Recorded: 12/16/2020 at 3:38:42.0 PM
County Recording Fee: $27.00
Iowa E-Filing Fee: $3.50
Combined Fee: $30.50
Revenue Tax:
Delaware County, Iowa
Daneen Schindler RECORDER
BK: 2020 PG: 4658

Prepared by and Return to: Dean A. Spina of Bradley & Riley, P.C., P.O. Box 2804, Cedar Rapids, IA 52406-2804 (319) 363-0101

DECLARATION OF REMOVAL OF PROPERTY FROM PROVISIONS OF IOWA CODE CHAPTER 499B RELATING TO COUNTRY RIDGE CONDOMINIUMS

The undersigned, MANCHESTER CAPITAL INVESTMENTS, L.L.C., owner of all 77 condominium Units specifically described on Exhibit "A" attached hereto, which Units were defined in the Horizontal Property Regime known as "COUNTRY RIDGE CONDOMINIUMS", pursuant to a Declaration of Submission of Property to Horizontal Property Regime recorded August 18, 2005, in Volume 2005 at Page 2893 of the Records of the Delaware County, Iowa, Recorder, (the "Regime"), hereby causes to be executed and hereby executes this Declaration of Removal of Property from Provisions of Iowa Code Chapter 499B, pursuant to Section 499B.8 of the Iowa Code. This Declaration of Removal shall take effect when filed for record in the office of the Recorder, Delaware County, Iowa.

ARTICLE I

Removal of Property from Provisions of Chapter 499B

The following real property is hereby removed from the provisions of Chapter 499B of the Iowa Code:

PARCEL F, PART OF THE SW ¼ OF THE SW ¼ OF THE SE ¼ SECTION 28, T89N, R5W OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF MANCHESTER, DELAWARE COUNTY, IOWA, ACCORDING TO PLAT RECORDED IN BOOK 7, PLATS, PAGE 85 OF THE PLAT RECORDS OF DELAWARE COUNTY, IOWA [as also described on Exhibit A]

ARTICLE II

Effect

Upon removal of the above-described property from the provisions of Chapter 499B, title to PARCEL F, PART OF THE SW ¼ OF THE SW ¼ OF THE SE ¼ SECTION 28, T89N, R5W OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF MANCHESTER, DELAWARE COUNTY, IOWA, ACCORDING TO PLAT RECORDED IN BOOK 7, PLATS, PAGE 85 OF THE PLAT RECORDS OF DELAWARE COUNTY, IOWA [as also described on Exhibit A] shall

remain vested in MANCHESTER CAPITAL INVESTMENTS, L.L.C., subject to a Mortgage dated October 22, 2015, recorded on October 26, 2015, in Book 2015 at Page 2908 of the Records of the Delaware County, Iowa, Recorder, rerecorded as Corrective Mortgage to Central State Bank, recorded on January 25, 2016, in Book 2016 at Page 179 of the Records of the Delaware County, Iowa, Recorder, and subject to an Assignment of Leases and Rents recorded on October 26, 2015, in Book 2015 at Page 2907 of the Records of the Delaware County, Iowa, Recorder, rerecorded as Corrective Assignment of Leases and Rents recorded on January 25, 2016, in Book 2016 at Page 178 of the Records of the Delaware County, Iowa, Recorder. Central State Bank consents to the removal of the property from the provisions of Chapter 499B by Consent attached hereto.

Upon recording of this Declaration of Removal, the horizontal property regime for COUNTRY RIDGE CONDOMINIUMS shall cease to exist.

IN WITNESS WHEREOF, the undersigned has caused this instrument to be duly executed this 11th day of December 2020.

MANCHESTER CAPITAL INVESTMENTS, L.L.C.
an Iowa Limited Liability Company

By: _____
BARRY S. SMITH, Manager

STATE OF IOWA)
) ss:
COUNTY OF LIINN):

This instrument was acknowledged before me on this 11 day of December 2020 by Barry S. Smith, as manager of Manchester Capital Investments, L.L.C.

