

BK: 1505 PG: 306
Page Range: 306-319
Instr. Number: 2020 349
Recorded: 2/5/2020 at 10:25:39.0 AM
County Recording Fee: \$72.00
Iowa E-Filing Fee: \$4.34
Combined Fee: \$76.34
Revenue Tax:
Melissa Bahnsen Recorder
Cedar County, Iowa

*THIS INSTRUMENT PREPARED BY/RETURN TO: Matthew J. Adam
Simmons Perrine Moyer Bergman PLC, 1150 5th Street, Suite 170, Coralville, Iowa 52241; 319-354-1019*

FOURTH AMENDMENT TO
DECLARATION OF SUBMISSION OF PROPERTY
TO HORIZONTAL PROPERTY REGIME

FOR

HILLTOP VIEW CONDOMINIUMS

WHEREAS, the undersigned Developer executed the Declaration of Submission of Property to Horizontal Property Regime for Hilltop View Condominiums and filed the same for record on August 18, 2017 in Book 1378, Pages 1-66, in the records of the Recorder of Cedar County, Iowa, and;

WHEREAS, the undersigned executed a First Amendment to the Declaration and filed the same for record on April 5, 2018 in Book 1409, Pages 209-212, in the records of the Recorder of Cedar County, Iowa, and;

WHEREAS, the undersigned executed a Second Amendment to the Declaration and filed the same for record on May 31, 2018 in Book 1417, Pages 203-204, in the records of the Recorder of Cedar County Iowa.

WHEREAS, the undersigned executed a Third Amendment to the Declaration and filed the same for record on July 2, 2018 in Book 1428, Pages 187-189, in the records of the Recorder of Cedar County Iowa.

The Fourth Amendment shall take effect when filed in the Office of the Recorder of Cedar County, Iowa.

ARTICLE I

PURPOSE

1. Purpose. The purpose of this Fourth Amendment is to revise the Site Plan set forth in the Declaration of Submission of Property to Horizontal Property Regime for Hilltop View Condominiums, specifically to re-number the units located on Riley Road. In addition, the purpose of this Fourth Amendment is to fully describe, define and submit an additional fourteen (14) Units to the Horizontal Property Regime for Hilltop View Condominiums all as required and permitted by Article I (3) of the Declaration which Units will be known as follows: Units 601, 603, 605, 607, 609, 611, 613, 600, 602, 604, 606, 608, 610 and 612.

ARTICLE II

PLANS, SPECIFICATIONS AND PARTICULARS

1. Site Plan. The Revised Site Plan, which shows the location of the units submitted to the Horizontal Property Regime pursuant to this Fourth Amendment, is attached hereto as "Exhibit A-3" and the units are located on Lot 41 and Lot 42, Pedersen Valley, Part Three –Phase Two, and Outlot G, Pedersen Valley, Part Five, Additions to West Branch, Cedar County, Iowa. The local address and unit number for each Unit added pursuant to this Fourth Amendment is as follows:

Unit Address	Unit Number
600 Riley Road	600
602 Riley Road	602
604 Riley Road	604
606 Riley Road	606
608 Riley Road	608
610 Riley Road	610
612 Riley Road	612
601 Riley Road	601
603 Riley Road	603
605 Riley Road	605
607 Riley Road	607
609 Riley Road	609
611 Riley Road	611
613 Riley Road	613

2. Plans and Specifications. The Building Plans for Units 601, 603, 605, 607, 600, 602, 604 and 606 are attached hereto as Exhibit "C-4" and the Building Plans for Units 608, 610, 612, 609, 611 and 613 are attached hereto as Exhibit "C-5". The Building

Specifications for Units 601, 603, 605, 607, 609, 611, 613, 600, 602, 604, 606, 608, 610 and 612 are the same as those attached to the original Declaration as Exhibit "D".

3. Effect of the Amendment. Upon Recording this Fourth Amendment, Units 601, 603, 605, 607, 609, 611, 613, 600, 602, 604, 606, 608, 610 and 612 Riley Road, West Branch, Iowa are hereby submitted to the Horizontal Property Regime for Hilltop View Condominiums and are capable of being owned as separate parcels of real estate. Units 601, 603, 605, 607, 609, 611, 613, 600, 602, 604, 606, 608, 610 and 612 Riley Road, West Branch, Iowa shall be subject to the Declaration as amended, as if each unit had been initially submitted to the Horizontal Property Regime by the Declaration.

4. Full Force and Effect. Except as specifically amended hereby, the original Declaration and previous Amendments remain in full force and effect.

5. Construction of Units. The construction of Units 601, 603, 605, 607, 609, 611, 613, 600, 602, 604, 606, 608, 610 and 612 shall be in accordance with the terms of this Fourth Amendment and the original Declaration as previously amended, and the places and exhibits attached hereto.

