
Prepared by: Timothy C. Hogan, Hogan Law Office, 1717 Ingersoll Ave, Ste 200, Des Moines, IA 50309 (515) 279-9059

Return to: Hamilton Ridge Maintenance Association, Inc., 9550 Hickman Road, Ste 100, Clive, IA 50325 (515) 986-5994

Legal Description: Lots 1-29 in Hamilton Ridge Plat 1, Lots 1-21 in Hamilton Ridge Plat 2, Lots 1-20 in Hamilton Ridge Plat 3, Lots 1-15 in Hamilton Ridge Plat 4, Lots 1-14 in Hamilton Ridge Plat 7; Lots 1-14 and Outlot Z in Hamilton Ridge Plat 8; Lots 1-16 in Hamilton Ridge Plat 9; and Lots 1-5 in Hamilton Ridge Plat 13

Previously Recorded Documents: Declaration of Residential Covenants and Association Book 2021, Page 28568; Amendment Book 2021, Page 31349; Amendment Book 2021, Page 28579; Amendment Book 2021, Page 31364; Amendment Book 2022, Page 301; Amendment Book 2022, Page 22386; Amendment Book 2023, Page 995

**AMENDMENT TO DECLARATION OF RESIDENTIAL
COVENANTS, CONDITIONS, RESTRICTIONS AND MAINTENANCE ASSOCIATION
FOR HAMILTON RIDGE**

THIS AMENDMENT is made by **HAMILTON RIDGE, LLC**, an Iowa limited liability company, owner of the Additional Land hereinafter described on Page 2, and “Declarant” of the Declaration of Residential Covenants, Conditions, Restrictions and Maintenance Association for Hamilton Ridge recorded September 28, 2021 in **Book 2021 at Page 28568** as amended from time to time in the records of the Recorder for Dallas County, Iowa (collectively the "Declaration").

WHEREAS, pursuant to the Declaration, Declarant has established and placed certain covenants, conditions, restrictions, reservations and easements on the following described real estate:

Lots 1-29 in Hamilton Ridge Plat 1, Lots 1-21 in Hamilton Ridge Plat 2, Lots 1-20 in Hamilton Ridge Plat 3, Lots 1-15 in Hamilton Ridge Plat 4, Lots 1-14 in Hamilton Ridge Plat 7, Lots 1-14 and Outlot Z in Hamilton Ridge Plat 8, and Lots 1-16 in Hamilton Ridge Plat 9, all Official Plats in Waukee, Dallas County, Iowa.

WHEREAS, the Declaration established the **Hamilton Ridge Maintenance Association, Inc.**, an Iowa non-profit corporation (the “Association”), for the sole purpose of owning and maintaining certain common amenities with authority to levy assessments necessary for the maintenance of such common amenities.

WHEREAS, the Declaration grants to Declarant the right to amend the Declaration and the right to subject additional land to the terms of the Declaration without approval or consent of any other party.

WHEREAS, Declarant desires to amend the Declaration to subject the following described real estate (the "Additional Land") to the terms of the Declaration upon the filing of this Amendment:

Lots 1-5 in Hamilton Ridge Plat 13, an Official Plat in Waukee, Dallas County, Iowa.

NOW, THEREFORE, pursuant to the authority described in the Declaration, Declarant hereby amends the Declaration as follows:

1. **Additional Land.** The Additional Land is hereby annexed and submitted to the Declaration, which real property shall be held, sold and conveyed subject to the same covenants, conditions, restrictions, reservations and easements of the Declaration, and the Owners of Lots within the Additional Land shall automatically become Members of the Association in the same manner as described in the Declaration and are hereby subjected to the terms, conditions, duties and assessments as described in the Declaration.

2. **Building Area Design and Construction.** Section IV of the Declaration relating to building area design and construction is amended to include the following:

W. For Lots 1-5 in Hamilton Ridge Plat 13 the following requirements shall apply:

- (1) One and one-half story, two story, split-level, and split foyer dwellings must have a finished area of not less than 1,800 square feet; ranch or one-story dwellings must have a finished area of not less than 1,500 square feet.
- (2) Dwellings must be constructed using hardboard siding by LP SmartSide or cement board siding by James Hardie or other brands approved in writing by Declarant as being acceptable exterior siding. No vinyl siding shall be permitted.
- (3) Dwellings must be constructed using a minimum of twenty-five percent (25%) brick, stone or stucco on the front elevation of the dwelling.
- (4) Fences shall be either black vinyl coated chain link or PVC vinyl or other material approved by Declarant as being acceptable fencing.

3. **Ratification.** Except as expressly amended hereby, all of the terms and conditions of the Declaration shall continue in full force and effect and are hereby ratified and confirmed.

Dated 10/20/, 2023.

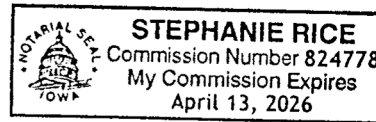
HAMILTON RIDGE, LLC,
an Iowa limited liability company

By: 
William B. Spencer, Manager

STATE OF IOWA, COUNTY OF POLK:

This record was acknowledged before me on October 20, 2023, by William B. Spencer, as Manager of Hamilton Ridge, LLC.

By: 
Notary Public



**PLATTING WORKSHEET
DALLAS COUNTY, IOWA**

2023-17735

RECORDED: 11/29/2023 02:43:10 PM

RECORDING FEE: \$72.00

COMBINED FEE: \$72.00

REVENUE TAX: \$

RENAE ARNOLD, RECORDER

DALLAS COUNTY, IOWA

THIS SPACE FOR RECORDER'S USE ONLY

SLIDE # _____

SUBDIVISION NAME: Hamilton Ridge Plat 13

LEGAL DESCRIPTION: Outlot Z of Hamilton Ridge Plat 9

CONTACT NAME Andy Kass

ADDRESS 230 W. Hickman Road

CITY/STATE/ZIP Waukee, IA 50263

PHONE NUMBER 515-978-7897

Documents Required – Iowa Code Section 354

1. **County Auditor** – statement approving the name of a subdivision – **HF 2177** (effective date 7/1/2006)
2. **FINAL PLAT** – Four (4) drawings (FULL SIZE) (Five (5) if rural) plus one (1) original no greater than 11" X 17" or no less than 8 1/2" X 11" in size **Must have one original drawing with original signature**
3. **ACCEPTANCE** by City, County or both depending on location. The stamp and signature of the Planning & Zoning Administrator must be affixed to surveyor's drawings for rural subdivisions. **If within two miles of a city, check if city consent is required.**
4. **SURVEYOR'S CERTIFICATION** – An original signature by a registered land surveyor, surveyor's registration number and legible seal affixed to final drawings.
5. **DEDICATION OF OWNER** – Statement signed by all parties consenting to the property being subdivided. In addition, if any property within these boundaries has been sold, the consent of the titleholders or contract purchasers will be needed.
6. **RESTRICTIVE COVENANTS** – if applicable
7. **ACCEPTANCE OF MORTGAGE HOLDER(S)** – if applicable
8. **TREASURER'S CERTIFICATE** – To include subdivision name, legal description & current ownership. Document certifies the property is free of encumbrances & taxes are paid unless so stated. This document is prepared by the party initiating the subdivision and is submitted to the County Treasurer along with a copy of the attorney's opinion for review & signature.
9. **ATTORNEY'S OPINION** – Document stating that the property is free of liens and encumbrances or listing applicable liens and encumbrances. Also denoting who is the owner of the platted land.

CONTACT PERSON SIGNATURE _____



TYPED OR PRINTED CLARIFICATION OF ABOVE Andy Kass