

98-30070

Cloverleaf Acres Phase II

INST # 10944 ✓
RECORDING FEE 1000
AUDITOR FEE
RMA FEE 100

FILED FOR RECORD
STATE OF IOWA

98 JAN 26 AM 9:50

JOHN SCORTINO
RECORDER

Preparer Smith, Peterson
Information Richard A. Heininger, P.O. Box 249, Council Bluffs, IA 51502 (712) 328-1833
Individual's Name Address City Phone

FIRST AMENDMENT TO DECLARATION OF RESTRICTIONS AND COVENANTS FOR CLOVERLEAF ACRES, PHASE II

This First Amendment is made this 10TH day of January, 1998 by J and M Development, L.C. hereinafter called "Developer". The Declaration of Restrictions and Covenants for Cloverleaf Acres Phase II dated May 16, 1997 and recorded with the platting documents on August 7, 1997 in Book 98 at Pages 5864 through 5879, inclusive, is hereby amended as follows:

1. The first sentence of Article III, Section 2, Setback Lines on page 3 is hereby deleted and the following is inserted in lieu thereof:

"No part of any residence, except as hereinafter provided, may be erected or maintained on any of the Lots nearer to the front property line than seventy-five (75) feet, nor nearer to the side Lot line than twenty-five (25) feet."

This Amendment is made by the Developer pursuant to the authority granted in Article V., Section 6 of said Declaration of Restrictions and Covenants.

J AND M DEVELOPMENT, L.C.

By: John H. Jerkovic
JOHN H. JERKOVIC, Member

By: McCarthy Construction, Incorporated, Member

By: Robert P. McCarthy
ROBERT P. MCCARTHY, President

57-26

STATE OF IOWA)
)ss.
COUNTY OF POTTAWATTAMIE)

On this 12th day of JANUARY, 1998, before me, the undersigned, 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 a member of said limited liability company executing the within and foregoing instrument, that no seal has been procured by the said company; that said instrument was signed on behalf of said company by authority of its members; and that the said John H. Jerkovich, as such member acknowledged the execution of said instrument to be the voluntary act and deed of said company, by it and by them voluntarily executed.



Christine M. Ritter
NOTARY PUBLIC IN AND FOR SAID STATE

STATE OF IOWA)
)ss.
COUNTY OF POTTAWATTAMIE)

On this 12th day of JANUARY, 1998, before me, the undersigned, a Notary Public in and for said State, personally appeared Robert P. McCarthy, to me personally known, who being by me duly sworn, did say that he is the President of McCarthy Construction, Incorporated, which is one of the members of J and M Development, L.C., an Iowa limited liability company, executing the foregoing instrument, that no seal has been procured by the corporation or the limited liability company; that the instrument was signed on behalf of the corporation as a member of J and M Development, L.C., a limited liability company, by authority of the corporation's Board of Directors, by authority of the limited liability company's members; and that he as the officer acknowledged execution of the instrument to be the voluntary act and deed of the corporation and the limited liability company by it and by the officer voluntarily executed.



Christine M. Ritter
NOTARY PUBLIC IN AND FOR SAID STATE

98-30071