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Fee Amt: $22.00 Page 1 of 4
Revenue Tax: $0.00
Linn County Iowa
JOAN MCCALMANT RECORDER
BK 8110 PG 427-430

$22 cash jlw

Preparer
Information: M.K. Pilcher Hayek, 920 S. Dubuque Street, P.O. Box 2000, Iowa City, Iowa 52244 (319) 351-8181

Return to Joe Stallman 3050 Wilson Avenue SW # 2 Cedar Rapids, Iowa 52404

TENTH AMENDMENT TO DECLARATION OF SUBMISSION TO HORIZONTAL PROPERTY REGIME PURSUANT TO CHAPTER 499B OF THE CODE OF IOWA FOR WALNUT RIDGE CONDOMINIUMS

COMES NOW, Joe Stallman, President of the Board of Directors of the Walnut Ridge Condominiums Owners Association, and hereby amends the original Declaration of Submission of Property to Horizontal Property Regime Pursuant to Chapter 499B of the Code of Iowa for Walnut Ridge Condominiums, which was recorded June 16, 2000, in Book 4111, Page 190, Records of Linn County, Iowa, as previously amended by the **First** Amendment to the Declaration of Submission to Horizontal Property Regime for Walnut Ridge Condominiums recorded August 4, 2000 in Book 4138, Page 478, Records of Linn County, Iowa, and by the **Second** Amendment to Declaration of Submission of Property to Horizontal Property Regime Pursuant to Chapter 499B of the Code of Iowa for Walnut Ridge Condominiums recorded November 21, 2000 in Book 4197, Page 614 of the Records of Linn County, Iowa and by the **Third** Amendment to Declaration of Submission of Property to Horizontal Property Regime Pursuant to Chapter 499B of the Code of Iowa for Walnut Ridge Condominiums recorded February 28, 2001 in Book 4252, Page 101 of the Records of Linn County, Iowa, and by the **Fourth** Amendment to Declaration of Submission of Property to Horizontal Property Regime Pursuant to 499B of the Code of Iowa for Walnut Ridge Condominiums recorded May 14, 2001 in Book 4323, Page 140 of the Records of Linn County, Iowa and by the **Fifth** Amendment to Declaration of Submission of Property to Horizontal Property Regime Pursuant to 499B of the Code of Iowa for Walnut Ridge Condominiums recorded June 14, 2001 in Book 4355, Page 340 of the Records of Linn County, Iowa, and by the **Sixth** Amendment to Declaration of Submission of Property to Horizontal Property Regime Pursuant to 499B of the Code of Iowa for Walnut Ridge Condominiums recorded February 11, 2003 in Book 5033, Page 296-307 of the Records of Linn County, Iowa, and by the **Seventh** Amendment to Declaration of Submission of Property to Horizontal Property Regime Pursuant to 499B of the Code of Iowa for Walnut Ridge Condominiums recorded October 21, 2003

in Book 5449, Page 318-329 of the Records of Linn County, Iowa, and by the **Eighth** Amendment to Declaration of Submission of Property to Horizontal Property Regime Pursuant to 499B of the Code of Iowa for Walnut Ridge Condominiums recorded April 6, 2006 in Book 6304, Page 303-308 of the Records of Linn County, Iowa, and by the **Ninth** Amendment to Declaration of Submission of Property to Horizontal Property Regime Pursuant to 499B of the Code of Iowa for Walnut Ridge Condominiums recorded April 5, 2007 in Book 6636, Page 172-186 of the Records of Linn County, Iowa, in the following particulars:

WHEREAS, Notice was sent to the Members of the Walnut Ridge Condominiums Association of an Owners' Meeting to be held on October 30, 2011, more than ten (10) days before the date of said meeting. Members were given notice of a resolution adopting the following proposed amendments: (1) amendment of Article IX (2) (b) of the Declaration of Submission to Horizontal Property Regime as it concerns unit rental or lease; (2) amendment of Article IX (2) (e) of the Declaration of Submission to Horizontal Property Regime as it concerns television antenna; and (3) amendment of Article IX (2) (k) of the Declaration of Submission to Horizontal Property Regime and relevant Rules and Regulations, both relating to pet ownership,