ARTICLE III

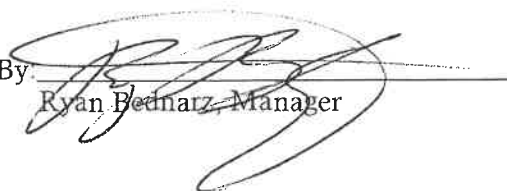
VOTING RIGHTS

Pursuant to the Declaration, the only Units in the Regime that have voting rights in the regime and which are members of the Hilltop View Condominiums Homeowners Association and have any rights under the non-profit organization organized pursuant to the Declaration are Units 601, 603, 605, 607, 609, 611, 613, 600, 602, 604, 606, 608, 610 and 612. The fraction of interest in common elements of the Regime is an undivided one-twentieth (1/20th) and the total number of votes outstanding and entitled to be cast by owners is fourteen (14) with each Unit owner located on Riley Road entitled to 1 vote on matters concerning the Association. In addition, the owners of each of the fourteen (14) Units located on Riley Road (Units 601, 603, 605, 607, 609, 611, 613, 600, 602, 604, 606, 608, 610 and 612) shall be responsible for their prorata share of expenses of the Association which prorata share is equal to one-fourteenth (1/14th) for each Unit.

IN WITNESS WHEREOF, the undersigned has caused this instrument to be duly executed this 5 day of February, 2020.

IWB, LLC – Developer

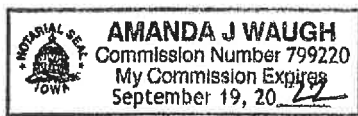
By


Ryan Bednarz, Manager

STATE OF IOWA)
)
COUNTY OF Johnson)

SS:

This instrument was acknowledged before me on this 5th day of February,
2020 by Ryan Bednarz, as Manager of IWB, LLC.



Amanda J Waugh
Notary Public in and for said State
My commission expires: 9-19-2022

INDICATES STREET ADDRESS	INDICATES ADJACENT PROPERTY AREA
XXX	XXX XXX XXX



EXHIBIT "A"
SITE PLAN

HILLTOP VIEW
CONDOMINIUMS
WEST BRANCH
CEDAR COUNTY
IOWA

MMS CONSULTANTS, INC.

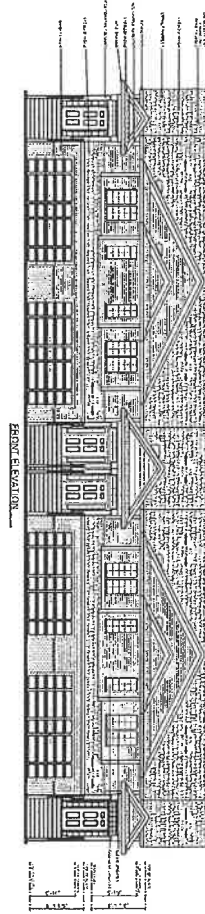
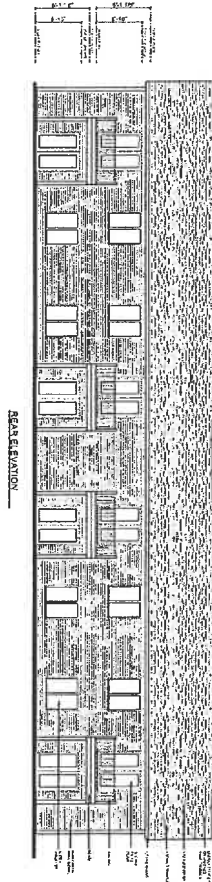
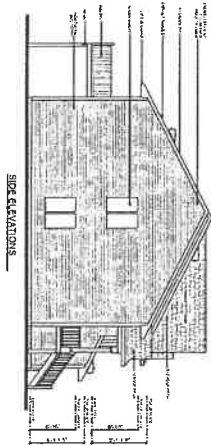
Date: 08-17-17

Designed by: _____ Field Book No: _____

Drawn by:	Scale:
-----------	--------

Checked by: _____ Sheet No: _____

Project No:	
-------------	--



© 2005 LONE TREE ARCHITECTURAL, INC. ALL RIGHTS RESERVED.

• A1 •

SCALE: 1/8" = 1'-0"
DATE: 08/03/2005
DRAWN BY: CMH
CHECKED BY: CMH
PROJECT NUMBER: 1841953

IWB PROPERTIES
SPLIT FOYER 4-PLEX

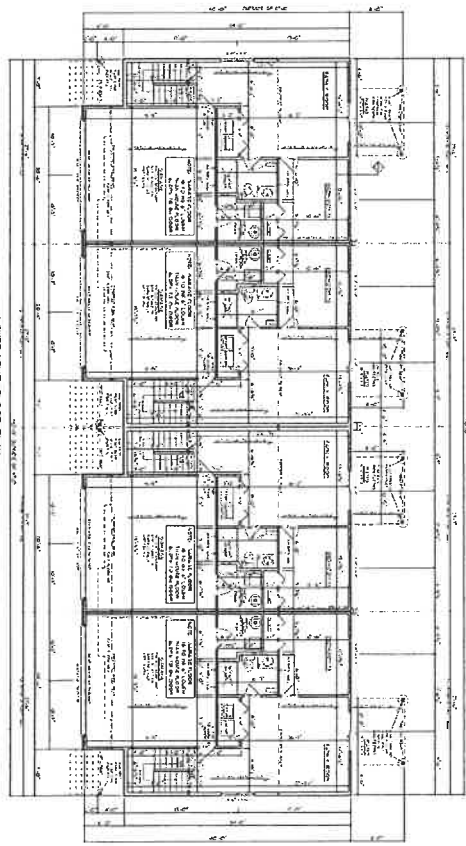
• DESIGN ELEMENTS •
RESIDENTIAL UNIT CONSTRUCTION DRAFTING
LONE TREE - IOWA 52755
319.629.4443
CHRISTINA@LONE TREEARCHITECT.COM

