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DEBORAH L. PEYTON, RECORDER/REGISTRA
DELAWARE COUNTY IOWA

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FIRST AMENDMENT
TO
FAIRVIEW ACRES DECLARATORY STATEMENT
IMPOSING RESTRICTIVE COVENANTS

The undersigned, Daniel R. Conrad and Jacquelyn A. Conrad, husband and wife, Sellers and Michael J. Beck and Patricia L. Beck, husband and wife, Buyers, being the owners of greater than 2/3rds of the owners of Lots in Fairview Acres in the City of Manchester, Delaware County, Iowa, hereby execute this First Amendment to Fairview Acres Declaratory Statement Imposing Restrictive Covenants as follows:

WHEREAS, Daniel R. Conrad and Jacquelyn A. Conrad, husband and wife, are Sellers with regard to a Real Estate Contract executed with Michael J. Beck and Patricia L. Beck, husband and wife, Buyers, with regard to the following described real estate located in Delaware County, Iowa, to wit:

Lots One (1), Two (2), Four (4), Six (6), Seven (7), Eight (8), Twelve (12), Thirteen (13), Fourteen (14), Fifteen (15), Sixteen (16), Seventeen (17), Eighteen (18), Nineteen (19), Twenty (20), Twenty One (21), Twenty Two (22, Twenty Three (23), Twenty Four (24), Twenty Five (25), Twenty Six (26), Twenty Seven (27), Twenty Nine (29), Thirty (30), Thirty One (31), Thirty Two (32), Thirty Three (33), Thirty Four (34), Thirty Five (35), Thirty Six (36), Thirty Seven (37), Thirty Nine (39), Forty (40), Forty One (41), Forty Two (42), Forty Four (44), Forty Five (45), Forty Six (46), Forty Eight (48), and Forty Nine (49), all in Fairview Acres, City of Manchester, Delaware County, Iowa, according to plat recorded in Book 2001, Page 3737, from the 9th day of October 2001, at 8:00 o'clock A.M. to the 12th day of July 2005, at 8:00 A.M.,

AND, WHEREAS, each of the above owners desire and agree to amend the Declaratory Statement Imposing Restrictive Covenants filed herein on the 18th day of October, 2001 as Delaware County Instrument No. 2001-3737.

NOW, THEREFORE, each of the undersigned agree as follows:

1. Paragraph No. 11 is deleted herein and the following is added in it's place:

No business of any kind or nature, for pecuniary profits or otherwise, shall be carried on upon the above described property. Nor shall any educational institution or school be conducted, held or carried on upon the premises, nor shall the premises be used for any purposes either directly or indirectly connected with any eleemosynary or educational institution, nor shall anything be done therein or thereon which may be or become a nuisance to the neighbors or the neighborhood, except that a property owner may operate an in home daycare center as long as this daycare center meets state regulations and licensing requirements.

2. Paragraph No. 17 is deleted herein and the following is added in it's place:

Fences are allowed on three sides of each lot, not the front, upon the Developers' approval pursuant to Paragraph 3 of these covenants. Hedges consisting of ornamental shrubbery and planting shall be permitted provided they are maintained in a neat appearance.

Executed this 20 day of June, 2006.

DANIEL R. CONRAD

MICHAEL J. BECK

JACQUELYN A. CONRAD

PATRICIA L. BECK

STATE OF IOWA)
) SS
DUBUQUE COUNTY)

On this 20 day of June, 2006, before me, the undersigned, a Notary Public, in and for the State of Iowa, personally appeared Daniel R. Conrad and Jacquelyn A. Conrad, husband and wife to me known to be the identical persons named in and who executed foregoing instrument and acknowledged that they executed same as their voluntary act and deed.

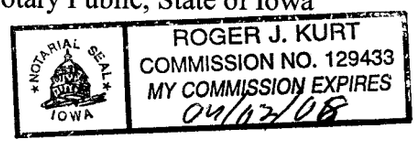
Notary Public, State of Iowa

NOTARIAL SEAL IOWA
ROGER J. KURT
COMMISSION NO. 129433
MY COMMISSION EXPIRES
04/02/08

STATE OF IOWA)
) SS
DUBUQUE COUNTY)

On this 21 day of June, 2006, before me, the undersigned, a Notary Public, in and for the State of Iowa, personally appeared Michael J. Beck, husband to me known to be the identical person named in and who executed the foregoing instrument and acknowledged that he executed same as his voluntary act and deed.

Notary Public, State of Iowa



STATE OF IOWA)
) SS
DUBUQUE COUNTY)

On this 22nd day of June, 2006, before me, the undersigned, a Notary Public, in and for the State of Iowa, personally appeared Patricia L. Beck, wife to me known to be the identical person named in and who executed the foregoing instrument and acknowledged that she executed same as hervoluntary act and deed.

Notary Public, State of Iowa

