



Book 2024 Page 3068

Document 2024 3068 Type 06 019 Pages 2  
Date 12/10/2024 Time 11:51:27AM  
Rec Amt \$12.00

Daneen Schindler, RECORDER/REGISTRAR  
DELAWARE COUNTY IOWA

*THIS INSTRUMENT PREPARED BY/RETURN TO: Matthew J. Hektoen, Simmons Perrine Moyer Bergman, PLC, 115 Third St. SE, Suite 1200, Cedar Rapids, IA 52401, (319) 366-7641*

**FIRST AMENDMENT TO DECLARATION OF PROTECTIVE COVENANTS AND RESTRICTIONS**

This First Amendment to Declaration of Protective Covenants and Restrictions (the "Amendment") is made as of the 9 day of December, 2024 by Manchester Enterprises, Inc. ("Owner").

**RECITALS**

- A. The Owner made that certain Declaration of Protective Covenants and Restrictions as of July 28, 2011 and filed July 28, 2011 in Book 2011, Page 2392 in the records of the Delaware County, Iowa Recorder (the "Covenants");
- B. Section 16 of the Covenants allows the owner of not less than 75% of the Net Acres covered by the Covenants to amend such Covenants; and
- C. Owner owns at least 75% of the Net Acres and wishes to amend the Covenants as provided herein.

**NOW THEREFORE**, for good and valuable consideration, Owner adopts the following:

- 1. Manchester Enterprises, Inc.'s right of first refusal for the repurchase of undeveloped portions of any Lot, as detailed in Section 14 of the Covenants, shall terminate for any Lot upon the commencement of foundation work for the primary structure on such Lot.
- 2. The term "used materials yards", as used in Section 15 of the Covenants, shall not include storage trailers, containers, and mobile offices. An owner of any Lot is permitted to lease and sell storage trailers, containers, and offices without violation of Section 15 of the Covenants.
- 3. Any capitalized term not defined herein shall have the meaning assigned to it in the Covenants.
- 4. The following described real estate shall be added to the real estate set forth in Exhibit "A":

Parcel 2022-130, Part of Lot 5 of Fink's Subdivision in Section 6, T88N, R5W of the Fifth P.M., Delaware County, Iowa, according to plat recorded in Book 2022, Page 3167.

- 5. Owner may add real estate it acquires subsequent to this amendment to the real estate set forth in

Exhibit "A." Such additions shall not be subject to signature approval set forth in Section 16.

6. Except for the terms and provisions of this Amendment, all remaining terms and provisions of the Covenants (including all exhibits) shall remain in full force and effect.

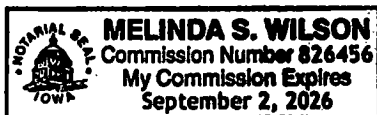
Dated: Dec 9, 2024

MANCHESTER ENTERPRISES, INC.

*Steven J. Buesing*  
By: Steven J. Buesing  
Its: President

STATE OF IOWA                    )  
  ) ss:  
COUNTY OF Delaware)

This instrument was acknowledged before me on this 9 day of December, 2024 by Steven J. Buesing as President of Manchester Enterprises, Inc.



*Melinda S. Wilson*  
Notary Public in and for the State of Iowa  
My commission expires: Sept. 2, 2026