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LISA SMITH. COUNTY RECORDER  
MADISON IOWA

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

**Recorder's Cover Sheet**

**Preparer Information:** (name, address and phone number)

John E. Casper, 223 E. Court Avenue, P.O. Box 67, Winterset, Iowa 50273 515-462-4912

**Taxpayer Information:** (name and complete address)

Woodland Valley Estates  
2957 133<sup>rd</sup> Court  
Van Meter, Iowa 50261

**Return Document To:** (name and complete address)

John E. Casper  
P.O. Box 67  
Winterset, Iowa 50273

**Grantors:**

Woodland Valley Estates

**Grantees:**

Woodland Valley Estates

**Legal Description:** See page 2.

**Document or instrument number of previously recorded documents:**

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

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

**THIS SECOND 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 (½) of the Northeast Quarter (¼) of Section Twenty (20), and the South Half (½) of the Northwest Quarter (¼) of Section Twenty-one (21), all in Township Seventy-seven (77) North, Range Twenty-six (26) West of the 5<sup>th</sup> P.M., Madison County, more particularly described as follows:**

**Beginning at a iron pin found at the Northwest Corner of said South Half (½) of the Northeast Quarter (¼) 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 Declaration has been amended by the First Amendment to Declaration which has been filed on October 18, 2006 in the Madison County Recorder's Office in Book 2006 at Page 4296.

**WHEREAS**, the Declaration has been also recorded as part of the proceedings to dedicate Plat No. 2 to the Woodland Valley Estates Subdivision in Madison County, Iowa, which proceedings are dated May 24, 2006 and filed for record on July 5, 2006 in the Madison County Recorder's Office in Book 2006 at Page 2763.

**WHEREAS**, the Declarant desires to further amend the Declaration by this Second Amendment

to clarify the Definitions set forth in Article 3 of the Declaration as amended.

**WHEREAS**, this Second Amendment is a minor amendment by the Declarant pursuant to Article 7.5 of the Declaration for the sole purpose of clarification of terms.

**NOW THEREFORE**, Declarant, hereby declares that the Declaration previously made and filed as described above be and is hereby amended in Subparagraph 3.1(f) as follows:

- f. "Common Elements" or "General Common Elements" or "Common Areas" means all the Property which is shown on the Final Plat of the Subdivision of the land described on Exhibit "A" to be used as private drive right-of-way and utility access easements to the lots within the Subdivision. The Regime shall have and hold this right of way and access easement upon, along, and over which the private drive right of way is located within the Subdivision. Fee simple title to the underlying land subject to this right of way easement shall remain with the owner of the subdivided lots.

**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 Second 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 2-11 day of February, 2009.

Declarants

*Clifford A. Newman*  
Clifford A. Newman

*Sharon R. Otte*  
Sharon R. Otte

STATE OF IOWA :  
: ss  
POLK COUNTY :

On this 11 day of Feb, 2009, 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.

*Nicole Garrison*  
Notary Public in and for the State of Iowa

