

103-45877

Bent Tree Estates Phase 3

COMPARED

INST # 18020
 RECORDING FEE 10.00
 AUDITOR FEE 0
 RMA FEE 0

FILED FOR RECORD
POTTAWATTAMIE CO. IA.

03 FEB 19 PM 3:05

JOHN SCIORTINO
RECORDER

Preparer Information: Richard A. Heininger, P.O. Box 249, Council Bluffs, IA 51502-0249 (712) 328-1833
 Name Address Telephone

SECOND AMENDMENT TO DECLARATION
 OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS
 OF BENT TREE ESTATES, PHASE II, A SUBDIVISION
 IN POTTAWATTAMIE COUNTY, IOWA

The undersigned, Bluffs Development, L.L.C., an Iowa limited liability company, hereinafter referred to as "Declarant", hereby amends the Declaration of Covenants, Conditions, Restrictions and Easements of Bent Tree Estates, Phase II, a Subdivision in Pottawattamie County, Iowa, dated June 7, 2000 and recorded June 21, 2000 in Book 100 at Page 57818, and the First Amendment to Declaration of Covenants, Conditions, Restrictions and Easements of Bent Tree Estates, Phase II, a Subdivision in Pottawattamie County, Iowa, dated August 4, 2000 and recorded August 7, 2000 in Book 101, Page 05803, as follows, to-wit:

1. Article 1, subparagraph 15, is amended by adding the following new unnumbered paragraph, to-wit:

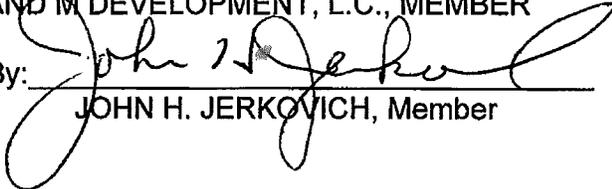
"Notwithstanding the above, the period for commencement of construction of improvements on Lot 114 shall be indefinitely extended for so long as there shall be common ownership of said lot with Lot 4 in Prairie Meadows Subdivision of Pottawattamie County, Iowa. If the common ownership is severed the owner of Lot 114 shall commence construction within 36 months of the severance. The owner of said Lot 114 shall in all other respects conform to the provisions of Subsection 15 above."

IN WITNESS WHEREOF, the Declarant has caused this document to be executed this 19 day of February, 2003.

BLUFFS DEVELOPMENT, L.L.C.:

BY: J AND M DEVELOPMENT, L.C., MEMBER

By:


 JOHN H. JERKOVICH, Member

51-95

STATE OF IOWA

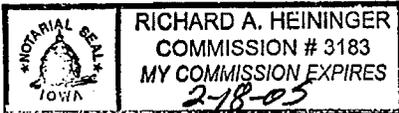
)

) ss.

COUNTY OF POTTAWATTAMIE

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On this 19 day of February, 2003, before me, a Notary Public in and for the State of Iowa, personally appeared John H. Jerkovich, to me personally known, who being by me duly sworn, did say that he is one of the members of J and M Development, L.C., (one of the members of Bluffs Development, L.L.C., an Iowa limited liability company), that no seal has been procured by the said limited liability company, and that said instrument was signed on behalf of the said limited liability company by authority of its members and the said members acknowledged the execution of the instrument to be the voluntary act and deed of said limited liability company by it voluntarily executed.



Richard A. Heining
NOTARY PUBLIC IN AND FOR SAID STATE