• ELEVATIONS •

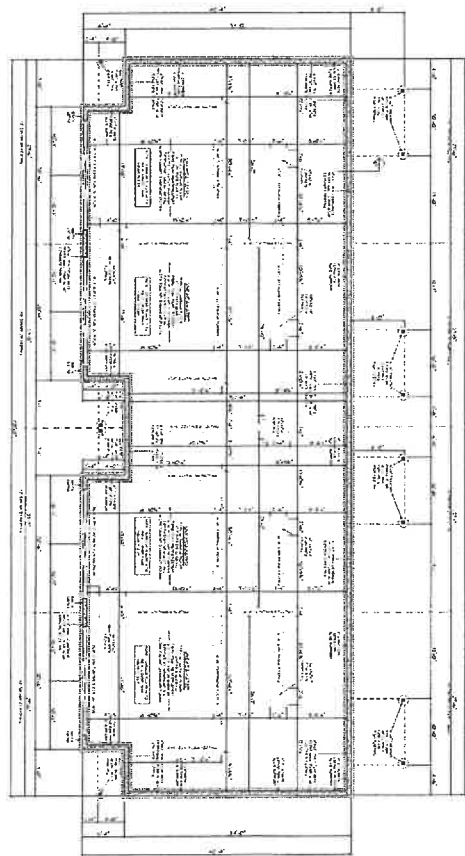
NOTES:
1. ALL DIMENSIONS ARE IN FEET AND INCHES.
2. FINISH FLOOR IS 4" BELOW FINISH GRADE.
3. FINISH GRADE IS 1" BELOW FINISH FLOOR.
4. FINISH GRADE IS 1" BELOW FINISH FLOOR.
5. FINISH GRADE IS 1" BELOW FINISH FLOOR.
6. FINISH GRADE IS 1" BELOW FINISH FLOOR.
7. FINISH GRADE IS 1" BELOW FINISH FLOOR.
8. FINISH GRADE IS 1" BELOW FINISH FLOOR.
9. FINISH GRADE IS 1" BELOW FINISH FLOOR.
10. FINISH GRADE IS 1" BELOW FINISH FLOOR.

NOTES:
1. ALL DIMENSIONS ARE IN FEET AND INCHES.
2. FINISH FLOOR IS 4" BELOW FINISH GRADE.
3. FINISH GRADE IS 1" BELOW FINISH FLOOR.
4. FINISH GRADE IS 1" BELOW FINISH FLOOR.
5. FINISH GRADE IS 1" BELOW FINISH FLOOR.
6. FINISH GRADE IS 1" BELOW FINISH FLOOR.
7. FINISH GRADE IS 1" BELOW FINISH FLOOR.
8. FINISH GRADE IS 1" BELOW FINISH FLOOR.
9. FINISH GRADE IS 1" BELOW FINISH FLOOR.
10. FINISH GRADE IS 1" BELOW FINISH FLOOR.

NOTES:
1. ALL DIMENSIONS ARE IN FEET AND INCHES.
2. FINISH FLOOR IS 4" BELOW FINISH GRADE.
3. FINISH GRADE IS 1" BELOW FINISH FLOOR.
4. FINISH GRADE IS 1" BELOW FINISH FLOOR.
5. FINISH GRADE IS 1" BELOW FINISH FLOOR.
6. FINISH GRADE IS 1" BELOW FINISH FLOOR.
7. FINISH GRADE IS 1" BELOW FINISH FLOOR.
8. FINISH GRADE IS 1" BELOW FINISH FLOOR.
9. FINISH GRADE IS 1" BELOW FINISH FLOOR.
10. FINISH GRADE IS 1" BELOW FINISH FLOOR.



FIRST FLOOR PLAN
10' 0" X 10' 0"



SECOND FLOOR PLAN
10' 0" X 10' 0"

© 2003 DESIGN ELEMENTS, INC. ALL RIGHTS RESERVED.

