

Iowa State University Research Park

Covenants, Conditions, and Restrictions

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**DECLARATION OF COVENANTS & RESTRICTIONS
IOWA STATE UNIVERSITY RESEARCH PARK**

ARTICLE I
PURPOSE & APPLICATION

Section 1.10: Goal. The overall goal of the Iowa State University Research Park (Corporation) covenants and restrictions is to produce high quality and aesthetically pleasing development that complements the site's natural resources. The following covenants and restrictions will help to preserve and enhance an environment in the completed park that is pleasing to occupants, visitors, and neighbors. The covenants as presented herein shall be binding on all lessees, tenants, and owners of buildings within the confines of the ISU Research Park, hereafter referred to as the "Research Park" or the "Park". The legal description of the real estate included within the Research Park is described in attached Exhibit "A" which is incorporated herein by this reference, and any additional real estate which may be added hereto from time to time.

ARTICLE II
RESEARCH PARK BOARD OF DIRECTORS

Section 2.10: Function. The function of the Research Park Board of Directors (Board) is to exercise control over the development of the Research Park in terms of its aesthetic qualities, tenant use within the confines of the covenants, and to maintain the conceptual integrity of the Park. Its purpose is to review all site layout and architectural presentations and approve or disapprove same.

Section 2.20: Board Membership. Members of the Board are appointed in accordance with the Research Park Corporation By-Laws.

Section 2.30: Board Liability. Neither the Iowa State Board of Regents, President of Iowa State University, Research Park Executive Director, Research Park Board of Directors, nor any member, employee, or agent thereof shall be liable to any owner or tenant or to anyone submitting plans for approval, or to any other party by reason of mistake in judgment, negligence, or nonfeasance, arising out of or in connection with the approval, disapproval, or failure to approve any such plans or for any other action in connection with its or their duties herein. Likewise, anyone so submitting plans to the Board for approval, by submitting such plans and any person when he or she becomes an owner or tenant, agrees that he, she, or it will not bring any action or suit to recover any damages against the Board, or any member, employee, or agent of said Board.

ARTICLE III
REVIEW & APPROVAL PROCESS

Section 3.10: Required Plans. All plans, specifications, requests for authority to remodel or alter, or otherwise change the real estate of leasehold must be submitted to the Board, and if necessary, the City of Ames for review and approval. No building, sign, landscaping, lighting, or other exterior improvements shall be altered, placed, or erected on any building site without such prior approval from the Board and the City of Ames.

Section 3.11: Inspection Access. The Park Director of designated agent(s) shall have full access to the building and site during construction.

Section 3.20: Approval Process. Approvals shall be based upon, among other things, conformity and harmony of external designs with neighboring structures, effect of location and use of improvements on neighboring sites; orientation of main elevation with respect to nearby streets; and conformity of plans and specifications to the intent of these covenants. The Board shall not arbitrarily or unreasonably withhold its action or decision of such plans and specifications. Improvements or alterations to any site shall not be commence prior to compliance with the following 2-part review process contained in Sections 3.21 and 3.22.

Section 3.21: Concept Design Review. The objective is to ensure careful site planning with regard to location and size of building, parking, open space, and access. The concept design must be approved by the Board in writing prior to final design. Concept design shall include the following:

1. Site plan information such as utility locations and connections, drainage, service areas, outdoor storage, trash receptacle, and mechanical equipment. Other activity or equipment that would alter the natural site must also be shown.
2. Building elevations, floor plans, and sections.
3. Building materials, parking, and open space.
4. Landscaping, signage, and lighting.
5. Construction staging.

Section 3.22: Final Design Review. Submission to include, but not limited to, the following:

1. A topographical and boundary map showing contour grades (with 1' intervals), the species, location, and size (measured 12" above the ground of all existing trees greater than 6" caliper) and the location of all improvements, such as signs, structures, walks, patios, driveways, fences, and walls. Existing and finished grades shall be shown at parcel corners and for proposed improvements. Lot drainage provisions shall be included, as well as cut and fill details, if any appreciable change in contours is contemplated.
2. Exterior elevations, including areas to be screened.
3. Exterior materials, colors, textures, and shapes.
4. Landscaping plan, including proposed clearing, walkways, fences, walls, elevation changes, irrigation systems, vegetation, and ground cover.
5. Parking area and driveway plan.
6. Screening, including size, location, and method.
7. Utility routing and connection points.
8. Exterior illumination, including location, manufacturer's fixture number, and supporting photometric test data.
9. Fire protection system as required by all NFPA Codes.

