

# Boone County, Missouri

## Unofficial Document

Filed for record on March 13 1972 at 1:47 P M In Boone Co. Mo.  
Document No. 5512 recorded in Book 220 page 204 Bette Johnson, Recorder of Deeds

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### RESTRICTIONS

WHEREAS, CURT R. KELLY and PEGGY J. KELLY, husband and wife, are the owners of the following described real estate:

ALL OF THE WEST HALF (W 1/2) OF THE SOUTHEAST QUARTER (SE 1/4), EXCEPT THE WEST HALF (W 1/2) OF THE SOUTHWEST QUARTER (SW 1/4) OF THE SAID SOUTHEAST QUARTER (SE 1/4); AND THE EAST HALF (E 1/2) OF THE SOUTHEAST QUARTER (SE 1/4), EXCEPT ONE AND ONE-QUARTER (1 1/4) ACRES LYING NORTH AND EAST OF THE COLUMBIA AND STURGEON STATE ROAD, ALL IN SECTION 20; THE WEST HALF (W 1/2) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 21 WHICH LIES SOUTH AND WEST OF THE STURGEON AND HALLSVILLE ROAD; AND THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 29 AND THE EAST HALF (E 1/2) OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SAID SECTION 29, ALL IN TOWNSHIP 51 NORTH OF RANGE 12 WEST OF THE FIFTH PRINCIPAL MERIDIAN, EXCEPT THAT PART DEEDED FOR RIGHT-OF-WAY PURPOSES AS SHOWN IN ROAD BOOK 2, PAGE 185, RECORDS OF BOONE COUNTY, MISSOURI.

WHEREAS, the aforesaid owners are desirous of subjecting the above described real estate to certain conditions and restrictions for the mutual benefit of themselves and subsequent holders of title thereto.

NOW, THEREFORE, the aforesaid owners do hereby state and declare that all of the hereinabove described real estate shall be subject to the following conditions and restrictions,

1. BUILDING SET-BACK LINES: No building or other structure shall be located closer than Seventy-five (75') feet to the front of the property line of any tract. For a distance of Two Hundred (200') feet from the front property line, no building or other structure shall be located closer than Fifty (50') feet to the side property lines of any tract. The location sewage lagoons and septic tanks shall comply with the foregoing front and side line building restrictions.

2. LAND USE AND RESIDENCES: No ten (10) acre tract shall be used except for agricultural and residential purposes and each tract shall contain not more than one (1) single-family residence, except that three (3) outbuildings such as storage sheds, detached garages and other similar outbuildings shall be permitted. Each dwelling house residence shall contain a minimum of one thousand three hundred (1,300') square feet of finished living area, exclusive of open porches, carports, garages, basements and

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attics. All construction, once commenced, shall be under roof with the exterior substantially completed within six (6) months thereafter. There shall be no basement homes, no "earth homes" and no basements constructed to be lived in prior to a home residence being completed. No trailer home or mobile home of any kind shall be constructed, erected, installed or maintained on any tract of land mentioned in legal description here attached. All homes, buildings, structures and fences shall be kept and maintained in good repair and appearance.

3. **BUSINESSES:** No business or commercial activity of any kind shall be conducted, operated or permitted on any tract, except agricultural activity, limited to hay, seed and row crops or raising farm animals or a combination thereof, and in-home business. At no time shall there be any agricultural activity that could be construed as a feed lot or animal confinement area.

4. **ANIMALS:** No swine shall be raised, bred or kept on any tract. Dogs, cats, or other household pets, and not more than one (1) farm animal ( horse, ponies, cows or any combination thereof) per acre shall be kept, provided that such animals shall be penned and/or otherwise restrained at all times within the confines of any such tract. Sheep are permitted, not to exceed three (3) per acre.

5. **NUISANCES:** No noxious or offensive activity shall be carried on upon any tract, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood or neighboring tracts.

6. **TRASH:** No tract shall be used or maintained as a dumping or storage ground for junk, garbage, trash, wrecked, abandoned, unlicensed or inoperative vehicles or other waste. Any trash, garbage or other waste shall not be kept except in sanitary or approved containers. All incinerators or other equipment for the storage or disposal of such material shall be kept in a clean and sanitary condition.

7. **TERM:** These restrictions are to run with the land whether or not the same are mentioned in subsequent conveyances, and said restrictions shall be forever binding upon all successors in title to the above described real estate and upon all heirs, personal representatives, successors and assigns of the hereinabove named owners. Provided, however, that these restrictions may be changed, altered, amended or repealed by the unanimous vote of the then owners of the described real estate, such change, alteration, amendment or repeal to be evidenced by the signature of all of such owners thereon, duly notarized and recorded in the office of the Recorder of Deeds for Boone County, Missouri.

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8. ENFORCEMENT: Enforcement shall be by proceeding 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, or both.

9. SEVERABILITY: Invalidation of any one of these restrictions by judgement or court order shall in no wise effect any of the other provisions which remain in ful force and effect.

IN WITNESS WHEREOF, the undersigned have hereunto set their hands, all on this 13<sup>th</sup> day of March, 1992.

*Curt R. Kelly*  
CURT R. KELLY

*Peggy J. Kelly*  
PEGGY J. KELLY



STATE OF MISSOURI  
COUNTY OF BOONE

SUBSCRIBED and SWORN to before the undersigned, a Notary Public, by CURT R. KELLY, and PEGGY J. KELLY, husband and wife who acknowledge that they signed the above and foregoing restrictions as their free act and deed, on this 13 day of March, 1992.