WHEREAS, on October 30, 2011, Members of the Walnut Ridge Owners Association adopted by a vote of not less than 66 2/3% of owners entitled to vote, in person or by proxy, the proposed resolution to amend the following: Article IX (2) (b), Article IX (2) (e), and Article IX (2) (k) pursuant to Article XII of the Declaration of Submission to Horizontal Property Regime as well as certain amendments to the Rules and Regulations pursuant to Article VIII (4) of the Bylaws,

NOW THEREFORE, pursuant to the Members' vote to adopt the above-referenced resolutions at the Owners' Meeting held on October 30, 2011, the following Amendments are made:

1. Article IX (2) (b) of the Declaration of Submission to Horizontal Property Regime is hereby amended as it concerns the rental or leasing of units:

> **(b) All units shall be owner-occupied as defined herein as of October 30, 2011. For the purposes of the rent restrictions imposed by the Tenth Amendment to the Declaration and the Rules and Regulations herein, "owner-occupied" means the Unit owner, the Unit owner's parents, or the Unit owner's children. Notwithstanding this Amendment, those leases existing at the time of the recording of this Amendment shall be permitted to exist until the unit is sold or the current tenant decides not to renew the lease, whichever event occurs first. The existing leases shall not be assigned to new tenants.**

2. Article IX (2) (e) of the Declaration of Submission to Horizontal Property Regime is hereby amended as it concerns TV antennas:

> **(e) The following provisions govern the Owners' installation and/or use of satellite dishes.**

Individual Satellite Dishes. An individual satellite dish provides programming for only one owner. The following restrictions apply to any Owner's installation and use of an individual satellite dish in his/her unit:

a. **The individual satellite dish must be one meter (39.37 in.) in diameter or less.**

b. **The individual satellite dish must be located wholly within an exclusive use area, or an area of the property that only you, and persons you permit, may enter and use to the exclusion of other unit owners.**

c. **The individual satellite dish must not protrude beyond your exclusive use area, including into the air beyond a balcony railing or patio.**

d. **You are not permitted to drill a hole through an exterior wall without the Board's permission because exterior walls are considered common areas.**

e. **If you receive the Board's permission to drill a hold through an exterior wall, you must provide the Association with a $50.00 deposit for any repairs necessary to fill-in any and all holes drilled for the purpose of installation.**

f. **You are prohibited from installing an individual satellite dish in any common area, including the roof and or yard/garden.**

g. **For aesthetic purposes, please consult with the Board to determine the preferred placement of the individual satellite dish. The Association desires a uniform appearance to the extent possible.**

h. **The Board reserves the right to require any owner whose satellite dish is currently in violation of this rule to relocate the satellite dish to comply with this rule.**

3. Article IX (2) (k) of the Declaration of Submission to Horizontal Property is hereby amended as it concerns pets:

(k) Owners can be in possession of one cat. Dogs are prohibited. Notwithstanding this Amendment, an Owner in possession of not more than *one* dog weighing less than 40 pounds at the time this Amendment is recorded is permitted to keep the *same* dog provided the owner's only noncompliance with the Amendment is the dog currently in the owner's possession.

4. Unit owners are strongly advised to review the revised Rules and Regulations attached hereto as changes have been made to multiple Rules and Regulations, including those related to this Tenth Amendment.

5. All other provisions of the original Declaration of Submission of Property to Horizontal Property Regime Pursuant to Chapter 499B of the Code of Iowa for Walnut Ridge Condominiums not amended herein shall remain in full force and effect.

6. This Amendment shall take effect upon recording.

DATED this 10th day of November 2011.

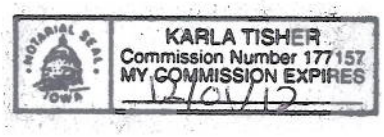
WALNUT RIDGE CONDOMINIUMS OWNERS' ASSOCIATION

Joe Stallman

By: Joe Stallman, President

STATE OF IOWA)
) SS:
LINN COUNTY)

On this 10th day of November 2011, before me, the undersigned, a Notary Public in and for said County, in said State, personally appeared Joe Stallman, to me personally known, who being by me duly sworn, did say that he is the President of said condominium owners' association and that said instrument was signed on behalf of said condominium owners' association by authority of its Board of Directors; and that the said Joe Stallman as such officer acknowledged the execution of said instrument to be the voluntary act and deed of said condominium owners' association by it and by his voluntarily executed.



Karla Tisher

Notary Public in and for the State of Iowa.

Maka4/Walnut/AmendDec_9_2_11