

COMPARED

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Prepared by and Return to: Craig A. Knickrehm, ISBA# 18671, 11240 Davenport Street, P.O. Box 540124, Omaha, NE 68154

**DECLARATION OF CONSENT TO AMENDMENT TO
DECLARATION OF RESTRICTIONS AND COVENANTS FOR
EUCLID HEIGHTS**

THIS DECLARATION OF CONSENT executed by the undersigned constituting at least 70% of the Lot Owners of the Property within Euclid Heights Subdivision, as now constituted, a subdivision in the City of Council Bluffs, Pottawattamie County, Iowa, legally described as Lots 1 through 16, Euclid Heights Subdivision, as surveyed, platted and recorded in Council Bluffs, Pottawattamie County, Iowa. Said Lot Owners hereby declare:

Pursuant to Section 6 of the Declaration of Restrictions and Covenants for Euclid Heights contained within the Final Plat filed in the Office of the Pottawattamie County Recorder in Book 106, Page 287, Instrument 9906-288, Section 5 of the Declaration of Restrictions and Covenants for Euclid Heights is hereby modified to allow for exterior walls of all buildings, structures and appurtenances to be made of vinyl siding and to allow for windows, doors and louvers to be made of vinyl siding. Accordingly, as amended, subpart a. of said Section 5 shall provide as follows:

Section 5.

Building Material Requirements; Utilities, Service and Access.

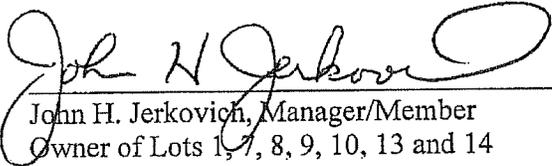
a. Building Material Requirements. Exterior walls of all buildings, structures and appurtenances thereto shall be made of brick, stone, wood shingles, wood siding, vinyl siding, glass blocks, or any combination thereof. Windows, doors and louvers shall be of wood, fiberglass, vinyl or metal and glass. The roof of all Improvements shall be covered with a minimum of Tamko Heritage Laminate 25 year shingles, or wood cedar shakes, or other material approved by Developer. Standard three-tab shingles are not allowed. Exteriors, except roofs, shall be covered with no less than two coats of good paint or stain. All foundations shall be constructed of concrete, concrete blocks, brick or stone. Fireplace chimneys shall be covered with materials approved in writing by Developer. All exposed front foundation walls and all exposed

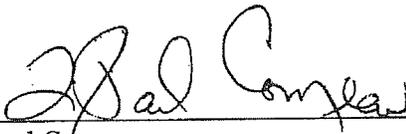
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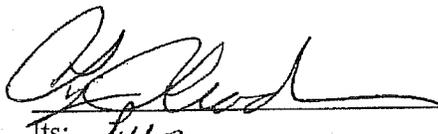
foundation walls facing any street shall be brick. No curb cut shall extend beyond the two-foot concrete curb and gutter. No building shall be permitted to stand with its exterior in an unfinished condition for longer than five (5) months after commencement of construction. In the event of fire, windstorm, or other damages, no building shall be permitted to remain in a damaged condition longer than one (1) month.

WESTERN IOWA LAND DEVELOPMENT, LLC

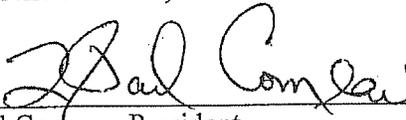
By: 
John H. Jerkovich, Manager/Member
Owner of Lots 1, 7, 8, 9, 10, 13 and 14


L. Paul Comeau
Owner of Lots 2, 5, and 15

UNCLE BUBBA, INC.

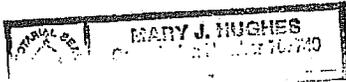
By: 
Its: L. Paul Comeau
Owner of Lots 11 and 12

COLONIAL HILLS, INC.

By: 
L. Paul Comeau, President
Owner of Lot 16

STATE OF IOWA)
)ss.
COUNTY OF POTTAWATTAMIE)

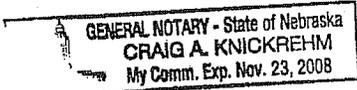
On this 22nd day of January, 2007, before me, a Notary Public in and for said County and State, personally appeared JOHN H. JERKOVICH, to me personally known, who being by me duly sworn did say that he is a Member/Manager of Western Iowa Land Development, LLC, and that said instrument was signed on behalf of the said company by authority of its members and managers and the execution of said instrument is to be a voluntary act and deed of said company by it voluntarily executed.



Mary J Hughes
NOTARY PUBLIC

STATE OF Nebraska)
)ss.
COUNTY OF Douglas)

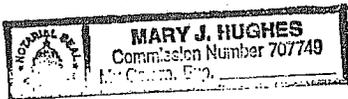
Subscribed, sworn to and acknowledged before me by L. PAUL COMEAU this 15 day of January, 2007.



Craig A. Knickrehm
NOTARY PUBLIC

STATE OF IOWA)
)ss.
COUNTY OF POTTAWATTAMIE)

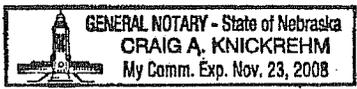
On this 22nd day of January, 2007, before me, a Notary Public in and for said County and State, personally appeared Bryan Leaders, to me personally known, who being by me duly sworn did say that he is the Managing Mgr of Uncle Bubba, Inc., and that said instrument was signed on behalf of the said company by authority of its officers and the execution of said instrument is to be a voluntary act and deed of said company by it voluntarily executed.



Mary J Hughes
NOTARY PUBLIC

STATE OF Nebraska)
)ss.
COUNTY OF Douglas)

On this 15 day of January, 2007, before me, a Notary Public in and for said County and State, personally appeared L. Paul Comeau, to me personally known, who being by me duly sworn did say that he is the President of Colonial Hills, Inc., and that said instrument was signed on behalf of the said company by authority of its officers and the execution of said instrument is to be a voluntary act and deed of said company by it voluntarily executed.



Craig A. Knickrehm
NOTARY PUBLIC