

Doc ID: 022730620004 Type: GEN  
 Kind: AMENDED COVENANTS  
 Recorded: 11/05/2012 at 01:46:17 PM  
 Fee Amt: \$22.00 Page 1 of 4  
 Johnson County Iowa  
 Kim Painter County Recorder  
 BK **5003** PG **311-314**

Prepared by: Robert N. Downer, 122 South Linn Street, Iowa City, IA 52240, (319) 338-9222  
 Return to: Robert N. Downer, 122 South Linn Street, Iowa City, IA 52240

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**FIRST AMENDMENT  
 TO  
 PROTECTIVE COVENANTS AND RESTRICTIONS  
 OF  
 OAKCREST HILL ESTATES, PART 2, HILLS, IOWA**

KNOW ALL MEN BY THESE PRESENTS:

The undersigned, Streb & Streb Partnership ("Subdivider"), did, on the 12<sup>th</sup> day of November, 2008, adopt certain Protective Covenants and Restrictions (the "Covenants") binding upon each and every lot and parcel of ground in the following described subdivision located in Hills, Johnson County, Iowa, to-wit:

Oakcrest Hill Estates, Part 2, Hills, Johnson County, Iowa,  
 according to the record plat thereof; and

said Covenants being recorded in Book 4365, Page 417-426, Records of the Recorder of Johnson County, Iowa, and

WHEREAS, the undersigned desires to amend the Covenants as hereinafter set forth; and

WHEREAS, paragraph 14 of the Covenants provides that they may be amended from time to time with the written consent of the owners of at least two-thirds (66 2/3%) of the numbered lots within the subdivision; and

WHEREAS, the undersigned are the owners of in excess of two-thirds (66 2/3%) of said numbered lots.

NOW THEREFORE, the Covenants are hereby amended as follows:

1. By adding to paragraph 10 the following:

Notwithstanding any other provision hereof, paragraph 10 of said Protective Covenants and Restrictions may not be amended.

2. By striking therefrom paragraph 8, and substituting in lieu thereof the following:

8. The Subdivider or its designee may, while providing water service to the subdivision, provide a water meter, meter tails and a meter reader device for each housing unit or, in the alternative, may charge a flat rate per dwelling unit or other structure connected to the water system. If water meters shall be provided, the owner of each housing unit shall install the meter assembly with double valve.

3. By amending paragraph 1 by adding thereto the following:

No vehicles shall be parked on any lot other than on the driveway or a concrete pad poured for said purpose, and no storage pods, construction trailers or other trailers shall be parked upon any lot at any time other than in connection with any construction upon said lot for which a building permit has been issued.

Except as herein modified, the Covenants, as heretofore amended, are hereby ratified and confirmed. A listing of the lots comprising at least sixty-six and two-thirds percent (66 2/3%) of the numbered lots within the subdivision is attached hereto as Exhibit "A" and by this reference made a part hereof.

SIGNED and dated this 2<sup>nd</sup> day of November, 2012.

STREB & STREB PARTNERSHIP

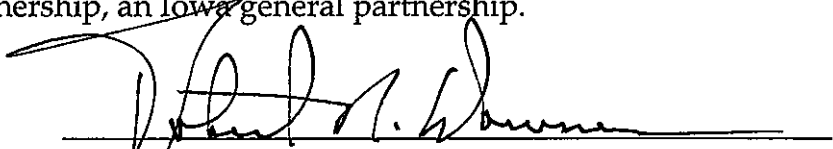
By: A.F. STREB ESTATE, Partner

By: Mary Joan Streb  
Mary Joan Streb, Executor

By: Thomas P. Streb  
Thomas P. Streb, Partner

STATE OF IOWA            )  
                                  ) ss:  
COUNTY OF JOHNSON    )

This instrument was acknowledged before me on the 2<sup>nd</sup> day of November, 2012, by Mary Joan Streb, Executor of the A.F. Streb Estate, Partner, and Thomas P. Streb, Partner, in Streb & Streb Partnership, an Iowa general partnership.

  
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Notary Public in and for the State of Iowa

9/22/13

**NOTARIAL SEAL**

EXHIBIT "A"

Lot 33, 34, 35, 36, 37, 38, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57  
and 58.