

Document 2005 5310

Book 2005 Page 5310 Type 06 039 Pages 3
Date 11/02/2005 Time 8:11 AM
Rec Amt \$17.00

MICHELLE UTSLER. COUNTY RECORDER
MADISON IOWA

COMPUTER	<input checked="" type="checkbox"/>
RECORDED	<input checked="" type="checkbox"/>
COMPARED	<input type="checkbox"/>

**THIRD AMENDMENT TO DECLARATION OF COVENANTS FOR
COVERED BRIDGE ESTATES**

Recorder's Cover Sheet

Preparer Information: (name, address and phone number)

Gary M. Myers, Davis, Brown, Koehn, Shors & Roberts, P.C., 666 Walnut Street, Suite
2500, Des Moines, IA 50309 (515) 288-2500

Taxpayer Information: (name and complete address)

Not Applicable

Return Document To: (name and complete address)

Gary M. Myers, Davis, Brown, Koehn, Shors & Roberts, P.C., 666 Walnut Street, Suite
2500, Des Moines, IA 50309

Grantor:

Brill Development, LLC, an Iowa limited liability company

Grantee:

Not Applicable

Legal Description:

Lots 1 through 46, inclusive, of COVERED BRIDGE ESTATES, an Official Plat, in
Madison County, Iowa

Document or instrument number of previously recorded documents:

Book 2005, Page 806

**THIRD AMENDMENT TO DECLARATION OF COVENANTS FOR
COVERED BRIDGE ESTATES**

THIS THIRD AMENDMENT TO DECLARATION is hereby made this 12 day of October, 2005, by Brill Development, LLC, an Iowa limited liability company, hereinafter referred to as "**Declarant**."

WHEREAS, the Declaration of Covenants for Covered Bridge Estates was recorded on February 24, 2005, in Book 2005, Page 806 of the Madison County Recorder's Office, and was previously amended by an Amendment to Declaration of Covenants for Covered Bridge Estates recorded on April 27, 2005, in Book 2005, Page 1838, and by a Second Amendment to Declaration of Covenants for Covered Bridge Estates recorded on August 19, 2005, in Book 2005, Page 3978 (as amended, the "**Declaration**"); and

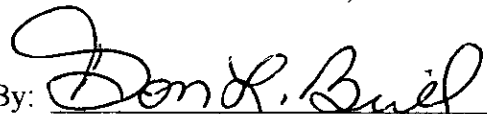
WHEREAS, pursuant to Article XV of the Declaration, Declarant has the right to amend the Declaration, and Declarant desires to amend the Declaration as herein provided.

NOW THEREFORE, Declarant hereby amends the Declaration as follows:

1. Capitalized terms used in this Amendment that are not defined in this Amendment shall have the meanings ascribed to them in the Declaration.
2. The Owners of Lots 13 through 16, inclusive, may only have a private driveway with access to 176th Court, and shall not have access to 175th Court.
3. The Owners of Lots 40 and 42 shall have the right to connect their driveways to the driveway on Lot 41 (the "**Private Lane**") for ingress and egress to and from Millstream Court and are hereby granted an access easement for that purpose. If either such Owner connects the Owner's driveway to the Private Lane, then such Owner shall share in the costs of maintaining that portion of the Private Lane between Millstream Court and the point the Owner's driveway intersects the Private Lane. The Owner of each Lot using a particular portion of the Private Lane will share such maintenance costs equally.

IN WITNESS WHEREOF, the undersigned, being the Declarant herein, has hereunto set its hand as of the day and year first above written.

BRILL DEVELOPMENT, LLC

By: 
Don L. Brill, Member

STATE OF IOWA :
 : SS
COUNTY OF POLK :

This instrument was executed and acknowledged before me on 10/12,
2005, by Don L. Brill as Member of Brill Development, LLC, an Iowa limited liability
company.

Susan R Parrino

Notary Public

