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LISA SMITH, COUNTY RECORDER
MADISON COUNTY IOWA

**FIRST AMENDMENT TO
DECLARATION OF COVENANTS CONDITIONS AND RESTRICTIONS
FOR NORTH STONE VILLAGE, PLAT NO. 1**

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Recorder's Cover Sheet

Preparer Information: (name, address and phone number)

Gary M. Myers, Davis, Brown, Koehn, Shors & Roberts, P.C., 215 10th Street, Suite
1300, Des Moines, IA 50309 (515) 288-2500

Taxpayer Information: (name and complete address)

Not Applicable

Return Document To: (name and complete address)

Gary M. Myers, Davis, Brown, Koehn, Shors & Roberts, P.C., 215 10th Street, Suite
1300, Des Moines, IA 50309

Grantor:

Cockrean Properties L.L.C.

Grantee:

Not Applicable

Legal Description:

See Exhibit A attached to Amendment

Document or instrument number of previously recorded documents:

Book 2008, Page 2295

**FIRST AMENDMENT TO
DECLARATION OF COVENANTS CONDITIONS AND RESTRICTIONS
FOR NORTH STONE VILLAGE, PLAT NO. 1**

THIS First Amendment to Declaration of Covenants Conditions and Restrictions for North Stone Village, Plat No. 1 (this "Amendment") is made effective as of the 21st day of February, 2017, by Corkrean Properties L.L.C., an Iowa limited liability company ("Declarant").

WHEREAS, a Declarant previously recorded a Declaration of Covenants Conditions and Restrictions for North Stone Village, Plat No. 1 on July 22, 2008, in Book 2008, Page 2295 of the Madison County Recorder's Office (the "Declaration"); capitalized terms used in this Amendment that are not defined in this Amendment shall have the meanings given them in the Declaration as the context requires; and

WHEREAS, the Declaration encumbers the real property legally described on Exhibit A attached hereto and incorporated herein by this reference; and

WHEREAS, Section 10.20 of the Declaration states that the Declarant shall have the individual right to amend the Declaration so long as Declarant owns property within the Plat; and

WHEREAS, Declarant currently owns property within the Plat; and

WHEREAS, Declarant desires to amend the Declaration as herein provided.

NOW THEREFORE, the Declarant hereby amends the Declaration as follows:

1. The term "Plat" as used in the Declaration shall refer to all of the land located within North Stone Village, Plat No. 1, Winterset, Iowa.

2. Notwithstanding any provision of the Declaration to the contrary, any property within the Plat may be used for a fuel service station.

3. Subsection (d) of Section 7.10 of the Declaration is hereby deleted.

4. Subsection (g) of Section 7.10 of the Declaration is hereby deleted and in lieu thereof is inserted the following:

(g) Notwithstanding the foregoing provisions of this Section 7.10, in the event that Declarant establishes a uniform signage standard, all Signs subject to this Section 7.10 shall be uniform in size, design, color, printing, character and type to that standard established by Declarant, except that any Sign may consist of or include the Owner's trademark, service mark and/or logo, regardless of such

mark's or logo's design, color, printing, character or type. All Signs shall also comply with applicable ordinances of the City of Winterset, Iowa.

5. Any and all requirements in the Declaration to obtain the Declarant's approval for the construction or installation of any Building, improvements, landscaping or Signs shall cease and terminate on the earlier of:

- (a) July 2, 2028;
- (b) the date the Declarant no longer owns any property within the Plat; or
- (c) the date Declarant records a document terminating such approval rights.

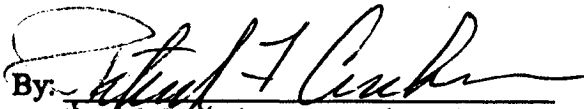
6. Notwithstanding any provision of the Declaration to the contrary, the terms of this Amendment may not be further amended without the prior written consent of the Owner(s) of Lots 3 and 4 of North Stone Village, Plat No. 4, Winterset, Iowa.

7. Except as expressly provided in this Amendment, all of the terms and provisions of the Declaration are hereby ratified, confirmed and continued in full force and effect.

8. In the event of a conflict between the terms of the Declaration and this Amendment, the terms of this Amendment shall control.

IN WITNESS WHEREOF, the undersigned has executed this Amendment as of the day and year first above written.

CORKREAN PROPERTIES L.L.C.

By: 
Patrick F. Corkrean, Member-Manager

STATE OF IOWA :
: SS
COUNTY OF MADISON :

This record was acknowledged before me on April 25, 2017, by Patrick F. Corkrean as Member-Manager of Corkrean Properties L.L.C., an Iowa limited liability company.


Notary Public

My commission expires: _____

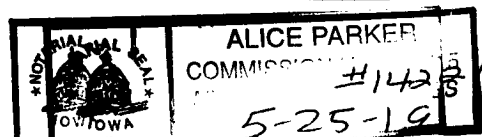


EXHIBIT "A"

LEGAL DESCRIPTION: North Stone Village, Plat No. 1

A parcel of land in the Southwest Quarter of the Southeast Quarter of Section 25, Township 76 North, Range 28 West of the 5th P.M., City of Winterset, Madison County, Iowa more particularly described as follows:

Commencing at the South Quarter corner of Section 25, Township 76 North, Range 28 West of the 5th P.M., City of Winterset, Madison County, Iowa thence North 00°02'51" East 140.04 feet along the West line of the Southwest Quarter of the Southeast Quarter of said Section 25 to the Point of Beginning which is on the North line of U.S. Highway No. 169 right-of-way; thence continuing North 00°02'51" East 249.66 feet along said West line; thence South 89°09'40" East 375.46 feet; thence North 00°08'28" East 150.00 feet; thence South 89°09'41" East 944.19 feet to a point on the East line of said Southwest Quarter of the Southeast Quarter; thence South 00°08'28" West 399.75 feet along said East line to a point on the North right-of-way of U.S. Highway No. 169; thence North 88°29'54" West 416.63 feet along said North right-of-way; thence North 89°27'41" West 902.66 feet to the Point of Beginning containing 10.742 acres.

Parcel is divided into 7 development lots and Lot "A" to be dedicated as North 8th Avenue right-of-way and Lot "B" to be dedicated as North 6th Avenue right-of-way.
