

**DEDICATION, COVENANTS AND RESTRICTIONS TO
THE RANCH ADDITION SUBDIVISION
SEWARD COUNTY, KANSAS**

KNOW ALL MEN BY THESE PRESENTS:

THAT JACK H. CALL AND ELIZABETH C. CALL, HIS WIFE, BEING THE RECORD OWNERS OF THE FOLLOWING DESCRIBED LANDS IN SEWARD COUNTY, KANSAS, TO-WIT:

A TRACT OF LAND IN THE NORTHWEST QUARTER (NW/4) OF SECTION THIRTEEN (13), TOWNSHIP THIRTY-FIVE (35), RANGE THIRTY-FOUR (34), MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER (NW/4) OF SECTION THIRTEEN (13); THENCE WEST ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER (NW/4) A DISTANCE OF 1,529.41 FEET TO A POINT ON THE SOUTHEAST RIGHT-OF-WAY LINE OF U.S. HIGHWAY 54; THENCE SOUTHEASTERLY, PERPENDICULAR TO SAID RIGHT-OF-WAY LINE, A DISTANCE OF 300 FEET TO A POINT; THENCE SOUTHWESTERLY, PARALLELING SAID RIGHT-OF-WAY LINE, A DISTANCE OF 1,384.98 FEET TO A POINT; THENCE SOUTHWESTERLY, WITH AN ANGLE OF 3 DEGREES (3°) 25'29" RIGHT, PARALLELING THE SOUTHEAST RIGHT-OF-WAY LINE OF U.S. HIGHWAY 54, A DISTANCE OF 155.52 FEET TO A POINT ON THE WEST LINE OF SAID NORTHWEST QUARTER (NW/4); THENCE SOUTH ALONG THE WEST LINE OF SAID NORTHWEST QUARTER (NW/4) A DISTANCE OF 1,546.8 FEET TO THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER (NW/4); THENCE EAST ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER (NW/4) A DISTANCE OF 2,653.25 FEET TO THE SOUTHEAST CORNER OF SAID NORTHWEST QUARTER (NW/4); THENCE NORTH ALONG THE EAST LINE OF SAID NORTHWEST QUARTER (NW/4) A DISTANCE OF 2,635.76 FEET TO THE POINT OF BEGINNING; CONTAINING 140.93 ACRES, MORE OR LESS.

EXCEPTING AND RESERVING, HOWEVER, UNTO THE GRANTORS, THEIR HEIRS AND ASSIGNS, AS THEIR INTERESTS MAY APPEAR, SUCH INTERESTS IN THE OIL, GAS AND OTHER MINERALS LYING IN AND UNDER, OR THAT MAY BE PRODUCED FROM, SAID REAL PROPERTY, OR PRESENTLY OWNED BY SELLERS, TOGETHER WITH ALL RIGHT OF INGRESS AND EGRESS, FOR THE PURPOSE OF EXPLORING FOR AND REMOVING PRODUCTION THAT MAY BE ACQUIRED FROM SAID PROPERTY AND THE RIGHT TO USE SO MUCH OF THE SURFACE AS MAY BE NECESSARY FOR SUCH PURPOSE...

DO HEREBY DEDICATE THE STREETS, AVENUES AND EASEMENTS SHOWN ON SAID PLAT TO THE PUBLIC USE, THE BALANCE OF SAID SUB-DIVISION BEING RETAINED AND RESERVED FOR SALE.

THE PORTION OF SAID SUB-DIVISION RETAINED AND RESERVED FOR SALE SHALL BE SUBJECT TO THE FOLLOWING PROTECTIVE COVENANTS AND RESTRICTIONS HEREBY IMPOSED WHICH SHALL RUN WITH THE ABOVE DESCRIBED REAL ESTATE AS FOLLOWS:

1. NO LOT SHALL BE USED EXCEPT FOR RESIDENTIAL PURPOSES PROVIDED, HOWEVER, THAT A REAL ESTATE BUSINESS MAY BE CONDUCTED FROM A RESIDENCE AND PROVIDED FURTHER SUCH OTHER "HOME TYPE" BUSINESSES MAY BE CONDUCTED FROM RESIDENCES AS MAY BE APPROVED FROM TIME TO TIME BY THE ARCHITECTURAL CONTROL COMMITTEE AND THE CITY/COUNTY BOARD OF ZONING

APPEALS. LOTS 1, 2 AND 3 OF BLOCK 4, AND LOT 1 OF BLOCK 1 ARE NOT PART OF THIS ARTICLE.

