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MICHELLE UTSLER, COUNTY RECORDER
MADISON IOWA

Document 2006 4296

Book 2006 Page 4296 Type 06 039 Pages 3
Date 10/18/2006 Time 4:10 PM
Rec Amt \$27.00 Aud Amt \$5.00

PREPARER
INFORMATION JOHN E. CASPER 223 E. COURT AVENUE WINTERSET, IA 50273 515-462-4912

**FIRST AMENDMENT
TO
DECLARATION OF ASSOCIATION FOR WOODLAND VALLEY ESTATES
SUBDIVISION IN MADISON COUNTY, IOWA**

THIS FIRST AMENDMENT TO THE DECLARATION, is made on the date set forth below, by Clifford A. Newman and Sharon R. Otte, hereinafter referred to as the "*Declarant*", pursuant to the Iowa Horizontal Property Act (the Act), Iowa Code Chapter 499B.

WITNESSETH:

WHEREAS, Declarant has previously submitted certain property in Madison County, Iowa, which is more particularly described as:

The South Half (1/2) of the Northeast Quarter (1/4) of Section Twenty (20), and the South Half (1/2) of the Northwest Quarter (1/4) of Section Twenty-one (21), all in Township Seventy-seven (77) North, Range Twenty-six (26) West of the 5th P.M., Madison County, more particularly described as follows:

Beginning at a iron pin found at the Northwest Corner of said South Half (1/2) of the Northeast Quarter (1/4) of Section Twenty (20);

**thence North 83°22'14" East a distance of 2664.56' to an iron pin;
thence North 83°54'16" East a distance of 2626.38' to an iron pin;
thence South 00°20'22" East a distance of 1327.14' to an iron pin;
thence South 83°56'58" West a distance of 2649.74' to an iron pin;
thence South 83°23'27" West a distance of 2653.40' to an iron pin;
thence North 00°11'58" East a distance of 1325.30' to the Point of Beginning;**

Containing 160.264 acres of land including 1.215 acres of Madison County road right of way.

to the Act pursuant to the Declaration of Association filed for record on December 27, 2004 in the Madison County Recorder's Office in Book 2004 at Page 6107 (hereafter the Declaration).

WHEREAS, the Declarant in platting the Plat number 2 of the Woodland Valley Estates Subdivision in Madison County, Iowa decreased the total plat lots in the original subdivision from 29 Lots to 28 Lots;

WHEREAS, the Declarant has subsequently replatted Lots 3, 4, 11 and 12 of Plat number 1 of the Woodland Valley Estates Subdivision in Madison County, Iowa, thereby creating 3

additional Lots as shown on the Subdivision Plat for that Replat so that the Woodland Valley Estates Subdivision now has a total of Thirty-one (31) Lots;

WHEREAS, the Declaration desires to amend the Declaration to correctly describe the total number of Lots within the Subdivision submitted to the Act; to address Declarant's responsibility for surfacing the private road known as 133rd Court; the responsibility of the owners of Lots 3, 3A, 4 and 4A for the driveways to their respective Lots; and, to reaffirm the Declaration except as to the matters specifically amended herein.

NOW, THEREFORE, Declarant hereby declares that the Declaration previously made and filed as described above be and is hereby amended as follows:

1. Paragraph 5.1 of the Declaration and Exhibit "C" incorporated therein are amended to reflect a total of Thirty-one (31) Lots within the Association each having an undivided one-thirty-first (1/31st) interest in the common expenses, voting and use of the common elements as set forth in the Declaration.
2. Paragraph 6.2 of the Declaration is amended to add a new subparagraph d thereto as follows:
 - d. Within one (1) year after seventy-five percent (75%) of the Lots within Plats One and Two of the Subdivision are sold, the Declarant shall cause the private road known as 133rd Court within the Subdivision to have a Seal Coat Asphalt surface with a minimum thickness of four (4) inches installed thereon. The Declarant shall pay for one-half (1/2) of the installation costs with the balance of the costs paid by the remaining Lot Owners within Plat One and Two of the Subdivision assessed on a gross lot acre owned basis.
3. Paragraph 9 of the Declaration is amended to add a new subparagraph 9.4 thereto as follows:

9.4 Driveway Maintenance on Replatted Lots.

Lots 3 and 3A and Lots 4 and 4A of the Replat of Lots 3, 4, 11, and 12 of Plat Number 1 of the Woodland Valley Estates Subdivision shall share a common driveway access to 133rd Court as shown on the subdivision plat for this Replat. The Lot Owners accessing and utilizing the respective driveway access easement upon, along and to their respective Lot shall each pay one-half (1/2) of the costs associated with the construction, surfacing, and maintenance of the respective driveway access. This Restriction shall be a covenant running with the land binding upon and inuring to the benefit of the respective owners of these Lots.

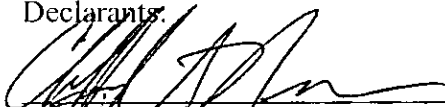
4. Paragraph 9 (u) of the Declaration is amended to have that subparagraph provide as follows:
 - u. No farm animals or exotic animals will be allowed in the Subdivision. Horses may be allowed following the Association approval of the terms and conditions thereof in accordance with the Association Rules and Regulations.
5. Paragraphs 6.1 and 6.8 of the Declaration are hereby amended to correct scrivener's errors therein by deleting any reference to "Prairie Ridge Estates Association" and substituting therefor the "Association for Woodland Valley Estates Subdivision".

IT IS FURTHER DECLARED that the Declaration be and is hereby ratified, approved and confirmed in all respects except as amended above.

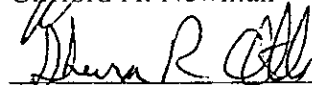
IT IS FURTHER DECLARED that this First Amendment to the Declaration shall be a covenant and restriction as part of the original Declaration and shall run with and bind the land for a term of twenty (20) years from the date the Declaration is recorded after which time they shall be automatically extended for successive periods of ten (10) years as provided by the original Declaration.

Dated this Sept 6 day of Sept, 2006.

Declarants:



Clifford A. Newman



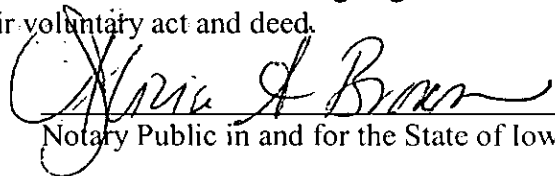
Sharon R. Otte

STATE OF IOWA

: ss

POLK COUNTY

On this 6th day of September, 2006, before me, the undersigned, a Notary Public in and for said State, personally appeared Clifford A. Newman and Sharon R. Otte to me known to be the identical persons named in and who executed the foregoing instrument and acknowledged that they executed the same as their voluntary act and deed.


Notary Public in and for the State of Iowa

ALICIA BROWN
Notary Public, State of Iowa
My Commission Expires 02-03-2009