

FIRST AMENDMENT TO DECLARATION OF RESIDENTIAL
COVENANTS, CONDITIONS AND RESTRICTIONS

This Declaration is made this 30TH day of October, 1992, by the Declarant, Windfield Development, Inc.

WHEREAS, Declarant is the Owner of certain real property located in the City of Waukee, the County of Dallas, in the State of Iowa, which is legally described as:

Windfield Plat 1, an Official Plat, now included in and forming a part of the City of Waukee, Iowa.

WHEREAS, on the 3rd day of September, 1992, Declarant executed a certain Declaration of Residential Covenants, Conditions and Restrictions (the "Declaration"), pertaining to Windfield Plat 1;

WHEREAS, Declarant filed the Declaration on the 14th day of September, 1992, in Book 725 at Page 70 of the records of the Recorder of Dallas County, Iowa;

WHEREAS, Declarant has determined that it is appropriate to Amend and correct the Declaration of Residential Covenants, Conditions and Restrictions,

NOW, THEREFORE, pursuant to Article XIX of the Declaration, Declarant hereby amends the Declaration by adding the following provision as Article XVIII.A.:

All dwellings shall have a sump pump and a subgrade drainage system installed in a manner which complies with all ordinances, statutes and applicable building codes of the City of Waukee, Iowa. The Owner and/or occupant of each Lot on which a dwelling has been constructed, shall maintain the sump pump in good operating condition at all times.

The Declaration is further amended and is corrected by striking the name "Windfield, Inc." in each appearance in the Declaration and substituting in place thereof the name "Windfield Development, Inc."

All other terms, provisions and conditions of the Declaration are hereby affirmed.

Declarant hereby re-declares that Windfield Plat 1 shall be held, sold and conveyed subject to the restrictions,

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BOOK - 729 PAGE 0076

covenants, and conditions contained in the Declaration, as amended, which Declaration, as amended, shall run with the land and shall be binding on all parties having any right, title or interest therein or any part thereof, their heirs, successors and assigns, and shall inure to the benefit of each owner thereof.

This First Amendment to Declaration of Residential Covenants, Conditions and Restrictions, was made the date first written above by Windfield Development, Inc., Declarant.

WINDFIELD DEVELOPMENT, INC.

By: Michael R. Myers
Michael R. Myers,
President

STATE OF IOWA)
) SS
COUNTY OF POLK)

On this 30th day of October, 1992, before me a Notary Public in and for Polk County, personally appeared Michael R. Myers, to me personally known, who being by me duly sworn did say that he is the President of Windfield Development, Inc., that no seal has been procured by Windfield Development, Inc. and that said instrument was signed on behalf of Windfield Development, Inc. by authority of its board of directors and Michael R. Myers, as President, acknowledged the execution of said instrument to be the voluntary act and deed of Windfield Development, Inc. by it and by him voluntarily executed.



Amy R. Pruitt
_____, NOTARY PUBLIC IN FOR
AND FOR THE STATE OF IOWA AND COUNTY OF POLK

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