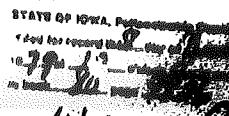


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**AMENDMENT TO
AMENDED AND SUBSTITUTED PROTECTIVE AND RESTRICTIVE
COVENANTS FOR SPENCER'S MOUNTAIN SUBDIVISION**

Spencer's Mountain, Inc., an Iowa corporation, the owner of all of the lots in Spencer's Mountain Subdivision for which the final plat and associated documents were recorded in the office of the Pottawattamie County Recorder on June 20, 1978 in Book 29, volume 22, beginning at Page 25078, except Lot 36 thereof, Linnmarus, Iowa, Virginia R. Stang, husband and wife, owners of said Lot 36, and Heritage Federal Savings and Loan Association of Des Moines, the mortgagee of said real estate, being the only interested parties, hereby amend the amended and substituted protective and restrictive covenants for Spencer's Mountain Subdivision as follows:

1. They amend paragraph 7 of the subheading "Other Restrictions And Covenants" in said amended and substituted protective and restrictive covenants for Spencer's Mountain Subdivision to read as follows:

"7. No part of any building shall be located within 25 feet of the right of way of any public road or within 10 feet of the side boundary line of any contiguous lot under other ownership or within 20 feet of any rear lot line or within 25 feet from any water line shown on the plat of the subdivision on a corner lot. No part of any building shall be located within 25 feet of the right of way of any public road which that building faces nor within 15 feet of any public road parallel to its side. In addition, all buildings must comply with the zoning and building ordinances of Pottawattamie County, Iowa. Eaves, steps and open porches shall be considered part of any building for the purpose of this provision."

2. The subheading "Permanent Easements" is amended to add the following provision:

"1. Spencer's Mountain, Inc. reserves to itself an easement for the purposes of constructing and maintaining an underground water storage reservoir and conduit, pipes and other necessary installations required in connection with that reservoir over the following described real estate: Beginning at a point

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SPENCER'S MANUFACTURING, INC., 102
Iowa Corporation

By Carl O. Traxler
Carl O. Traxler, M.D.

By Danny M. Jones
UNIVERSITY OF TORONTO LIBRARIES

John G. Stang

Virginia R. Stang

HERITAGE FEDERAL SAVINGS AND LOAN ASSOCIATION
OF DENISON

By G. W. Halverson
G. W. Halverson, Its President

STATE OF IOWA)
COUNTY OF *Pottawattamie*) 88.

On this 17th day of October, 1979, before the undersigned, a notary public in and for the State of Iowa, personally appeared Gail O. Frazier and Nancy M. Frazier, to me personally known, who being by me duly sworn, did say that they are the President and Secretary, respectively, of Spencer's Mountain, Inc.; that the seal affixed to the foregoing instrument is the seal of the said corporation and that said

COMPARED

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... and was served on 2002/2/10 with notice of the meeting of the Board of Directors and the said notice of the meeting of the Board of Directors, addressed the execution of said instrument, and the act and deed of said corporation by the

John D. R.

STATE OF IOWA
COUNTY OF Washington)
SS.

On this 19 day of October, 1979, before me, the undersigned, a notary public in and for the State of Iowa, personally appeared Linneus Stang and Virginia R. Stang, husband and wife, who are the identical persons named in and who executed the instrument and acknowledged that they executed the same as their act and deed.

Notary Public

STATE OF IOWA)
COUNTY OF Crawford) 88.

On this 31st day of October, 1979, before me, the undersigned, a notary public in and for the State of Iowa, personally appeared G. W. Halverson, to me personally known, who being by me duly sworn, did say that he is the President of Heritage Federal Savings and Loan Association of Denison; that the seal affixed to the foregoing instrument is the seal of said corporation and that said instrument was signed and sealed on behalf of said corporation by

COMPARED