10. Signs, including copy, size, shape, color, typeface, location, illumination, and materials. Also, elevation and plan view drawings indicating sign and relationship to all other visual elements within 50' of the sign.
11. Trash container storage locations and related screening.
12. Proposed use of parcel of land and estimated building occupant load.
13. Clearing plan and tree protection plan, plus measures for environmental protection during construction.
14. Drainage runoff quantities for 10-year frequency storms.

Section 3.23: A copy of all construction documents shall be filed with the Park Director prior to commencing construction.

Section 3.30: Submittal Requirements. Nine sets of all documents are to be included in each submission for review. All buildings must be designed by a registered architect and all landscape plans by a registered landscape architect. The architect(s) and registered engineer(s) shall be solely responsible for the safety of structural, mechanical, electrical, and other systems in the improvements. The Board does not approve these elements.

The seal of all Iowa registrations of the appropriate architect, engineer, and/or landscape architect must appear on the final drawings. The architect must also submit a statement under his/her signature to the effect that the contract documents have been prepared in accordance with all other applicable codes, ordinances, and regulations related to this particular project.

Section 3.40: Letter of Approval. Upon final plan approval, a letter will be issued advising the Board's acceptance of the plans. No construction activities are to be commenced without said letter.

Section 3.50: Limitation of Board Action. The Board shall approve or disapprove the plans or specifications within 30 days after submittal thereof.

The Board may disapprove the plans or specifications for failure to comply with the requirements of these covenants, conditions, and restrictions; failure to provide all information; objections to exterior design, appearance or materials of any proposed structure; incompatibility of the plan with any proposed or existing structures or uses of other lots in the Park; location of improvements; disapproval of any portion of the site development; or any other matter which, in the judgment of the Board, makes the proposed structure inharmonious with the general development of the Park.

Section 3.60: Clearing Approval. A clearing plan must be submitted for approval prior to any site clearing.

The contractor shall ribbon-off the clearing limits and contact the Park Director for a site inspection and approval prior to commencement of actual clearing.

Section 3.70: Record Drawings. One set of reproducible record construction drawings will be filed with the Park Director within 30 days of building occupancy. If the record drawings show non-conformance with previous approved plans submitted to the Board, upon notification from the Director of such discrepancies, corrective action will commence immediately to bring the building of lot into compliance.

ARTICLE IV
VARIANCES

Section 4.10: In those instances where strict compliance with specific covenants would create an undue hardship by depriving the owner or lessee the reasonable use of its site or where, in the opinion of the Board, there are unusual circumstances which affect the property or use in question and which would make strict compliance with these covenants unfeasible, the Board may grant the owner or lessee a variance from these covenants as long as the general purpose of the covenants are maintained. Any variance granted from the provision of these covenants shall only be applicable to the specific site and conditions for which the variance was granted, and shall in no respect constitute a change in or effect the terms of conditions set out in the standards as same apply to other sites or conditions.

ARTICLE V
ENFORCEMENT, DURATION & AMENDMENT

Section 5.10: Enforcement. The conditions, covenants, restrictions, and reservations herein contained shall run with the land, and be binding upon and inure to the benefit of Corporation, its successors and assigns as owner of the affected real estate, and all lessees of the Research Park. These conditions, covenants, restrictions, and reservations shall be enforced by the Park Director. Violation of any of these provisions shall give the Park Director the right to take any and all appropriate action authorized under Iowa law, and rules and regulations of the City of Ames, Iowa, against the party or parties violating or attempting to violate any of these provisions to prevent them from so doing, to cause any such violation to be remedied, and/or to recover damages resulting from such violation.

In any legal or equitable proceeding to enforce these provisions or to enjoin their violation, the party or parties against whom judgment is entered shall pay the attorney's fees of the party or parties for whom judgment is entered such amount as may be fixed by the court in such proceedings.

