

Handwritten mark resembling a stylized 'M' or 'W' with a small '2' in a circle to the right.



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Fee Amt: \$17.00 Page 1 of 3
Polk County Iowa
TIMOTHY J. BRIEN RECORDER
File# 2006-00034646

BK **11318** PG **123-125**

**THIRD AMENDMENT TO DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS
FOR
TWIN GATES PLATS 1 AND 2 AREA A**

Recorder's Cover Sheet

RETURN TO:

Preparer Information: (name, address and phone number)

Jeremy C. Sharpe, Esq., 666 Walnut Street, Suite 2000, Des Moines, IA 50309-3989, Phone 515-243-7100

Taxpayer Information: (name and complete address)

Savannah Homes, Inc.
1309 50th Street
West Des Moines, IA 50266

Return Document To: (name and complete address)

Preparer

Grantors:

Savannah Homes, Inc.

Grantees:

To Whom It May Concern

Legal Description: See Page 2.

Document or instrument number of previously recorded documents: Not Applicable.

NOTE: THIS COVER PAGE IS PREPARED IN COMPLIANCE WITH IOWA CODE SECTION 331.606B, (2005). THIS COVER PAGE IS PROVIDED FOR INFORMATION PURPOSES ONLY.

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Jeremy C. Sharpe, Esq. ISBA #000005034

**THIRD AMENDMENT TO DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS
FOR
TWIN GATES PLATS 1 AND 2 AREA A**

THIS THIRD AMENDMENT TO DECLARATION, is made on this 21st day of September, 2005 by SAVANNAH HOMES, INC., with its principal place of business in Polk County, Iowa, hereinafter referred to as "Declarant".

WITNESSETH:

WHEREAS, the Declarant has filed of record a Declaration of Covenants, Conditions and Restrictions for Twin Gates Plats 1 and 2 Area A filed in Book 9219 at Page 842 of the Polk County, Iowa records, as amended by a First Amendment (the "First Amendment") recorded in Book 9888 at Page 17 of said records and by a Second Amendment (the "Second Amendment") recorded in Book 10483 at Page 174 of said records, and is supplemented by First Supplemental Declaration of Covenants, Conditions and Restrictions for Twin Gates Plats 1 and 2 Area A (the "First Supplemental Declaration") recorded in Book 9921 at Page 855 of the said records (the original Declaration as so amended and supplemented hereinafter referred to as "The Declaration") pertaining to the real estate in Ankeny, Polk County, Iowa, legally described as follows:

Lots 33 through 53, Lots 38A, 39A, 40A, 41A, 48A, 49A, 50A, and Outlots V, X, Y and Z in Twin Gates Plat 1, Lots 54A, 55A, 56A, 57A, 58A, 59A, 54B, 55B, 56B, 57B, 58B, 59B, 54C, 55C, 56C, 57C, 58C, 59C, Lots G1 through G18 and Outlot Z, all in Twin Gates Plat 1 Replat, an Official Plat, and Lots 43 through 62, Lots 63A, 64A, 65A, 66A, 63B, 64B, 65B, 66B, 63C, 64C, 65C, 66C, Lots G43 through G52 and Outlot Z of Twin Gates Plat 2, an Official Plat, all now included in and forming a part of the City of Ankeny, Polk County, Iowa;

and

WHEREAS, Pursuant to Section 12C of the Declaration the Declarant may amend the Declaration within five years after its recordation in order to correct any of the provisions of the Declaration, and Declarant desires hereby to correct certain typographical errors appearing in the First Supplemental Declaration and in the Second Amendment and to correct certain references to the lots made subject to the terms of the Declaration.

NOW THEREFORE, in consideration of the premises, the Declarant hereby amends The Declaration as follows:

1. The reference in Section 2 of the First Supplemental Declaration as to Lots dedicated as Phase 2 of the development is hereby corrected to add Lots G53 and G54 in Twin Gates

Plat 2 to the other Lots referenced therein as being part of Phase 2 of the development and submitted to the development and to the terms of the Declaration.

- 2. The reference in the first WHEREAS clause of the Second Amendment is hereby corrected to include Lots G53 and G54 in Twin Gates Plat 2 to the description of the real estate to which the Declaration pertains.

Except as amended hereby, The Declaration shall remain unchanged and in full force and effect.

IN WITNESS WHEREOF, the Declarant has caused this Third Amendment to Declaration to be executed as of the date first above written.

SAVANNAH HOMES, INC., Declarant

By: *Ted A. Grob*
Ted A. Grob, President

STATE OF IOWA)
)ss:
COUNTY OF POLK)

This instrument was acknowledged before me on the 26th day of September, 2005 by Ted A. Grob as President of Savannah Home on behalf of whom this instrument was executed.

Linda Aldrich
Notary Public in and for the State of Iowa
Linda Aldrich
Notarial Seal - IOWA
Commission No. 133049
My Commission Expires
12-23-05

BELIN LAMSON McCORMICK ZUMBACH FLYNN
A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW

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Mark McCormick	Sue Luetjohann Seitz	Sheila K. Tipton	Garth D. Adams	Silvia J. Hansell	(1928 – 1999)
Steven E. Zumbach	Jeremy C. Sharpe	Mark E. Weinhardt	Michael R. Reck	Michael B. Abbott	Roger T. Stetson
Thomas L. Flynn	John T. Seitz	Dennis P. Ogden	Wayne E. Reames	Nathanael J. Blake	(1953 – 2004)
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October 6, 2005

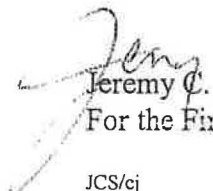
Ted Grob
Savannah Homes
1309 50th Street
West Des Moines, IA 50266

RE: Third Amendment To Declaration of Covenants
For Twin Gates Plats 1 and 2 Area A

Dear Ted:

Enclosed for your file is the recorded Third Amendment To Declaration of Covenants, Conditions and Restrictions for Twin Gates Plats 1 and 2 Area A by which we added Lots G53 and G54 in Twin Gates Plat 2 as Lots subject to the terms of the Declaration.

Yours very truly,


Jeremy C. Sharpe
For the Firm

JCS/cj

Enclosure

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