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Polk County Iowa
JULIE M. HAGGERTY RECORDER
File# 2013-00066850

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Type of Document: Amendment to Declaration of Covenants, Condition,s and Restrictions

Ashley Johnson, D.R.A. Properties, L.C., 1525 NE 36th Street, Ankeny, Iowa 50021

Preparer Information: (Individual's Name, Street Address, City, Zip, Phone)

Ashley Johnson, D.R.A. Properties, L.C., 1525 NE 36th Street, Ankeny, Iowa 50021

Taxpayer Information: (Individual/Company Name, Street Address, City, Zip)

RETURN TO: Ashley Johnson, D.R.A. Properties, L.C., 1525 NE 36th Street, Ankeny, Iowa 50021

Return Document to: (Individual/Company Name, Street Address, City, Zip)

Grantors:

Grantees:

Legal Description:

Book & Page Reference:

FIRST AMENDMENT TO
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR PRAIRIE TRAIL PROPERTIES

THIS FIRST AMENDMENT TO DECLARATION (“Amendment”), made on the date hereinafter set forth by D.R.A. Properties, L.C., with its principal place of business in Polk County, Iowa, hereinafter referred to as "Declarant".

WITNESSETH:

WHEREAS, Declarant is the owner of certain property in Polk County, Iowa (the "Properties"), which was formerly described in Exhibit A, attached hereto and incorporated herein by reference, now including but not necessarily limited to the properties with legal descriptions as follows:

Precedence at Prairie Trail Plat 1, Precedence at Prairie Trail Plat 2, Precedence at Prairie Trail Plat 3, Precedence at Prairie Trail Plat 4, Precedence at Prairie Trail Plat 5, Precedence at Prairie Trail Plat 6, and Precedence West at Prairie Trail Plat 1, and all lots therein, both now included in and forming a part of the City of Ankeny, Polk County, Iowa;

WHEREAS, Declarant filed of record a “Declaration of Covenants, Conditions and Restrictions” for “Prairie Trail Property” on September 13, 2007 and recorded on September 19, 2007, Book/Page No. 12379/370, for the purpose of protecting the value and desirability of the Properties (the “Declaration”); and

WHEREAS, the above legal description of the Properties has changed, and Declarant desires to amend the Declaration to specify the modified legal description of the Properties.

NOW THEREFORE, Declarant hereby modifies the Declaration as follows:

1. Design and Construction. Section V. Design and Construction is amended by addition of the following:

D. All dwellings shall have Fiber-To-The-Premises (FTTP) wiring installed following the guidelines set forth in the FTTP Minimum Wiring Standards SFU with External ONT provided by CenturyLink, Inc.

2. Due Dates. Section XX. D. Date of Commencement of Regular Assessments: Due Dates is amended and replaced with the following:

The regular assessments provided for herein shall commence as to each respective Lot on the first day of the first month following the date of conveyance to an Owner of a Lot. The due dates for all assessments shall be established by the Board of Directors. The Association shall, upon demand, and for a reasonable charge, furnish a certificate in a recordable form signed by an officer of the Association setting forth whether the assessments

on a specified Lot have been paid. A properly executed certificate from the Association regarding the status of assessments on a Lot shall be binding upon the Association as of the date of its issuance.

Dated this 14 day of January, 2013.

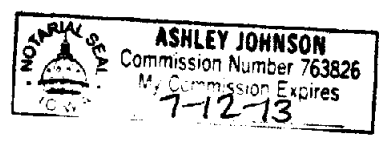
D.R.A. PROPERTIES, L.C.

By: Tara Meredith
Tara Meredith, Secretary

STATE OF IOWA)
) ss.
COUNTY OF POLK)

This instrument was acknowledged before me on January 14, 2013, by Tara Meredith, Secretary of D.R.A. Properties, LC.

Ashley Johnson
Notary Public in and for said State



My commission expires: 7-12-13

EXHIBIT A

Parcel "F" in the Northwest ¼ and the South ½ of Section 27, AND Parcel "G" in John Deere Place, an Official Plat, AND Parcel "H" in the Northeast ¼ of Section 27 and the Southeast ¼ of Section 22, AND Parcel "I" in the Southeast ¼ of Section 22 and the South ½ of Section 23 and the East ¼ of Section 27 and the North ½ of Section 26, all in Township 80 North, Range 24 West of the 5th P.M., City of Ankeny, Polk County, Iowa, all as described on that Plat of Survey recorded on September 20, 2005 in Book 11295, Page 669 in the Office of the Polk County Recorder, EXCEPT Parcel "L" of the Plat of Survey filed in the Office of the Recorder of Polk County, Iowa on April 20, 2007 and recorded in Book 12156, Page 89, said Parcel "L" being a part of Parcel "I" of the Plat of Survey recorded in Book 11295, Page 669, and a part of Parcel "K" of the Plat of Survey recorded in Book 11969, Page 32, AND EXCEPT Lot 1 of Ankeny Police Headquarters Plat 1, an Official Plat in the City of Ankeny, Polk County, Iowa;

AND

Lot 13 in John Deere Place, an Official Plat, now included in and forming a part of the City of Ankeny, Polk County, Iowa, and that part of Lot 11 in said John Deere Place conveyed to the City of Ankeny, Iowa by Quit Claim Deed filed June 9, 1965, in Book 3685, Page 325 in the Office of the Polk County Recorder;

AND

Parcel "J" of the Plat of Survey filed in the Office of the Recorder of Polk County, Iowa, on October 26, 2006 and recorded in Book 11920, Page 256, being a part of the SE ¼ of Section 27 and a part of the SW ¼ of Section 26; and Parcel "M" of the Plat of Survey filed in the Office of the Recorder of Polk County, Iowa, on April 20, 2007 and recorded in Book 12156, Page 90, being a part of the SW ¼ of Section 26, all in Township 80 North, Range 24 West of the 5th P.M., in the City of Ankeny, Polk County, Iowa.