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KAREN SCHWANEBECK, RECORDER
MARION COUNTY IOWA

**SECOND AMENDMENT TO
DECLARATION OF SUBMISSION OF PROPERTY TO
HORIZONTAL PROPERTY REGIME FOR
FOUNTAIN VIEW CONDOMINIUMS
KNOXVILLE, IOWA
Recorder's Cover Sheet**

Preparer Information: (name, address and phone number)

Paul S. Wilson
421 W. Broadway, Suite 200
Council Bluffs, IA 51503
641-828-7373

Return Document To: (name and complete address)

Michael J. Lane
PO Box 111
Knoxville, IA 50138

Grantor

Council of Co-Owners of the
Horizontal Property Regime Known
as Fountain View Condominiums

Grantee

Fountain View Condominiums

Legal Description: Page 2

1-24

**SECOND AMENDMENT TO
DECLARATION OF SUBMISSION OF PROPERTY TO
HORIZONTAL PROPERTY REGIME FOR
FOUNTAIN VIEW CONDOMINIUMS
KNOXVILLE, IOWA**

The Horizontal Property Regime known as Fountain View Condominiums, Knoxville, Iowa, that was created by the Declaration recorded at Book 2006, Page 3941, on July 3, 2006, as supplemented by an Affidavit recorded at Book 2006, Page 5368, and as amended by the First Amendment thereto, recorded at Book 2007, Page 4804, on August 31, 2007, is hereby amended as follows:

1. The floor plans contained on pages 6-25 through 24-25, inclusive, of the recorded First Amendment to the Declaration showing the floor plans for Units 1 through 22, inclusive, are stricken. The floor plans for Units 1, 2, 5, 6, 7, 8, 9, 10, 11, 12, 15, 16, and 17 are attached hereto as Exhibits "A" through "E". The floor plans for Units 3 and 4 are attached hereto as Exhibits "F" through "I". The floor plans for Units 13 and 14 are attached hereto as Exhibits "J" through "N".

2. The "Revised Site Layout Plan/Plot Plan" dated August 7, 2018, attached hereto as Exhibit "O," is hereby substituted for the "Site Layout Plan/Plot Plan" set out on page 5-25 of the recorded First Amendment to the Declaration.

3. The duly certified plat of survey and legal description submitted with the Declaration at Book 2006, Page 3941, dated July 3, 2006, of the Marion County records are amended by removing the land from the Horizontal Property Regime known as Fountain View Condominiums, Knoxville Iowa, as shown on the duly certified plat of survey attached hereto as Exhibit "P."

4. The legal description as shown on page 16-48 of the Declaration recorded at Book 2006, Page 3941, on July 3, 2006, is hereby stricken and the following legal description is hereby substituted:

A part of outlot "B" of Deerfield Subdivision Plat 1, being an official plat in the City of Knoxville, Marion County, Iowa, and described as follows:

2-24

Beginning at the Southwest Corner of said outlet "B"; thence North $00^{\circ}00'17''$ West along the East right-of-way line of Willetts Drive, 647.80 feet to the South right-of-way line of Howard Street; thence South $89^{\circ}31'00''$ East along said South right-of-way line of Howard Street, 291.64 feet; thence Southeasterly along the West right-of-way line of McKay Drive and along a curve concave Southwesterly whose radius is 25.00 feet, whose arc length is 39.48 feet and whose chord bears South $44^{\circ}45'43''$ East, 35.51 feet; thence South $00^{\circ}00'26''$ East continuing along said West right-of-way line, 333.56 feet; thence Southeasterly continuing along said West right-of-way line and along a curve concave Northeasterly whose radius is 180.00 feet, whose arc length is 265.38 feet and whose chord bears South $42^{\circ}14'38''$ East, 241.99 feet to the Northwest corner of Lot 16 of Deerfield Subdivision Plat 1, being an official plat; thence South $00^{\circ}03'41''$ West along the West line of said Lot 16, 110.73 feet to the Southwest corner of said Lot 16; thence North $89^{\circ}36'16''$ West along the South line of said outlet "B", 479.40 feet to the point of beginning and containing 5.27 acres (229,768 S.F.)

EXCEPT

A part of Lot 1, Fountain View, an official plat now included in and forming a part of the city of Knoxville, Marion County, Iowa and described as follows:

Beginning at the Southeast Corner of said Lot 1; thence North $89^{\circ}36'16''$ West along the South line of said Lot 1, a distance of 163.18 feet; thence North $00^{\circ}23'44''$ East, 15.07 feet; thence Northeasterly along a curve concave Easterly whose radius is 86.50 feet, whose arc length is 67.13 feet and whose chord bears North $22^{\circ}37'46''$ East, 65.46 feet; thence North $44^{\circ}51'49''$ East, 85.31 feet to the Northerly Line of said Lot 1; thence Southeasterly along said Northerly line and along a curve concave Northeasterly whose radius is 180.00 feet, whose arc length is 82.89 feet and whose chord bears South $71^{\circ}17'06''$ East, 82.16 feet to the Northeast corner of said Lot 1; thence South $00^{\circ}03'41''$ West along the East line of said Lot 1, a distance of 110.73 feet to the point of beginning and containing 0.39 acres (17,168 S.F.).

4. Article III is hereby stricken and the following substituted:

**“ARTICLE III
DESCRIPTION OF BUILDINGS AND PROJECT**

The project includes eleven (11) buildings consisting of one story, containing seventeen (17) units described as follows:

1. Units with basement or optional slab on grade without a basement.
2. Wood framed with vinyl siding and partial brick.
3. Three-tab asphalt shingles.
4. Units 3 and 4 each contain approximately 1,217 square feet. Units 1, 2, 5-12, and 15-17 each contain approximately 1,189 square feet. Units 13 and 14 each contain approximately 965 square feet.
5. Further information is furnished in the attached revised site layout plan and floor plans.
4. Article VI is amended by striking “one-twenty second (1/22) interest” and substituting “one-seventeenth (1/17) interest”.
5. Article XIX is amended by striking “the proposed twenty-two (22) condominium units” and substituting “the proposed seventeen (17) condominium units.”