DESIGN ELEMENTS, INC.
1000 10TH AVENUE, SUITE 100
DENVER, CO 80202
TEL: 303.733.1111
WWW.DESIGNELEMENTS.COM

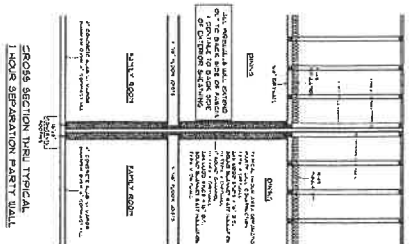
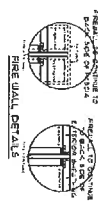
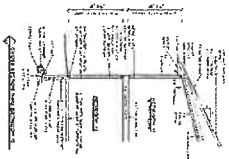
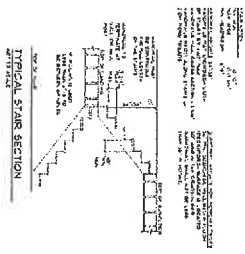
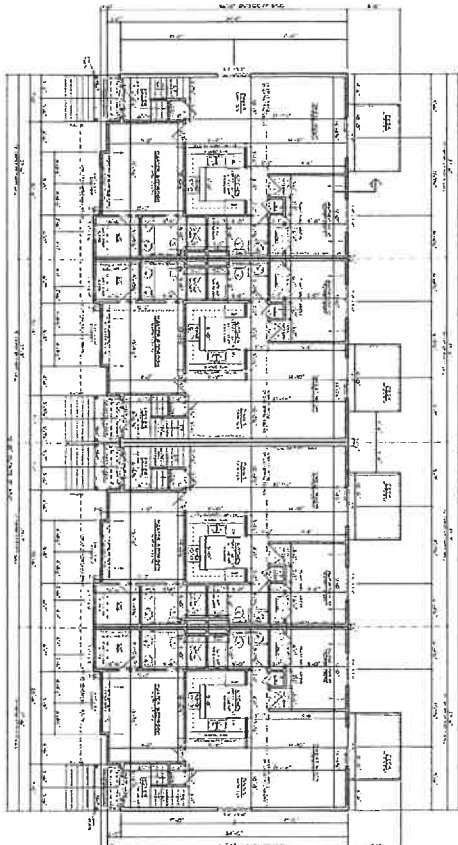
A2

SCALE: 1/8" = 1'-0"
DATE: 08/03/2003
DRAWN BY: CM
CHECKED BY: CM
PROJECT NUMBER: 041953

IWB PROPERTIES
SPLIT FOYER 4-PLEX

DESIGN ELEMENTS
RESIDENTIAL LIGHT COMMERCIAL DRAWING
LOVE TREE - IOWA - 52755
39-629-1111
CHRISTINA@DESIGNELEMENTS.COM

ELEVATIONS



© 2005 S&B DESIGN & ARCHITECTURE, LLC
ALL RIGHTS RESERVED

• A3 •
THIS DRAWING IS A PART OF A SET OF DRAWINGS FOR THE PROJECT. IT IS NOT TO BE USED SEPARATELY FROM THE OTHER DRAWINGS IN THE SET. THE PROJECT NUMBER IS 04/955.

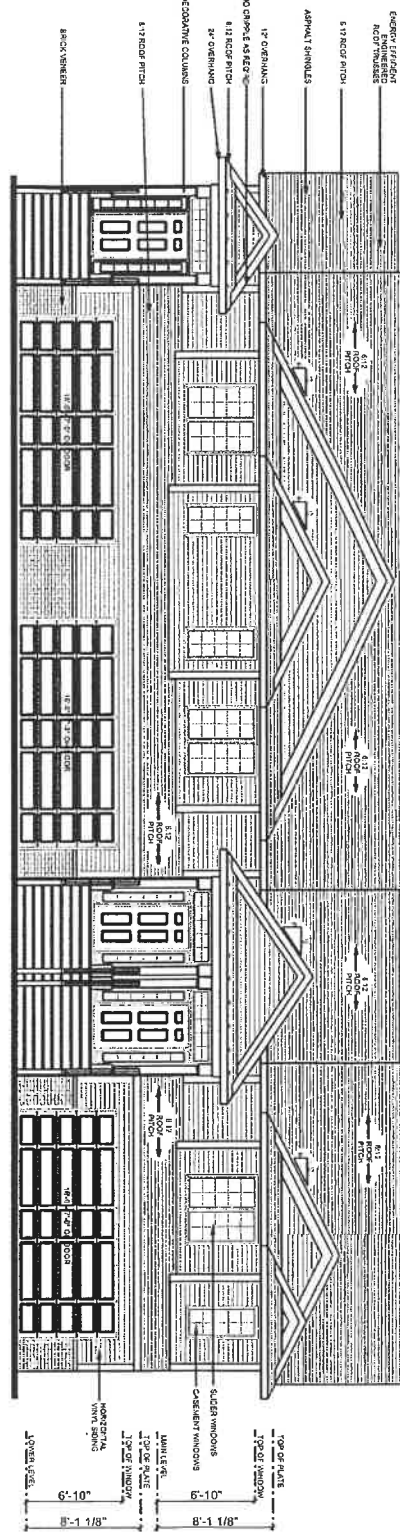
SCALE: 1/8" = 1'-0"
DATE: 08/05/2005
DRAWN BY: CM
CHECKED BY: CM
PROJECT NUMBER: 04/955

• • •
IWB PROPERTIES
• • •
SPLIT FOYER 4-PLEX
• • •

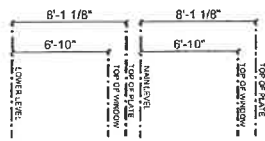
• DESIGN ELEMENTS •
RESIDENTIAL LIGHT COMMERCIAL DESIGN
LOVE, TRICK & WIVA • 52755
29-529-4445
CHRISTINA@GRIDER.COM

REV: 001

EXHIBIT C-5



FRONT ELEVATION



REAR ELEVATION

© 2013 DESIGN ELEMENTS, INC. ALL RIGHTS RESERVED. THIS DRAWING IS THE PROPERTY OF DESIGN ELEMENTS, INC. AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT PERMISSION IN WRITING FROM DESIGN ELEMENTS, INC.

