



REC \$ 10<sup>00</sup>  
 AUD \$ 10<sup>00</sup>  
 R.M.F. \$ 10<sup>00</sup>

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Prepared by: Schemmel Law Office, 2501 Grand Avenue, Des Moines Iowa 50312  
 Phone Number: (515) 288-6532

**FIRST AMENDMENT TO DECLARATION OF  
 COVENANTS, CONDITIONS  
 AND RESTRICTIONS  
 FOR  
 WALNUT COVE ESTATES SUBDIVISION  
 IN MADISON COUNTY, IOWA**

FILED NO. 000382

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MICKI UTSLER  
 RECORDER  
 MADISON COUNTY, IOWA

**THIS AMENDEMENT TO DECLARATION** is made on the date set forth below by Robert Trausch and Esther Trausch, husband and wife (hereinafter referred to as "Declarant");

**WITNESSETH:**

**WHEREAS, Declarant** are owners of certain real estate in Madison County, Iowa and legally described as:

**The East Fractional Half (1/2) of the Northwest Fractional Quarter (1/4) of Section Twenty-five (25), except Parcel "A", located in the East Half (1/2) of the Northwest Quarter (1/4) of said of Section Twenty-five (25) containing 4.000 acres, as shown in Plat of Survey filed in Book 3, Page 292 on July 9, 1998 in the Office of the Recorder of Madison County, Iowa, AND the Southwest Fractional Quarter (1/4) of the Northwest Fractional Quarter (1/4) of Section Twenty-five (25), all in Township Seventy-seven (77) North, of Range Twenty-six (26) West of the 5<sup>th</sup> P.M., Madison County, Iowa.**

**NOW THEREFORE, Declarant** hereby declares that the Declaration of Covenants, Conditions and Restrictions for Walnut Cove Estates Subdivision in Madison County Iowa filed as instrument number 007307, Book 143, page 277 of the records of the Madison County Iowa Recorder dated February 10, 2000 and filed of record on December 5, 2000 (hereinafter referred to as "Declaration") are hereby amended as follows.

1. Article II, Section 6 of the Declaration shall be deleted in its entirety and the following substituted in lieu thereof:  
 "Section 6 With respect to the construction of any residence and other buildings permitted by this Declaration, there shall be a 50 feet front setback, a 50 foot rear setback and a 25 foot side yard setback as more specifically provided in the Final Platting. With respect to Lots (20), (21), (22), (23) and (24) there shall be at least a 50 foot building setback from the high water of the pond located on said respective lots; and with respect to any sanitary sewer system a 100 foot setback from the high water of the pond located on said respective lots.

2. All the other Covenants, Conditions and Restrictions of the Declaration shall remain the same.

Dated this 15 day of Jan, 2003.

DECLARANT

[Signature]  
ROBERT TRAUSCH

[Signature]  
ESTHER TRAUSCH

STATE OF IOWA :  
:ss  
COUNTY OF POLK :

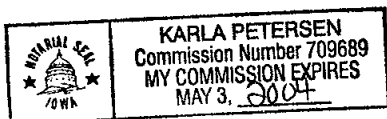
On this 15<sup>th</sup> day of January, 2003, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Robert Trausch, to me known to be the persons named in and who executed the foregoing instrument, and acknowledged that he executed the same as his voluntary act and deed.



[Signature]  
Notary Public in and for the State Of Iowa

STATE OF IOWA :  
:ss  
COUNTY OF POLK :

On this 15<sup>th</sup> day of January, 2003, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Esther Trausch, to me known to be the persons named in and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.



[Signature]  
Notary Public in and for the State Of Iowa