DATED this 26th day of November, 2018.

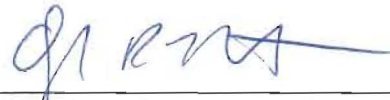
COUNCIL OF CO-OWNERS OF THE
HORIZONTAL PROPERTY REGIME KNOWN
AS FOUNTAIN VIEW CONDOMINIUMS

BY: _____


LESLIE J. ROBBINS, JR.
VICE PRESIDENT

STATE OF Nebraska)
)ss:
COUNTY OF Douglas)

On this 26th day of March, 2018, before me, a Notary Public in and for the said State, personally appeared Leslie J. Robbins, Jr., to me personally known, who being by me duly sworn did say that that said person is Vice President; that at a meeting of the Council of Co-Owners of the Horizontal Property Regime known as Fountain View Condominiums, the owners of twenty (20) of the twenty-two (22) Units in the project were present and the owners of twenty (20) Units voted in favor of adopting the above First Amendment thereby adopting said First Amendment; no seal has been procured by the Council; that said instrument was signed on behalf of the Council; and the said Leslie J. Robbins, Jr. acknowledged the execution of said instrument to be the voluntary act and deed of said Council.



NOTARY PUBLIC IN AND FOR SAID STATE

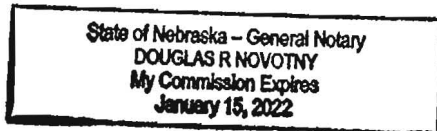
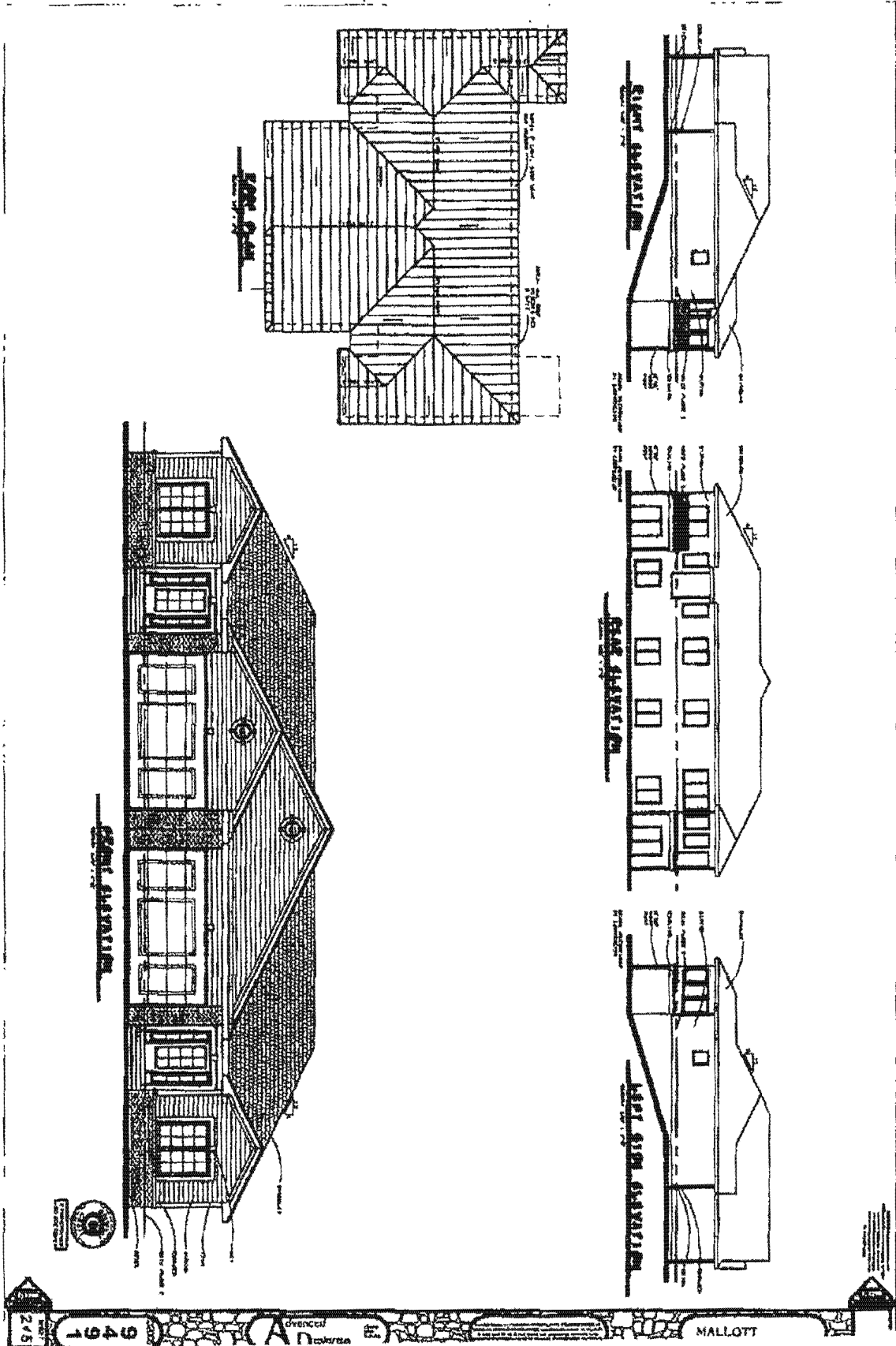
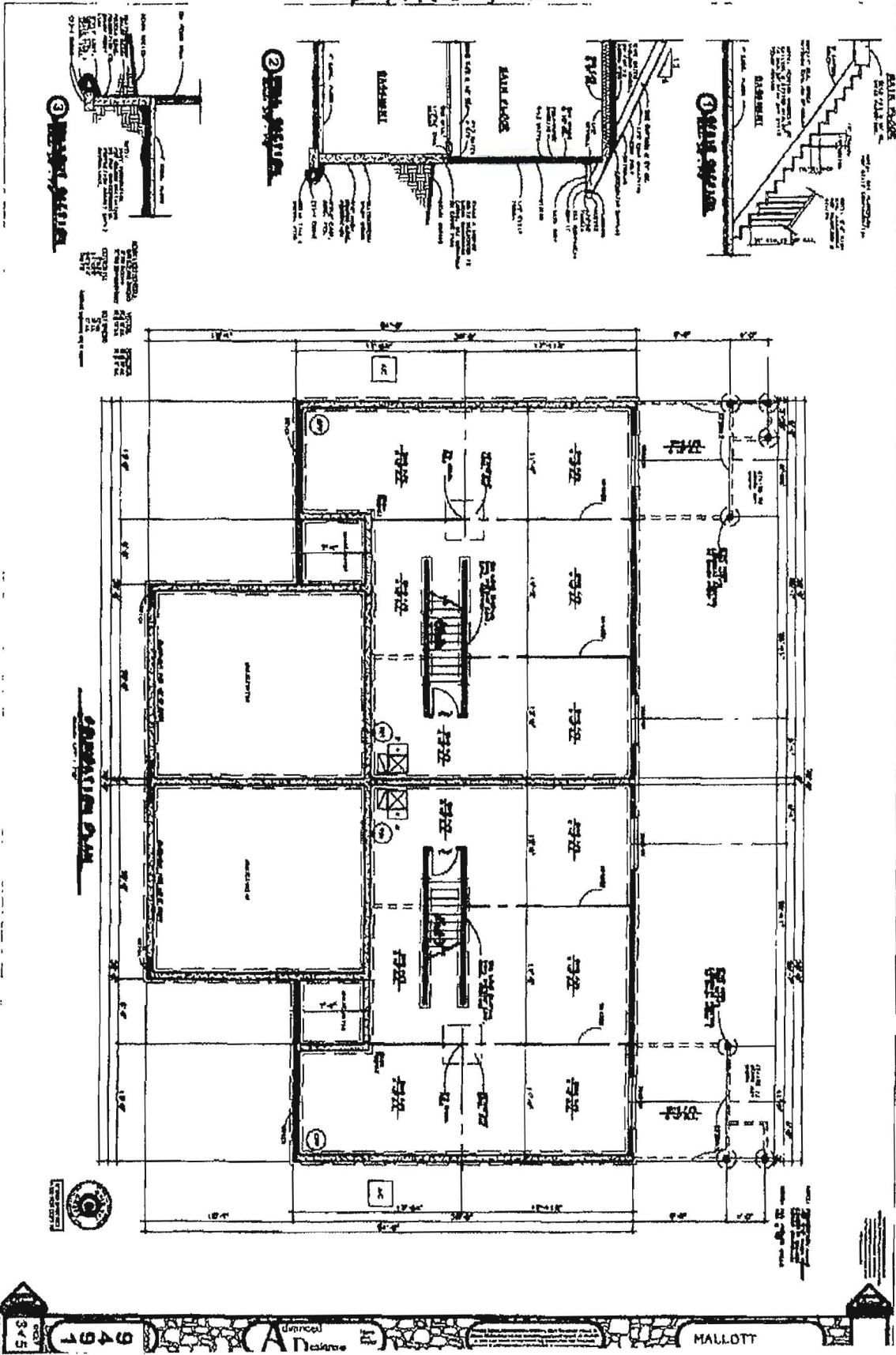