Section 5.20: Duration and Amendment. These Protective Covenants may be amended by time to time, or terminated, or certain land currently included hereunder may be deleted, or additional land may be included herein by an instrument in writing executed and acknowledged by the Board. Amendments made pursuant to the provision of this section shall inure to the benefit of and be binding upon the Corporation, building owners and all tenants, their respective successors and assigns. These restrictive covenants shall be in full force and effect for 21 years from date of recording. Said restrictive covenants may be extended from time to time for additional 21-year periods by the Research Park filing a verified claim with the Story County Recorder's Office pursuant to Iowa Code 614.24 (1985).

Section 5.30: Separability. In the event any of these covenants are invalidated by judgment or court order, all of the remaining provisions shall remain in full force and effect and shall in no way be affected.

Section 5.40: Rules and Regulations. The Board, from time to time, may promulgate rules and regulations governing the development and operation of the Park. These rules and regulations shall be binding on all property owners or tenants on the Park.

ARTICLE VI
PERMITTED USES

Section 6.10: Intent. It is the intent of the provisions of this Section to establish a Park in which research facilities, offices, and production facilities, requiring a high degree of scientific input or clearly related to University, State or Federal research laboratory or technology interests will be permitted.

Section 6.20: Permitted Uses. The following uses are permitted to locate within the Research Park:

1. Laboratories, offices, and other facilities for research, basic, developmental and applied, and consulting, conducted by or for any individual organization, or concern, whether public or private.
2. Product manufacture or assembly shall be restricted to the manufacture or assembly of technology products which are clearly related to the on-site research and development activities of the tenant, or to manufacturing processes which require high levels of scientific or technological input.
3. Pilot plants and test or research facilities in which processes planned for use in production elsewhere can be tested.
4. Incidental operations required to maintain or support any use permitted in paragraphs 1 through 3 above, on the same tract as the permitted uses, such as maintenance shops, parking garages, shops, and communications or computer facilities.
5. Services which the Board, in its sole discretion, deems necessary to assist those uses permitted in paragraphs 1 through 3 above including, but not limited to, accounting, legal, printing, research, day-care, travel planning, and mailing centers. However, such services are to remain ancillary to the primary purpose of the Research Park as discussed above.
6. Recreational facilities predominantly for Park tenant use.

ARTICLE VII
GENERAL SITE STANDARDS

Section 7.10: Intent. It is the intent of the provision in this section to develop a Park of a relatively low building density within a spacious park-like setting.

Section 7.20: Definitions. Terms used in this section are defined below.

Section 7.21: Total Lot Area. Tenant site area not committed to streets or pathways and included within the lot lease boundaries.

Section 7.22: Floor Area. The aggregate square feet of floor space located entirely within a major building and/or accessory building.

Section 7.30: Maximum Building Area. The total aggregate floor area of all buildings and/or accessory buildings shall not exceed 25% of the total lot area.

Section 7.40: Maximum Impervious Lot Coverage. The total impervious area of all building footprints, parking, and driveways shall not exceed 50% of the total lot area.

Section 7.50: Minimum Lot Size. The minimum lot size shall be 2 acres, excepting those areas that may be designated for smaller lots.

Section 7.60: Setbacks. The minimum setback lines from highways, public street property lines, and interior property lines are described below. Unless otherwise specified, no structure of any kind and no part thereof, nor any paving area shall be placed within these setback lines. Dimensions are from the legal lot line.

All setbacks apply to both structure and paving (except access driveway) unless otherwise noted.

Section 7.61: Front Setbacks. All front setbacks shall be 50' for any structure and paving. A corner lot shall have 2 front setbacks.

Section 7.62: Side Setbacks. All side setbacks shall be 20' for any structure and for any paving.

Section 7.63: Rear Setbacks. All interior rear setbacks will be 30' for any structure.

Section 7.64: Exceptions. The following improvements are permitted within the setbacks:

- Steps, walks, driveway access to site
- Landscaping, including landscaped earthen berm
- Illumination (not including floodlights for buildings)
- Identification graphics (as provided in Article X)

Section 7.70: Minimum Lot Width. The minimum lot width shall be 200', excepting those areas that may be designated for smaller lots.

