

**SECOND AMENDMENT TO THE
DECLARATION OF COVENANTS, CONDITIONS AND
RESTRICTIONS FOR BENT TREE MEADOWS OWNERS
ASSOCIATION**

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Legal Description: See page 2.

Document or instrument number of previously recorded documents: Declaration of Covenants, Conditions and Restrictions for Bent Tree Meadows filed on August 31, 2000 in Book 8580 at Page 597 in the Office of the Polk County Recorder and amended by a First Amendment to Declaration of Covenants, Conditions and Restrictions for Bent Tree Meadows filed on January 16, 2002 in Book 9085 at Page 121 of said records.

**SECOND AMENDMENT TO THE
DECLARATION OF COVENANTS, CONDITIONS
AND RESTRICTIONS FOR BENT TREE MEADOWS OWNERS ASSOCIATION**

COMES NOW, Bent Tree Meadows Owners Association, an Iowa Non-Profit Corporation (“Association”), and, in support of this Second Amendment to the Declaration of Covenants, Conditions and Restrictions for Bent Tree Meadows Owners Association states and provides as follows:

RECITALS

This Second Amendment to the Declaration of Covenants, Conditions and Restrictions for Bent Tree Meadows is made this 21st day of December 2022 with respect to the property with the following legal description:

Lots 64-163, Longview Greens North, an Official Plat, now included in and forming a part of the City of Johnston, Polk County, Iowa (hereinafter referred to as the “Properties”).

WHEREAS, a previously filed Declaration of Covenants, Conditions and Restrictions for Bent Tree Meadows filed on August 31, 2000 in Book 8580 at Page 597 in the Office of the Polk County Recorder and amended by a First Amendment to Declaration of Covenants, Conditions and Restrictions for Bent Tree Meadows filed on January 16, 2002 in Book 9085 at Page 121 of said records.

WHEREAS, on October 25, 2022 the Members of the Bent Tree Meadows Owners Association (“Association”) held a special meeting to vote upon the adoption of this Second Amendment to the Declaration of Covenants, Conditions and Restrictions for Bent Tree Meadows Owners Association. The members, pursuant to Article XIV Section 2 of the Declaration of Covenants, Conditions and Restrictions for Bent Tree Meadows (“Declaration”) hereby adopt the following amendments to the Declaration:

1. In Article I Section 2(a) of the Declaration the following shall replace the existing provision as follows:

“The exterior surface of the Buildings upon a Lot, excluding windows, all doors including sliding glass doors, garage doors, patios, and decks.”

2. Article III Section 2 shall be deleted in its entirety.
3. In Article III Section 5 of the Declaration the following shall replace the existing provision as follows:

Notice of a members meeting shall be given by mailing or delivering the same not less than fourteen (14 calendar days), nor more than thirty (30) days prior to the date of the meeting. Notice shall be deemed duly given if mailed by first class mail or by electronic mail to the Member at the address of the lot within the Association or electronic mail

address on record with the Association, unless at the time of giving such notice of written direction, delivering to an officer or Director of the Board, specifying a different mailing address to be carried on the rolls of the Association. If more than one person is an Owner of the same lot or if more than one fiduciary or other official is acting in the premises, notice shall be deemed given when given in accordance with this paragraph to the person named in the certificate filed with the Association in accordance with Article III, paragraph 4 of the Amended and Restated Bylaws of the Bent Tree Meadows Owners Association. The person entitled to the notice may waive notice of any meeting, in writing. Notice given pursuant hereto shall be sufficient to all such Owners of record as the date of mailing.

4. In Article IV Section 5 of the Declaration the following shall replace the existing provision as follows:

Written notice of any meeting called for the purpose of taking any action authorized under Section 3 or 4 shall be given by mailing or delivering the same not less than fourteen (14 calendar days), nor more than thirty (30) days prior to the date of the meeting. Notice shall be deemed duly given if mailed by first class mail or by electronic mail to the Member at the address of the lot within the Association or electronic mail address on record with the Association, unless at the time of giving such notice of written direction, delivering to an officer or Director of the Board, specifying a different mailing address to be carried on the rolls of the Association. A quorum at a meeting called under Section 3 or 4 shall consist of the presence of fifty-one percent (51%) of the lots eligible to vote. The actions carried or approved by a vote of a simple majority of the lots represented at a meeting at which a quorum is present shall constitute the actions of the Members unless a different rule is provided herein or by the Articles of Incorporation, the Declaration or other agreement to which the Association is a party. The President, or, if absent or disabled, the Vice President, or if absent or disabled, the Secretary, shall preside at each members meeting. If no Officer is available to preside, the Members present at such meeting shall elect a chairman. If the required quorum is not met at any meeting, another meeting may be called subject to the notice requirements herein and the required quorum at any such subsequent meeting shall be one-half (1/2) of the required quorum at the preceding meeting, if and only if such subsequent meeting shall be held within sixty (60) days following such preceding meeting

5. All of Article V of the Declarations shall be deleted in its entirety
6. Article VI Section 3 of the Declarations shall be deleted in its entirety.
7. Except as amended hereby, the Declaration shall remain unchanged and in full force and effect.

IN WITNESS WHEREOF, I, Jack Morlan, President of Bent Tree Meadows Owners Association, have hereunto set my hand this 22th, day of December, 2022.

Bent Tree Meadows Owners Association

By: Jack Morlan

Its: President

STATE OF IOWA)

COUNTY OF POLK)

On this 22 day of December, 2022, Jack Morlan personally appeared before me, a notary public in and for the said State of Iowa, to me known to be the identical person named in and who executed the foregoing instrument, and acknowledged that he/she executed the same as his/her voluntary act and deed.

Cynthia D. King

Notary Public

Dated this 22 day of December, 2022.