Exhibit B



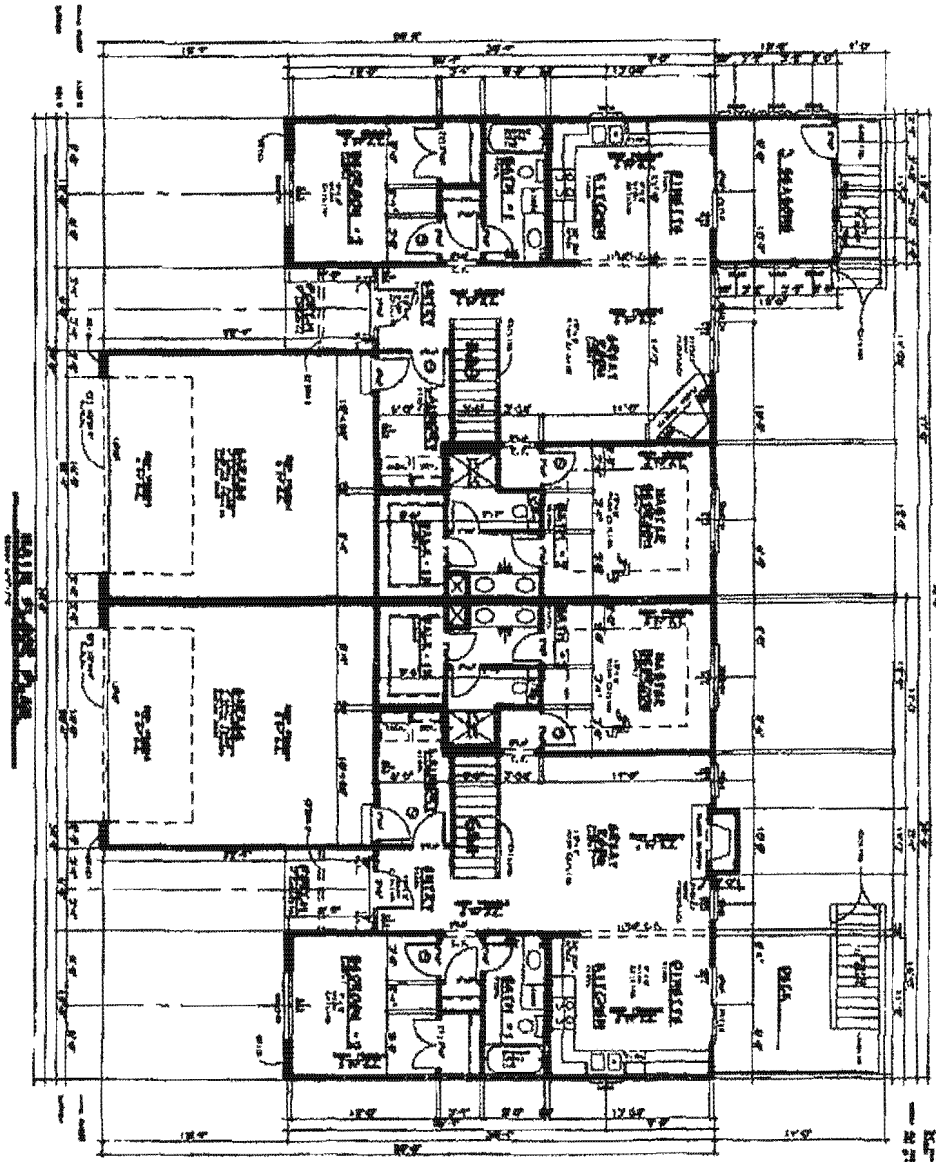
7-24



Exhibit C



8-24

Exhibit D

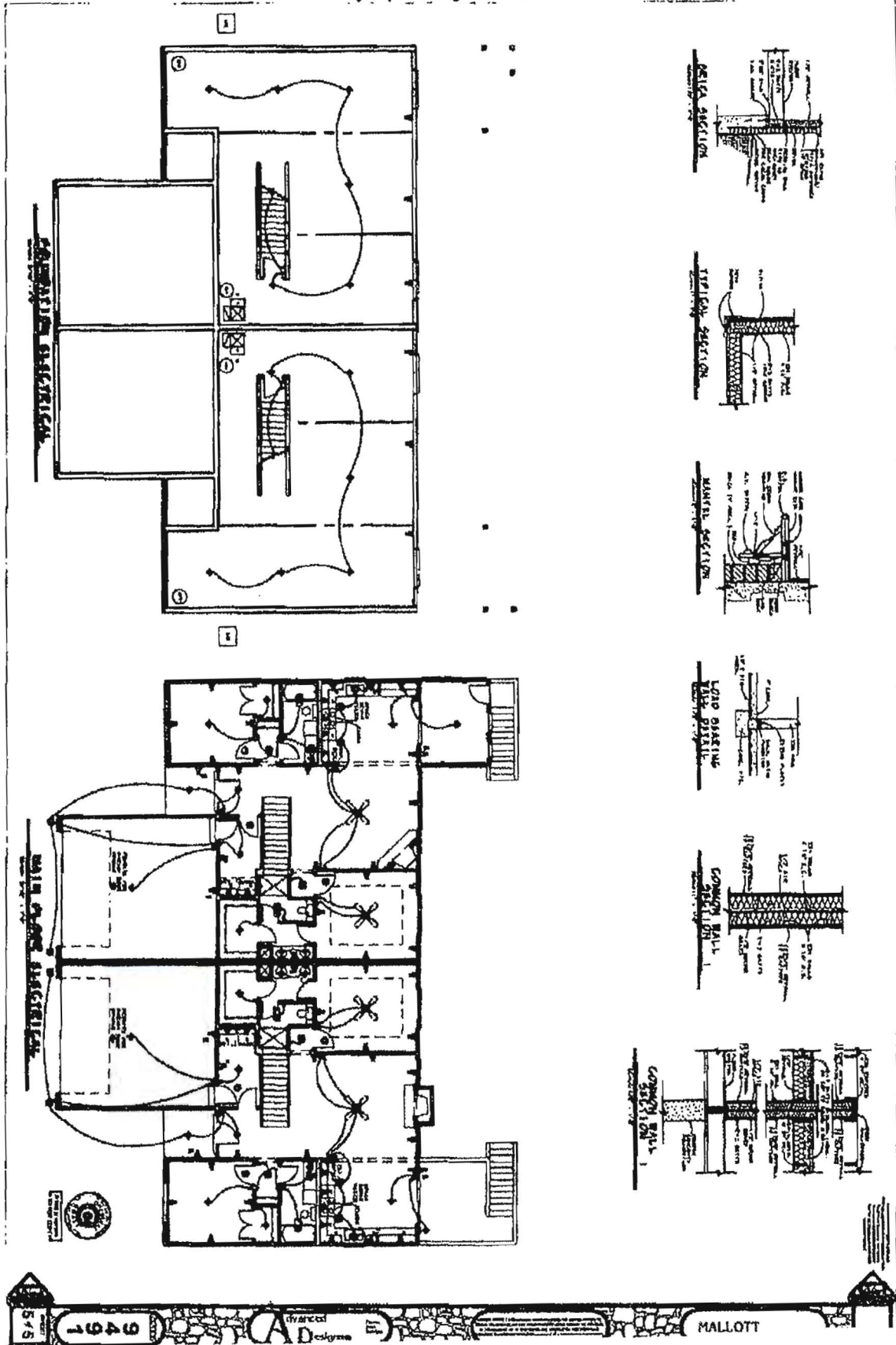