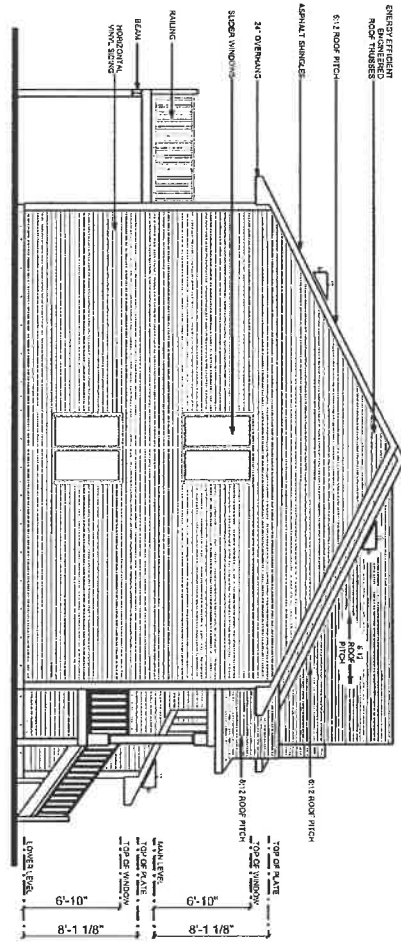
NO PART OF THIS DRAWING IS TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT PERMISSION IN WRITING FROM DESIGN ELEMENTS, INC.

SCALE: 1/8" = 1'-0"
DATE: 08/03/2018
DRAWN BY: CDM
CHECKED BY: CDM
PROJECT NUMBER: 1811 1953

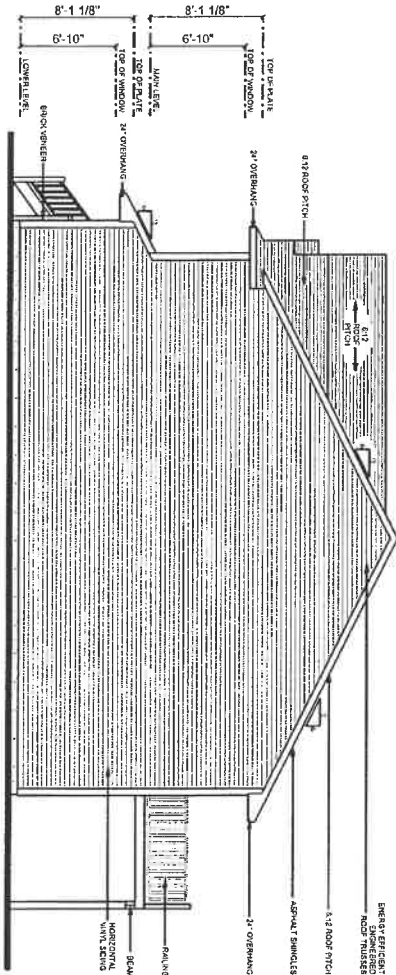
INVB PROPERTIES
SPLIT FOYER 3-PLEX

DESIGN ELEMENTS
RESIDENTIAL LIGHT COMMERCIAL DRAFTING
ONE THREE - ONE A - 6755
201-475-4443
DRAFTMAN@DESIGNELEMENTS.COM

REVISIONS



LEFT ELEVATION



RIGHT ELEVATION

© COPYRIGHT 2018 DESIGN ELEMENTS, LLC
ALL RIGHTS RESERVED. NO PART OF THIS DOCUMENT MAY BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT PERMISSION IN WRITING FROM DESIGN ELEMENTS, LLC.

NO PART OF THIS DOCUMENT MAY BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT PERMISSION IN WRITING FROM DESIGN ELEMENTS, LLC.

