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Daneen Schindler, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

Prepared by & Return to: Carr & Carr Attorneys, 117 S. Franklin St., PO Box 333, Manchester, Iowa 52057
(563) 927-4164

Third Amendment to Declaration of Submission to a Horizontal Property Regime and of Easements, Restrictions and Covenants for Bailey Drive Estates Manchester, Iowa

This Third Amendment to Declaration of Submission to a Horizontal Property Regime and Easements, Restrictions and Covenants for Bailey Drive Estates Manchester, Iowa ("Third Amendment") is made by EASTERN IOWA PUMPING, INC., and its successors or assigns ("Developer"), in order to amend the Declaration of Submission to a Horizontal Property Regime and Easements, Restrictions and Covenants for Bailey Drive Estates Manchester, Iowa recorded November 1, 2005 in Book 2005, Page 3954, and First Amendment recorded April 17, 2019 in Book 2019, Page 837, and Second Amendment recorded July 13, 2020 in Book 2020, Page 2339 of the records in the office of the Delaware County, Iowa Recorder (the "Declaration").

Recitals

A. The Declaration established a horizontal property regime known as Bailey Drive Estates.

B. Under Article 1.03 of the Declaration, the Developer reserved the right to amend the Declaration for future additions.

C. Pursuant to the authority reserved in Article 1.03 of the Declaration, the Developer executes this Second Amendment to amend the Declaration to (i) submit additional property to the Declaration, (ii) increase the number of total Units and Buildings from seven (7) to nine (9); and (iii) substitute revised Exhibits as specified below.

Agreement

Now, therefore, pursuant to the reserved rights set forth in Article 1.03 of the Declaration, the Developer amends the Declaration, as follows:

1. Definitions. Capitalized terms shall have the meaning as defined in the Declaration except as otherwise defined in this Second Amendment.

2. Amendments.

   a. The real estate submitted shall be:

      Lot 1, Lot 2, and Lot 6 of Bailey Drive Estates, a re-subdivision of Lot 1-Lot 24, including vacated streets, and part of Lot 25 of Empire Estates Subdivision City of Manchester, Delaware County, Iowa, according to Plat recorded in Book 2005, Page 2453; and Lot 10 of Bailey Drive Estates 2nd Subdivision, a subdivision of Lot 7 and part of Lot 8 of Bailey Drive Estates, City of Manchester, Delaware County, Iowa according to Plat recorded in Book 2019, Page 3471.

   b. Article 1.01 of the Declaration is deleted and the following is substituted in lieu thereof:

      1.01 **Development Parcel.** (same as 2a above)

   c. Article 1.02 of the Declaration is deleted and the following is substituted in lieu thereof:

      1.02 **Building Complex.** One building consisting of 3 Units and three buildings consisting of 2 Units each which shall be constructed on the development parcel. Each unit shall be one story with no basement. The Principle material of the complex consist of vinyl siding with brick in the front, sheet rock walls with wood frame, and shingles.

   d. Exhibits A, B, and C to the Declaration are hereby amended by deleting the previously attached Exhibits and substituting in lieu thereof the Exhibits attached to this Second Amendment.

IN WITNESS WHEREOF, the said EASTERN IOWA PUMPING, INC., has caused its name to be signed to these presents by its President and Secretary this 9th day of September, 2020.

EASTERN IOWA PUMPING, INC.

