

RECORDED  
 RECORDED  
 FEES 20.00  
 TRANSFER PD  
 FEES  
 LIFO 1.00

FILE NO 3974  
 BOOK 552 PAGE 3974

00 JUN 29 AM 10:32  
 ALAN J. ANDERSON  
 LOMA T. THOMPSON  
 HARRISON COUNTY IOWA

Alan J. Anderson, 110 N. 2nd Avenue, Logan, Iowa 51546 (712) 644-2485

FIRST AMENDMENT TO  
 DECLARATION OF COVENANTS,  
 CONDITIONS, RESTRICTIONS AND RESERVATIONS  
  
 SHADOW HILL ESTATES  
 AND  
 SHADOW VALLEY GOLF COURSE

THIS FIRST AMENDMENT to the Declaration of Covenants, Conditions, Restrictions and Reservations filed for record on February 19, 1998, in Book 550, Page 2794 of the Records of Harrison County, Iowa, as to Shadow Hill Estates, and filed for record on February 19, 1998, in Book 550, Page 2795 of the Records of Harrison County, Iowa, as to Shadow Valley Golf Course, is made this 28 day of June, 2000, by the undersigned property owners who constitute seventy-five percent (75%) of the owners of Shadow Valley Golf Course and one hundred percent (100%) of the owners of Shadow Hill Estates.

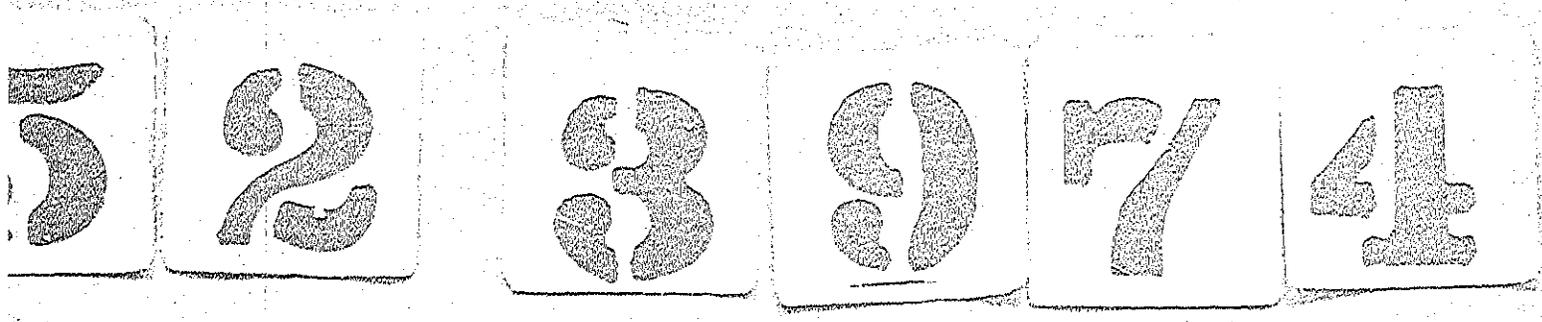
The undersigned amend said "Declaration of Covenants, Conditions, Restrictions and Reservations of each Shadow Hill Estates and Shadow Valley Golf Course as follows:

1. IT IS HEREBY DECLARED that the Declaration of Covenants, Conditions, Restrictions and Reservations of Shadow Hill Estates dated February 19, 1998, (and adopted also by Shadow Valley Golf Course), are amended by adding the following sentence thereto:

With the written consent of 50% of the lot owners of Shadow Hill Estates, or, as long as Roger W. Melby and/or Patricia A. Melby own at least 10 lots platted as part of Shadow Hill Estates, with the written permission of Roger W. Melby and/or Patricia A. Melby, the purchaser of a lot may delay building beyond said 24 month period.

2. IT IS DECLARED that the Declaration of Covenants, Conditions, Restrictions and Reservations of Shadow Hill Estates dated February 19, 1998, (and adopted also by Shadow Valley Golf Course), are amended as follows:

ARTICLE III, SECTION 3(b), is deleted in its entirety and replaced with the following:



(b) Minimum Structure Size. No structure shall be erected having less than the following minimum floor footage.

<u>HOUSE STYLE</u>	<u>MINIMUM LIVING AREA</u>
One story rambler style	1400 square feet (main floor)
Split level/split entry style	1600 square feet (all floors, excepting basement)
Multi story style	1600 square feet (all floors, excepting basement)
Two story style	1600 square feet (all floors, excepting basement)

and shall be constructed with 6/12 roof pitch with Heritage quality/style shingles and have street side brick or stone accent.

All square footage minimums shall be exclusive of breezeways, 3 season porches, porches, decks, terraces or patio or garages. All exterior construction must be completed within twelve (12) months after commencing excavation of basement or footage.

IN WITNESS WHEREOF, the undersigned have executed this First Amendment to Declaration of Covenants, Conditions and Restrictions and Reservations.

Dated: June 28, 2000.