ARTICLE VIII LANDSCAPING

Section 8.10: Intent. It is the intent of these regulations to recognize, utilize, and supplement existing landscape resources. It is the further intent to provide a landscape image of continuity and diversity by providing color and textural variety. It is also the intent of these regulations to reduce adverse effects upon a tenant's lot and adjacent and nearby property; to screen unsightly situations, undesirable, views, and incompatible land uses; to buffer noise and other disturbing sounds; and to provide for shade, protection from elements, and the comfort and convenience of Park tenants and visitors.

Section 8.15: Landscape Plans and Standards. Detailed landscape plans, prepared by a registered landscape architect, and any irrigation plans shall be submitted to and approved by the Board prior to issuance of a letter of approval. Adjustments in time of planting may be made in consideration of

availability of materials and weather conditions. Landscape in the public way shall be installed per plans and specifications approved by the Board and the City of Ames. If any landscaping is not completed prior to occupancy of the building, the developer of the property will obtain a bond or place in escrow an amount equal to the cost of said landscaping, and enter into an undertaking to complete such work in a time frame agreed to with the Park Director.

Section 8.20: Introduced Landscape Elements Standards. All open, unpaved space, including but not limited to front, side, and rear setback areas, shall be planted and landscaped according to a plan approved in writing by the Board. Landscaping in accordance with the approved plans must be installed prior to the occupancy of a building. New landscape elements should complement any adjacent native vegetation and physical development and include:

1. Landscaped Earthen Berms: Earthen berms can be used as a screening element where native vegetation is not sufficient to provide adequate screening. Berms shall be landscaped and contoured with varying slopes and heights- maximum slope is 4:1. No berm shall be less than 36" in height. Access to utility lines shall be preserved.
2. Trees. All trees shall be suitable for the Ames climate. Ornamental trees shall be at least 6' in height and shade trees have at least 1 ½" caliper except in the front yard. In the front yard, ornamentals shall be at least 8' in height or 2" caliper and shade trees shall have at least a 3" caliper. At least one tree shall be planted for each 1,000 square feet of gross building area on the lot. Of the total number of trees to be planted, the number to be planted in the front yard shall be based on the standard of one tree for each 20' of lot frontage.
3. Ground Cover. All ground cover shall be suitable for the Ames climate.

Section 8.30: Landscape Applications. The following additional design principles shall guide landscaping in these locations.

:

1. Planting within the set backs shall comply with a landscape plan prepared for and approved by the Board.
2. Street R.O.W./Setback: Plantings in setback areas shall blend with planting in a public street R.O.W.
3. Within Parking Areas: All medians and islands in parking areas shall be landscaped. Plantings shall comply with Section 8.20.
4. Within Drainage Easements: The native vegetation is to be preserved within all drainage easements except that portion to be used specifically for water conveyance and ditch maintenance. Adequate ground cover plantings to prevent soil erosion shall be used to supplement native vegetation.

Section 8.40: Irrigation. All landscape areas shall be maintained to sustain growth.

Section 8.50: Grading and Trenching.

1. Near Existing Trees: No cutting, filling, or trenching shall occur within the drip line of any existing trees. Existing trees shall be protected from construction activities. Landscape features shall be returned to original conditions after construction.
2. Landscape Areas: Site grading shall be in compliance with Article IX herein. Landscape areas, other than berms, shall not exceed a slope greater than 6:1.

Section 8.60: Fencing. The placement of all fences and the design and materials utilized shall be subject to the approval of the Park Director. It should be noted that at no time shall anyone utilize an open mesh chain link fence.

Section 8.70: Maintenance. All landscaping shall be properly maintained in accordance with maintenance standards as reflected in the ground lease, or the rules and regulations adopted by the Board. Periodic inspections will be made as directed by the Park Director and reports submitted with regard to the condition of maintenance. If suggestions for improvements are made and which are in the realm of the maintenance standards, the works shall be corrected within a time frame as specified by the Park Director.

Section 8.80: Miscellaneous. Landscape treatment shall not interfere with sight line requirements as specified in Article XI at street or driveway intersections.

- Leased property held for future development shall be properly maintained by the tenant.
- Park tenants are encouraged to preserve any specimen trees.
- The environment shall be protected during construction.