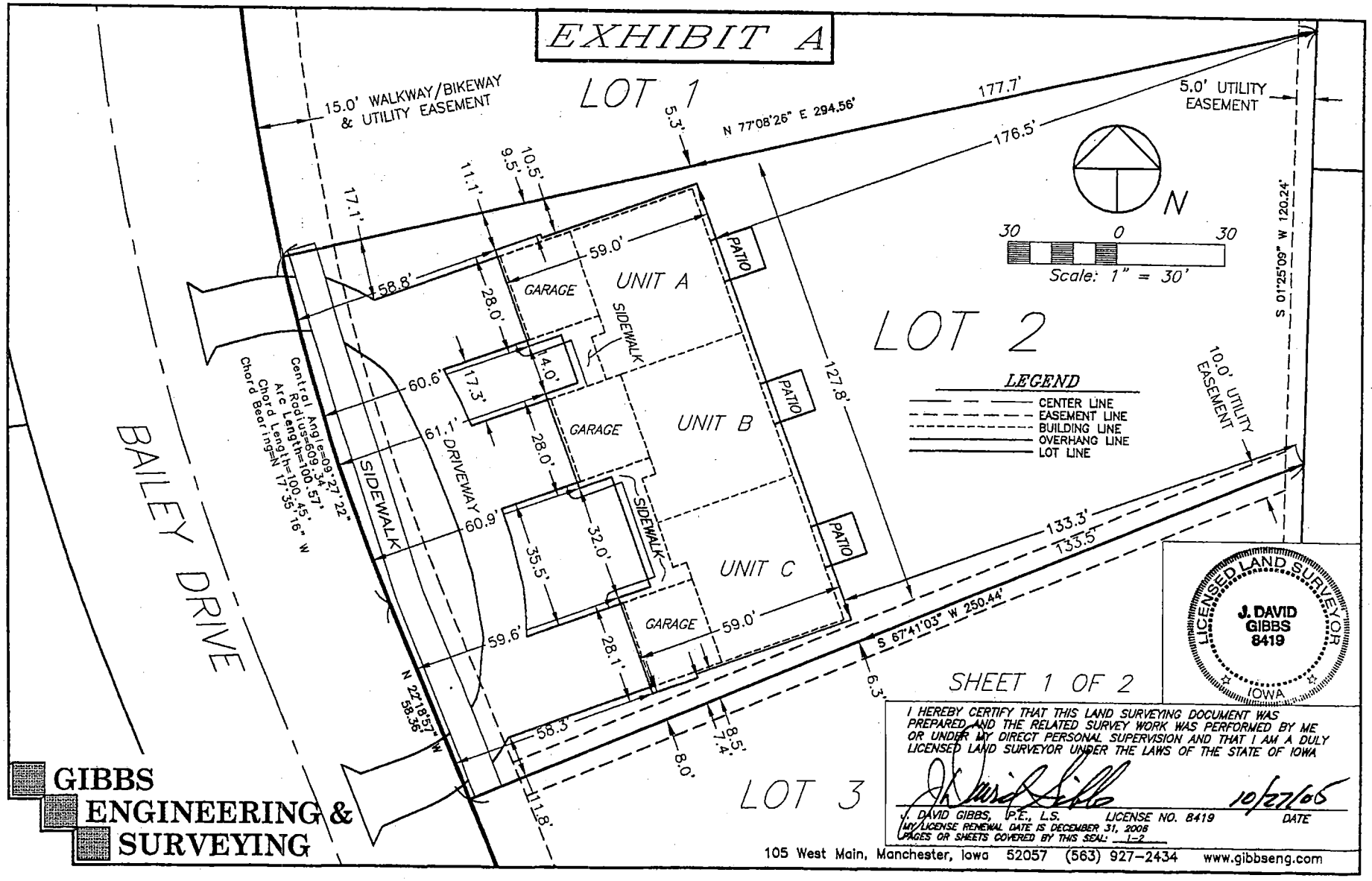
By: _____
Joe Hildebrand, President and Secretary

