

369  
2/7/93

MARCUS F. ABELS  
Attorney at Law  
1200 Hub Tower  
Des Moines, IA 50309

AFFIDAVIT OF SECRETARY

INST # 064561  
RECORDING FEE 30.00  
AUDITOR FEE \_\_\_\_\_

STATE OF IOWA )  
                  )SS  
COUNTY OF POLK )

I, Susan Caley, being first duly sworn, do hereby depose and state that I am the Secretary for West Cove Townhomes Association, and I give this Affidavit in regard to the following described real estate:

Lots 1 through 84, both inclusive, and Lots X, Y, and Z in West Cove, an Official Plat, West Des Moines, Iowa.

I further state that the attached Amendment to Declaration was duly approved by a majority of the Owners of West Cove Townhomes. I further state that the persons listed on the signature pages attached to said Amendment to Declaration are all of the Owners as shown by the records of the West Cove Townhomes Association as of the date hereof.

Dated this 28<sup>th</sup> day of February, 1993.

Susan A. Caley  
Susan Caley, Secretary

Subscribed and sworn to before me a notary public this 28<sup>th</sup> day of February, 1993.

Mike M. [Signature]  
NOTARY PUBLIC IN AND FOR THE  
STATE OF IOWA

FILED FOR RECORD  
POLK COUNTY, IOWA  
93 FEB 25 P 12:04  
TIMOTHY J. BRIEN  
RECORDER

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**FIRST AMENDMENT TO DECLARATION  
OF COVENANTS, CONDITIONS AND RESTRICTIONS  
FOR WEST COVE TOWNHOMES**

WHEREAS, there is a Declaration of Covenants, Conditions and Restrictions for West Cove Townhomes dated June 17, 1988 and recorded June 21, 1988 in Book 5887 at Page 407 in the records of the Polk County Recorder, concerning the following described real estate:

Lots 1 through 84, both inclusive, and Lots X, Y, and Z in West Cove, an Official Plat, West Des Moines, Iowa.

and

WHEREAS, said Declaration may be amended in accordance with Article XV, Section 2, by an instrument recorded in the Office of the Recorder of Polk County, Iowa, signed or approved in writing by a majority of the then owners, and

WHEREAS, a majority of the owners desire to amend the Declaration as described herein.

NOW THEREFORE, the Declaration is hereby amended as follows:

1. Article IV, Section 8 is amended by the addition of the following unnumbered paragraph immediately following the existing paragraph:

Any assessment not paid within fifteen (15) days after the due date will be subject to the addition of a Ten Dollar (\$10.00) late payment penalty, and an additional Ten Dollar (\$10.00) late payment penalty will be added every fifteen (15) days thereafter that said assessment remains unpaid. Said late payment penalty may be enforced in the same manner as the assessment.

2. Except as amended herein, all terms and provisions of the Declaration shall remain unchanged and in full force and effect.

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The undersigned owners hereby approve the foregoing  
Amendment to the Declaration:

HOMEOWNER(S)

- 1A Dushan & June Orlich Dushan Orlich see  
June Orlich
- 1B Becki Shoemaker & Clara Knauer Becky Shoemaker
- 1C Michael & Verlinda Wooten Michael Wooten  
Verlinda Wooten
- 1D Jeffrey & Kristen Christianson Jeff Christianson
- 1E Bonita Schultz Bonita Schultz
- 1F Steven & Jessie Maurer Jessie Maurer  
Steven Maurer jsm
- 2A Dorothy M. Thomas Dorothy Thomas
- 2B Ann Matthews Ann Matthews
- 2C Robert Magaha - moved Robert Magaha
- 2D Patricia Brown Patricia Brown
- 2E Marian Harris Marian Harris
- 2F Greg Duistermas Greg Duistermas, CO
- 3A Dale Vogel Dale Vogel
- 3B Thomas & Hellen Williamson Thomas Williamson  
H Williamson
- 3C Kathleen Hoxie Kathleen Hoxie
- 3D Cheryl Gaskell \_\_\_\_\_
- 3E Ann Howland \_\_\_\_\_

- 3F Greg Michael & Debbie Clark
- ✓ 4A Kevin & Joy Wilhelm
- 4B Jane Hardcastle
- ✓ 4C Daryl Frey
- ✓ 4D Sue Phipps
- ✓ 4E Vicki Wiskow
- ✓ 4F Wanda Smith
- ✓ 5A William & Deborah Pedrick
- 5B Duane & Arlene Crawford
- ✓ 5C Denise Hayes
- ✓ 5D Dennis Brehm
- ✓ 5E Brian Carroll
- 5F Donald & Mary Evans
- 6A Donald & Lacy Chafa
- ✓ 6B Charlotte Morrison
- ✓ 6C Jeanne Morris
- 6D Chris & Janola Taylor
- 6E Jeanne Reynolds
- 6F Kathleen Dunbar
- 7A Judy Krammerer

*Debbie Clark*  
*Kevin Wilhelm*  
*Joy Wilhelm*  
*Jane Hardcastle*  
*Daryl Frey*  


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*William S. Pedrick (4/4)*  
*Deborah L. Pedrick*  
*Duane Crawford*  
*Arlene Crawford*  


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*Denise Hayes*  


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*Dennis Brehm*  


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*Brian Carroll*  


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*Donald R. Evans*  
*Mary Evans*  


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*Donald Chafa*  
*Lacy Chafa*  


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*Charlotte Morrison*  


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*Jeanne Morris*  


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*Chris A. Taylor*  
*Janola Taylor*  


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*Jeanne Reynolds*  


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*Kathleen Dunbar*  


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*Judy Krammerer*

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Against James from "backed in cars" -3-  
in the many cases the court.

- 7B Margaret Donnelly
- ✓7C William & Elaine Milligan
- 7D Marianne Smaorey
- 7E Judith Milosevich
- 7F Steven Rovane
- ✓8A Michelle Harms
- 8B Marc Parker
- 8C Eric Bergman
- 8D Susan Larson
- 8E Brenda Schelton
- 8F Lavonne Smart
- 9A Nancy Vangenderen
- 9E Debra Boswell
- 9C Danielle Welsh *-moved*
- 9D Diane Sander
- 9E Ruther Bierbaum
- 9F Barry Crees
- 10A Bud & ~~Deanna~~ Vial  
*Donna*
- 10B Connie Ferree
- 10C Susan Caley
- 10D Mary Brockway
- 10E Lanah Boeck
- 10F Duane & Aleen Gardner

*Margaret Donnelly*  
*Elaine B Milligan*  
*William R Milligan*  
*Marianne Smaorey*  
*Judith Milosevich*  
*Steven Rovane*  
*Michelle Harms*  
*Marc Parker*  
*Eric Bergman*  
*Susan Larson*  
  
*Nancy Vangenderen*  
  
*Diane Sander*  
*Ruth Bierbaum*  
  
*Bud Vial*  
*Donna Vial*  
*Connie Ferree*  
*Susan A. Caley*  
*Mary T. Brockway*  
*Lanah Boeck*  
*Duane & Aleen Gardner*

\* 11A Judy Rupprecht  
*won't sign-moving*

