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Recorded: 11/28/2007 at 01:28:23 PM
Fee Amt: \$47.00 Page 1 of 9
Revenue Tax: \$0.00
Polk County Iowa
JULIE M. HAGGERTY RECORDER
File# 2008-00043251
BK 12461 PG 974-982

RETURN TO:
RETURN TO:
Springwood Townhomes Assn., 3001 SE Turnberry Drive, Ankeny, Iowa 50021-Attn. Glen Davies

PREPARED BY: SPRINGWOOD TOWNHOMES ASSOCIATION
PAT HOLTZEN RULES AND REGULATIONS
3217 SE TURNBERRY DR. RESOLUTION
ANKENY, IA 50021 515-965-1089

WHEREAS, the Board of Directors of the Springwood Townhomes Association is empowered to govern the affairs of the Association pursuant to ARTICLES 11. and IV. of the ByLaws, to adopt and publish RULES & REGULATIONS pursuant to ARTICLE VIII, Section 10. (g) of the Amended DECLARATIONS, adopted 3 February, 2007 by the membership; and

WHEREAS, there is an immediate need to adopt specific RULES & REGULATIONS in order to correct "inadvertent mistakes" that were published in specific ARTICLES and Sections of the Amended DECLARATIONS, caused by and including, but not limited to changes in federal law affecting television reception, ARTICLES and Sections that are in direct conflict with other ARTICLES and Sections, and the need to immediately **delete** and/or **change** certain ARTICLES and/or Sections that were inserted as part of the original DECLARATIONS which, today, are not in the best interests of, and a definite detriment to, the well-being of the Association; and

WHEREAS, this RESOLUTION and the attached REVISED RULES & REGULATIONS, intended as part of this RESOLUTION, shall remain in effect until otherwise rescinded, modified or amended by the required majority of the membership;

NOW, THEREFORE, BE IT RESOLVED, THAT the following changes have been approved by the Board of Directors and that the attached REVISED RULES AND REGULATIONS shall have the intended effect of being a part of the Amended DECLARATIONS and that the REVISED RULES AND REGULATIONS shall take precedence in the governing process of the Board in conducting the affairs of the Association.

The following changes have been approved:

*page 2 - **Section 6. "Association Responsibility Elements"** shall mean the following:

(D) Any common wall between residential structures upon a Lot, except the interiors surfaces thereof.....(has been)

Deleted

because

(D) is in direct conflict with ARTICLE VII, Section 2. Sharing of Repair and Maintenance.

*pages 6 & 7 - **SECTION 8. INSURANCE AND INSURANCE ASSESSMENTS.**
(from the original):

- (a) the first paragraph has been **RE-WRITTEN**; and
- (b) the second paragraph has been **DELETED**; and
- (c) the third paragraph remains as written – it now becomes the second paragraph; and
- (d) the fourth paragraph has been **RE-WRITTEN**-it now becomes the third paragraph..

(please refer to **REVISED RULES AND REGULATIONS**, page 5 of this document for the entire text of the new **SECTION 8. INSURANCE AND INSURANCE ASSESSMENTS.**)

*page 8 - **SECTION 10. c) ADDITIONAL RESTRICTIONS** has been re-written as

10. c) No watercraft, trailers, recreational vehicles, or inoperable Vehicles, or any other vehicle with 6-wheels or more shall be stored or parked anywhere within the complex – **EXCEPT** – any or all of the above may be stored or parked at all times in the homeowner's garage (only)..
Emergency and/or company vehicles are not subject to the above while Performing "functions" usually associated with these type of vehicles.

continuation of Section 8-10 Insurance and Insurance Assessments and
Additional Restrictions

APPROVED BY:

DATE: August 14, 2007

SPRINGWOOD TOWNHOMES ASSOCIATION BOARD OF DIRECTORS

President: Patricia Holtzen Patricia Holtzen
Vice-President: Glen Davies Glen Davies
Secretary: Carol Schmacker Carol Schmacker
Treasurer: Tammy Hand Tammy Hand
Operations Director: Doris Dickel Doris Dickel

(Revised June 07)

SPRINGWOOD TOWNHOMES ASSOCIATION
RULES AND REGULATIONS RESOLUTION

As empowered by the SPRINGWOOD TOWNHOMES ASSOCIATION RULES & REGULATIONS RESOLUTION the following has been authorized by the Board of Directors to take effect on the date herein listed. References to pages, ARTICLES or Sections pertain to those published in the Amended DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS filed on 3Feb07 with the Recorder of Deeds, Polk Country, Iowa...