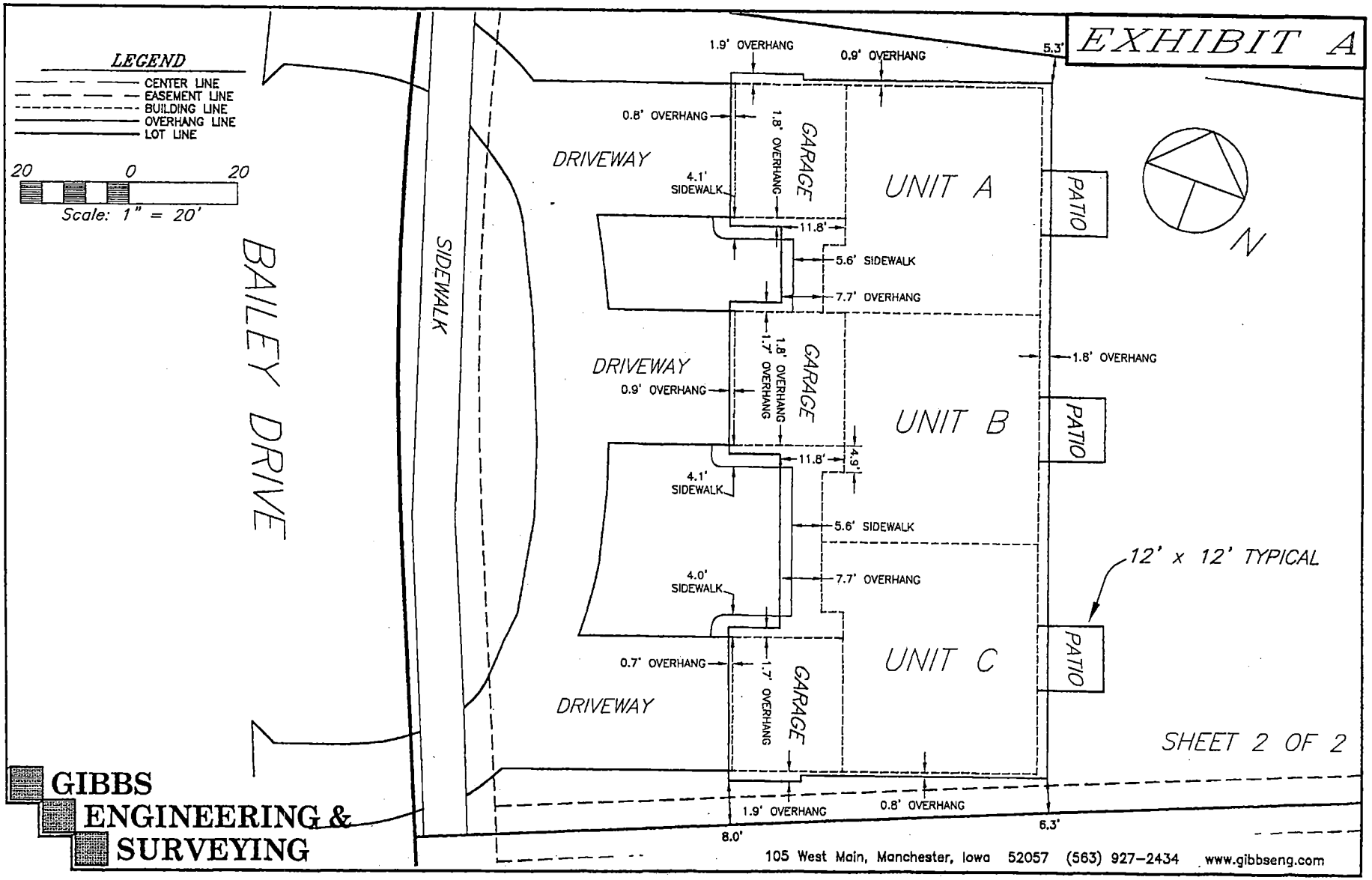
State of Iowa)
) ss:
County of Delaware)