2. NO BUILDING SHALL BE ERECTED, PLACED OR ALTERED ON ANY LOT UNTIL THE CONSTRUCTION PLANS AND SPECIFICATIONS AND A PLAN SHOWING THE LOCATION OF THE STRUCTURE HAS BEEN APPROVED BY THE ARCHITECTURAL COMMITTEE AS TO THE QUALITY OF WORKMANSHIP AND MATERIALS, HARMONY OF EXTERNAL DESIGN WITH EXISTING STRUCTURES AND AS TO THE LOCATION AS WITH RESPECT TO TOPOGRAPHY AND FINISH GRADE ELEVATION.
3. NO STRUCTURES SHALL BE ERECTED, ALTERED, PLACED OR PERMITTED TO REMAIN ON ANY BUILDING SITE OTHER THAN ONE DETACHED SINGLE FAMILY DWELLING AND A PRIVATE GARAGE FOR NOT MORE THAN THREE CARS, AND ONE ACCESSORY BUILDING IN CONNECTION WITH SAID DWELLINGS, ALL TO BE COORDINATED IN ARCHITECTURAL DESIGN, PROVIDED, HOWEVER, THAT STRUCTURES ERECTED ON LOTS 2 THRU 8 INCLUSIVE OF BLOCK 1 OF SAID SUB-DIVISION MAY BE OF MULTIPLE FAMILY DWELLINGS, BUT SHALL NOT EXCEED TWO STORIES IN HEIGHT. LOT 1 OF BLOCK 1 AND LOT 1, 2 AND 3 OF BLOCK 4 ARE DESIGNATED FOR COMMERCIAL BUSINESSES.
4. NO BUILDING SHALL BE ERECTED OR PLACED ON SAID REAL ESTATE EXCEPT THOSE OF NEW CONSTRUCTION.
5. EACH SINGLE STORY DWELLING SHALL HAVE A MINIMUM OF NOT LESS THAN 1,400 SQUARE FEET OF SPACE IN THE LIVING QUARTERS EXCLUSIVE OF THE GARAGE. GARAGES OR ACCESSORY BUILDINGS SHALL NOT EXCEED A MAXIMUM OF 1,000 SQUARE FEET AND SHALL NOT EXCEED THE HEIGHT OF THE PRINCIPLE STRUCTURE.
6. NOT MORE THAN ONE BUILDING SHALL BE ERECTED FOR DWELLING PURPOSES ON ANY ONE PLATTED LOT.
7. NO BUILDING SHALL BE LOCATED ON ANY NOT NEARER THAN TWENTY (20) FEET OF A SIDE LOT LINE, AND THIRTY (30) FEET FROM THE FRONT OR BACK LOT LINE. EASEMENTS FOR INSTALLATION AND MAINTENANCE OF UTILITIES AND DRAINAGE FACILITIES ARE RESERVED AS SHOWN ON THE RECORDED PLAT.
8. NO NOXIOUS OR OFFENSIVE ACTIVITY SHALL BE CARRIED ON UPON ANY LOT, NOR SHALL ANYTHING BE DONE THEREIN WHICH MAY BE OR BECOME AN ANNOYANCE OR NUISANCE TO THE NEIGHBORHOOD. NO STRUCTURE OF A TEMPORARY CHARACTER, MOBILE HOME, BASEMENT, TENT, SHACK, GARAGE, BARN OR OTHER OUTBUILDINGS SHALL BE USED ON ANY LOT AT ANY TIME AS A RESIDENCE EITHER TEMPORARILY OR PERMANENTLY. EXCEPTION: A PROPERLY INSTALLED MOBILE HOME MAY BE USED AS A DWELLING DURING THE CONSTRUCTION OF THE PRINCIPLE STRUCTURE. THE MOBILE HOME MUST BE APPROVED BY THE ARCHITECTURAL CONTROL COMMITTEE. IN ADDITION, UNDER NO CIRCUMSTANCES SHALL THE MOBILE HOME REMAIN A PERIOD TO EXCEED ONE (1) YEAR FROM THE DATE OF INSTALLATION.
9. NO SIGN OF ANY KIND SHALL BE DISPLAYED TO THE PUBLIC VIEW ON ANY LOT EXCEPT A PROFESSIONAL SIGN OF SUCH BUSINESS AS MAY BE PERMITTED BY THE ARCHITECTURAL CONTROL COMMITTEE AND SIGN ADVERTISING THE PROPERTY FOR SALE OR RENT, NOT TO EXCEED FIVE (5) SQUARE FEET OR SUCH SIGNS AS MAY BE USED BY A BUILDER OR DEVELOPER TO ADVERTISE THE PROPERTY DURING CONSTRUCTION AND SALES.
10. NO OIL DRILLING, OIL DEVELOPMENT, OPERATIONS, OIL REFINING, QUARRYING OR MINING OPERATIONS OF ANY KIND SHALL BE PERMITTED UPON OR IN ANY LOT.
11. NO ANIMALS, LIVESTOCK OR POULTRY OF ANY KIND SHALL BE RAISED, BRED OR KEPT ON ANY LOT EXCEPT THAT A MAXIMUM OF THREE (3) DOGS, CATS AND OTHER HOUSEHOLD PETS MAY BE KEPT PROVIDED THEY ARE NOT KEPT, BRED OR MAINTAINED FOR ANY COMMERCIAL PURPOSES WHATSOEVER.

