

**Recorded: 8/1/2018 at 10:16:58.0 AM**  
**Fee Amount: \$22.00**  
**Revenue Tax:**  
**Polk County, Iowa**  
**Julie M. Haggerty RECORDER**  
**Number: 201800009059**  
**BK: 17021 PG: 856**

**Type of Document:** **AMENDED AND RERECORDED AMENDMENT TO  
DECLARATION OF COVENANTS, CONDITIONS,  
EASEMENTS AND RESTRICTIONS FOR LOTS 26-47,  
VENBURY PLAT 14, ALTOONA, IOWA**

**RETURN TO:** Amy S. Beattie, 6701 Westown Parkway, Suite 100, West Des Moines, IA 50266  
Telephone: 515-274-1450

**PREPARED BY:** Amy S. Beattie, 6701 Westown Parkway, Suite 100, West Des Moines, IA 50266  
Telephone: 515-274-1450

**Grantor(s):**

**Grantee(s):**

**Legal Description:** Lots 26 through 47 in VENBURY PLAT 14, an Official Plat,  
now included in and forming a part of the City of Altoona, Polk  
County, Iowa; and  
Lots 1 through 12, inclusive, in VENBURY PLAT 15, an  
Official Plat, now included in and forming a part of the City of  
Altoona, Polk County, Iowa

**Book and Page Reference Numbers:** **Book 8668 at Page 823**  
**Book 9176 at Page 820**  
**Book 16974 at Page 431**

Amended and rerecorded to include additional legal description.

**AMENDMENT TO DECLARATION OF  
COVENANTS, CONDITIONS, EASEMENTS, AND RESTRICTIONS FOR  
LOTS 26-47, VENBURY PLAT 14, ALTOONA IOWA**

This Amendment to Declaration of Covenants, Conditions, Easements, and Restrictions For Lots 26-47, Venbury Plat 14, Altoona, Iowa is executed on this 12<sup>th</sup> day of June, 2018 by The Venbury II Townhome Owners' Association, as representative of a majority of the votes of the Owners under this below referenced declaration.

WHEREAS, the Declaration of Covenants, Conditions, Easements, and Restrictions for Lot 26-47, Venbury Plat 14, Altoona, Iowa was recorded on the 26<sup>th</sup> day of December, 2000, in Book 8668 at Page 823 of the records of the Polk County, Iowa Recorder (the "Declaration"), and as amended by a First Modification of the Declaration of Covenants, Conditions, Easements, and Restrictions for Lots 26-47, Venbury Plat 14, Altoona, Iowa, recorded the 10<sup>th</sup> day of August, 2002, in Book 9176 at page 820 of the records of the Polk County, Iowa Recorder establishes a townhome development on real estate located in Altoona, Polk County, Iowa legally described as:

Lots 26 through 47 in VENBURY PLAT 14, an Official Plat, now included in and forming a part of the City of Altoona, Polk County, Iowa; and

Lots 1 through 12, inclusive, in VENBURY PLAT 15, an Official Plat, now included in and forming a part of the City of Altoona, Polk County, Iowa

WHEREAS, pursuant to Article XII, Section 2, of the Declarations, the Declaration may be amended or changed at any time by an instrument recorded in the Office of the Recorder of Polk County, Iowa signed or approved in writing by two-thirds (2/3) of the Owners with voting rights; and

WHEREAS, two thirds (2/3) or more of the Owners, acting by and through The Venbury II Townhome Owners' Association do desire to hereby amend and modify the Declaration with respect to certain insurance obligations of the Association.

NOW THEREFORE, in consideration of the premises, the Declaration shall be amended as follows:

1. AMENDMENT TO ARTICLE I, DEFINITIONS, SECTION 2: Article I, Section 2, subsection (a) which reads "The exterior surface of the buildings upon a Lot, excluding windows, doors, patios and decks" shall be deleted in its entirety and the following shall be inserted in lieu of:  

(a) The exterior surface of the buildings upon a Lot.
2. AMENDMENT TO ARTICLE I, DEFINITIONS, SECTION 2: Article I, Section 2, subsection (d) which reads: "Any common wall between residential structures within a Lot" shall be deleted in its entirety.

3. AMENDMENT TO ARTICLE VI, INSURANCE, SECTION 5, ADDITIONAL INSURANCE which reads: "Each Owner shall be solely responsible for and may obtain such additional Liability and property insurance as he or she deems necessary or desirable, at his or her own expense, to provide coverage upon his or her personal property, the contents of his or her residence, his or her personal property stored elsewhere on the Properties, and for his or her personal liability" shall be deleted in its entirety and the following shall be inserted in lieu of:

SECTION 5. ADDITIONAL INSURANCE – Each Unit Owner shall be solely responsible for and may obtain such additional property insurance, at his or her own expense, to insure Unit Owner's improvements and betterments, including fixtures, alterations, installations or additions that are made a part of the building/structure that the Unit Owner owns but cannot remove, at replacement cost coverage. Additionally, each Unit Owner shall be solely responsible for and may obtain such additional property and liability insurance as he or she deems necessary or desirable, at his or her own expense, to provide coverage upon his or her personal property, the contents of his or her residence, his or her personal property stored elsewhere on the Properties, and for his or her personal liability.

4. CONTINUED EFFECTIVENESS OF THE DECLARATIONS. Except as amended by this Amendment, the Declaration shall remain unchanged and in full force and effect.

IN WITNESS WHEREOF, the undersigned has executed this Amendment to the Declaration as of the date and year first above written.

THE VENBURY II TOWNHOME OWNER'S  
ASSOCIATION, an Iowa nonprofit corporation

Signed

Printed

Richard Blanchard  
President

STATE OF IOWA     )  
                                  ) SS:  
COUNTY OF POLK    )

On this 15 day of June 2018, before me, the undersigned, a Notary Public in and for the state of Iowa, personally appeared Richard Blanchard to me personally known, who by me duly sworn did say that s/he is the President of the nonprofit corporation executing this foregoing instrument, that said instrument was signed on behalf of The Venbury II Townhome Owners' Association, by authority of its members; and that the aforementioned President acknowledged the foregoing

instrument to be the voluntary act and deed of the aforementioned corporation, by it and voluntarily executed.

*Nancy L Thornton*  
Notary Public in and for the State of Iowa