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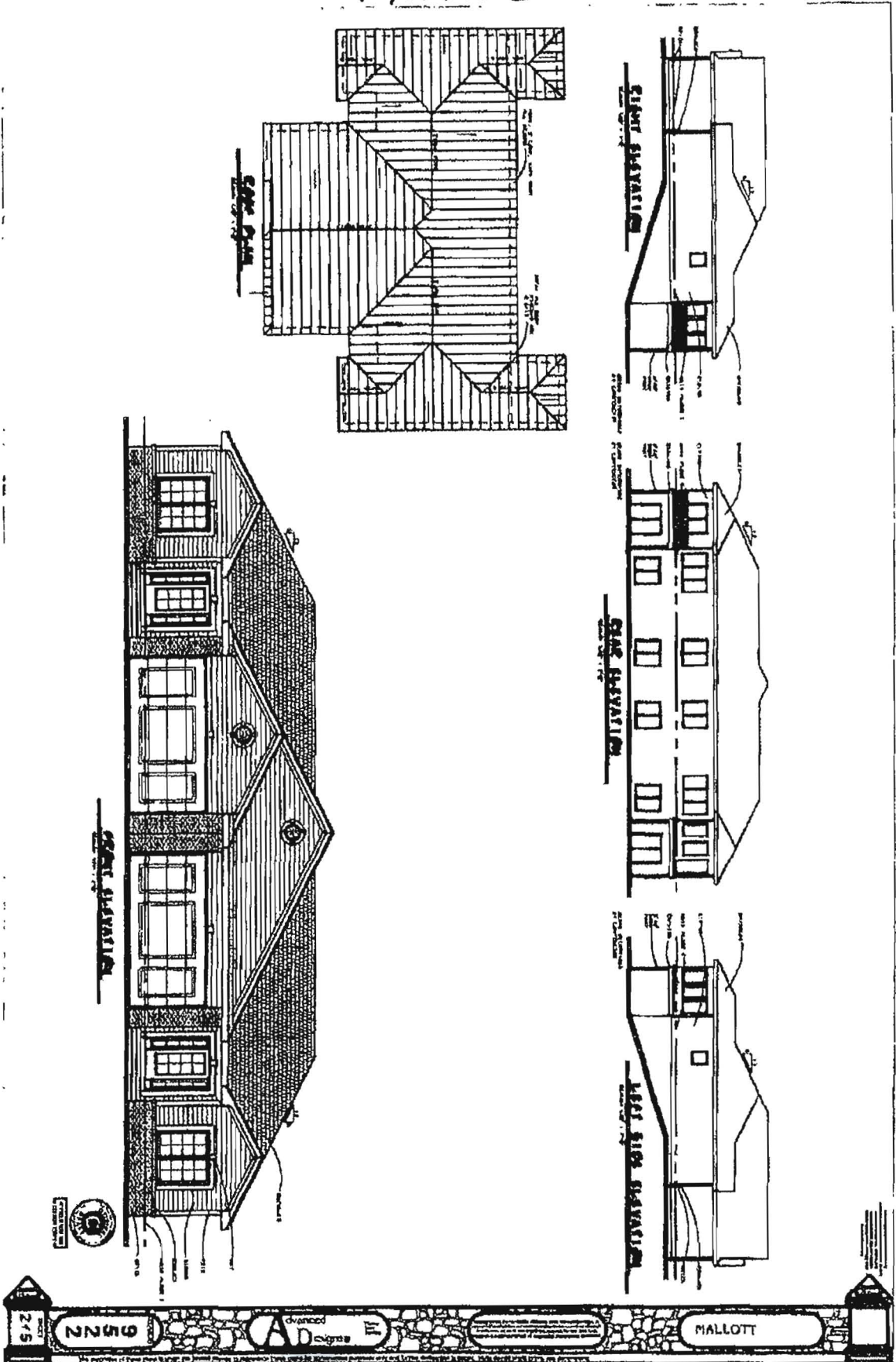
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Exhibit E



