
Prepared by & Return to: Timothy C. Hogan, Hogan Law Office, 3101 Ingersoll Ave., Suite 103, Des Moines, IA 50312 (515) 279-9059

**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, and "Declarant" of the Declaration of Residential Covenants, Conditions, Restrictions and Maintenance Association for Hamilton Ridge recorded 9/28, 2021 in Book 2021 at Page ~~28668~~ in the records of the Recorder for Dallas County, Iowa (as amended, 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, an Official Plat in Waukee, Dallas County, Iowa and Lots 1 - 20 in Hamilton Ridge Plat 3, an Official Plat in Waukee, Dallas County, Iowa.

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 - 21 in Hamilton Ridge Plat 2, 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:

M. For Lots 1 – 11 and 16 – 21 in Hamilton Ridge Plat 2 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 1,400 square feet; ranch or one-story dwellings must have a finished area of not less than 1,100 square feet.
- (2) Dwellings must be constructed using vinyl siding of 4-inch traditional profile, trim elements to be at least 3.5 inches wide with decorative materials into the facade, hardboard siding by LP SmartSide or cement board siding by James Hardie or other brands approved by Declarant as being acceptable exterior siding. All vinyl siding shall be .42 thickness at a minimum.
- (3) Dwellings must be constructed using a minimum of fifteen percent (15%) brick, stone or stucco on the front elevation of the dwelling.
- (4) Fences shall be either wood, black vinyl coated chain link or PVC vinyl, or other material approved by Declarant as being acceptable fencing.

N. For Lots 12 – 15 in Hamilton Ridge Plat 2 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 1,500 square feet; ranch or one-story dwellings must have a finished area of not less than 1,300 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.

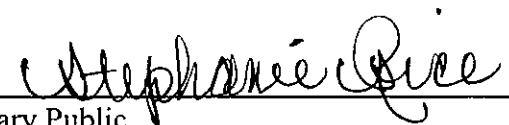
Dated this 23rd day of August, 2021.

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 August 23, 2021, by William B. Spencer, as Manager of Hamilton Ridge, LLC.

By: 
Notary Public