ARTICLE IX SITE GRADING & DRAINAGE

Section 9.10: Intent. It is the intent of the provisions of this section to establish controls on the grading and drainage of lots within the Park for the mutual benefit of the Park and individual tenants. In general, site grading shall be kept to a minimum and drainage designed to minimize erosion and any adverse effects on the environment.

Section 9.20: Effect on Adjacent Tracts. Each lot shall be graded such that no runoff drains onto another lot, except as permitted hereinafter.

Section 9.30: Storm Water Drainage. Storm water shall be collected on-site and discharged into the park storm water systems by one of the following methods:

1. By connection of a storm drain to the back of a curbside storm drain inlet or to a storm drain stub-out. All such connections shall be at points acceptable to the Board and the City of Ames, where appropriate.
2. By construction of an approved outfall pipe to the existing drainage ways in the Park. Requests for permission to construct such outfall pipes shall be submitted in writing to the

Board for approval and shall address the aesthetic and environmental aspects of the outfall as well as engineering and construction information.

Section 9.40: Landscaped Areas. Landscaped areas adjacent to Park streets or existing drainage ways may drain by sheet flow to the adjacent street or ravine.

Section 9.50: Roof Drains. All structures shall be equipped with interior roof drains or gutters and downspouts. Downspouts shall be connected to the underground storm drain system via underground pipes. No downspout water shall be permitted to be deposited onto landscaped areas or open ditches.

Section 9.60: Building and Floor Drains. Building process and floor drains shall not be connected to the underground storm drain systems. Such drains shall be connected by underground piping to a sanitary sewer within the lot boundaries. Building foundation drains shall be connected to the underground storm drainage system.

Section 9.70: Storm Drains and Appurtenances. All elements of the underground storm drainage system shall be designed and constructed in accordance with established design criteria (including a 10-year frequency storm), materials, and construction standards. Easements may be required for underground or overland drainage, and must be entered into prior to construction.

Section 9.80: Drainage During Construction. Tenants shall take special care to minimize the adverse effects of construction on adjacent tenants and on Park streets and drainage ways. Specifically, tenants shall take prompt action to prevent sedimentation of adjacent drainage ways and shall promptly remove sedimentation and clean up any mud or other debris or residue deposited on Park streets during construction. If so directed by the Park Director, the tenant shall comply with designated points and routes of access and egress to be used during construction to minimize adverse effects on the property of the Park and other tenants.

ARTICLE X SIGNAGE

Section 10.10: Intent. It is the intent of the provisions of this article to encourage attractive signage, lighting, and other private visual media which aid in the orientation and/or identification of uses and activities. These provisions further intend to enhance a park-like environment by controlling the number, placement, and size of signs while allowing design flexibility.

Section 10.11: Definition. A sign shall be defined as lettering, symbols, or other graphic display used to identify or advertise an event, location, or business. These standards include the supporting structure and devices used to display the sign.

Section 10.20: Building Identification Signs. Each site may have one identification sign, oriented to each street on which the premises have frontage, identifying the building as a whole and/or its predominant use. Any lot with a street frontage in excess of 1,000 feet may have 2 signs oriented to that street.

- For all building, the street address (number only) must be legible from the street.

Section 10.30: Sign Location. Building Identification Signs: Shall be ground-mounted with the following restrictions:

- A ground-mounted sign shall be set back from the front lot line a minimum distance of 20' and shall be no less than 150' from Park street intersections. Ground-mounted signs placed within the front setback where any native vegetation is being preserved, should be located near the drives where the natural vegetation system has already been disturbed. Location of the ground-mounted sign must be sensitive to compatible with the landscape.

Section 10.40: Sign Area.

1. Building identification signs shall have a maximum area of 40 square feet.
2. Maximum sign height of ground-mounted signs to be 5' from the natural ground plane on which they are mounted.
3. If the graphic is enclosed by a box or outline, the total area of the graphic, including background is counted as part of the allowable sign area.
4. If the graphic consists of individual letters, the area of the letters contained by a simple geometric outline is counted as the allowable area.

Section 10.50: Materials and Reproduction.

1. Illumination: Signs shall be illuminated only by a steady, stationary, shielded light source, directed solely at the sign without causing glare for motorists, pedestrians, or neighboring premises.
2. Prohibited Devices: No sign shall move, make noise, or employ blinking, flashing, or strobe lights or exposed fluorescent lamps.
3. Identification sign structures should be simple and a neutral color with accent color used as corporate identification.