This instrument was acknowledged before me on this 9th day of September, 2020 by Joseph G. Hildebrand as President and Secretary of Eastern Iowa Pumping, Inc.

_____
Notary Public in the State of Iowa

STEVEN E CARR
Commission Number 713328
My Commission Expires
October 30, 2022

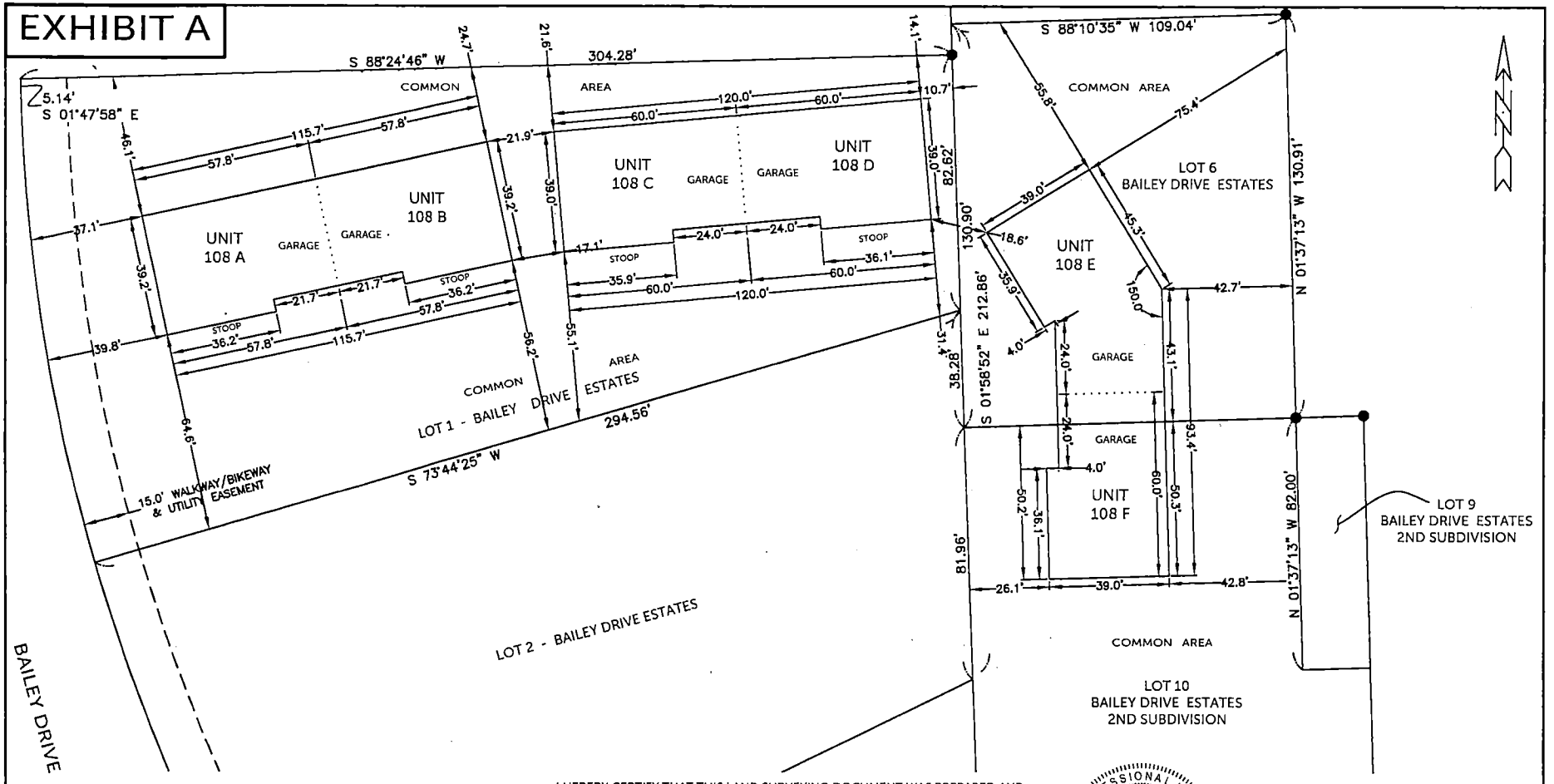

EXHIBIT A
LOT 1
LOT 2
LOT 3
BAILEY DRIVE
15.0' WALKWAY/BIKEWAY & UTILITY EASEMENT
5.0' UTILITY EASEMENT
10.0' UTILITY EASEMENT
N 77°08'26" E 294.56'
177.7'
176.5'
S 01°25'09" W 120.24'
133.3'
133.5'
S 67°41'03" W 250.44'
N 22°18'57" W 58.36'
Central Angle=09°27'22"
Radius=609.34'
Arc Length=100.57'
Chord Length=100.45'
Chord Bearing=N 17°35'16" W
UNIT A
UNIT B
UNIT C
GARAGE
PATIO
SIDEWALK
DRIVEWAY
59.0'
58.8'
28.0'
17.1'
11.1'
9.5'
10.5'
5.3'
60.6'
17.3'
4.0'
61.1'
60.9'
35.5'
32.0'
59.6'
28.1'
58.3'
11.8'
8.0'
8.5'
7.4'
6.3'
127.8'
N
30 0 30
Scale: 1" = 30'
LEGEND
CENTER LINE
EASEMENT LINE
BUILDING LINE
OVERHANG LINE
LOT LINE
LICENSED LAND SURVEYOR
J. DAVID GIBBS
8419
IOWA
SHEET 1 OF 2
I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED AND THE RELATED SURVEY WORK WAS PERFORMED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA
J. DAVID GIBBS, P.E., L.S. LICENSE NO. 8419
10/27/06
DATE
MY LICENSE RENEWAL DATE IS DECEMBER 31, 2008
PAGES OR SHEETS COVERED BY THIS SEAL: 1-2
GIBBS ENGINEERING & SURVEYING
105 West Main, Manchester, Iowa 52057 (563) 927-2434 www.gibbseng.com



GIBBS ENGINEERING & SURVEYING

105 West Main, Manchester, Iowa 52057 (563) 927-2434 www.gibbseng.com

EXHIBIT A



I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED AND THE RELATED SURVEY WORK WAS PERFORMED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA

9/8/2020

RANDALL L. RATTENBORG, P.L.S. LICENSE NO. 17939 DATE

MY LICENSE RENEWAL DATE IS DECEMBER 31, 2021

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LICENSED PROFESSIONAL LAND SURVEYOR
RANDALL L. RATTENBORG
17939
IOWA

