

1. Restrictive Covenant. Any sale of the PROPERTY shall be restricted and conditioned under Nebraska law so that except for use by Orscheln Farm and Home LLC, its successors or assigns, the Property will not be used as a retail farm and home store (such as Tractor Supply Company) or retail hardware store (such as Westlake's or any ACE hardware store), as long as Orscheln Farm and Home LLC, its successors or assigns, operate any such store within a 30-mile radius of Nebraska City, Nebraska. The aforesaid covenant shall run with and bind the Property and shall inure to the benefit of and be enforceable by Seller or an affiliated company of Seller or its successors, by any appropriate proceedings at law or in equity to prevent violations of such aforesaid covenant or to recover damages for such violations. Upon acceptance of this conveyance, Buyer agrees, on behalf of Buyer and Buyer's successors and assigns, that the covenant set forth in this Section shall be inserted in every deed to be delivered by Buyer and Buyer's successors and assigns conveying the Property and lots or plots or other portions of the Property and that such insertions of such covenant in such deed shall be deemed a part of the consideration of this Agreement.