Section 10.60: Internal Directional Signs. Directional signs indicating loading or delivery areas, various building entries, parking lots, etc., shall not exceed 12 square feet in size nor employ lettering larger than 8" in height. Such signs shall be limited to 4' in height. Signs with a dark background and white lettering are encourage.

Section 10.70: Temporary Signs. During the construction phase of a project, one unlighted construction sign is permitted with the dimensions approved by the Park Director. On this sign may be the name of the project, a short description of the project, the owner, contractor, architect, engineer, financing information, as well as completion date.

- These signs will be removed within 14 days after substantial completion.
- No existing vegetation shall be disturbed or removed solely for the display of the sign.

Section 10.75: Directional and Public Information Signs. Graphic continuity for displaying public information shall be achieved by: Use of the ISU Research Park logotype on all temporary signs; use of consistent project typeface, symbol, and color system for directional signs

(preferably white letters on dark background); minimizing the amount of copy wording; minimizing visual clutter by integrating signage with landscape, lighting, and other site elements.

Section 10.80: Directional and Information Symbols. The graphics/signage systems shall incorporate graphic representations as found in the latest edition of "Manual on Uniform Traffic Control Devices," US Department of Transportation, Federal Highway Administration. White symbols on a dark background are encouraged.

Section 10.85: Regulatory Signs. On-premise regulatory signs such as stop signs shall conform to Iowa Department of Transportation Standards. Such signs shall be limited to 7' in height and 3' in width. A dark background for each regulatory sign is recommended.

Section 10.95: Sign Review. All signs shall be approved by the Board prior to construction and in accord with the provisions of Article III, Review & Approval Process, of these Covenants and Restrictions. The design, format, and material of all signs shall be consistent with building architecture and lot design.

ARTICLE XI PARKING, DRIVES, LOADING & OUTDOOR STORAGE

Section 11.10: Intent. The intent of this section is to provide guidelines for the management of the flow of vehicular traffic in a manner that maintains natural area aesthetics and the safety of Park tenants.

Section 11.20: General Parking Requirements. No owner or lessee shall permit parking on any public street or access drive. Sufficient off-street parking should be developed at each site. ISU will request the City to declare that no parking will be allowed on any roadway.

- All parking areas shall be paved with an all-weather surface at least 5" thick and meeting the standards of the City of Ames, shall have appropriate bumper guards where needed, and except for driveways and other entrances, shall be visually screened.
- Parking areas shall not be located within any required setback area (see Section 7.60).
- An adequate number of visitor and handicapped parking spaces shall be provided near the main entrance to any building.
- All parking areas and driveways shall have portland cement concrete curb.
- Tenant's parking requirements for laboratories and offices shall be based on the standard of one passenger car space per 300 gross square feet of building. Parking for other uses shall be in accordance with requirements of the Ames zoning ordinance. Variances to these parking requirements may be granted by the Board if the building tenant can illustrate the need for fewer parking spaces than the specified number due to tenant programs such as employee van pool or car pool programs, staggered work shifts, or other unusual circumstances (i.e., a building with a high percentage of storage area on the site). Site space, however, shall be reserved to meet the full parking requirements in the event of changes in building use or commuting patterns.
- The Board shall have the ability to require more parking spaces per square foot if the tenants in a building perform work which is more labor intensive requiring more employees.

- All parking areas shall be designed and landscaped to include a 15' minimum width landscaping median running the length of the aisle for every three contiguous double-loaded parking aisles, and a 9' minimum width landscaping island space for every 20 parking spaces.

Section 11.30: Drives. No driveway approach shall be permitted within 125' (curb to curb) of a street intersection.

- One curb cut is allowed for every 150' of street pavement frontage, but it may not be located closer than 120' from an adjacent curb cut. No lot shall have more than 2 curb cuts. All curb cuts are subject to Park Director and City of Ames approval.
- Driveway width shall be a minimum of 22' with a minimum curb return radius of 20'
- Access drives may cross building setback areas; however, drives may not traverse parallel to setback areas.
- Landscape treatment at driveway and street intersections shall not interfere with sight line requirements.

