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DEBORAH L. PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

AMENDMENT TO PROTECTIVE COVENANTS AND RESTRICTIONS

Recorder's Cover Sheet

Preparer Information: (Name, address and phone number)

ROBERT N. DOWNER
122 South Linn Street
Iowa City, IA 55240-1830
Phone: (319) 338-9222

Taxpayer Information: (Name and complete address)

Marcheta R. Cooey
2607 220th Avenue
Delhi IA 52223-8503

Return Document To: (Name and complete address)

Marcheta R. Cooey
2607 220th Avenue
Delhi IA 52223-8503

Legal description: See Page 2

Document or instrument number of previously recorded documents:

Robert N. Downer 122 South Linn Street Iowa City, IA 52240 319/338-9222

AMENDMENT TO

PROTECTIVE COVENANTS AND RESTRICTIONS

THE UNDERSIGNED, being all of the owners of all of the numbered lots in the subdivision known as HARTWICK LAKE CLUB NORTH, THIRD SUBDIVISION part of the Fractional Southwest Quarter of the Southwest Quarter (Frac. SW ¼ -SW ¼) of Section Nineteen (19), Township Eighty-eight (88) North, Range Four (4) West of the Fifth Principal Meridian, Delaware County, Iowa containing 27.29 acres more or less subject to County Road Easements of record, a plat of which is recorded in Plat Book 6, Page 15, in the Office of the County Recorder of Delaware County, Iowa, do hereby amend the Protective Covenants and Restrictions dated July 22, 1988 and recorded August 9, 1988 in Book Z, Misc., Page 215, as follows:

1. Paragraph 1 thereof is hereby stricken and the following inserted in lieu thereof:

> Lots 1, 2 and 3, described herein, shall be used solely as residential lots and no structure shall be constructed on any such residential building lot other than one (1) detached single family dwelling, a one (1) or two (2) car garage and not more than two (2) additional outbuildings for use in conjunction with said residence. It is anticipated that Lot 4 will eventually be re-subdivided into other residential lots. Prior to such re-subdivision, these Protective Covenants and Restrictions shall apply only to Lots 1, 2 and 3, and the term "residential lot" and "residential building lot" shall not apply to Lot 4.

2. The first sentence of paragraph 2 is hereby stricken, and the following inserted in lieu thereof:

> No building except for a boat house or other building used for storage of or in conjunction with water equipment shall be erected on any residential lot nearer than twenty (20) feet from the lot line bordering the Maquoketa River, nor, in the case of Lots 1 and 2, more than five (5) feet from the lot

line opposite the lot line bordering said river. The latter restrictions shall not apply to Lot 3.

3. The execution hereof by the undersigned owners shall be deemed an extension of said Protective Covenants and Restrictions, except as herein modified, for a period of fifteen (15) years from and after the date hereof.

4. Except as herein modified and extended, said Protective Covenants and Restrictions are hereby ratified and confirmed.

DATED this 11 day of August, 2005.

Marcheta R. Cooey

MARCHETA R. COOEY, Individually and as Executor of the Estate of Archie W. Cooey, Jr. Deceased

"Owners of Lots 1, 2 and 4"

DATED this 12th day of August, 2005.

Curtis A. Delagardelle

CURTIS A. DELAGARDELLE

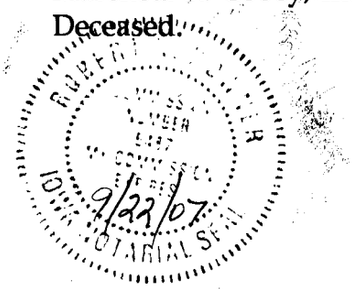
Eileen K. Delagardelle

EILEEN K. DELAGARDELLE

"Owners of Lot 3"

STATE OF IOWA)
) ss:
DELAWARE COUNTY)

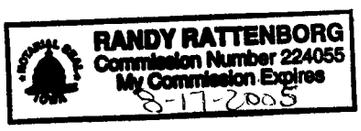
This instrument was acknowledged before me on August 11, 2005 by Marcheta R. Cooey, individually and as Executor of the Estate of Archie W. Cooey, Jr., Deceased.



Notary Public in and for the State of Iowa

STATE OF IOWA)
) ss:
DELAWARE COUNTY)

This instrument was acknowledged before me on August 12, 2005 by Curtis A. Delagardelle and Eileen K. Delagardelle.



Notary Public in and for the State of Iowa