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Doc ID: 014492800002 Type: GEN
Recorded: 01/29/2004 at 09:50:05 AM
Fee Amt: \$16.00 Page 1 of 2
Polk County Iowa
TIMOTHY J. BRIEN RECORDER
File# 2004-00091572

BK **10370** PG **529-530**

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WHEN RECORDED RETURN TO: Eugene E. Olson, Attorney at Law, 300 Bank of America Building, 317 Sixth Avenue, Des Moines, Iowa 50309-4127. Phone: 515/243-8157

AMENDMENT TO DECLARATION OF ASHTON POINTE HOMEOWNERS' ASSOCIATION

In re: Lots 1 through 82, inclusive, in Ashton Pointe Plat 2, an Official Plat, now included in and forming a part of the City of Johnston, Polk County, Iowa.

This Amendment to Declaration is executed this 14th day of January, 2004, by **ASHTON POINTE, L.L.C.**, an Iowa limited liability company ("Ashton Pointe").

WITNESSETH:

WHEREAS, Ashton Pointe filed a Declaration of Homeowners' Association for Ashton Pointe on the 14th day of October, 2003, in Book 10212 at Pages 75-86 of the records of the Recorder of Polk County, Iowa ("Declaration"); and

WHEREAS, Article VII, Section 10, of the Declaration provides that additional land may be subjected to the terms of the Declaration filed by Ashton Pointe; and

WHEREAS, Ashton Pointe desires to subject additional land, specifically, Lots 1 through 82, inclusive, in Ashton Pointe Plat 2, an Official Plat, now included in and forming a part of the City of Johnston, Polk County, Iowa, to the terms of the Declaration;

NOW, THEREFORE, Ashton Pointe, by the execution and recording of this document, hereby amends the above described Declaration as set forth herein:

1. **Amendment Concerning Additional Land.**

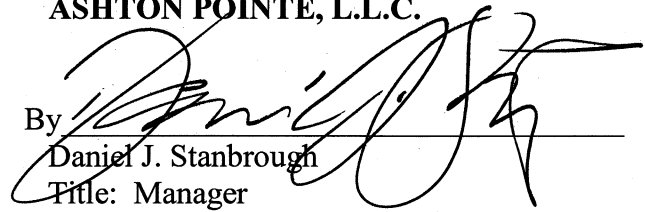
Exhibit "A" attached to the Declaration of Homeowners' Association filed of record on the 14th day of October, 2003, in Book 10212 at Pages 75-86 of the records of the Recorder of Polk County, Iowa, is hereby amended by adding to the legal description set forth in said Exhibit "A" the following:

Lots 1 through 82, inclusive, in Ashton Pointe Plat 2, an Official Plat, now included in and forming a part of the City of Johnston, Polk County, Iowa.

2. **Confirmation of Declaration.**

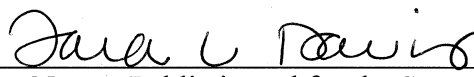
Except as amended herein, the Declaration of Homeowners' Association filed of record on the 14th day of October, 2003, in Book 10212 at Pages 75-86 of the records of the Recorder of Polk County, Iowa shall remain in full force and effect.

ASHTON POINTE, L.L.C.

By 
Daniel J. Stanbrough
Title: Manager

STATE OF IOWA)
)ss
COUNTY OF POLK)

On this 6th day of January, 2004, before me, the undersigned, a Notary Public in and for said State, personally appeared Daniel J. Stanbrough, to me personally known, who being by me duly sworn, did say that he is the Manager of Ashton Pointe, L.L.C.; that said instrument was signed on behalf of said company by authority of its Members; and that the said Daniel J. Stanbrough as such officer, acknowledged the execution of said instrument to be the voluntary act and deed of said company by it and by him voluntarily executed.



Notary Public in and for the State of Iowa