12. NO LOT SHALL BE USED OR MAINTAINED AS DUMPING GROUND FOR RUBBISH, TRASH, GARBAGE OR OTHER WASTE, NOR SHALL ANY LOT BE USED, KEPT OR MAINTAINED FOR THE STORAGE OF ANY MATERIALS EXCEPT THOSE BEING USED DURING CONSTRUCTION OF THE BUILDINGS ON SUCH LOT, OR OTHER EQUIPMENT FOR THE STORAGE OR DISPOSAL OF ANY MATERIAL SHALL BE KEPT IN A CLEAN AND SANITARY CONDITION.
13. NO TRASH BURNING WILL BE PERMITTED EXCEPT THOSE CONFORMING TO K.A.R. 28-19 45-46-47.
14. NO BUILDING SHALL BE PLACED NOR SHALL ANY MATERIAL OR REFUSE BE PLACED OR STORED ON ANY LOT, NOR SHALL ANY LOT BE ALTERED TO DIRECT THE NATURAL FLOW OF WATER UPON ANY OTHER LOT.
15. NO INDIVIDUAL SEWAGE DISPOSAL SYSTEM SHALL BE CONSTRUCTED OR MAINTAINED OR PERMITTED TO BE RETAINED ON ANY LOT EXCEPT IN ACCORDANCE WITH THE REQUIREMENTS, STANDARDS AND RECOMMENDATIONS OF KDHE BULLETIN 4-2, OR ANY HEALTH AUTHORITY HAVING JURISDICTION OVER THIS PROPERTY AND SHALL NOT IN ANY EVENT BE DIRECTED TOWARD OR UPON ANY INDIVIDUAL WATER SUPPLY SYSTEM OF ANY ADJOINING LAND OR LANDS.
16. NO FENCE, WALL, HEDGE OR SHRUB WHICH DESTRUCT SITE LINES AT ELEVATIONS BETWEEN TWO AND SIX FEET ABOVE THE ROADWAY SHALL BE PLACED OR PERMITTED TO REMAIN ON ANY CORNER LOT WITHIN THE TRIANGULAR AREA FORMED BY THE STREET PROPERTY LINES, ANY LINES CONNECTING THEM AT POINTS 35 FEET FROM THE INTERSECTION OF THE STREET LINES OR IN THE CASE OF A ROUNDED PROPERTY CORNER FROM THE INTERSECTION OF THE STREET PROPERTY LINES EXTENDED.
17. THERE SHALL BE A TIME LIMIT ON THE CONSTRUCTION OF NEW PROPERTY WITHIN THE SUBDIVISION. THIS TIME LIMIT SHALL BE A PERIOD OF ONE (1) YEAR FROM THE DATE THAT GROUND IS BROKEN ON THE SITE.
