

**AMENDMENT
TO
DECLARATION OF COVENANTS, CONDITIONS
AND RESTRICTIONS FOR
QUAIL MEADOWS TOWNHOMES ASSOCIATION**

Preparer Information:

Brett T. Osborn
Abbot Osborn Jacobs PLC
974 - 73rd Street, Suite 16
West Des Moines, IA 50265
Telephone (515) 223-6000

Taxpayer Information:

Quail Meadows Townhomes Association
974 73rd Street, Suite 16
West Des Moines, IA 50265

Return Document to:

Brett T. Osborn
Abbot Osborn Jacobs PLC
974 - 73rd Street, Suite 16
West Des Moines, IA 50265

Grantor:

Quail Meadows Townhomes Association

**AMENDMENT
TO
DECLARATION OF COVENANTS, CONDITIONS
AND RESTRICTIONS FOR
QUAIL MEADOWS TOWNHOMES ASSOCIATION**

That **Quail Meadows Townhomes Association**, an Iowa Corporation, is charged with the responsibility of enforcement of the Declaration of Covenants, Conditions and Restrictions and the management of the common areas of the Properties under the original Declaration of Covenants, Conditions and Restrictions dated June 6, 2019, filed July 22, 2019, as Instrument No. 2019-05501 of the Warren County Recorder's Office, regarding Lots 1 through 16, in Quail Meadows Townhomes, an Official Plat, now included in and forming a part of the City of Indianola, Warren County, Iowa and Outlot X in Quail Meadows Plat 1, an Official Plat in Indianola, Warren County, Iowa. The Properties are legally described as:

Lots 1 – 16 in Quail Meadows Townhomes, an Official Plat in Indianola, Warren County, Iowa.

AND

Outlot X in Quail Meadows Plat 1, an Official Plat in Indianola, Warren County, Iowa.

Article XII, Section 6 of the Declaration of Covenants, Conditions and Restrictions provides for the procedure for the amendment to the Declaration. Crimson Development, Inc. is the current Declarant, by virtue of an assignment of declarant rights filed June 23, 2021 as Instrument No. 2021-0789 of the Warren County Recorder's Office. Declarant is the owner of lots 9 and 12 in Quail Meadows Townhomes, and is the sole voting member of Quail Meadows Townhomes Association. Crimson Development, Inc. as Declarant and as sole voting member of Quail Meadows Townhomes Association has the right and authority to amend the Declaration of Covenants, Conditions and Restrictions filed July 22, 2019 as Instrument No. 2019-05501 of the Warren County Recorder's Office. Therefore, Declarant hereby amends said Declaration of Covenants, Conditions and Restrictions in the manner set forth below:

1. Article XI Section 3 of the original Declaration of Covenants, Conditions and Restrictions is hereby amended by the addition at the end of the section of the following terms, condition, and exceptions:

The Declarant, Crimson Development, Inc. holds Lots 9 and 12 for the purpose of income or rental property. Until such time that it sells or transfers the lots to a third party, Crimson Development, Inc. will have the absolute right, without regard to any later amendment to this Declaration, to own Lots / Units as income property and lease / rent / license or utilize the Lots / Units

in any lawful manner. Leases will be for a period of time no less than one (1) year. The Declarant has the absolute right and lawful ability to license, lease, or rent its units as income property and is and will be grandfathered as such without regard to any later modification or amendment to the Declaration of Covenants, Conditions and Restrictions, Bylaws of the Association, or otherwise.

Granted by the Declarant and said Amendment to the Declaration Covenants, Conditions and Restrictions was approved by a vote of the sole voting member of the Association (the Declarant) on the 30th day of November, 2023.

In all other respects, the terms and conditions of the original Declaration of Covenants, Conditions and Restrictions, as amended, shall remain unchanged and in full force and effect.

Signed this 30th day of November, 2023.


Quail Meadows Townhomes Association

By: **Declarant:** Crimson Development, Inc.

By: 
Mark F. Behr II, President

STATE OF IOWA)
)ss
COUNTY OF POLK)

On this 30th day of November, 2023, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Mark F. Behr II, to me personally known, who being by me duly sworn, did say that he/she is the **President** of the corporation executing the within and foregoing instrument, that no seal has been procured by the corporation; that said instrument was signed on behalf of the corporation by authority of its Board of Directors; and that Mark F. Behr II, as such officer, acknowledged the execution of the foregoing instrument to be the voluntary act and deed of the corporation, by it and by his/her voluntarily executed.



NOTARY PUBLIC IN AND FOR THE
STATE OF IOWA

