be the voluntary act and deed of said Partnership, by it and by the officer voluntarily executed.

Ruth A. Reed
Notary Public in and for the State of Iowa

