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County Recording Fee: \$17.00
Iowa E-Filing Fee: \$3.00
Combined Fee: \$20.00
Revenue Tax:
BRANDY L. MACUMBER, RECORDER
Madison County, Iowa

**FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS,
EASEMENTS AND RESTRICTIONS FOR
BUCK HAVEN ESTATES**

Preparer Information:

Bryan M. Loya
222 N.W. Sunrise Drive
Waukee, Iowa 50263
(515) 369-2502

Taxpayer Information:

N/A

Return Document To:

Wilson & Egge, P.C.
222 N.W. Sunrise Drive
Waukee, Iowa 50263

Grantor:

Buck Haven Estates, LLC

Grantee:

N/A

Legal Description:

Lots 1 through 9 in Buck Haven Estates, an Official Plat, Madison County, Iowa.

Document or instrument number of previously recorded documents:

Book 2021, Page 4278

**FIRST AMENDMENT TO DECLARATION OF
COVENANTS, CONDITIONS, EASEMENTS AND RESTRICTIONS
FOR BUCK HAVEN ESTATES**

THIS FIRST AMENDMENT TO DECLARATION is made this 21st day of December, 2023.

WHEREAS, a Declaration of Covenants, Conditions, Easements and Restrictions for Buck Haven Estates was executed on October 12, 2021, by Buck Haven Estates, LLC, an Iowa limited liability company, and filed of record in Madison County, Iowa, on October 14, 2021, in Book 2021, Page 4278 (hereinafter "Declaration").

WHEREAS, the undersigned Declarant, pursuant to rights granted under Article XII(F) and Article XIII(C) of the Declaration, being the owner of a Lot in Buck Haven, has elected to amend the Declaration as filed in accordance with the terms hereafter.

NOW, THEREFORE, the undersigned does hereby modify the Declaration as follows:

1. Removal of WRP Land. The WRP Land is hereby removed from the provisions of the Declaration. No person shall be entitled to possession of the WRP Land except the legal titleholders thereof and their respective licensees and invitees. No person shall be entitled to the use and enjoyment of the WRP Land solely by virtue of holding an interest of ownership or possession in Buck Haven. Only the legal titleholders of the WRP Land shall be entitled to possession thereof, effective as of the date of recording of this Agreement. Any Owner in Buck Haven asserting possession or use of the WRP Land in violation of this Amendment shall indemnify and hold harmless the Declarant, the Association, and the legal titleholders of the WRP Land from any and all damage to persons or property arising from such possession or use. The Declarant, the Association, and the legal titleholders of the WRP Land shall be entitled to collect costs and reasonable attorney fees in the event of an action to enforce the provisions of this Amendment.

2. Article VI(D) of the Declaration is hereby deleted in its entirety, and replaced with the following:

D. All hunting, and other discharging of firearms from a Lot in Buck Haven shall be strictly prohibited. All Owners, by acceptance of a deed to a Lot in Buck Haven, hereby covenant and agree to hold harmless and indemnify, without limitation of any kind whatsoever, all other Owners, the Declarant, and the Association, for all violations of the provisions contained within this Article VI(D) resulting from the direct or indirect actions of said Owner, or said Owner's licensees, invitees, or tenants.

3. In all other respects, the Declaration shall remain unaffected and be enforceable as filed.

The undersigned represents and warrants as the Declarant that it is the fee titleholder of at least one Lot in Buck Haven.

Dated on this day and year first written above.

[SIGNATURE PAGE FOLLOWS]

[SIGNATURE PAGE]

BUCK HAVEN ESTATES, LLC,
an Iowa limited liability company, Declarant

By: Dean Quirk
Dean Quirk, Manager

STATE OF IOWA)
COUNTY OF Polk) ss

This record was acknowledged before me on this 21st day of December, 2023, by Dean Quirk,
as Manager of Buck Haven Estates, LLC.



Martha R. Brady
Notary Public in and for the State of Iowa
My commission expires: 12/5/24