Section 11.40: Loading Facilities. Loading docks and other loading facilities will not be permitted to face on any street. Provisions must be made for handling all freight on those sides of a building which do not face a street. Written exceptions to these covenants and restrictions concerning the placement of freight facilities may be permitted by the Board in those cases where 2 or more side of a building face a street. All loading docks and refuse collection facilities must be screened from public view in a manner approved by the Board.

Section 11.50: Outside Storage. No Park tenant shall have the right to keep articles, goods, materials, incinerators, trash bins, storage tanks, or like equipment in the open or exposed to public view or to view from adjacent buildings, except at the locations, to the extent, and in the manner approved by the Board. If it shall be necessary to store or keep such materials or equipment in the open, these shall be screened from view in a manner approved by the Board. Said screen shall be in height at least equal to that of the materials or equipment being stored but in any event shall fully shield said materials and equipment from both public view and view from adjacent buildings.

All storage shall be limited to the rear two-thirds of any building site and under no circumstances shall any material or equipment be stored within 50' of any street, except at the location, to the extent, and in the manner approved by the Board.

ARTICLE XII EXTERIOR LIGHTING

Section 12.10: Intent. It is the intent of the following provisions to encourage Park tenants to provide exterior lighting for the safety of Park users and to complement the natural setting and man-made improvements in the Park.

Section 12.20: Exterior lighting shall be provided to meet the following guidelines:

1. All wiring for exterior lighting, including but not limited to driveway, walkway area, parking, and decorative lighting, shall be underground.
2. All light fixtures shall be oriented such that glare directed onto adjacent properties, including streets and neighboring tenant lots, is minimized.
3. Light standards shall be restricted to a maximum height of 20'. Poles should be a neutral, preferably dark, color.
4. All lighting installations shall conform to the latest edition of the National Fire Protection Association National Electrical Code.
5. Each tenant shall maintain all light fixtures in proper operating condition.
6. Parking and driveway lights shall be of a style and color consistent with established Park standards and harmonize with the architecture of the proposed building on the lot.
7. All light sources shall be color-corrected high-pressure sodium.
8. Average intensity of lighting should be:
 - Parking lots- 0.5 foot-candles
 - Entry drives- 0.5 foot-candles
 - Paths & steps- 1.0 foot-candles
 - Building entrances- 5.0 foot-candles
 - Use areas near building- 5.0 foot-candles

ARTICLE XIII
BUILDING DESIGN

Section 13.10: Intent. To produce an orderly and aesthetically pleasing environment that is compatible with the natural aspects of the Park site as well as existing Iowa State University facilities. The aesthetic appearance of the exterior of the buildings and other structures is of paramount concern to the Board. Therefore, building design will weigh heavily in the Board's decision to either accept or reject a proposed design. Innovative contemporary architectural designs which harmonize with the environment and express individuality are encouraged.

Section 13.20: Materials. Durable materials such as masonry are preferred for all structures. Innovative quality materials are encouraged and their use is subject to Board approval.

Section 13.30: All construction shall conform to the requirements of the City of Ames building code and State of Iowa building code, current editions. Construction shall also conform to the requirements of OSHA and NFPA with regard to life/safety provisions.

Section 13.40: Building Height. All structures shall be limited to a height of three stories or 35', not including parapet walls extending 4' or less above the limiting height of the building. The purpose of parapet walls is to screen rooftop installed air-handling units from view.

Section 13.50: Expansion. All controls delineated in these covenants refer to ultimate development of any site. All site plans shall identify initial and ultimate improvements including buildings, paving, grading, and landscaping.

Section 13.60: Barrier Free Design. All site improvements shall be fully accessible to the handicapped in accordance with the Iowa Code.

Section 13.70: Construction Criteria. Once commenced, construction shall be diligently pursued to the end. Such construction may not be left in a partially finished condition any longer than is reasonably necessary. No excavation shall be made except in conjunction with construction of an improvement. When such an improvement is completed, all exposed excavations shall be back-filled, graded, and returned, as nearly as possible, to its natural state or to the approved landscape plan for the site.