18. THE BUILDER OF ANY HOME IN THE RANCH SUBDIVISION SHALL SUBMIT TO THE APPROVAL COMMITTEE EVIDENCE OF FINANCIAL ABILITY TO COMPLETE THE PROJECT THAT IS PROPOSED. THIS EVIDENCE SHALL BE IN THE FORM OF A COMMITMENT LETTER FROM A LOAN COMPANY, EVIDENCE OF CASH NECESSARY FOR CONSTRUCTION, OR SECURITY WHICH DEMONSTRATES THE ABILITY TO COMPLETE THE PROJECT WITHIN THE LIMIT OF CONSTRUCTION TIME.
19. ALL CONSTRUCTION IN THE RANCH SUBDIVISION SHALL BE OF THE TYPE IN WHICH THE CONSTRUCTION ITSELF IS STARTED, MANAGED AND FINISHED ON SITE.
20. IN AN EFFORT TO BEAUTIFY THE RANCH SUBDIVISION, IT IS REQUIRED THAT ALL OWNERS OF THE RANCH SUBDIVISION LOTS SHALL PLANT NO LESS THAN TWENTY (20) TREES OR SHRUBS ON THEIR PROPERTY AND MAINTAIN THESE TREES AND SHRUBS AND REPLACE THOSE THAT DIE IF THE NUMBER FALL BELOW TWENTY (20). RESIDENTS BUILDING A NEW HOME WOULD HAVE ONE (1) YEAR FROM THE DATE OF MOVING IN TO MEET THIS REQUIREMENT.
21. NO AIR-CONDITIONING UNIT, EVAPORATIVE COOLER OR OBJECT SHALL BE PLACED UPON THE ROOF OF ANY RESIDENCE OR BUILDING EXCEPT OR UNLESS SUCH AIR-CONDITIONING UNIT IS ARCHITECTURALLY CONCEALED FROM VIEW AND PLANS FOR CONCEALMENT HAVE BEEN SUBMITTED TO AND APPROVED BY THE COMMITTEE. THIS SHALL NOT PRECLUDE SOLAR HEATING PROVIDED; HOWEVER, THE ARCHITECTURAL CONTROL COMMITTEE MUST FIRST APPROVE THE DESIGN AN APPEARANCE OF SUCH PLANS.
22. AT LEAST TWO OFF-STREET PARKING SPACES SHALL BE REQUIRED FOR EACH RESIDENCE.
23. NO BOUNDARY WALL OR FENCE SHALL BE CONSTRUCTED WITH A HEIGHT OF MORE THAN SIX (6) FEET. NO WALL OR FENCE OF ANY HEIGHT SHALL BE CONSTRUCTED ON ANY LOT UNTIL AFTER THE HEIGHT, TYPE, DESIGN AND APPROXIMATE LOCATION