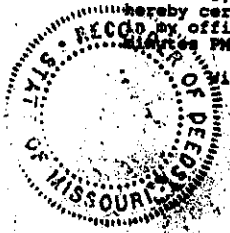
*Larry Clementz*  
LARRY CLEMENTZ, NOTARY PUBLIC  
STATE OF MISSOURI, COMMISSIONED IN BOONE COUNTY

My commission expires:  
March 4, 1995

STATE OF MISSOURI }  
COUNTY OF BOONE } SS.

Document No. 5562

I, the undersigned Recorder of Deeds for said county and state do hereby certify that the foregoing instrument of writing was filed for record in my office on the 13th day of March, 1992 at 1 o'clock and 47:00 minutes PM and is truly recorded in Book 880 Page 409.



Witness my hand and official seal on the day and year aforesaid.

BETTIE JOHNSON, RECORDER OF DEEDS  
by *Lore Ashlock* deputy

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Filed for record on May 5 1994 9:58:37 A M in Boone Co. Mo.  
Document No. 983 recorded in Book 1277 page 983 L. M. Johnson, Recorder of Deeds

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RESTRICTIONS

WHEREAS, CURT R. KELLY and PEGGY J. KELLY, husband and wife, are the owners of the following described real estate:

ALL OF THE WEST HALF (W 1/2) OF THE SOUTHEAST QUARTER (SE 1/4), EXCEPT THE WEST HALF (W 1/2) OF THE SOUTHWEST QUARTER (SW 1/4) OF THE SAID SOUTHEAST QUARTER (SE 1/4); AND THE EAST HALF (E 1/2) OF THE SOUTHEAST QUARTER (SE 1/4), EXCEPT ONE AND ONE-QUARTER (1 1/4) ACRES LYING NORTH AND EAST OF THE COLUMBIA AND STURGEON STATE ROAD, ALL IN SECTION 20; THE WEST HALF (W 1/2) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 21 WHICH LIES SOUTH AND WEST OF THE STURGEON AND HALLSVILLE ROAD; AND THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 29 AND THE EAST HALF (E 1/2) OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SAID SECTION 29, ALL IN TOWNSHIP 51 NORTH OF RANGE 12 WEST OF THE FIFTH PRINCIPAL MERIDIAN, EXCEPT THAT PART DEEDED FOR RIGHT-OF-WAY PURPOSES AS SHOWN IN ROAD BOOK 2, PAGE 166, RECORDS OF BOONE COUNTY, MISSOURI.

WHEREAS, the aforesaid owners are desirous of subjecting the above described real estate to certain conditions and restrictions for the mutual benefit of themselves and subsequent holders of title thereto.

NOW, THEREFORE, the aforesaid owners do hereby state and declare that all of the hereinabove described real estate shall be subject to the following conditions and restrictions,

1. BUILDING SET-BACK LINES: No building or other structure shall be located closer than Seventy-five (75') feet to the front of the property line of any tract. For a distance of Two Hundred (200') feet from the front property line, no building or other structure shall be located closer than Fifty (50') feet to the side property lines of any tract. The location sewage lagoons and septic tanks shall comply with the foregoing front and side line building restrictions.

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... All construction shall be completed within the period of (6) months thereafter. There shall be no basement homes, no "earth homes" and no basements constructed to be lived in prior to a home residence being completed. No trailer home or mobile home of any kind shall be constructed, erected, installed or maintained on any tract of land mentioned in legal description here attached. All homes, buildings, structures and fences shall be kept and maintained in good repair and appearance.

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7. **TERM:** These restrictions are to run with the land whether or not the same are mentioned in subsequent conveyances, and said restrictions shall be forever binding upon all successors in title to the above described real estate and upon all heirs, personal representatives, successors and assigns of the hereinabove named owners. Provided, however, that these restrictions may be changed, altered, amended or repealed by the unanimous vote of the then owners of the described real estate, such change, alteration, amendment or repeal to be evidenced by the signature of all of such owners thereon, duly notarized and recorded in the office of the Recorder of Deeds for Boone County, Missouri.

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9. ENFORCEMENT: Enforcement shall be by proceeding 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, or both.

9. SEVERABILITY: Invalidation of any one of these restrictions by judgement or court order shall in no wise effect any of the other provisions which remain in full force and effect.

IN WITNESS WHEREOF, the undersigned have hereunto set their hands, all on this 4th day of May, 1994

Curt R. Kelly  
CURT R. KELLY

Peggy J. Kelly  
PEGGY J. KELLY

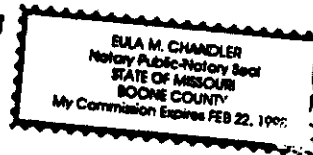
STATE OF MISSOURI

COUNTY OF BOONE

SUBSCRIBED and SWORN to before the undersigned, a Notary Public, by CURT R. KELLY, and PEGGY J. KELLY, husband and wife who acknowledge that they signed the above and foregoing restrictions as their free act and deed, on this 4th day of May, 1994.

Eula M. Chandler  
EULA M. CHANDLER NOTARY PUBLIC  
STATE OF MISSOURI, COMMISSIONED IN BOONE COUNTY

My commission expires: Feb. 22, 1998



STATE OF MISSOURI }  
COUNTY OF BOONE } ss.

Document No. 9757



I, the undersigned Recorder of Deeds for said county and state do hereby certify that the foregoing instrument of writing was filed for record in my office on the 5th day of May, 1994 at 9 o'clock and 37 minutes AM and is truly recorded in Book 1077 Page 983.

Witness my hand and official seal on the day and year aforesaid.

BETTIE JOHNSON, RECORDER OF DEEDS  
by Lisa Victor deputy