

**Recorded: 10/7/2021 at 9:33:39.0 AM**  
**County Recording Fee: \$27.00**  
**Iowa E-Filing Fee: \$3.00**  
**Combined Fee: \$30.00**  
**Revenue Tax:**  
**Polk County, Iowa**  
**Julie M. Haggerty RECORDER**  
**Number: 202100106290**  
**BK: 18794 PG: 813**

**WHEN RECORDED RETURN TO:**

Amy S. Beattie  
6701 Westown Parkway, Suite 100  
West Des Moines, Iowa 50266

Preparer Information: Amy S. Beattie, 6701 Westown Parkway, Suite 100, West Des Moines, Iowa 50266 (515) 274-1450

**THIRD AMENDMENT TO DECLARATION OF SUBMISSION  
OF PROPERTY TO HORIZONTAL PROPERTY REGIME FOR  
ROCK CREEK CONDOMINIUMS**

This Amendment is executed this 2 day of September, 2021, by  
Rock Creek Condominiums Owners Association, Inc., an Iowa corporation.

**WITNESSETH:**

WHEREAS, the Developer has created a certain condominium and townhome regime for Rock Creek by filing its Declaration of Submission of Property to Horizontal Property Regime ("Declaration") dated September 16, 2004, and recorded September 16, 2004 in Book 10735 at Page 379-433 in the Office of the Polk County Recorder, as amended by First Amendment to Declaration dated October 5, 2004, and recorded October 7, 2004 in Book 10765 at Page 367-368 in the Office of the Polk County Recorder and Second Amendment to Declaration dated January 12, 2005 and recorded January 14, 2005 in Book 10902 at Page 128-130 in the Office of the Polk County Recorder; and

WHEREAS, Article XIV, Section 1 of the Declaration provides that amendments should be made upon the affirmation of fifty-one percent (51%) of the Unit Owners and the Unit Owners hereby make the following amendment as set forth herein:

**ARTICLE I**

The provisions of Article IX, Section 2, Paragraph f of the Declaration are hereby stricken and the following is inserted in lieu thereof:

- f. Effective **October 1, 2021**, no living unit shall be rented and must be owner-occupied. Provided, however, any living unit which has a written lease

agreement with a tenant on January 1, 2022, shall be allowed to be rented until the unit is sold, at which time the unit may no longer be rented and must be owner-occupied.

**ARTICLE II**

In all other respects, the terms and conditions of the Declaration remain unchanged.

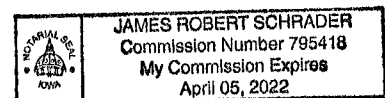
**ROCK CREEK CONDOMINIUMS OWNERS ASSOCIATION, INC.**

By: Donna M Loux  
Name: Donna Loux  
Title: President

**STATE OF IOWA, COUNTY OF POLK, ss:**

On the 3 day of September, 2021, before me, a Notary Public in and for the said State, personally appeared Donna Loux, to me personally known, who, being by me duly sworn, did say that she is the President of Rock Creek Condominiums Owners Association, Inc.; and that said instrument was signed on behalf of the said association by authority of its members and the said President acknowledged the execution of said instrument to be the voluntary act and deed of said association by it voluntarily executed.

James Robert Schrader  
Notary Public in and for said State of Iowa



Date	Owner	Address
09-02-21	By: Liz Eager	1655 34th Ave SW #12 Altoona, IA 50009
9-2-21	By: Kim Woods	1735 34th Ave #11 Altoona IA 50009
9-2-21	By: Jodie Siskin	1655 34th Ave SW #12 Altoona IA 50009
9-2-21	By: Michael J. Kyparis	1655 34th Ave SE Unit 2 Altoona, IA
9-2-21	By: Don Beckford	1655 34th Ave SW Unit Altoona
9-2-21	By: Jim Marlow	1655 34th Ave SW Unit 4
9-2-21	By: Virgil Peters	1655 34th Ave SW Unit 10
9/2/21	By: Paul Penn	1735 34th Ave SW Unit 4
9/2/21	By: Connie Warmbin	1735 34th Ave SW #5
9/2/21	By: Sharon A. Rausi	1735 34th Ave SW #1
9/2/21	By: Carolyn Alfness	1735 34th Ave SW #3
9/2/21	By: <sup>proxy for</sup> Carolyn Alfness	Nancy Peterson 1735 34th Ave SW #9
9/2/21	By: <sup>Proxy for</sup> Janifer Driver	Barb Nelson 1709 34th Ave SW #6
9/2/21	By: <sup>Proxy For</sup> Elizabeth Ann Law	Barb Nelson 1709 34th Ave SW #5

Date	Owner	Address
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9/2/21	By: Barb Nelson	Barb Nelson 1709 34 <sup>th</sup> Ave SW #4
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9/2/21	By: Kim Latta	1655 34 <sup>th</sup> Ave SW #8 Altamona Ia 50009
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9/2/21	By: (Diane Engle)	1735 34 <sup>th</sup> Ave SW #2 Altamona, Iowa 50009
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9/2/21	By: Donna Loup Proxy for	1735 34 <sup>th</sup> Ave #6 Altamona Ia 50009
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9/2/21	By: Donna Loup Proxy for	Heather Baird 1735 34 <sup>th</sup> Ave SW #7 Altamona Iowa 50009
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9/2/21	By: Donna Loup Proxy for	Hinda Vail 1709 34 <sup>th</sup> Ave SW #3 Altamona Iowa 50009
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9/2/21	By: Donna Loup Proxy for	Judy Marent 1735 34 <sup>th</sup> Ave SW #10 Altamona Iowa 50009
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9/2/21	By: Donna Loup Proxy for	Juan Carlos Rojas 1735 34 <sup>th</sup> Ave SW #12 Altamona Iowa 50009
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9/2/21	By: Donna Loup Proxy for	Melinda Jellus Drouk 1235 34 <sup>th</sup> Ave #8 Des Moines
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9/2/21	By: Barb Nelson	Douglas Heuton 1709 34 <sup>th</sup> Ave SW #12
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9/2/21	By: Barb Nelson	Martin Lester 1709 34 <sup>th</sup> Ave SW #9
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Date	Owner	Address
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9/2/2021	By: Cheryl Smith Cheryl Smith	1709 34th Ave SW Unit 7
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9/2/2021	By: Kolleen Dahl	1655 34th Ave SW Unit 3 Atlanta, IA 50009
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