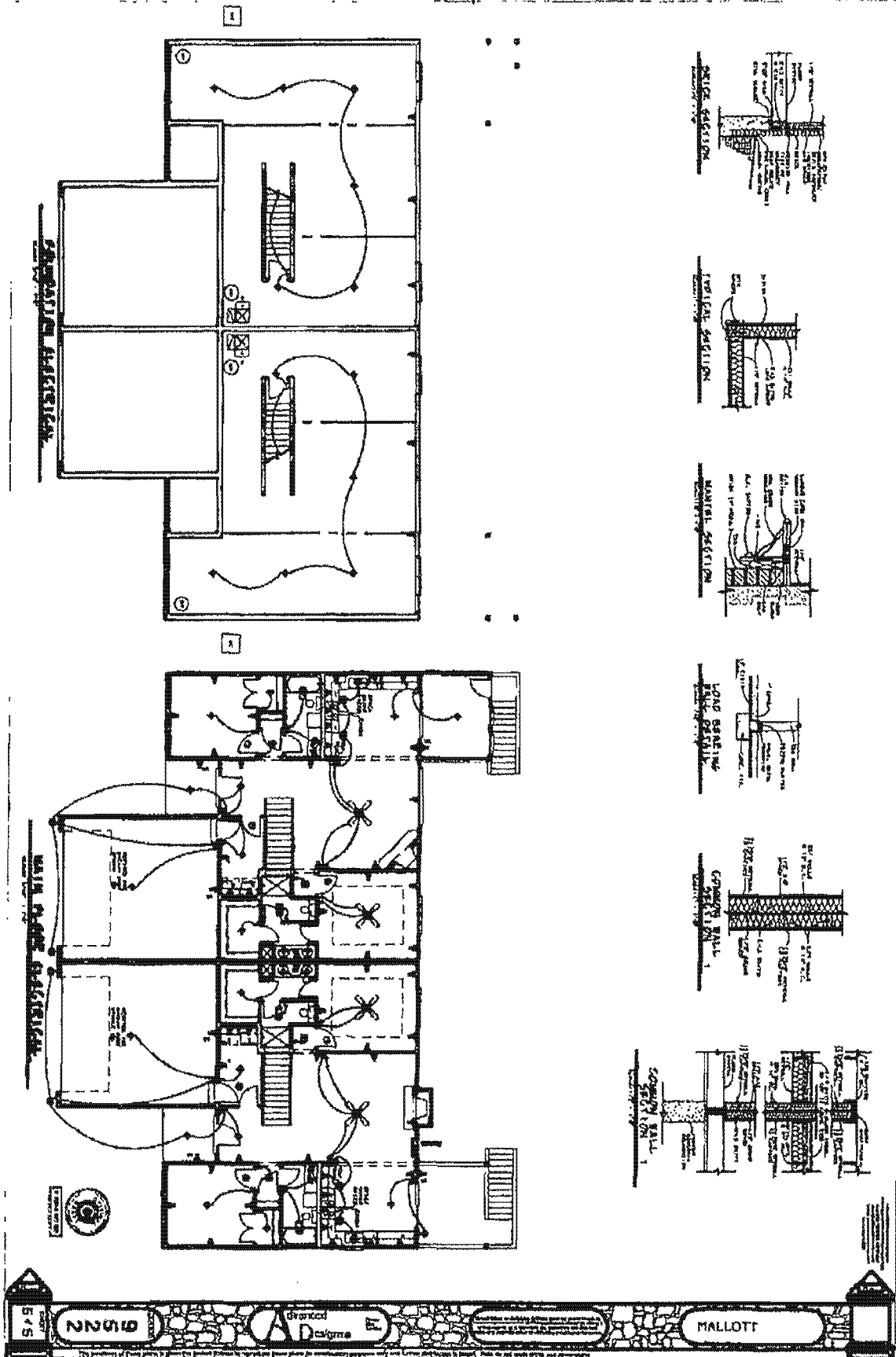
10-24

Exhibit G



4-24

Exhibit I



P.4

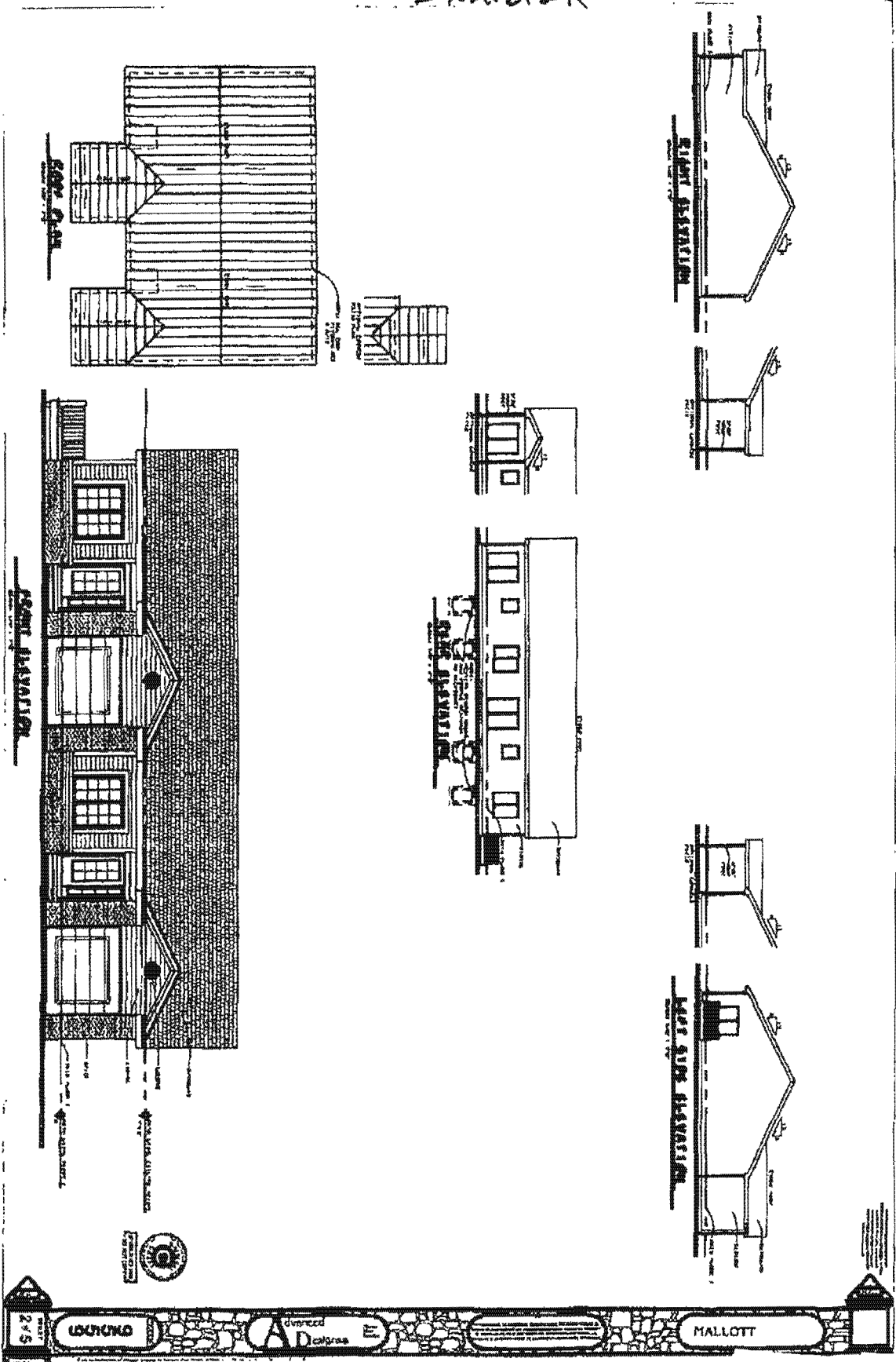
