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Polk County Iowa
JULIE M. HAGGERTY RECORDER
File# 2015-00075808

BK 15482 PG 145-146

When recorded return to preparer:

Prepared by: Robert C. Gainer, Cutler Law Firm, 1307 W 50th Street, West Des Moines, IA, 50266, (515) 223-6600

AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR THE TOWNHOMES OF MEADOW POINT

This Amendment to Declaration of Covenants, Conditions and Restrictions for The Townhomes of Meadow Point is executed on this 12 day of FEB, 2015 by the Townhomes of Meadow Point Association, as representative of a majority of the Owners as set forth in the below referenced declaration, to correct a Scrivener's error on a previously filed Amendment to Declaration.

WHEREAS, the Declaration of Covenants, Conditions and Restrictions for The Townhomes of Meadow Point was recorded at Book 5558 at Page 577, et. seq, in the records of the Polk County, Iowa, Recorder and amended by an Amendment to Declaration of Covenants, Conditions and Restrictions for The Townhomes of Meadow Point recorded at Book 6351, Page 6351, et. seq., in the records of the Polk County, Iowa, Recorder, and subsequently amended by Amendment to Declarations, which establishes binding covenants and restrictions which run with the land described as follows:

Lots 1 through 74, both inclusive, and Outlot X in THE TOWNHOMES OF MEADOW POINT, an Official Plat, West Des Moines, Iowa.

WHEREAS, a previous Amendment to Declaration of Covenants, dated October 8, 2013 and filed of record on October 18, 2013, with the Polk County Recorder, incorrectly identified a particular section, and this Amendment to Declaration of Covenants seeks to clarify the Scrivener's error.

THEREFORE, in order to clarify the aforementioned Amendment to Declaration of Covenants, the language of the October 8, 2013 Amendment, as follows:

"1. AMENDMENT TO ARTICLE XV, SECTION 5: Article XV, Section 2 shall be deleted in its entirety and replaced with the following text:

SECTION 5. Amendment. This Declaration may be amended or changed at any time by an instrument recorded in the Office of the Recorder of Polk County, Iowa, signed or approved in writing by two thirds (2/3) of the the Owners. This Declaration shall run with the land and shall be binding upon all parties claiming under them for a period of twenty-one (21) years from the date of recordation in the Office of the Recorder of Polk County, Iowa, and shall automatically extend for successive periods of ten (10) years each unless prior to the expiration of any such ten-year period it is amended or changed in whole or in part as hereinabove provided. Invalidation of the covenants, conditions and restrictions of this Declaration by judgment or decree shall in no way effect any of the other provisions hereof, but the same shall remain in full force and effect."

Is hereby replaced by the following:

"1. AMENDMENT TO ARTICLE XV, SECTION 2: Article XV, Section 2 shall be deleted in its entirety and replaced with the following text:

SECTION 2. Amendment. This Declaration may be amended or changed at any time by an instrument recorded in the Office of the Recorder of Polk County, Iowa, signed or approved in writing by two thirds (2/3) of the Owners. This Declaration shall run with the land and shall be binding upon all parties claiming under them for a period of twenty-one (21) years from the date of recordation in the Office of the Recorder of Polk County, Iowa, and shall automatically extend for successive periods of ten (10) years each unless prior to the expiration of any such ten-year period it is amended or changed in whole or in part as hereinabove provided. Invalidity of the covenants, conditions and restrictions of this Declaration by judgment or decree shall in no way effect any of the other provisions hereof, but the same shall remain in full force and effect."

THE CONTINUED EFFECTIVENESS OF THE DECLARATION & AMENDMENT TO DECLARATIONS. Except as amended by this Amendment to Amendment, the Declaration and any Amendment shall remain unchanged and in full force and effect.

TOWNHOMES OF MEADOW POINT ASSOCIATION

By: David W Lynch
David Lynch, President

STATE OF IOWA)
) SS:

COUNTY OF POLK)

On this 12th day of February, 2015, before me, the undersigned, a Notary Public in and for the state of Iowa, personally appeared David Lynch and being duly sworn did say that he is the President of Townhomes of Meadow Point Association, that said instrument was executed by his voluntary act and deed on behalf of Townhomes of Meadow Point Association by authority of its members as set forth above.



Kristina Meyers
Notary Public in and for the State of Iowa