THEREFORE SHALL HAVE BEEN APPROVED IN WRITING BY THE CONTROL COMMITTEE. THE HEIGHTS OR ELEVATIONS OF ANY WALL OR FENCE SHALL BE MEASURED FROM THE EXISTING ELEVATIONS OF THE PROPERTY AT OR ALONG THE APPLICABLE POINTS OR LINES. ANY QUESTION AS TO SUCH HEIGHTS MAY BE COMPLETELY DETERMINED BY THE CONTROL COMMITTEE.

24. ALL GARBAGE CANS, EQUIPMENT, COOLERS, OR STORAGE PILES SHALL BE WALLED-IN TO CONCEAL THEM FROM THE VIEW OF NEIGHBORS' LOTS, ROADS OR STREETS. PLANS FOR ALL ENCLOSURES OF THIS NATURE MUST BE APPROVED BY THE CONTROL COMMITTEE PRIOR TO CONSTRUCTION.
25. NO TRAILER, BOAT, MOTOR HOME, MOBILE HOME, CAMPER OR SIMILAR RECREATIONAL VEHICLE SHALL BE STORED, MAINTAINED, OR USED IN THE FRONT YARD OR DRIVEWAY OF ANY DWELLING. SUBJECT TO PRIOR APPROVAL OF THE ARCHITECTURAL CONTROL COMMITTEE, SAID VEHICLES MAY BE STORED IN THE REAR OR SIDE YARD PROVIDED ADEQUATE ACCESS IS AVAILABLE, ADEQUATE FENCING OR SCREENING IS CONSTRUCTED TO SCREEN THE VEHICLE FROM VIEW AND THE FENCING OR SCREENING IS ALSO APPROVED BY THE CONTROL COMMITTEE. THIS ARTICLE SHALL NOT APPLY TO THE DECLARANT OR HOME BUILDERS IN THEIR USE OF TRAILERS OR TEMPORARY STRUCTURES USED IN CONSTRUCTION OR SALES ACTIVITIES.
26. NO REPAIR OF ANY VEHICLES SHALL TAKE PLACE IN THE FRONT YARD, ON FRONT DRIVE, OR IN THE STREET IN FRONT OF ANY HOUSE AND NO REPAIR SHALL TAKE PLACE IN REAR YARD OR SIDE YARD, UNLESS SCREENED FROM VIEW, ADEQUATE ACCESS IS AVAILABLE, AND FENCING OR SCREENING IS ALSO APPROVED BY THE ARCHITECTURAL CONTROL COMMITTEE.
27. NO ANTENNA OF ANY TYPE (T.V., C.B., ETC.) IS ALLOWED ON THE ROOF OF ANY DWELLING OR ATTACHED IN ANY VISIBLE WAY TO ANY DWELLING. ALL FREE STANDING ANTENNAS MUST BE APPROVED BY THE ARCHITECTURAL CONTROL COMMITTEE.
28. THE FRONT YARD OF EACH HOUSE SHALL BE LANDSCAPED WITHIN ONE (1) YEAR OF THE ISSUANCE OF THE CERTIFICATE OF OCCUPANCY BY SEWARD COUNTY OR THE CITY OF LIBERAL, KANSAS.
29. EASEMENTS FOR INSTALLATION AND MAINTENANCE OF UTILITIES AND DRAINAGE FACILITIES ARE RESERVED AS SHOWN ON THE RECORDED PLAT OF THE RANCH ADDITION OF PUBLIC RECORD AT SEWARD COUNTY. WITHIN THESE EASEMENTS, NO STRUCTURE, PLANTING OR OTHER MATERIAL SHALL BE PLACED OR PERMITTED TO REMAIN WHICH MAY DAMAGE OR INTERFERE WITH THE INSTALLATION AND MAINTENANCE OF UTILITIES, OR WHICH MAY CHANGE THE DIRECTION OF FLOW OF DRAINAGE CHANNELS IN THE EASEMENTS, OR WHICH MAY OBSTRUCT OR RETARD THE FLOW OF WATER THROUGH DRAINAGE CHANNELS IN THE EASEMENTS. THE EASEMENT AREA OF EACH LOT AND ALL IMPROVEMENTS IN IT SHALL BE MAINTAINED CONTINUOUSLY BY THE OWNER OF THE LOT, EXCEPT FOR THOSE IMPROVEMENTS FOR WHICH A PUBLIC AUTHORITY OR UTILITY COMPANY IS RESPONSIBLE. ALL AREAS ADJACENT TO THE FRONT OR SIDE OF ANY LOT THAT ARE LOCATED IN STREET RIGHT-OF-WAY AND THAT DO NOT CONTAIN STREET IMPROVEMENTS (CURB, GUTTER, SIDEWALK OR ASPHALT) SHALL BE MAINTAINED CONTINUOUSLY BY THE OWNER OF THE LOT.
30. THE ARCHITECTURAL CONTROL COMMITTEE IS COMPOSED OF JACK H. CALL, RUSSELL E. CALL, DOUGLAS A. CALL. A MAJORITY OF THE COMMITTEE MAY DESIGNATE A REPRESENTATIVE TO ACT FOR IT. NEITHER THE MEMBERS OF THE COMMITTEE NOR ITS DESIGNATED REPRESENTATIVES SHALL BE ENTITLED TO ANY COMPENSATION FOR SERVICES PERFORMED PURSUANT TO THIS COVENANT. IN THE EVENT OF THE DEATH