SCALE: 1/8" = 1'-0"
DATE: 08/03/2018
DRAWN BY: CDM
CHECKED BY: CDM
PROJECT NUMBER: 18H 1553

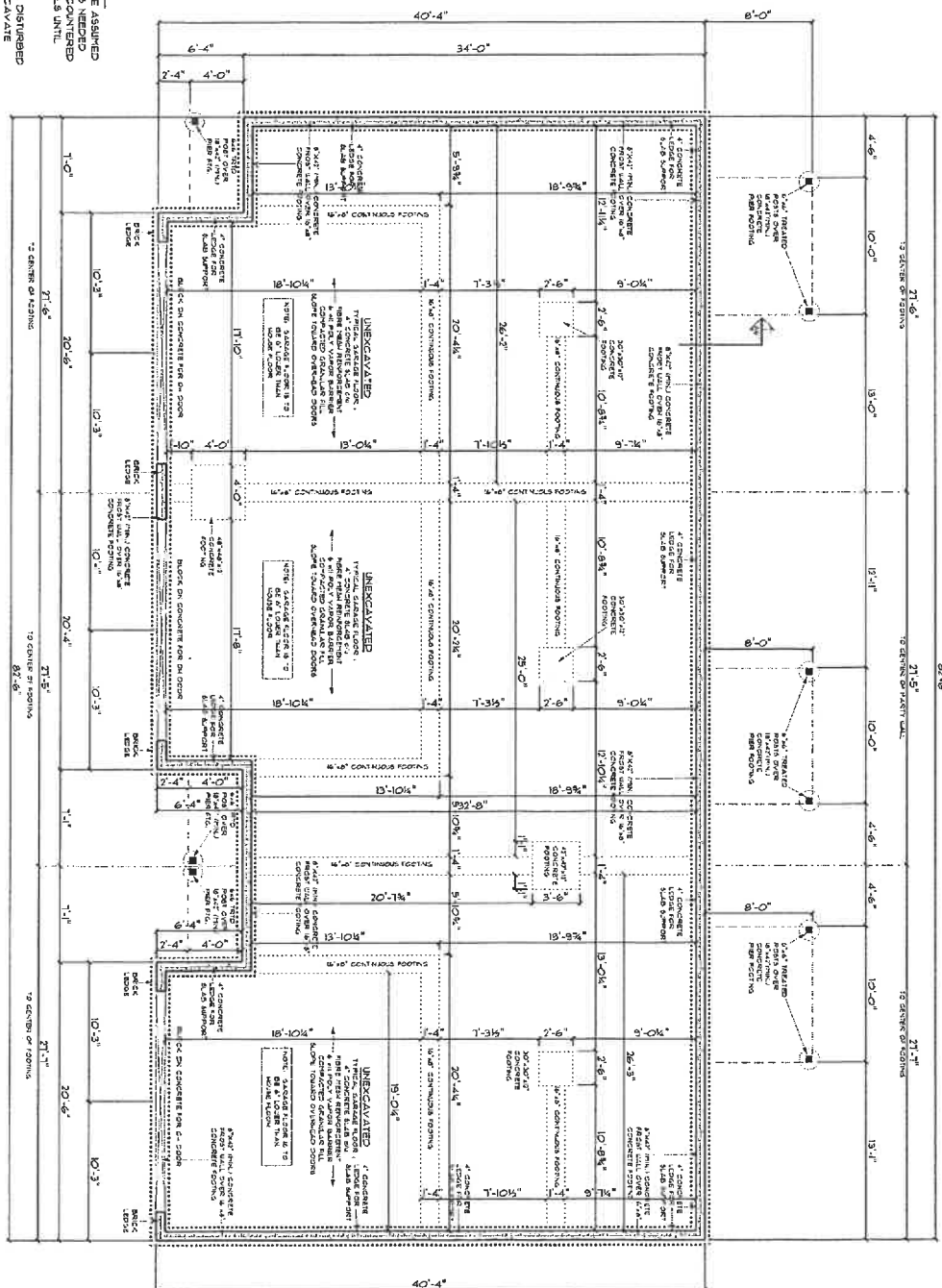
IVB PROPERTIES
SPLIT FOYER 3-PLEX

DESIGN + ELEMENTS
RESIDENTIAL LIGHT COMMERCIAL DRAFTING
LOVE FREE - 10884 - 5705
35 - 675 - 4443
CHARTATAPAS@DESIGNELEMENTS.COM

REVISIONS

A2

FOUNDATION PLAN



© COPYRIGHT 2011 DESIGN ELEMENTS, LLC
 ALL RIGHTS RESERVED. NO PART OF THIS PUBLICATION MAY BE REPRODUCED OR TRANSMITED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT PERMISSION IN WRITING FROM DESIGN ELEMENTS, LLC.

[illegible]

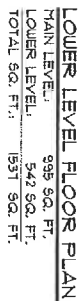
SCALE: 1/8" = 1'-0"
DATE: 08/03/2018
DRAWN BY: CDM
CHECKED BY: CDM
PROJECT NUMBER: 18M1553

INVB PROPERTIES

• DESIGN • ELEMENTS •
RESIDENTIAL • LIGHT COMMERCIAL DRAWINGS
• • • • •
LONG TREE • 1088 • 575A
315 6672 4443
CHRISTINA@GRUDER+MEN.COM

KEYWORDS:

- CASERMENT 1' SLIDER UNIDORS TO BE USED
- USE REINFORCED GLASS SHEET INSIDE
- ALL DIMENSIONS ARE PLATE TO PLATE
- ROOF PANELS ARE TO BE DESIGNED AND CERTIFIED BY A LICENSED ENGINEER IN THE STATE OF CONSTRUCTION
- ALL EXTERIOR WALLS ARE 1/4" X 4" X 8" OC
- ALL EXTERIOR WALLS ARE 1/4" X 4" X 8" OC
- 1/2" PLUMBING WALLS AS REQUIRED
- BEAM SIZES AND POST SPACING ARE TO BE DETERMINED BY OTHERS
- ACTUAL 11' 0" TO FLOOR LAYOUT
- AND SPACING BY OTHERS
- TO SHOWER
- 17" CLEARANCE IN FRONT OF LOWER CLOSET
- STAIRS: 1/4" X 4" RISE 1/4" X 4" RUN 10"
- LOCATION OF ATTIC ACCESS IS TO BE DETERMINED BY GENERAL CONTRACTOR

[illegible]

© COPYRIGHT 2011 DESIGN ELEMENTS, LLC
 ALL RIGHTS RESERVED. NO PART OF THIS PUBLICATION MAY BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT PERMISSION IN WRITING FROM DESIGN ELEMENTS, LLC.