ARTICLE XIV WATER, WASTEWATER & SOLID WASTE

Section 14.10: Intent. It is the intent of the following provisions to establish controls governing the installation of tenant water and wastewater systems, and the collection and disposal of solid waste.

Section 14.20: Location of Utility Line. Whenever possible, water and sewer lines shall be located to access drives to minimize disruption of landscaping during installation and maintenance of the lines.

Section 14.30: Water Service. Water will be provided via connections to the Park water distribution system. Such connections will be constructed at the tenant's expense and will normally be limited to one connection per tenant for normal uses and one optional connection for fire protection purposes. Connection will be made as follows:

1. Meters will be installed on all connections for normal uses. Tenants shall ensure access to Park and City of Ames personnel to tenant meters at all times.
2. Connections made solely for fire protection purposes shall not be metered.
3. All connections to the Park water distribution system shall be made at locations acceptable to the City of Ames and the Park Director.

Section 14.40: Wastewater Disposal. Wastewater generated on tenant sites shall be discharged into the Park wastewater collection system. Connections shall be constructed at tenant expense and will normally be limited to one connection per tenant.

Disposal of all wastes shall be in accordance with Sections 28.41 and 28.42 of the Ames Municipal Code. Any required pretreatment facilities must be enclosed in a structure, the location of which must be approved by the Board.

All connections to the Park wastewater collection system shall be made at locations acceptable to the City of Ames and the Park Director.

Section 14.50: Solid Wastes. All solid wastes will be collected, stored, and disposed of in accordance with all appropriate laws, rules, and regulations of the City of Ames and the State of Iowa.

1. Solid wastes shall not be disposed of within the Park.
2. Common refuse shall be collected on site and placed in dumpsters for removal. Removal or emptying of dumpsters shall be at tenant expense by the Park or by a contractor approved by the Board. Tenants shall ensure that dumpster areas be kept clean, sanitary, and free of loose refuse. Dumpsters shall be located and screened in accordance with other provisions of these covenants.
3. Hazardous wastes shall be stored and disposed of at tenant expense in accordance with the laws, rules, and regulations of the United States, the State of Iowa, and the City of Ames.

ARTICLE XV ELECTRICITY & TELECOMMUNICATIONS

Section 15.10: Electricity Service. Electric service shall be provided by the tenant in accordance with the following:

1. The tenant shall be required to install electric service underground from the main service line.
2. The tenant shall connect to the main service line at points acceptable to the City of Ames and the Park Director.
3. The tenant shall be responsible for determining particular service needs and for furnishing and installing any transformer(s).
4. Any above-ground electrical equipment, including transformers and terminal equipment must be fully screened from both public view and view from adjacent buildings.
5. Electric service meters shall be located such that they may be easily accessible and read by City personnel.
6. The Park owner will provide electric service for all tenants. However, Iowa State University, the Research Park Corporation, and the City of Ames will not be liable for damage or loss incurred by tenant as a result of system failure or malfunction.
7. Each tenant shall regularly maintain transformer(s) owned by tenant to ensure safe, efficient, and proper operation thereof.

ARTICLE XVI
ENVIRONMENTAL & OTHER EXTERNALITIES

Section 16.10: Electromagnetic Emissions. The tenant shall not operate any device that will cause electromagnetic influence with other Park tenant's communication systems.

Section 16.20: Nuisance Factors and Hazards. In order to protect the interests of all tenants, no operation may be conducted which emits offensive or objectionable noise, vibration, smoke, odors, dust, or gases. Precautions should be taken in all operations against radiation, radioactivity, fire, and explosion hazards. Acceptable limits and standards may be established by the Park Director. These standards shall, at a minimum, meet the requirements of federal, state, and local laws and any regulations thereunder applicable to the property.

ARTICLE XVII
REQUIREMENTS OF THE STATE OF IOWA, COUNTY OF STORY & CITY OF AMES

Nothing herein is intended, nor shall be construed to be, in lieu of compliance with any statute, rule, or regulation of the State of Iowa, County of Story, and City of Ames which affect the real estate included herein, such as zoning, building codes, fire codes, and other city policies. If there is a conflict between provisions contained herein and any statute, rule, or regulation of an authorized governmental agency, the intent of these restrictive covenants is that the party must comply with the appropriate governmental regulation in addition to complying with these covenants.