

## **Dakota Crossings Industrial Park Special Covenants**

1. The Developer makes the following representations as it concerns said Dakota Crossings Commercial Subdivision:

- a) Enforcement of said covenants will be the responsibility of the City of Dakota City.
- b) Developer will purchase the real estate described herein.
- c) Developer and the City will establish restrictive covenants associated with the commercial development including sales of lots, building requirements, and use of the premises.
- d) All lots sold by the Developer must have construction completed within twenty-four (24) months after closing of the sale to the purchaser. In the event that construction is not commenced within said twenty-four (24) months, the purchaser shall pay to the City an additional fee of \$100.00 per month until such time as construction is completed.
- e) Developer will maintain the prices of the lots as described on Exhibit "A" which is attached hereto and made a part hereof by this reference prior to completion of necessary infrastructure (sanitary sewer, water, electric service, and paving of streets). After the infrastructure has been completed, the prices for said lots may be increased not to exceed an additional \$20,000.00 per lot.
- f) All construction within the development must be connected to water, sanitary sewer, and electric service provided by the City.
- g) All buildings within the development must be either a brick/stone or two toned wainscoting metal/steal building of earth tone colors. The two toned wainscoting shall be on all four sides of building as well as a minimum height of 3 feet.
- h) All buildings constructed on each lot shall have a setback of fifteen feet (15') from the front property line and six feet (6') on each side and the rear of the lot.
- i) All construction must be the elevation of 1098.
- j) All buildings constructed will have a hard surfaced (asphalt or concrete) parking area for all customers if it is a retail store.
- k) Any driveway or entrance off of a paved road must have a minimum of 15 feet of approach either of concrete or asphalt before any rock (white or crushed concrete) area begins.

- l) Side or Rear of property is allowed to have a rock of either white rock or crushed concrete only for parking of licensed trailers, semi-trucks, or outside storage if any.
- m) In the event that materials are stored outside of the building constructed on each lot, there must be a solid privacy fence constructed in a white vinyl material around that area to shield the materials from view. The privacy fence must be approved by the Building Inspection Department of the City. This excludes licensed trailers & semi-trucks.
- n) Under no circumstances will salvage yards be allowed in development.
- o) Only 1 new/used vehicle lot will be allowed in development and all vehicles on car lot must be on a hard surface of either asphalt or concrete.
- p) All curb cutting/grinding must be approved and inspected by Maintenance Supervisor.
- q) No mini-storage buildings smaller than 10x30 will be allowed in development (this section excludes MBR Investment L.L.C.
- r) No overhead electrical lines will be allowed in development.
- s) All signage in development must be approved by City and a representative from MBR Investments, LLC.