Roger W. Melby  
Roger W. Melby

Patricia A. Melby  
Patricia A. Melby

STATE OF IOWA, COUNTY OF HARRISON ) ss.

On this 28 day of June, 2000, before me, the undersigned, a Notary Public in and for said State, personally appeared Roger W. Melby and Patricia A. Melby, husband and wife, to me known to be the identical persons named in and who executed the foregoing instrument and acknowledged that they executed the same as their voluntary act and deed.

[Signature]

Notary Public for said State  
BY COMMISSION EXPIRES  
August 9, 2002

Dated: June 28, 2000.

Burmeister Construction, a sole proprietorship  
of David R. Burmeister and Peggy A.  
Burmeister, husband and wife

BY: David R. Burmeister  
David R. Burmeister

BY: Peggy A. Burmeister  
Peggy A. Burmeister

STATE OF IOWA, COUNTY OF HARRISON ) ss.

On this 28 day of June, 2000, before me, the undersigned, a Notary Public in and for said State, personally appeared David R. Burmeister, to me known to be the identical person

5

2

3

9

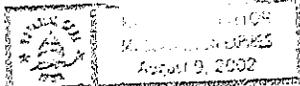
7

4

named in and who executed the foregoing instrument and acknowledged that he executed the same as his voluntary act and deed.

*[Signature]*  
Notary Public in and for said State

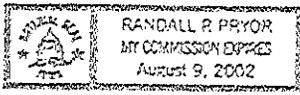
STATE OF IOWA, COUNTY OF HARRISON ) ss.



On this 28 day of June, 2000, before me, the undersigned, a Notary Public in and for said State, personally appeared Peggy A. Burmeister, to me known to be the identical person named in and who executed the foregoing instrument and acknowledged that she executed the same as her voluntary act and deed.

*[Signature]*  
Notary Public in and for said State

Dated: June 28, 2000.



SHADOW VALLEY GOLF COURSE, L.C.  
An Iowa Limited Liability Company

BY: *[Signature]*  
Roger W. Melby, a manager

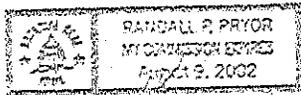
STATE OF IOWA, COUNTY OF HARRISON ) ss.

On this 28 day of June, 2000, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Roger W. Melby, to me personally known, who being by me duly sworn, did say that he is a manager of said limited liability company, that the seal affixed to said instrument is the seal of said limited liability company, a seal now having been procured, and that said instrument was signed and sealed on behalf of the said limited liability company by authority of its managers and the said Roger W. Melby acknowledged the execution of said instrument to be the voluntary act and deed of said limited liability company by it voluntarily executed.

*[Signature]*

Notary public in and for said County and State

Dated: June 28, 2000.

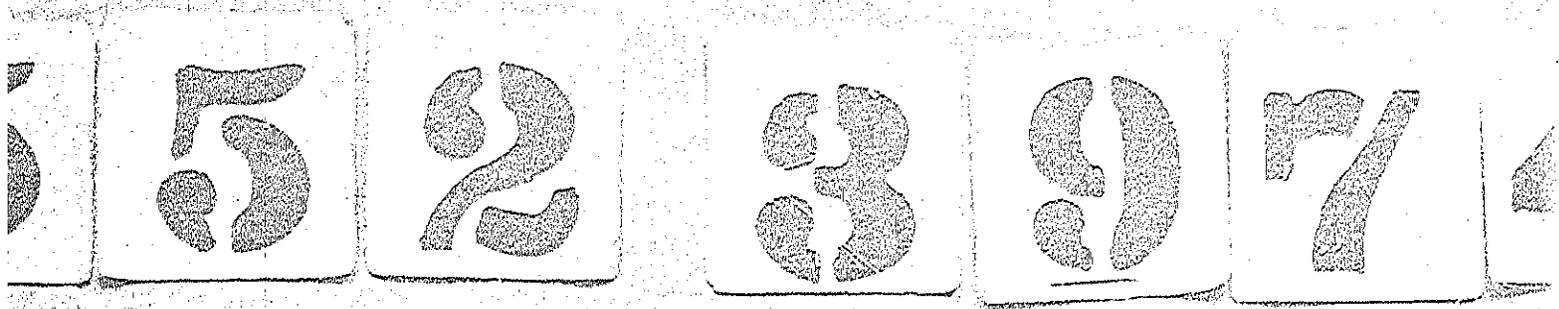


*[Signature]*  
Roger G. Kenkel

*[Signature]*  
Cristie L. Kenkel

STATE OF IOWA, COUNTY OF HARRISON ) ss.

On this 28 day of June, 2000, before me, the undersigned, a Notary Public in and for said State, personally appeared Roger G. Kenkel and Cristie L. Kenkel, husband and wife, to me



known to be the identical persons named in and who executed the foregoing instrument and acknowledged that they executed the same as their voluntary act and deed.

A handwritten signature in cursive script, appearing to read "Randall M. Pryor", written over a horizontal line.

Notary Public in and for said State

