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Daneen Schindler, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

Clyde Town Manors

Prepared by & Return to: George Davis, P.O. Box 304, Dyersville, Iowa 52040-0304 Phone: 563-875-9112

AMENDMENT TO DECLARATION OF PROTECTIVE COVENANTS, CONDITIONS, RESTRICTIONS, RESERVATIONS AND GRANTS OF NAUTIC ESTATES SUBDIVISION, DELAWARE COUNTY, IOWA

RE: Lots One (1), Two (2) Three (3) and Four (4) of Pirc Townhomes 1st Subdivision; A subdivision of Lot 8 and Lot 10 in Nautic Estates in the Northwest Quarter of the Northeast Quarter Section 23, Township 88 North, Range 5 West of the 5th P.M., Delaware County, Iowa, according to plat recorded in Book 2017, Page 3119

Lots 1-10 of Nautic Estates A Subdivision of Part of Lot 5 of Logan's Fifth Subdivision Section 23, T88N, R5W of the Fifth P.M., Delaware County, Iowa, according to plat recorded in Book 2015, Page 2477

WHEREAS, a Declaration of Protective Covenants, Conditions, Restrictions, Reservations and Grants of Nautic Estates Subdivision, Delaware County, Iowa, was filed on February 9, 2016, in Book 2016, Page 304 of the records of the Delaware County, Iowa, Recorder hereinafter referred to as "Protective Covenants";

WHEREAS, Article V, Section 5 of the Protective Covenants provide that they may be modified by a recorded supplemental declaration by the developer in their sole discretion for a period of six years from February 9, 2016;

WHEREAS, the Protective Covenants applied to Lots 1-10 of Nautic Estates Subdivision to Delaware County, Iowa;

WHEREAS, the developers of Lots 1-10 of Nautic Estates Subdivision to Delaware County, Iowa, are Scott A. Wall and Brenda K. Wall;

WHEREAS, Article II, Paragraph C of the Protective Covenants provides that the lots in the subdivision may be divided into smaller parcels for the purposes of conveyances to a contiguous property owner, however no structure may be constructed on any lot which is smaller than an existing lot;

WHEREAS, Lot 10 and Lot 8 have been subdivided into two smaller lots and zero lot line duplexes have been built on the two lots that were subdivided from Lot 10 and the two lots that were subdivided from Lot 8;

WHEREAS, Lot 7 is also suitable to be subdivided into two smaller lots with zero lot line duplexes to be built on the two lots that may be subdivided from said Lot 7.

WHEREAS, Article II, Section 1 Subparagraph B limits structures on lots to single family dwellings with garage for automobiles to be used privately by resident members. Paragraph F prohibits other buildings including "garage, barn, or other outbuilding" being used as a residence temporarily or permanently;

WHEREAS, a building has been constructed on Lot 6 that is a combination shed-house and Developer Scott A Wall and Brenda K. Wall are desirous of amending Article II, Subparagraphs B and F to allow for the construction of a shed-house or similar structure on Lot 6 as well as Lot 7 of Nautic Estates Subdivision to Delaware County, Iowa;

WHEREAS, the developers, Scott A. Wall and Brenda K. Wall are desirous of amending Article II, Paragraph C to allow for the division of Lot 7, Lot 8 and Lot 10 of Nautic Estates Subdivision to Delaware County, Iowa;

NOW AND THEREFORE, developers Scott A. Wall and Brenda K. Wall amend Article II, Subparagraphs B, C and F of the Protective Covenants filed on February 9, 2016, in Book 2016, Page 304, of the records of the Delaware County Recorder in their entirety as follows:

B. No structures shall be erected on any residential lot other than one single family dwelling with a garage sufficient for the automobiles used privately by the resident members of the family residing in the dwelling; provided however that a combination shed-house may be constructed on Lots 6 and 7 of Nautic Estates Subdivision, Delaware County, Iowa.

C. Said lots may be divided into smaller parcels for the purpose of conveyance to a contiguous owner, however, no structure may be constructed on any lot which is smaller than an existing lot, however Lot 7 of Nautic Estates Subdivision, Lot 8 of Nautic Estates Subdivision and Lot 10 of Nautic Estates Subdivision may each be divided into two lots for the purposes of creating two new residential lots provided that Lot 8 and Lot 10 be limited to constructing zero lot line duplexes on the two new lots originating from Lot 8 and the two new lots originating from Lot 10 of Nautic Estates Subdivision. The construction of zero lot line duplexes on the two new lots originating from Lot 7 is also allowed.

F. No trailer, camper, mobile home, basement, tent, shack, garage, barn or other outbuilding erected in the tract shall at any time be used as a residence temporarily or permanently, nor shall any residence of a temporary character be permitted, provided however, that a combination shed-house may be constructed on Lots 6 and 7 of Nautic Estates Subdivision, Delaware County, Iowa.

Dated this 2nd day of October, 2020.

Scott A. Wall, Developer of Nautic Estates Subdivision

Brenda K. Wall, Developer of Nautic Estates Subdivision

This record was acknowledged before me by Scott A. Wall, Developer of Nautic Estates Subdivision and Brenda K. Wall, Developer of Nautic Estates Subdivision, this 2nd day of October, 2020.

Notary Public in and for the State of Iowa

SARAH R. LEONARD
Commission Number 762480
My Commission Expires
April 6, 2022