_____
Notary Public in and for the State of Iowa
My Commission Expires: April 17, 2022

NOTARIAL SEAL IOWA
TERRI SUE DURGIN
Commission Number 816449
My Commission Expires
April 17, 2022

Exhibit "A"

COUNTRY RIDGE CONDOMINIUMS

The Declaration defined seventy-seven (77) Units:

UNITS A, 1004-1, 1004-2, 1004-3, 1004-4, 1004-5, 1004-6, 1004-7, 1004-8, 1004-9, 1004-10, 1004-11, 1004-12, 1004-13, 1004-14, 1004-15, 1004-16, 1004-17, 1004-18, 1004-19, 1004-20, 1004-21, 1004-22, 1004-23, 1004-24, 1004-25, 1004-26, 1004-27, 1004-28, 1004-29, 1004-30, 1004-31, 1004-32, 1004-33, 1004-34, 1004-35, 1004-36, 1004-37, 1004-38, 1004-39, 1004-40, 1004-41, 1004-42, 1004-43, 1004-44, 1004-45, 1004-46, 1004-47, 1004-48, 1004-49, 1004-50, 1004-51, 1004-52, 1004-53, 1004-54, 1004-55, 1004-56, 1004-57, 1004-58, 1004-59, 1004-60, 1004-61, 1004-62, 1004-63, 1004-64, 1004-65, 1004-66, 1004-67, 1004-68, 1004-69, 1004-70, 1004-71, 1004-72, 1004-73, 1004-74, 1004-75, and 1004-76, IN A HORIZONTAL PROPERTY REGIME KNOWN AS COUNTRY RIDGE CONDOMINIUMS, TOGETHER WITH AN UNDIVIDED PERCENTAGE INTEREST IN AND TO THE COMMON AREAS AND FACILITIES APPURTENANT THERETO, ALL AS APPEARS OF RECORD AND ON LAND DESCRIBED IN THE DECLARATION RECORDED IN THE OFFICE OF THE COUNTY RECORDER, DELAWARE COUNTY, IOWA ON AUGUST 18, 2015, IN BOOK 2005 AT PAGE 2893, AND FIRST AMENDMENT TO DECLARATION OF SUBMISSION OF PROPERTY TO HORIZONTAL PROPERTY REGIME FOR COUNTRY RIDGE CONDOMINIUMS, RECORDED IN BOOK 2005, PAGE 4513, AND SECOND AMENDMENT TO DECLARATION OF SUBMISSION OF PROPERTY REGIME FOR COUNTRY RIDGE CONDOMINIUMS, RECORDED IN BOOK 2006, PAGE 402, TOGETHER WITH ALL OF THE INTEREST IN THE COMMON AREAS AND FACILITIES APPURTENANT THERETO.

The Legal Description set forth on Page 1 of the Declaration of Removal is also described as:

THAT PART OF THE SOUTHWEST QUARTER (SW ¼) OF THE SOUTHWEST QUARTER (SW ¼) OF THE SOUTHEAST QUARTER (SE ¼) OF SECTION TWENTY EIGHT (28), TOWNSHIP EIGHTY NINE (89) NORTH, RANGE FIVE (5), WEST OF THE FIFTH P.M. DESCRIBED AS COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER (SW ¼) OF THE SOUTHEAST QUARTER (SE ¼), AND RUNNING THENCE NORTH SIX HUNDRED SIXTY (660.0) FEET ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER (SE ¼), THENCE EAST FOUR HUNDRED SIXTY EIGHT (468.0) FEET ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER (SW ¼) OF THE SOUTHWEST QUARTER (SW ¼) OF THE SOUTHEAST QUARTER (SE ¼), THENCE SOUTH THREE HUNDRED EIGHTY (380.0) FEET, THENCE WEST THREE HUNDRED FOUR (304.0) FEET, THENCE SOUTH TWO HUNDRED EIGHTY (280.0) FEET TO THE SOUTH LINE OF SAID SOUTHEAST QUARTER (SE ¼), THENCE WEST ONE HUNDRED SIXTY FOUR (164.0) FEET TO THE POINT OF BEGINNING

Prepared by and Return to: Dean A. Spina of Bradley & Riley, P.C., P.O. Box 2804, Cedar Rapids, IA 52406-2804 (319) 363-0101