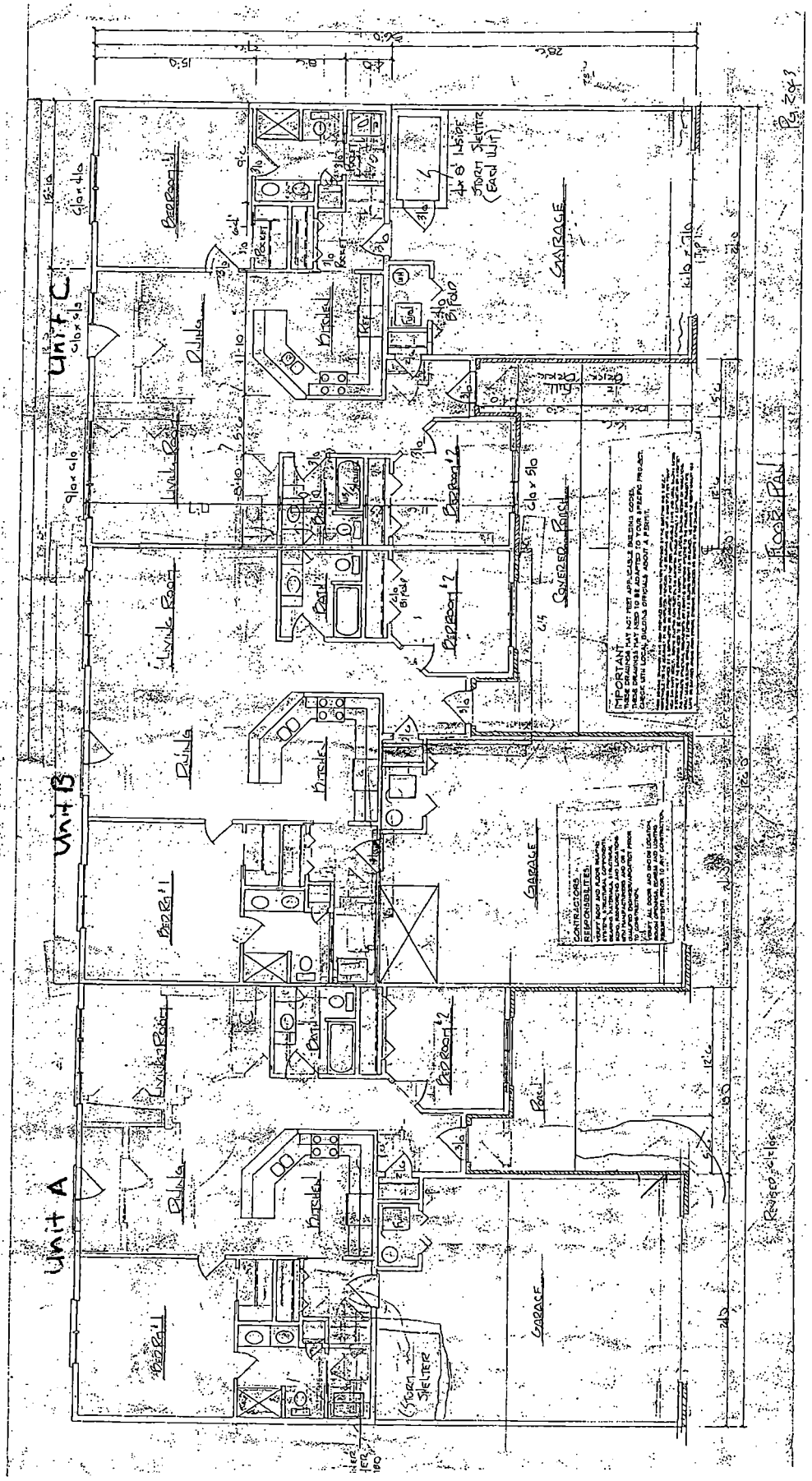
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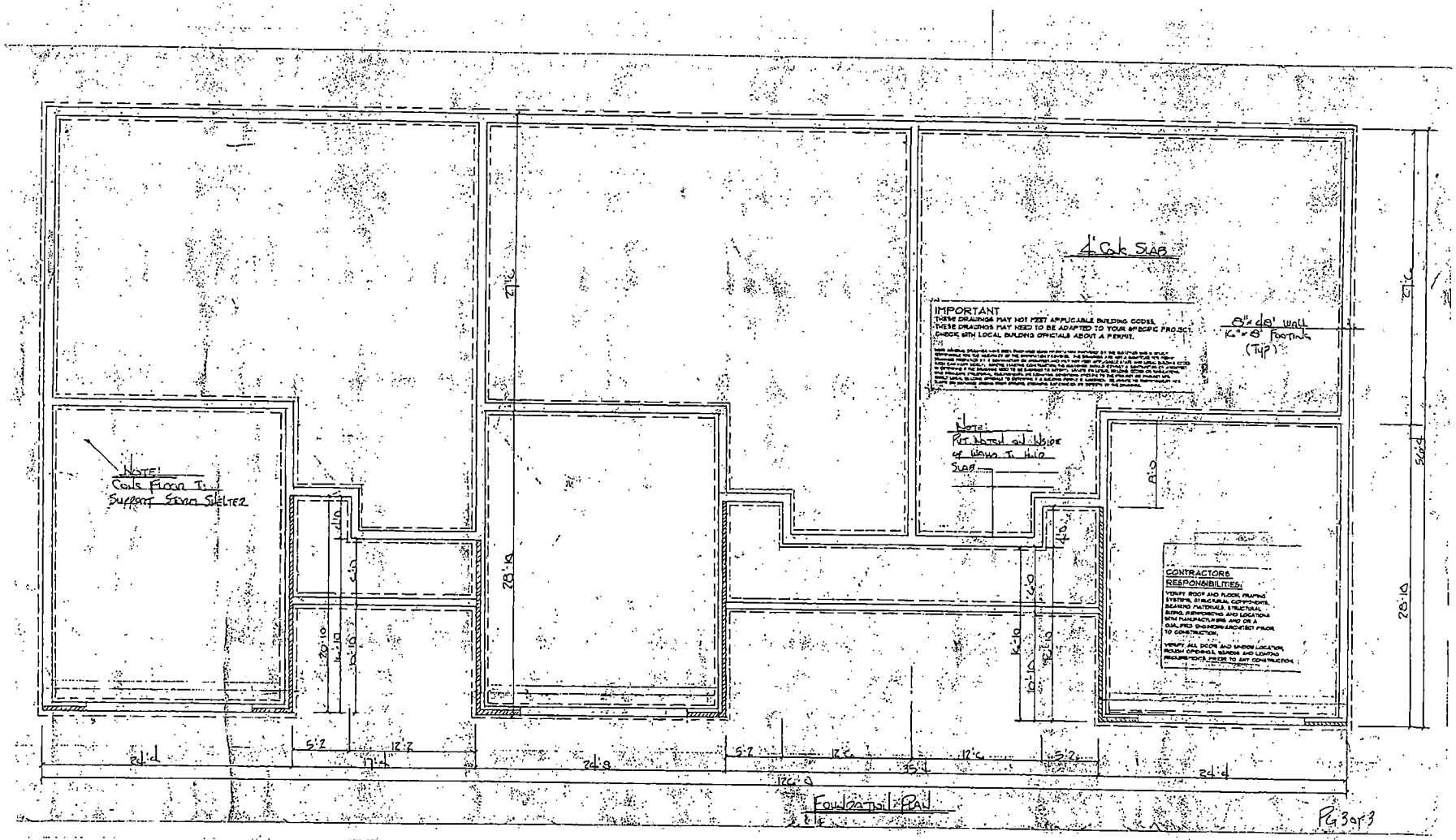
SCALE: 1" = 40'

