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RESTRICTIVE COVENANTS

WHEREAS the undersigned, Frank Favazzo and Francine F. Favazzo, are the owners in fee simple of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ , Section 34, Township 34 North, Range 109 West, and;

WHEREAS the undersigned, Frank Favazzo and Francine F. Favazzo, wish to sell tracts out of said above described land, and;

WHEREAS the undersigned, Frank Favazzo and Francine F. Favazzo, wish to place certain restrictions upon said tracts for the benefit and protection of the undersigned and those persons purchasing said tracts;

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS that all tracts in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ , Section 34, Township 34 North, Range 109 West, hereinafter to be sold are subject to the following listed restrictions, to-wit:

1. The tracts, as originally conveyed by the undersigned, are never to be subdivided into smaller tracts.
2. No more than one family dwelling shall be placed upon or erected upon any one tract.
3. Any structures built or erected upon any tract shall be of new construction and shall not include any house trailer, mobile home or other mobile structures as a part of such construction.
4. No commercial structures of any type shall be permitted upon tracts in the above described land as it is the intent of the undersigned to establish a residential area.
5. It shall be the duty of tract owners to keep their tracts neat and orderly and free from odor producing refuse and the undersigned shall have the power to declare a nuisance if tracts are not so kept. If the tract owner does not remove said nuisance upon ten (10) days notice then the undersigned, their heirs or assigns, shall have the authority to abolish said nuisance at the tract owner's expense.
6. These restrictions may only be waived, modified or amended by the undersigned, their heirs or assigns.