CONSENT TO DECLARATION OF REMOVAL OF PROPERTY FROM PROVISIONS OF IOWA CODE CHAPTER 499B RELATING TO COUNTRY RIDGE CONDOMINIUMS

The undersigned, CENTRAL STATE BANK, holder of the following described security instruments: Mortgage dated October 22, 2015, recorded on October 26, 2015, in Book 2015 at Page 2908 of the Records of the Delaware County, Iowa, Recorder rerecorded as Corrective Mortgage recorded on January 25, 2016, in Book 2016 at Page 179 of the Records of the Delaware County, Iowa, Recorder, and Assignment of Leases and Rents recorded on October 26, 2015, in Book 2015 at Page 2907 of the Records of the Delaware County, Iowa, Recorder rerecorded as Corrective Assignment of Leases and Rents recorded on January 25, 2016, in Book 2016 at Page 178 of the Records of the Delaware County, Iowa, Recorder, hereby consents to the removal by MANCHESTER CAPITAL INVESTMENTS, L.L.C. of the property described on Exhibit "A" attached hereto (the "Property") from the Horizontal Property Regime known as "Country Ridge Condominiums", pursuant to the Declaration of Submission of Property to Horizontal Property Regime recorded August 18, 2005 in Volume 2005 at Page 2893 of the Records of the Delaware County, Iowa, Recorder, as amended by the First Amendment recorded December 27, 2005 in Volume 2005 at Page 4513 of the Records of the Delaware County, Iowa, Recorder and as amended by the Second Amendment recorded February 3, 2006 in Volume 2006 beginning at Page 402 of the Records of the Delaware County, Iowa, Recorder and agrees that its mortgage lien shall remain a lien upon the Property upon removal from the Horizontal Property Regime and that the Assignment of Leases and Rents shall continue in effect as to the Property.

CENTRAL STATE BANK

By: Abbe M. Stensland
Name: Abbe M. Stensland

STATE OF IOWA)
) SS:
COUNTY OF Johnson)

This instrument was acknowledged before me this 14 day of ~~November~~ December, 2020, by Abbe M. Stensland as Chief Risk Officer of Central State Bank.

GISELE N. WARNER
COMMISSION NUMBER 811119
MY COMMISSION EXPIRES
06-18-2021

Gisele N. Warner
Notary Public in and for the State of Iowa
My Commission Expires: 06-18-2021

EXHIBIT "A"

Legal Description

PARCEL F, PART OF THE SW ¼ OF THE SW ¼ OF THE SE ¼ SECTION 28, T89N, R5W OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF MANCHESTER, DELAWARE COUNTY, IOWA, ACCORDING TO PLAT RECORDED IN BOOK 7, PLATS, PAGE 85 OF THE PLAT RECORDS OF DELAWARE COUNTY, IOWA

PARCEL F is also known as:

THAT PART OF THE SOUTHWEST QUARTER (SW ¼) OF THE SOUTHWEST QUARTER (SW ¼) OF THE SOUTHEAST QUARTER (SE ¼) OF SECTION TWENTY EIGHT (28), TOWNSHIP EIGHTY NINE (89) NORTH, RANGE FIVE (5), WEST OF THE FIFTH P.M. DESCRIBED AS COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER (SW ¼) OF THE SOUTHEAST QUARTER (SE ¼), AND RUNNING THENCE NORTH SIX HUNDRED SIXTY (660.0) FEET ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER (SE ¼), THENCE EAST FOUR HUNDRED SIXTY EIGHT (468.0) FEET ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER (SW ¼) OF THE SOUTHWEST QUARTER (SW ¼) OF THE SOUTHEAST QUARTER (SE ¼), THENCE SOUTH THREE HUNDRED EIGHTY (380.0) FEET, THENCE WEST THREE HUNDRED FOUR (304.0) FEET, THENCE SOUTH TWO HUNDRED EIGHTY (280.0) FEET TO THE SOUTH LINE OF SAID SOUTHEAST QUARTER (SE ¼), THENCE WEST ONE HUNDRED SIXTY FOUR (164.0) FEET TO THE POINT OF BEGINNING