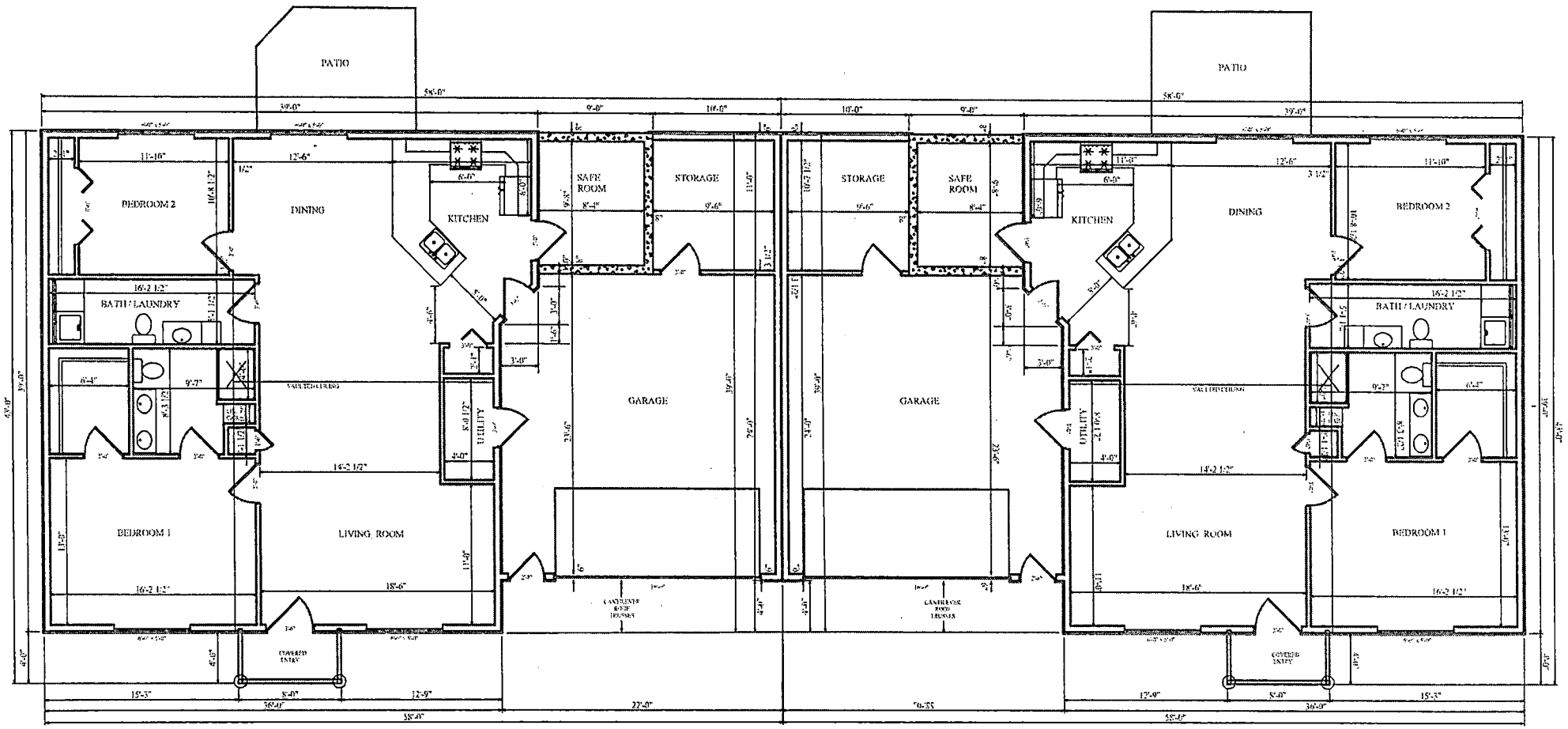
BURRINGTON GROUP, INC.
Civil Engineering | Land Surveying
105 W. Main Street Manchester, Iowa 52057 Phone 563-927-2434 burringtongroup.com

