

INST # 2223
RECORDING FEE 20.00
AUDITOR FEE
RMA FEE

COMPARED

02 AUG -2 AM 9:38

COUNTY CLERK
RECORDER

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

**SECOND AMENDMENT TO DECLARATION
OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR PELICAN COVE, A SUBDIVISION IN THE
CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA**

This Second Amendment to Declaration of Covenants is made under authority of Article XII, § 3 by the Declarant, as less than 20 lots have been sold in the development and less than three years have elapsed from the date of the adoption of the initial declaration of covenants, conditions and restrictions.

WITNESS

WHEREAS, the Declarant is the owner of certain property in Pottawattamie County, Iowa, more particularly described as follows:

Lots 13 through 34 and Lots 37 through 40 and adjoining portions of out lots A, B and C of Pelican Cove, a subdivision in Council Bluffs, Pottawattamie County, Iowa.

WHEREAS, Declarant desires to provide for the preservation of the values and amenities of Pelican Cove, and for maintenance of the character and residential integrity of Pelican Cove.

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COMPARED

ARTICLE I

Article V, § 6 is deleted in its entirety and the following new § 6 is added in lieu thereof, to-wit:

§ 6. No animals, livestock, poultry, or reptiles of any kind shall be raised, bred or kept on any lot or on any common area or facility, except for dogs, cats or other normal household pets which may be kept on lots subject to such rules and regulations as may be adopted by the association. No animals may be kept, bred or maintained for commercial purposes. Animals if not enclosed in a fence approved by the Architectural Control Committee shall be kept on leashes whenever outside. Each owner is responsible for cleaning up after his or her pets, including the removal of stools left by the pets when being walked. Dog runs and animal houses shall be at the rear of the residence concealed from public view and the design and location approved by the architectural control committee in advance of its installation."

ARTICLE II

Article V, § 8 is hereby deleted in its entirety and the following new § 8 inserted in lieu thereof, to-wit:

COMMITTEE

"§ 8. No fence, hedge, wall, or other dividing instrumentality shall be constructed or maintained on any lot in the subdivision without the prior written approval of the Architectural Control Committee. Declarant or the transferees of Declarant may construct a boundary fence along the exterior lot lines of the subdivision. Invisible fencing for animals may be installed at the owner's expense and with the prior written approval of the Architectural Control Committee.

ARTICLE III

Except as amended hereby and as amended by the First Amendment to the Declaration of Covenants, Conditions and Restrictions for Pelican Cove, a subdivision in the City of Council Bluffs, Pottawattamie County, Iowa, Declarant does hereby republish and reaffirm the declaration of covenants, conditions and restrictions for Pelican Cove, a subdivision in the City of Council Bluffs, Pottawattamie County, Iowa.

Executed at Council Bluffs, Iowa this 30 day of July, 2002.

"DECLARANT"

**WEST MANAWA DEVELOPMENT COMPANY,
INC.**

By: Herbert E. Andersen
HERBERT E. ANDERSEN

COMPARED

By: William F. McVey
WILLIAM F. McVEY

By: Edwin J. Leach
EDWIN J. LEACH

Subscribed and sworn to before me this 30 day of July, 2002.

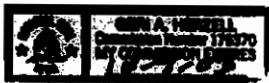


(SEAL)

Geri Herzell
NOTARY PUBLIC IN AND FOR SAID STATE

My Commission Expires: 10-7-03

Subscribed and sworn to before me this 30 day of July, 2002.



(SEAL)

Geri Herzell
NOTARY PUBLIC IN AND FOR SAID STATE

My Commission Expires: 10-7-03

Subscribed and sworn to before me this 30 day of July, 2002.



(SEAL)

Geri Herzell
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