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Johnson County Iowa
Kim Painter County Recorder
BK5743 PG540-541

23027

Prepared by and return to:
Michael W. Kennedy, 920 S. Dubuque Street, P.O. Box 2000, Iowa City, IA 52244-2000, Phone: (319) 351-8181

SECOND AMENDMENT TO DECLARATION OF CONDOMINIUM FOR LAKEWOOD VILLAGE CONDOMINIUMS

This document amends the Declaration of Submission of Property to Horizontal Property Regime pursuant to Chapter 499B of the Code of Iowa for Lakewood Village Condominiums, which was recorded on August 8, 1980 in Book 578, Page 299, Records of Johnson County, Iowa, as previously amended by the First Amendment to the Declaration of Condominium for Lakewood Village Condominiums dated May 27, 2016, and recorded May 27, 2016 in Book 5510, Page 388-396, Records of Johnson County, Iowa; in the following particulars:

WHEREAS, under Paragraph 5.2(a) of the Declaration of Condominium, the Board of Directors is given authority to direct Unit Owners to assume responsibility for the repair and replacement of Limited Common Elements of the condominiums regime, and

WHEREAS, the Board of Directors, pursuant to Paragraph 5.2(a), now desires to amend the Declaration of Condominium so as to assign responsibility for the maintenance, repair, and replacement of certain portions of the balconies/decks and patios in the condominium regime to the individual Unit Owners, and

WHEREAS, the proposed Amendment was adopted by a majority vote of all the Board of Directors at its December 21, 2017 meeting, in accordance to Section 3.12 of the bylaws of the Lakewood Village Condominiums Homeowners Association,

NOW, THEREFORE, pursuant to the vote of the Board of Directors to adopt the above-referenced Amendment, the Declaration of Condominium is hereby amended and modified as follows:

1. Paragraph 5.2(a)(2) is amended to read as follows:

"The understructure of the balconies/decks, consisting of the cantilevered joists and all portions of the balcony/deck structure located below said joists, including the fascia, posts, and post footers."

2. Paragraph 5.2(b)(3) is amended to read as follows:

"Not paint or otherwise decorate or change the appearance of any portion of the exterior of the Building, except that each Unit Owner is responsible for painting or staining all portions of the Unit Owner's balcony/deck located above the cantilevered joists supporting said balcony/deck, including the decking, rail post, bottom rail, balusters, rail cap and top rail. Each Unit Owner shall use a specific color and type of paint as determined by the Board of Directors. The paint or stain will be provided to the Unit Owner by the Association, at no cost to the Unit Owner."

3. Paragraph 5.2(b) is amended to add the following subsection 5.2(b)(6):

"Maintain, repair and replace at his or her expense all portions of the Unit Owner's patio or the Unit Owner's balcony/deck located above the cantilevered joists supporting said balcony/deck including the decking, rail post, bottom rail, balusters, rail cap and top rail."

4. This Amendment shall take effect upon recording.

DATED this 29th day of December, 2017.

LAKEWOOD VILLAGE CONDOMINIUM ASSOCIATION
BOARD OF DIRECTORS

By: _____
Kathe Gannon, President

STATE OF IOWA)
)SS:
COUNTY OF JOHNSON)

This instrument was acknowledged before me on this 29th day of December, 2017, by Kathe Gannon, as President of Lakewood Village Condominium Homeowners' Association.

NOTARIAL SEAL IOWA
TINA BURRILL
Commission Number 714799
MY COMMISSION EXPIRES
January 29, 2020

_____
Notary Public in and for the State of Iowa

16072/2017-12-28 Second Amendment to Dec of Condominium