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Exhibit B


Unit A
Unit B
Unit C
Garage
Bedroom #1
Bedroom #2
Kitchen
Bath
Living Room
Laundry
Storm Shelter
Covered Patio
Roof Plan
IMPORTANT
CONTRACTORS RESPONSIBILITIES

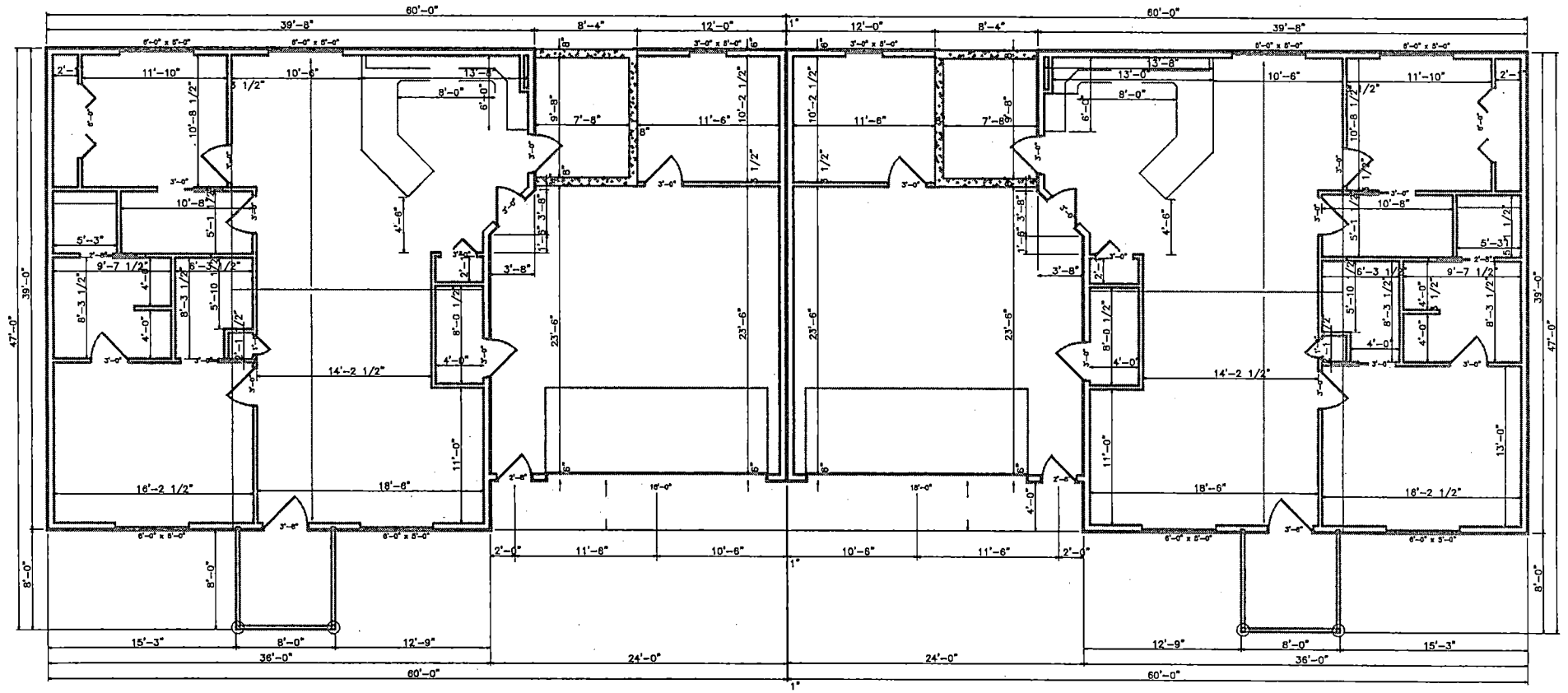

4" Cnk Slab
IMPORTANT
THESE DRAWINGS MAY NOT MEET APPLICABLE BUILDING CODES.
THESE DRAWINGS MAY NEED TO BE ADAPTED TO YOUR SPECIFIC PROJECT.
CHECK WITH LOCAL BUILDING OFFICIALS ABOUT A PERMIT.
8"x 8" Footing
(Typ)
Note:
Coils Floor To
Support Storm Shelter
Note:
Pvc Vented at Inside
of Wall To Slab
CONTRACTORS
RESPONSIBILITIES:
28'-10
24'-1
5'-2
12'-2
24'-9
5'-2
12'-2
35'-4
12'-2
5'-2
24'-4
Foundation Plan
Pg 3 of 3