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14-24

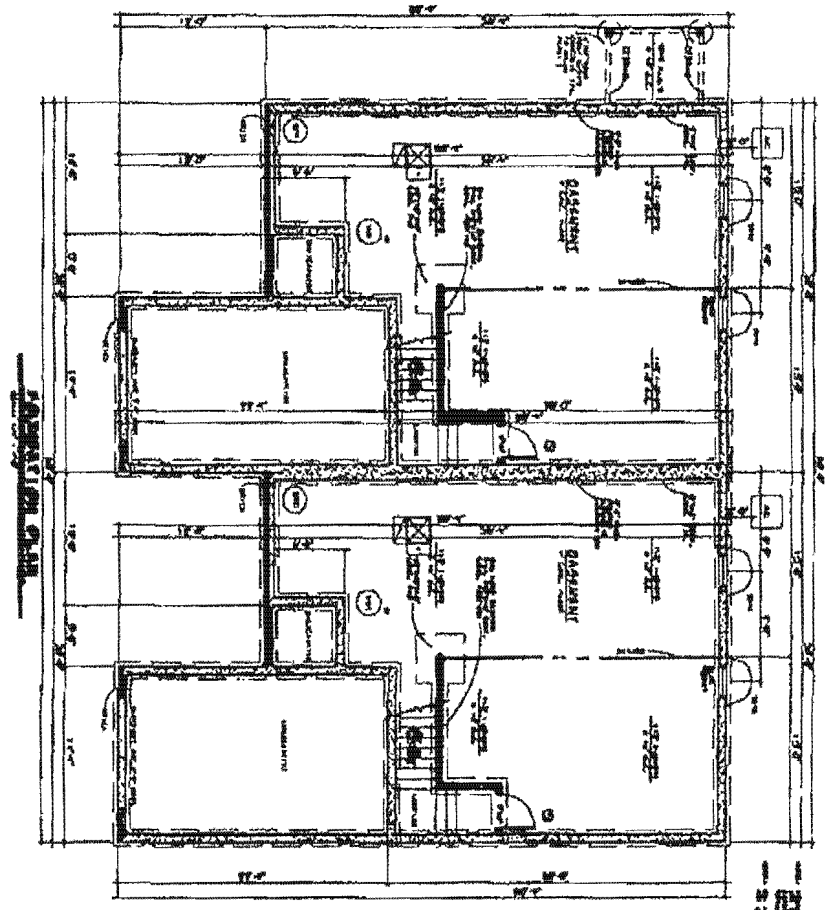
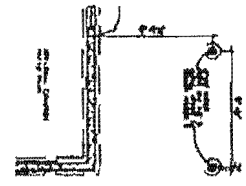
Exhibit K



