USBC RUT

12218

26.00

FILED NO. 010518
BOOK 3311 PAGE 454
02 OCT -2 PM 4:00

JOHNSON COUNTY RECORDER
IOWA CITY, IOWA

Prepared by: Dell A. Richard; 1150 5th Street, Suite 280, Coralville, Iowa 52241; 319/354-9592

Third Amendment to Declaration of Covenants, Conditions and Restrictions Normandy Court Condominiums Phase I, Phase II, Phase III

WHEREAS, the undersigned represent not less than two-thirds (2/3) of the members of the Normandy Court Condominium Owner's Association and Owners of Units in the Normandy Court Condominiums; and

WHEREAS, the undersigned wish to amend the Declarations of Covenants, Conditions and Restrictions for Phase I, Phase II and Phase III, Normandy Court Condominiums, as Amended June 1, 1979 and Amended November 20, 1996; and

WHEREAS, this Amendment affects the following described properties located in Johnson County, Iowa to wit:

> Units 417, 419, 421, 423, 425, 427 of Phase I; Units 429, 431, 433, 435, 437, 439, 441, 443 of Phase II; and Units 3409, 3411, 3413, 3415, 3417, 3419, 3421, 3423 of Phase III, all of Normandy Court Condominiums, Iowa City, Iowa, all as described on the Declarations recorded in Book 532, Page 121 and Book 549, Page 212, and Book 560, Page 32, Miscellaneous Records of Johnson County, Iowa;

NOW THEREFORE, in consideration of the mutual covenants contained herein and other good and valuable consideration, the undersigned hereby adopt the following Amendments to the Declaration:

1. The first sentence of: Phase I, Article III, Section 2, Use Restrictions; and Phase II and Phase III, Article III, Section 3, Use Restrictions, is deleted and the following is substituted therefore:

> Each Owner shall use his or her apartment solely as a private residence for the Owner, Owner's family or Owner's guests, and no business, professional or other activity of any type shall be operated from or out of any apartment, common element, or limited common element.

2. Phase I, Phase II and Phase III, Article XI, is hereby deleted in its entirety and the following is substituted therefore:

LEASING OF APARTMENTS

All apartments shall be Owner occupied, except that a Unit may be rented to Qualified Family Member, namely a child, step-child, grandchild, parent, or grandparent of the Owner, so long as the apartment is actually occupied by such Qualified Family Member as his or her primary residence.
This paragraph shall not be enforced against any Unit that is being rented to a person other than one described in this **Article XI** on the effective date of this Amendment. Units being rented on the effective date of this Amendment may continue to be rented for so long as the Unit Owner on the effective date of the Amendment continuously owns the Unit and rents it to others in accordance with this Declaration, Bylaws and rules of the Association. If the Unit is sold, transferred or otherwise disposed of to a person other than the Unit Owner on the effective date of this Amendment, the person to whom the Unit is transferred, or a Qualified Family Member of the transferee, must occupy the Unit as a personal residence in conformity with this Amendment. If the Unit is transferred due to the death of a Unit Owner, the successor in interest to the deceased Unit owner shall have a reasonable time, not to exceed one (1) year from the date of death, to bring the Unit into compliance with this **Article XI**.

This Amendment shall become effective after not less than two-thirds (2/3) of the members of the Association entitled to vote have signed it and upon it being duly recorded in the office of the Recorder of Johnson County, Iowa.

By signing this document, the undersigned hereby consents to the adoption of the Amendments.

Signed and dated on the date next to the respective signatures.

NORMANDY COURT CONDOMINIUMS
PHASE I

T. T. Kasiyamhuru
417 Peterson Street
Talence T. Kasiyamhuru

09/19/02
Date

Karl F. Kuhlmann
419 Peterson Street
Karl F. Kuhlmann

9/19/02
Date

000655