- OR INCAPACITY OR INABILITY OF ANY MEMBER OF THE COMMITTEE TO SERVE; THE REMAINING MEMBERS OF THE COMMITTEE SHALL SELECT A THIRD MEMBER.
31. THE COMMITTEE'S APPROVAL OR DISAPPROVAL AS REQUIRED IN THESE COVENANTS SHALL BE IN WRITING, IN THE EVENT THE COMMITTEE OR DESIGNATED REPRESENTATIVE FAIL TO APPROVE OR DISAPPROVE WITHIN THIRTY (30) DAYS AFTER PLANS AND SPECIFICATIONS HAVE BEEN SUBMITTED TO IT OR IN ANY EVENT IF NO SUIT TO ENJOIN THE CONSTRUCTION HAS BEEN COMMENCED PRIOR TO THE COMPLETION THEREOF, APPROVAL WILL NOT BE REQUIRED AND THE RELATED COVENANTS SHALL BE DEEMED TO BEEN FULLY COMPLIED WITH.
 32. THESE COVENANTS ARE TO RUN WITH THE LAND, OR LOTS AND SHALL BE BINDING ON ALL PARTIES AND ALL PERSONS CLAIMING UNDER THEM FOR A PERIOD OF THIRTY (30) YEARS FROM THE DATE THESE COVENANTS ARE RECORDED, AFTER WHICH TIME SAID COVENANTS SHALL BE AUTOMATICALLY EXTENDED FOR SUCCESSIVE PERIODS OF TEN (10) YEARS UNLESS AN INSTRUMENT SIGNED BY A MAJORITY OF THE THEN OWNERS OF THE LOTS HAS BEEN RECORDED, AGREEING TO CHANGE SAID COVENANTS IN WHOLE OR IN PART.
 33. ENFORCEMENT SHALL BE BY PROCEEDINGS AT LAW OR IN EQUITY AGAINST ANY PERSON OR PERSONS VIOLATING OR ATTEMPTING TO VIOLATE ANY COVENANT EITHER TO RESTRAIN VIOLATION OR TO RECOVER DAMAGES.
 34. INVALIDATION OF AN ONE OF THESE COVENANTS BY JUDGMENT OR COURT ORDER SHALL IN NO WISE AFFECT ANY OF THE OTHER PROVISIONS WHICH SHALL REMAIN IN FULL FORCE AND EFFECT.

WITNESS OUR HANDS AND SEAL, THIS ____ DAY OF _____.

 JACK H. CALL

 ELIZABETH C. CALL

STATE OF KANSAS, COUNTY OF SEWARD, SS:

BEFORE ME THE UNDERSIGNED, A NOTARY PUBLIC, WITHIN AND FOR SAID COUNTY AND STATE, ON THIS ____ DAY OF _____, 1993 PERSONALLY APPEARED JACK H. CALL AND ELIZABETH C. CALL, HIS WIFE, TO ME PERSONALLY KNOWN TO BE THE IDENTICAL PERSONS WHO EXECUTED THE WITHIN AND FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME AS THEIR FREE AND VOLUNTARY ACT AND DEED FOR THE USES AND PURPOSES THEREIN SET FORTH.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND OFFICIAL SEAL THE DAY AND YEAR LAST ABOVE WRITTEN.

 NOTARY PUBLIC

SEAL
 MY COMMISSION EXPIRES: