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County Recording Fee: \$37.00
Iowa E-Filing Fee: \$3.00
Combined Fee: \$40.00
Revenue Tax:
Polk County, Iowa
Julie M. Haggerty RECORDER
Number: 202200048478
BK: 19151 PG: 514

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

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

This Amendment is executed this 15th day of May, 2022, by Venbury II Townhomes Owners' Association, an Iowa corporation, as representative of a majority of the votes of the Owners under this below referenced declaration.

WITNESSETH:

WHEREAS, the Developer has created a certain townhome association for Lots 26-47 in Venbury Plat 14 and Lots 1-12 in Venbury Plat 15, City of Altoona, by filing its Declaration of Covenants, Conditions, Easements and Restrictions ("Declaration") dated December 14, 2000, and recorded December 26, 2000, in Book 8668 at Page 823 in the Office of the Polk County Recorder, as amended by First Modification to Declaration recorded August 10, 2002, in Book 9176 at Page 820 in the Office of the Polk County Recorder and Second Amendment to Declaration recorded August 18, 2014, in Book 15292 at Page 98-99 in the Office of the Polk County Recorder;

WHEREAS, pursuant to Article XIII, Section 2 of the Declaration, the Declaration may be amended by an instrument recorded in the Office of the Polk County Recorder 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 Townhomes Owners' Association do desire to hereby amend and modify the Declaration.

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

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

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

This Amendment is executed this 11th day of May, 2022, by Venbury II Townhomes Owners' Association, an Iowa corporation, as representative of a majority of the votes of the Owners under this below referenced declaration.

WITNESSETH:

WHEREAS, the Developer has created a certain townhome association for Lots 26-47 in Venbury Plat 14 and Lots 1-12 in Venbury Plat 15, City of Altoona, by filing its Declaration of Covenants, Conditions, Easements and Restrictions ("Declaration") dated December 14, 2000, and recorded December 26, 2000, in Book 8668 at Page 823 in the Office of the Polk County Recorder, as amended by First Modification to Declaration recorded August 10, 2002, in Book 9176 at Page 820 in the Office of the Polk County Recorder and Second Amendment to Declaration recorded August 18, 2014, in Book 15292 at Page 98-99 in the Office of the Polk County Recorder;

WHEREAS, pursuant to Article XIII, Section 2 of the Declaration, the Declaration may be amended by an instrument recorded in the Office of the Polk County Recorder 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 Townhomes Owners' Association do desire to hereby amend and modify the Declaration.

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

ARTICLE I

The provisions of Article XII, "Use Restrictions," of the Declaration are hereby amended by adding the following Section 21 thereto:

Section 21. Owner Occupation. Effective June 1, 2022, 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 June 1, 2022, shall be allowed to be rented until the unit is sold, at which time the unit must be owner-occupied.

ARTICLE II

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

VENBURY II TOWNHOMES OWNERS' ASSOCIATION

By: Mark R. Holiday
Name: MARK R. HOLIDAY
Title: PRESIDENT

STATE OF IOWA, COUNTY OF POLK, ss:

On the 14th day of May, 2022, before me, a Notary Public in and for the said State, personally appeared Mark Holiday, to me personally known, who, being by me duly sworn, did say that he/she is the President of Venbury II Townhomes Owners' Association; and that said instrument was signed on behalf of the said association by authority of its members and the said person acknowledged the execution of said instrument to be the voluntary act and deed of said association by it voluntarily executed.

Carrie Gulling
Notary Public in and for said State of Iowa

