



Document 2006 4226

Book 2006 Page 4226 Type 06 039 Pages 5

Date 10/13/2006 Time 12:34 PM

Rec Amt \$27.00

MICHELLE UTSLER, COUNTY RECORDER  
MADISON IOWA

COMPUTER	<input checked="" type="checkbox"/>
RECORDED	<input checked="" type="checkbox"/>
CLEAR ID	<input type="checkbox"/>

**Recorder's Cover Sheet**

**Preparer Information:**

Jerrold B. Oliver, Post Office Box 230, Winterset, (515) 462-3731

**Taxpayer Information:**

N/A

**✓ Return Address**

Jerrold B. Oliver  
P.O. Box 230  
Winterset, IA 50273

**Grantors:**

See Page Two

**Grantees:**

See Page Two

**Legal Description:**

See Page 5

**Document or instrument number if applicable:**

**AMENDMENT TO DECLARATION OF COVENANTS,  
CONDITIONS AND RESTRICTIONS  
TIMBER RIDGE ESTATES, PHASE II  
MADISON COUNTY, IOWA**

THIS AGREEMENT made and entered into by and between Exclusive Properties, LLC,  
Mary L. Cornwell, Single.

WHEREAS, the parties are the owners of all of the Lots included within and a part of  
Timber Ridge Estates, Phase II, Madison County, Iowa, located upon the following-described  
real estate:

See Attachment.

NOW THEREFORE IT IS AGREED AS FOLLOWS:

The Declaration of Covenants, Conditions and Restrictions for Timber Ridge Estates,  
Phase I, Madison County, Iowa, is hereby amended as follows:

1. Article I, Section 1, is hereby amended to read as follows:

“Association” shall refer to Timber Ridge of Madison  
County Homeowners’ Association, Inc. The Association shall be  
the homeowners’ association for Timber Ridge Estates, Phase I  
and Timber Ridge Estates, Phase II, Madison County, Iowa, which  
shall be a non-profit residential real estate management  
association, its successors and assigns.

2. Article I, Section 4 is hereby amended to read as follows:

“Common Area” shall mean and refer to the private  
roadways located in Timber Ridge Estates, Phase I, and Timber  
Ridge Estates, Phase II, Madison County, Iowa, maintained by the  
Association and Lot 17 of Phase I, including the improvements

thereon, ownership of which shall be retained by the Association for the common use and enjoyment of the owners. The Common Area shall also be all portions of paving, rock roads, and utilities located in the Common Area. Lot 17 of Phase I shall be conveyed to the Association.

3. Article I, Section 6 is hereby amended to read as follows:

“Association Responsibility Elements” shall mean the following, whether located upon a “Lot” or upon the “Common Area”: (a) The access roads constructed by the Declarant or the Association and owned by the Association; (b) Conduits, ducts, plumbing, wiring, pipes and other facilities located on the above roads which are carrying any service to any “Lot”; (c) Street signs owned by the Association, including such signs located on property owned by Madison County, Iowa; and (d) Lot 17 of Phase I.

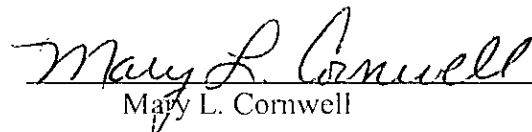
4. In all other respects the Declaration of Covenants, Conditions and Restrictions for Timber Ridge Estates, Phase II, Madison County, Iowa, is ratified and confirmed.

Dated: 10-3-06

EXCLUSIVE PROPERTIES, LLC

By

  
Secretary

  
Mary L. Cornwell

STATE OF IOWA, COUNTY OF Madison:

This instrument was acknowledged before me on the 9 day of OCTOBER, 2006, by Douglas D. Redenius as Secretary of Exclusive Properties, LLC

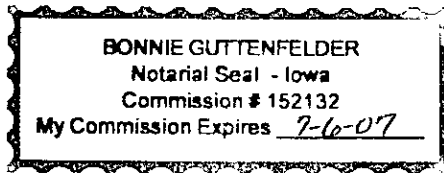


[Signature]  
Notary Public in and for said State

STATE OF IOWA, COUNTY OF MADISON:

This instrument was acknowledged before me on this 3<sup>rd</sup> day of October, 2006, Mary L. Cornwell.

Bonnie Guttenfelder  
Notary Public in and for said State



A part of the Northeast Quarter of Section 29, Township 77 North, Range 26 West of the 5<sup>th</sup> P.M., Madison County, Iowa more particularly described as follows:

Beginning at the East Quarter corner of Section 29, Township 77 North, Range 26 West of the 5<sup>th</sup> P.M., Madison County, Iowa; thence South  $83^{\circ}19'09''$  West 735.31 feet along the South line of Northeast Quarter of said Section 29 to the Southeast corner of Timber Ridge Estates, Phase 1; thence along the Easterly line of Timber Ridge Estates Phase 1, North  $16^{\circ}41'00''$  West 596.85 feet; thence North  $40^{\circ}41'27''$  West 710.00 feet; thence North  $53^{\circ}57'52''$  East 120.00 feet; thence North  $15^{\circ}01'13''$  West 670.00 feet; thence North  $28^{\circ}52'05''$  East 330.00 feet; thence North  $78^{\circ}27'06''$  West 760.00 feet; thence North  $01^{\circ}50'36''$  East 220.00 feet to the Northeast corner of Timber Ridge Estates, Phase 1 which is a point on the North line of the Northeast Quarter of said Section 29; thence North  $83^{\circ}15'35''$  East 2042.96 feet to the Northeast corner of said Section 29; thence South  $00^{\circ}12'18''$  West 2643.06 feet to the Point of Beginning containing 77.089 acres including 1.115 acres of County Road right-of-way. Said Parcel is divided into 21 lots numbered 18 through 38.