

**RESTRICTIVE COVENANTS AND REGULATIONS FOR
SOMERSET TOWN CENTER
IN SOMERSET FIFTEENTH ADDITION**

WHEREAS, the undersigned are the owners of the lots and common area contained in Somerset Town Center Fifteenth Addition to Ames, Iowa; and

WHEREAS, for their own protection and for the benefit of subsequent owners of lots within said Town Center, the said owners desire to restrict the use thereof in certain particulars;

NOW, THEREFORE, the parties hereto, in consideration of the covenants and agreements, by these presents, covenant, bargain and agree among themselves and for their successors and assigns, as follows:

1. All lots shown as Town Center lots as designated in the final plat of Somerset Fifteenth Addition shall be known and described as commercial lots and shall not be improved, used or occupied other than for commercial purposes. All construction shall conform to Somerset architectural guidelines.
2. All building shall be in conformity with the retail regulations and shop area regulations and use restrictions set by the City.
3. No building, fence, wall or other structure shall be commenced, erected or maintained on any lot, nor shall any exterior addition, change or alteration thereon be made until the plans and specifications showing the nature, kind, shape, height, materials and location of the same have been submitted to and approved in writing to Erben Hunziker and Margaret Hunziker Development, L.L.C.; D & R Furman, L.L.C.; and R. Friedrich and Sons, Inc., hereinafter referred to as "Developers," or by an architect designated by the Developers. The primary guidelines for approval are that the plans and specifications reflect harmony of external design and location in relation to surrounding structures and drainage patterns in accordance with the storm water management plan and meet use restrictions set by the City.
4. The following restrictions shall also constitute covenants:

- a. All building structures or improvements of any kind must be completed within twelve (12) months of the commencement date of the construction.
 - b. No building or structure of temporary character and no trailer, basement, tent, shack, garage or outbuildings shall be used at any time as a residential dwelling on any lot, either temporarily or permanently.
 - c. No recreational vehicle or boat shall be parked on a lot for a period of time longer than 24 hours.
 - d. No extension towers nor antennas of any kind shall be constructed, modified or permitted on any lot except those approved by Somerset Architect.
 - e. No noxious or offensive activities or odors shall be permitted on or to escape from any lot, nor shall anything be done on any lot which is or may become an annoyance or nuisance, either temporarily or permanently.
 - f. The City shall not issue building permits without approval from Developers or Developers' architect.
5. All of these restrictions shall be deemed to be covenants running with the land and shall endure and be binding upon all parties hereto, their successors and assigns, for a period of twenty-one (21) years from the date of the recording of these covenants, unless claims to continue any interest in the covenants are filed as provided by law.
 6. In case of violation of any of the covenants, any person then owning a lot in said subdivision or the City of Ames, Iowa, is authorized to resort to an action of law or equity for relief, either by injunction or in damages, against the person so violating said covenants.
 7. Invalidation of any of these covenants by judgment or court order shall in no way affect the validity of any of the other provisions, but they shall remain in full force and effect.

Dated at Ames, Iowa this 12 day of May 2003.

ERBEN HUNZIKER AND MARGARET HUNZIKER
DEVELOPMENT, L.L.C.

By: [Signature]
Dean E. Hunziker, Manager

STATE OF IOWA, STORY COUNTY, ss:

On this 12 day of May, 2003, before me, Notary Public in and for the State of Iowa, personally appeared Dean E. Hunziker, to me personally known, who being by me duly sworn did say that that person is Manager of said limited liability company and that said instrument was signed on behalf of the said limited liability company by authority of its managers and the said Dean E. Hunziker acknowledged the execution of said instrument to be the voluntary act and deed of said limited liability company by it voluntarily executed.



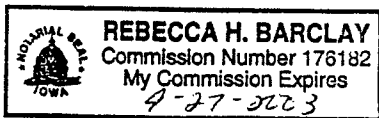
[Signature]
Notary Public in and for the State of Iowa

D & R FURMAN, L.L.C.

By: [Signature]
Donald M. Furman, as Co-Trustee of the
Donald and Ruth Furman Revocable
Trust Dated March 1, 1991, Member

STATE OF IOWA, STORY COUNTY, ss:

On this 12 day of May, 2003, before me, Notary Public in and for the State of Iowa, personally appeared Donald M. Furman, Co-Trustee, to me personally known, who being by me duly sworn did say that that person is a Member of said limited liability company and that said instrument was signed on behalf of the said limited liability company by authority of its managers and the said Donald M. Furman acknowledged the execution of said instrument to be the voluntary act and deed of said limited liability company by it voluntarily executed.



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

R. FRIEDRICH & SONS, INC.

By: *Reinhard K. Friedrich*
Reinhard K. Friedrich, President

By: *Robert K. Friedrich, Jr.*
Robert K. Friedrich, Jr., Vice President

STATE OF IOWA, STORY COUNTY, ss:

On this 12 day of May, 2003, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Reinhard K. Friedrich and Robert K. Friedrich, Jr., to me personally known, who being by me duly sworn, did say that they are the President and Vice President, respectively, of the corporation executing with within and foregoing instrument, that no seal has been procured by the corporation; that said instrument was signed on behalf of the corporation by authority of its Board of Directors; and that Reinhard K. Friedrich and Robert K. Friedrich, Jr., as such officers, acknowledged the execution of the foregoing instrument to be the voluntary act and deed of the corporation, by it and by them voluntarily executed.



Rebecca H. Barclay
Notary Public in and for the State of Iowa