REVISED RULES AND REGULATIONS

Page 2 -

Section 6. "Association Responsibility Elements" shall mean the following:

- (A) the exterior surface of the residential structure upon a Lot, excluding the windows and doors; and
- (B) the structural portion of the residential structure upon a Lot, excluding the deck or other exterior structure(s); and
- (C) the roof and foundation of the residential structure upon a Lot;
- (D) driveways, sidewalks, streets and designated parking areas; and
- (E) conduits, ducts, plumbing, wiring, pipes and other facilities within the attic or basement of a residential structure, which are carrying any services to more than one (1) Lot; and
- (F) streetlights and Association signs/directions; and
- (G) Association planted trees, shrubs, bushes, flowers; rock gardens that face SE Turnberry Drive; decorative rock and north and south entrances to the properties..

APPROVED BY:

DATE: August 14, 2007

THE BOARD OF DIRECTORS OF THE
SPRINGWOOD TOWNHOMES ASSOCIATION

President:	<u>Patricia Holtzen</u>	Patricia Holtzen
Vice President:	<u>Glen Davies</u>	Glen Davies
Secretary:	<u>Carol Schmacker</u>	Carol Schmacker
Treasurer:	<u>Tammy Hand</u>	Tammy Hand
Operations Director:	<u>Doris Dickel</u>	Doris Dickel

(Revised June 07)

**SPRINGWOOD TOWNHOMES ASSOCIATION
RULES AND REGULATIONS**

As empowered by the Springwood Townhomes Association 's RULES & REGULATIONS RESOLUTION, the following has been authorized by the Board of Directors to take effect on the date herein listed. (All references to pages, ARTICLES, Sections pertain to those in the Amended COVENANTS).

REVISED RULES & REGULATIONS

Pages 6 & 7 of the Amended

DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS

Section 8. Insurance and Insurance Assessments. The Association shall obtain and maintain an insurance policy on behalf of the Owners that will be a blanket policy covering 100% replacement to include property liability, fire insurance with extended coverage endorsements including vandalism, debris removal, cost of demolition, malicious mischief, windstorm, water damage and all other perils which are customarily covered by the "all risk" endorsement. Such insurance shall insure all personal property of the Association, the exterior of all buildings constructed on the Lots, including the exteriors of the extended optional structures (season rooms) and the basic decks that were constructed by the builder.

Upon conveyance of a Lot to an Owner, the Owner shall pay the first year's premium at the time of conveyance. Thereafter, payments will be included in the monthly dues.

Each Owner may maintain insurance for his/her own benefit, insuring his/her personal liability, and including, but not limited, to:

- A. personal property and improvements – carpeting, drapes, wall coverings, furniture and furnishings; and
- B. fixtures and other property supplied or installed by him/her or a previous Owner; and
- C. fixtures, cabinets, counter-tops; and
- D. appliances used for ventilation, cooking, dishwashing or laundering; and
- E. interior walls, doors and windows; and
- F. permanently installed equipment used for ventilation of the Unit, including heating, ventilating, air conditioning equipment and ducts and ductwork for bath and cooking exhaust

provided that all such policies shall contain waivers of subrogation and further provided that the liability of the carriers issuing insurance obtained by the Association shall not be affected or diminished by reason of any such additional insurance carried by an Owner.

APPROVED BY:

DATE: August 14, 2007

THE BOARD OF DIRECTORS OF THE
SPRINGWOOD TOWNHOMES ASSOCIATION

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Vice President:	<u>Glen Davies</u>	Glen Davies
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Operations Director:	<u>Doris Dickel</u>	Doris Dickel

(Revised June 07)

**SPRINGWOOD TOWNHOMES ASSOCIATION
RULES AND REGULATIONS**

As empowered by the SPRINGWOOD TOWNHOMES ASSOCIATION'S RULES & REGULATIONS RESOLUTION, the following has been authorized by the Association's Board of Directors to take effect on the date herein listed. (All references to pages, ARTICLES or Sections pertain to those in the Amended DECLARATIONS OF COVENANTS, CONDITIONS AND RESTRICTIONS).