FLOOR PLAN UNIT 108 A & 108 B

UNIT 108 C

UNIT 108 D

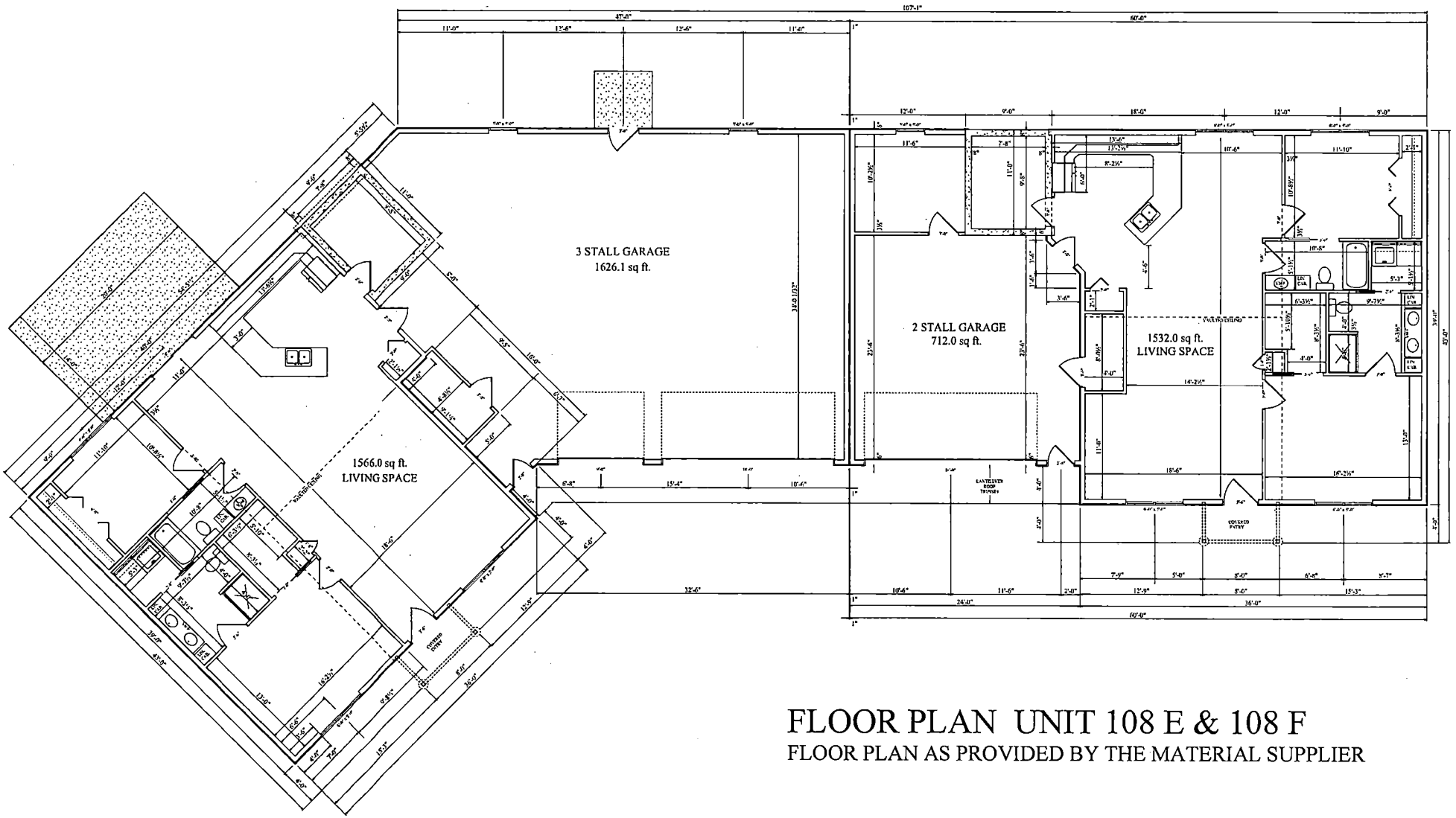


FLOOR PLAN UNIT 108 C & 108 D

FLOOR PLAN AS PROVIDED BY BUILDING MATERIAL SUPPLIER

UNIT 108 E

UNIT 108 F



FLOOR PLAN UNIT 108 E & 108 F

FLOOR PLAN AS PROVIDED BY THE MATERIAL SUPPLIER

Lot Number	Unit	Percentage Interest
Lot 1	Unit 108 A	11.11
	Unit 108 B	11.11
	Unit 108 C	11.11
	Unit 108 D	11.11
Lot 6 and Lot 10	Unit 108 E	11.11
	Unit 108 F	11.11
Lot 2	Unit A	11.11
	Unit B	11.11
	Unit C	11.11
	TOTAL	100.00*

*rounded up by .01

Note: Lots 1, 2 and 6 are part of Bailey Drive Estates and Lot 10 is part of Bailey Drive Estates 2nd Subdivision

"EXHIBIT C"