

WHEN RECORDED RETURN TO:

Return to:
MARCUS F. ABELS
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1200 Hub Tower
Des Moines, IA 50309

FILED FOR RECORD
POLK COUNTY, IOWA

96 NOV 14 P 12: 08 9

TIMOTHY J. BRIEN
RECORDER

INST # 034395
RECORDING FEE 1000
AUDITOR FEE _____

pd

Prepared by Marcus F. Abels, 1200 Hub Tower, 699 Walnut Street, Des Moines, Iowa 50309-3940, 515-288-5000

**SECOND AMENDMENT TO DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS FOR THE
FALCON RIDGE TOWNHOME ASSOCIATION**

WHEREAS, Stubbs Investments, L.C., an Iowa Limited Liability Company, as Declarant, recorded a Declaration of Covenants, Conditions and Restrictions for the Falcon Ridge Townhome Association dated October 24, 1994, and filed December 6, 1994, in Book 7126, Page 619, in the records of the Polk County Recorder and amended pursuant to a First Amendment of Declaration of Covenants, Conditions and Restrictions for the Falcon Ridge Townhome Association dated May 10, 1995 and filed June 2, 1995 in Book 7203 at Page 934 in the records of the Polk County Recorder; and

WHEREAS, Stubbs Investments, L.C., holds more than two-thirds (2/3) of the voting rights pursuant to the provisions of Article XV, Section 2 of the above-described Declaration; and

WHEREAS, all of the other existing Owners of lots have unanimously requested that an amendment be made to the above-described Declaration; and

WHEREAS, Stubbs Investments, L.C., desires to amend the above-described Declaration as set forth below.

The above-described Declaration is hereby amended as follows:

1. Article XIII, Section 8, is hereby amended by adding thereto the following sentences at the end of Section 8:

Notwithstanding any restriction herein to the contrary, satellite dishes or parabolic devices not exceeding 18 inches in diameter may be installed by an Owner on or under the deck or in a window well associated with their Living Unit, or in such other location as may be approved by the Association. Provided, however, in no event shall satellite dishes or parabolic devices be placed or maintained in a manner that the Association deems to be aesthetically harmful to the appearance of the townhome development. (e.g., pole mounted devices visible to adjoining Owners.)

2. All of the provisions of the above-described Declaration, as amended, shall remain unchanged.

Dated 11-4, 1996.

STUBBS INVESTMENTS, L.C.

By Sharon Stubbs
Sharon Stubbs, Manager and
Secretary

STATE OF IOWA, POLK COUNTY, ss:

On this 4 day of Nov, 1996, before me, a Notary Public in and for the said State, personally appeared Sharon Stubbs, to me personally known, who being by me duly sworn did say that that person is Manager and Secretary of said limited liability company, that no seal has been procured by the said limited liability company and that said instrument was signed on behalf of the said limited liability company by authority of its managers and the said Sharon Stubbs acknowledged the execution of said instrument to be the voluntary act and deed of said limited liability company by it voluntarily executed.

TIMOTHY W. VANDERPLIG
MY COMMISSION EXPIRES
5-28-97

Timothy W. Vanderplig
Notary Public in and for said State