REVISED RULES & REGULATIONS

Page 8 of the Amended

DECLARATIONS OF COVENANTS, CONDITIONS AND RESTRICTIONS

Section 10. Additional Restrictions.

- (A) Nothing shall be altered in, constructed on or removed from the common area, except upon written consent of the Board of Directors of the Association, which may be given through regulations of the Association..
- (B) No livestock, poultry or other animals of any kind shall be raised, bred or kept in any Lot or in any common area, except an Owner shall be permitted to keep two (2) cats, one (1) dog or other household pet, with the EXCEPTION of all reptiles or rodents, subject to Rules and Regulations adopted by the Association, provided however, that in no event shall an Owner be permitted to keep any pet weighing more than 45 pounds.
- 1 – when pets are being walked or exercised outside the confines of the home they MUST be under controlled restraints, such as a leash, rope, chain, choke collar or similar device(s)..
- 2 – OWNERS ARE RESPONSIBLE for the clean up of any and all messes caused by their or visiting pets..
- 3 – GUIDE and/or SERVICE DOGS for the visually/hearing impaired or otherwise handicapped resident, shall be EXEMPT from all weight, restraints or number (of) restrictions..
- (C) No watercraft. Trailers, recreational vehicles, or inoperable vehicles, or any other vehicles with 6 – wheels or more shall be stored or parked anywhere within the complex –EXCEPT- any or all of the above may be stored or parked at all times in the homeowner's garage (only)..

Emergency and/or company vehicles are not subject to the above while performing "functions" usually associated with these type of vehicles.

- (D) No activity shall be allowed which interferes with the peaceful possession and use of the property by the Owners, nor shall any fire hazard or unsightly accumulation of refuse be allowed..
- (E) Nothing shall be done or kept in any Lot or in the common area which will increase the rate of insurance on the common area or the Association Responsibility Elements, without the prior written consent of the Association's Board of Directors. No Owner shall permit anything to be done or kept in his/her Lot or in the common area which will result in the cancellation of insurance on any Lot or any part of the common area or the Association Responsibility Elements, which would be in violation of any law, or which may become a nuisance or annoyance to other Owners..
- (F) All valid laws, zoning ordinances and regulations of all governmental bodies having jurisdiction shall be observed. The responsibility of meeting the requirements of governmental bodies which require maintenance modification or repair of properties shall be the same as the responsibility for the maintenance and repair of the property concerned..
- (G) The Association's Board of Directors shall have the authority to adopt Rules and Regulations governing the use of Lots, the common area and the Association Responsibility Elements, and such rules shall be observed and obeyed by the Owners, their guests, leasesses, assigns, and licensees..
- (H) Agents of, or contractors hired by the Board, or any appropriate Committee Chair or Member appointed by the Board, may enter any Lot when necessary in connection with any maintenance, landscaping or construction for which the Association is responsible, provided such entry shall be made with a little inconvenience to the Owner as practicable..
- (I) An Owner shall give notice to the Association of every lien against his/her Lot other than permitted mortgages, taxes, and Association assessments and of any suit or other proceedings, which may affect the title to his/her Lot, within 10 days after the lien, attaches or the Owner receives notice of such suit..

- (J) An Owner shall be liable to the Association for the expenses of any maintenance, Repair or replacement to the common area or Association Responsibility Elements rendered necessary by his/her act, neglect or carelessness, by that of his/her family, guests, employees, agents or lessees, which liability shall increase insurance rates resulting therefrom..
- (K) Police, firefighters, emergency units/personnel, inspectors or other public officials or law enforcement agencies shall have the same right of entry onto and the same enforcement powers as to the common area as they have with respect to public streets and publicly owned parks and areas..
- (L) No sign shall be placed upon any Lot except for a "For Sale" sign that is not homemade but professionally done..and
- (M) Trash receptacles shall be kept out of view from any part of the common area..
- (N) No personal property shall be stored or left upon a Lot EXCEPT within the residential structure or garage located upon the Lot including toys, basketball hoops, bikes, yard ornaments, statuary, etc.

APPROVED BY: _____ DATE: August 14, 2007
 SPRINGWOOD TOWNHOMES ASSOCIATION BOARD OF DIRECTORS

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 Vice President: Glen Davies Glen Davies
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 Treasurer: Tammy Hand Tammy Hand
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