[illegible]

SCALE: 1/8" = 1'-0"
DATE: 08/03/2018
DRAWN BY: CDM
CHECKED BY: CDM
PROJECT NUMBER: 18M1553

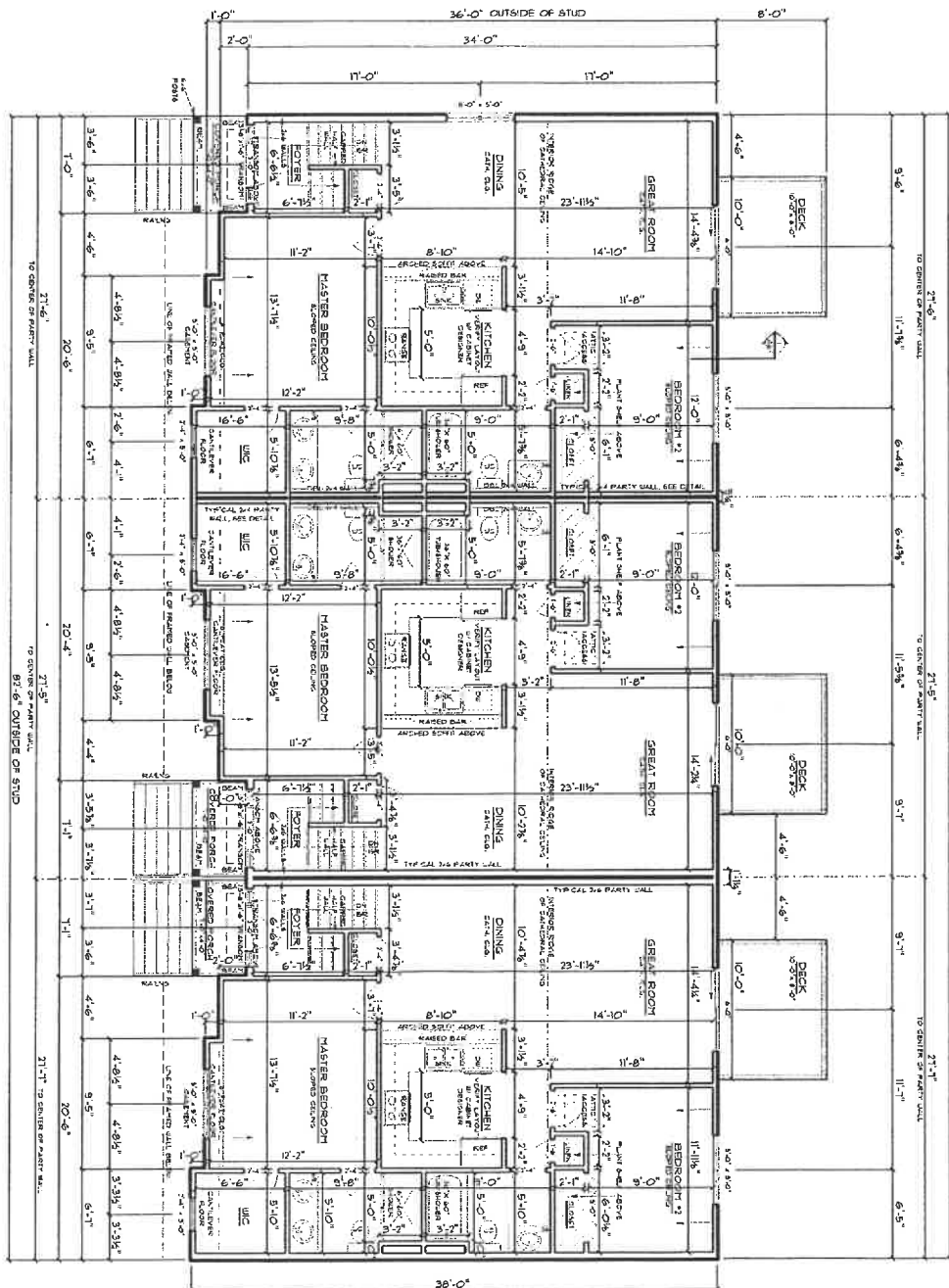
INVB PROPERTIES

DESIGN ELEMENTS
RESIDENTIAL / LIGHT COMMERCIAL DRAFTING
LONE TREE, IOWA 5765
570-823-8442
WWW.NAPASUDERSEN.COM

REVISIONS

- TYPICAL HOUR AREA SEPARATION
PARTY WALL CONSTRUCTION:
TYPE X DRYWALL
2x4 WOOD STUDS @ 16" O.C.
SOUND BLANKET BATT INSULATION
TYPE X DRYWALL
1 1/2" SOUND CHANNEL
TYPE X DRYWALL
2x4 WOOD STUDS @ 16" O.C.
SOUND BLANKET BATT INSULATION
TYPE X DRYWALL