16-24

Exhibit L

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODES AND ALL APPLICABLE LOCAL ORDINANCES.
 2. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL MECHANICAL AND ELECTRICAL CODES AND ALL APPLICABLE LOCAL ORDINANCES.
 3. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL PLUMBING AND MECHANICAL CODES AND ALL APPLICABLE LOCAL ORDINANCES.
 4. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL FIRE AND SAFETY CODES AND ALL APPLICABLE LOCAL ORDINANCES.
 5. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL ENERGY CONSERVATION CODES AND ALL APPLICABLE LOCAL ORDINANCES.
 6. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL SMOKE AND SMOKE-CONTROL CODES AND ALL APPLICABLE LOCAL ORDINANCES.
 7. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL ACCESSIBILITY STANDARDS AND ALL APPLICABLE LOCAL ORDINANCES.
 8. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL GREEN BUILDING STANDARDS AND ALL APPLICABLE LOCAL ORDINANCES.
 9. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL SUSTAINABLE DESIGN STANDARDS AND ALL APPLICABLE LOCAL ORDINANCES.
 10. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL WELL-BEING STANDARDS AND ALL APPLICABLE LOCAL ORDINANCES.



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17-24

Exhibit N

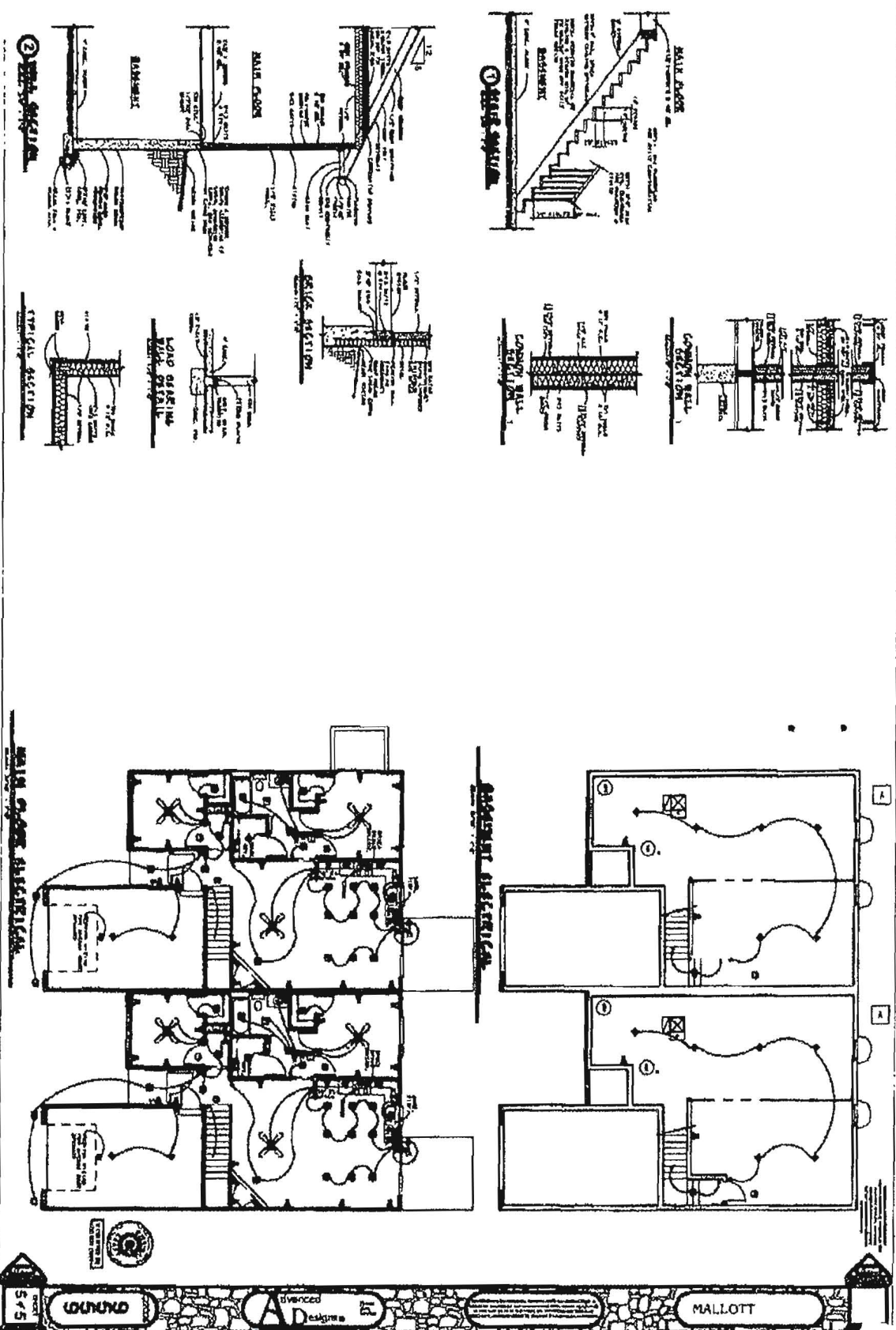
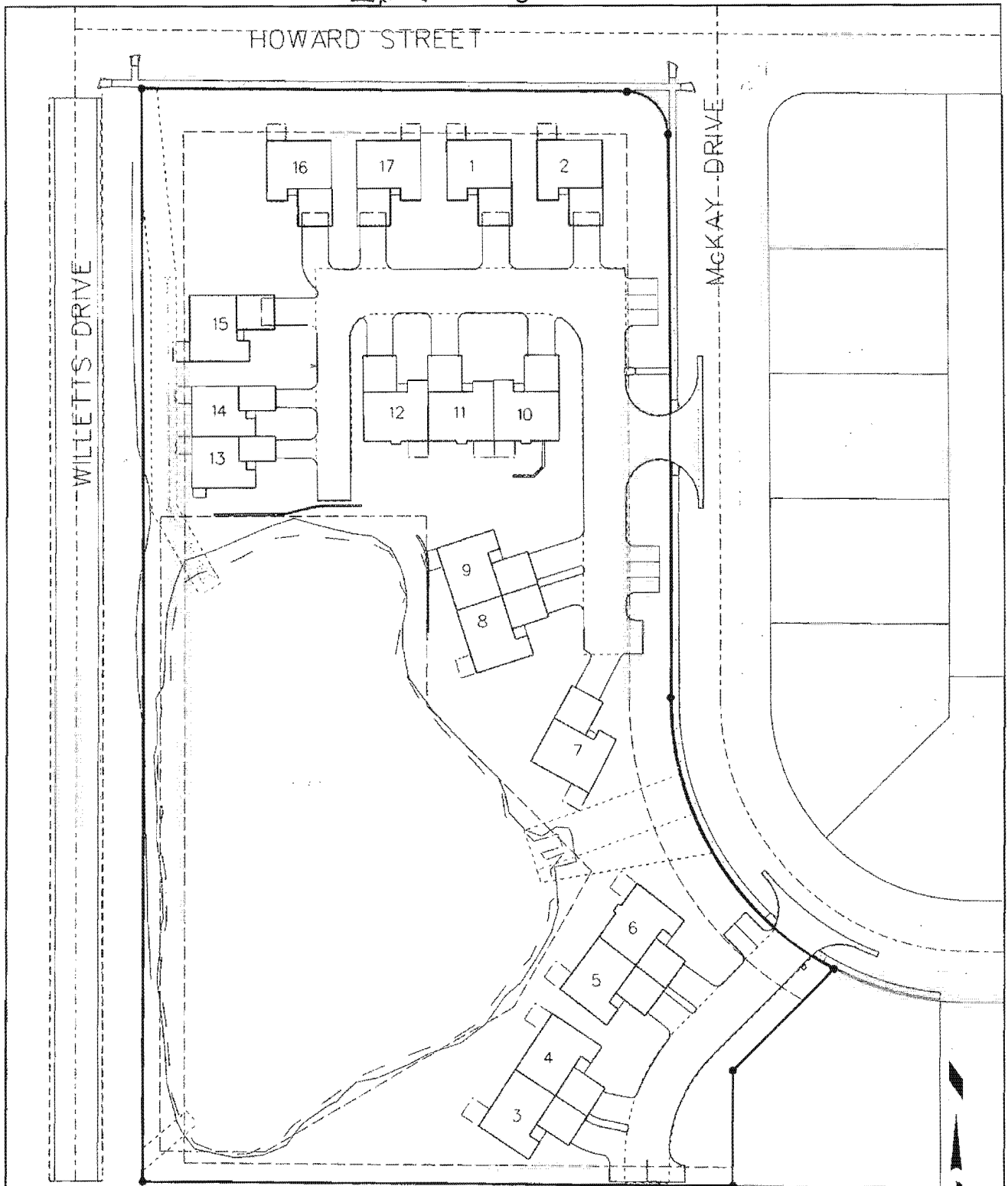


Exhibit 0



August 07, 2018

SITE LAYOUT PLAN/ PLOT PLAN



Park Lane Development, L.L.C.
 18025 Oak Street, Suite B
 Omaha, Nebraska 68130
 ph. 402-333-7058

