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LISA SMITH, COUNTY RECORDER
MADISON COUNTY IOWA

✓ Preparer by and
Return to: Mark L. Smith, P.O. Box 230, Winterset, Iowa 50273; 515-462-3731

**FIRST AMENDMENT TO
RESTRICTIVE COVENANTS FOR
SWEENEY ACRES SUBDIVISION**

Filed 5/27/22 in Book 2022, Page 1579 of the Madison County Recorder's Office.

This Amendment to the Restrictive Covenants for Sweeney Acres Subdivision is made on the date set forth below by Bradley W. Sweeney and Quendy Sweeney, Trustees of the Bradley Sweeney Living Trust Dated October 14, 2015, and by Quendy Sweeney and Bradley W. Sweeney, Trustees of the Quendy Sweeney Living Trust Dated October 14, 2015 (hereinafter Proprietors):

1. Proprietors are the outright owners of all Lots in Sweeney Acres Subdivision.
2. Proprietors hereby amend said Restrictive Covenants by adding the following Covenants as follows:
 - A. Cattle shall be allowed on Lots 5 and 9 in said subdivision, until such lots are sold by the Proprietors to a third party.
 - B. Any party that builds on Lots 1, 2, 3, 4, 5 or 6 after the driveway has been installed, shall pay for any repairs or maintenance needed to the driveway to bring the driveway back into the condition it was in prior to the damage caused to it by them, their contractors or subcontractors.
 - C. Annually maintenance, repair or snow removal expenses to the driveway shared by Lots 1, 2, 3, 4, 5 and 6 shall be split in the following percentages:
 - Lot 1 = 10%
 - Lot 2 = 13%
 - Lot 3 = 20%
 - Lot 4 = 24%
 - Lot 5 = 20%

Lot 6 = 13%

- D. Lot 8 is hereby burdened with an easement for ingress and egress to Lot 9 over the currently existing driveway.
- E. No barndominiums, morton type buildings, or metal buildings of any kind with living quarters in them are allowed.
- F. For so long as Proprietors own any Lot in the subdivision, they shall have the authority and ability to amend the Restrictive Covenants at any time. At such time as all the Lots are sold and the Proprietors have no interest in any Lot, the Restrictive Covenants shall only be amended by a vote of 75% of all Lot owners.
- G. If any Party is sued for violating any of the Restrictive Covenants, the winning party in Court shall be awarded court costs and attorney's fees.

3. In all other respects the Restrictive Covenants for Sweeney Acres Subdivision are hereby ratified and confirmed.

Dated this 9th day of June, 2022.

BRADLEY SWEENEY LIVING TRUST
DATED OCTOBER 14, 2015

By *Brad Sweeney*
Bradley W. Sweeney, Trustee

By *Quendy Sweeney*
Quendy Sweeney, Trustee

QUENDY SWEENEY LIVING TRUST
DATED OCTOBER 14, 2015

By *Quendy Sweeney*
Quendy Sweeney, Trustee

By *Brad Sweeney*
Bradley W. Sweeney, Trustee

STATE OF IOWA, COUNTY OF MADISON:

This instrument was acknowledged before me on this 9th day of June, 2022, by Bradley W. Sweeney and Quendy Sweeney.



Kim Leonard
Notary Public in and for State of Iowa