1-HOUR AREA SEPARATION WALL
NOT TO SCALE



MAIN LEVEL FLOOR PLAN

MAIN LEVEL:	995 S.Q. FT.
LOWER LEVEL:	542 S.Q. FT.
<u>TOTAL S.Q. FT.:</u>	<u>1537 S.Q. FT.</u>

© COPYRIGHT 2011 DESIGN ELEMENTS, LLC
PROJECTED ABOVE AND TO THE RIGHT OF EACH PAGE

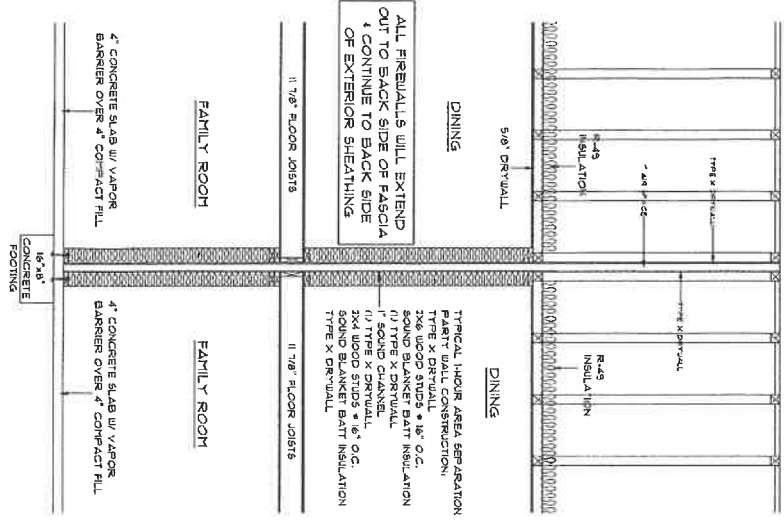
1. A person who is not a citizen of the United States and who is not a resident of the United States is not eligible for the office of President of the United States.

SCALE: 1/8" = 1'-0"
DATE: 08/03/2018
DRAWN BY: CDM
CHECKED BY: CDM
PROJECT NUMBER: 1811553

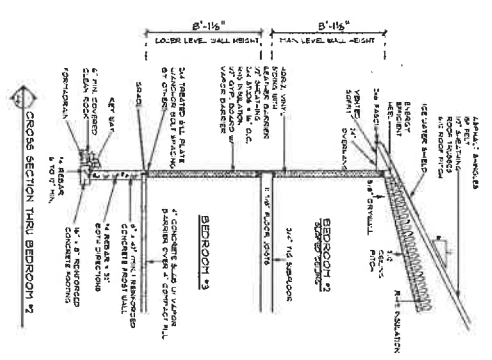
INVB PROPERTIES

• DESIGN • ELEMENTS •
RESIDENTIAL • LIGHT COMMERCIAL DRAFTING
☐ ☐ ☐ ☐ ☐
LONE TREE, ILL. • 312.555.3755
312.555.4443
CHRISTIAN@GRUDERMAN.COM

REVISIONS

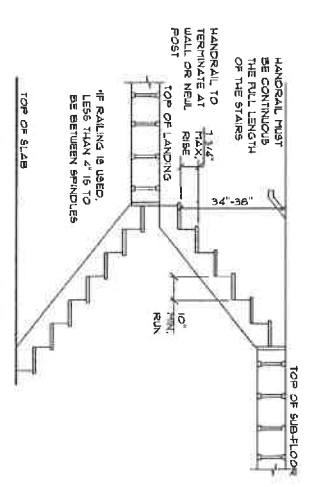


CROSS SECTION THRU TYPICAL
1 HOUR SEPARATION PARTY WALL



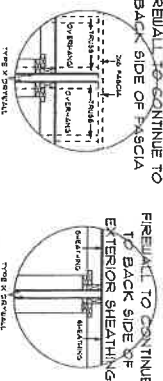
CROSS SECTION THRU BEDROOM 1

TYPICAL STAIR SECTION
NOT TO SCALE



STAIR NOTES:
MIN. RUN 0'-10"
MAX. RISE 0'-1 3/4"
MIN. HEADROOM 6'-8"
HANDRAIL HEIGHT 36" MAX.
HANDRAILS MAY ENCROACH UPON
OF STAIRS BY 4 1/2" MAX.
HANDRAILS MAX. CROSS SECTION 3 1/8"
HANDRAILS END ALONG STAIRS W/
2" OR MORE REDUCED
GUARDRAIL HEIGHT FOR PORCHES/DECKS
36" MIN. GUARDRAIL REQUIRED IF FLOOR
DECK/PORCH/SURFACE IS LOCATED
30" ABOVE THE GRADE/FLOOR.
GUARDRAIL SHALL NOT BE LESS
THAN 36" IN HEIGHT.

FIRE WALL DETAILS



© COPYRIGHT 2011 EDITION BLUEPRINTS, LLC
REVISIONS AND COMMENTS ARE TO BE MADE ON THIS SHEET

SCALE: 1/8" = 1'-0"

DATE: 09/03/2016

DRAWN BY: CDM

CHECKED BY: CDM

PROJECT NUMBER: IBM 1053

IVB PROPERTIES

SPLIT FOYER 3-PLEX

DESIGN ELEMENTS

RESIDENTIAL 15188 COMMERCIAL DRAFTING

LOVE TREE • 100% • 80756

275 • 6075 • 44445

ONE STOP ARCHITECTURAL DRAFTING

REVISIONS