Fountain View

CONDOMINIUMS
 KNOXVILLE, IA

20-24

**SECOND AMENDMENT TO BYLAWS OF
THE COUNCIL OF CO-OWNERS OF
THE HORIZONTAL PROPERTY REGIME KNOWN AS
FOUNTAIN VIEW CONDOMINIUMS**

Pursuant to Article XIV of the Bylaws at a meeting of the Council of Co-Owners held on September 13, 2018, with a majority of the Co-Owners of the condominium units present, notice of the proposed Amendments was waived and the following Amendments adopted by the Council:

Article X (Obligations of the Owners) is hereby amended by striking from Section 1 “one-twenty second (1/22) of the total assessment shall be paid by each unit owner” and substituting the following: “one-seventeenth (1/17) of the total assessment shall be paid by each owner.”

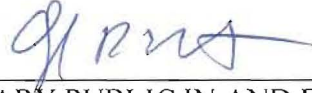
ADOPTED this 26th day of November, 2018.



LESLIE J. ROBBINS, JR.
SECRETARY

STATE OF Nebraska)
)ss.
COUNTY OF Douglas)

On this 26th day of March, 2018, before me a Notary Public in and for said State, personally appeared Leslie J. Robbins, Jr., to me personally known, who being duly sworn did say that he is the Secretary of said Council of Co-Owners and that said First Amendment was adopted as recited above; that no seal has been procured by said Council; and that said instrument was signed on behalf of the Council and that said instrument was executed as the voluntary act and deed of said Council.



NOTARY PUBLIC IN AND FOR SAID STATE

State of Nebraska - General Notary
DOUGLAS R. NOVOTNY
My Commission Expires
January 15, 2022

