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Johnson County Iowa
Kim Painter County Recorder
BK 6518 PG 533-534

Prepared By: Craig Mosher, Prairie Hill Owners Association, 140 Prairie Hill Lane, Iowa City IA 52246
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FIFTH AMENDMENT
TO
PRAIRIE HILL CONDOMINIUM DECLARATION

COMES NOW, ICCH, LLC, who, pursuant to Article VI, Paragraph 4(e), as Declarant of the condominium Declaration filed for Prairie Hill Condominiums on March 30, 2018, in Book 5770, Page 1, Miscellaneous Records of Johnson County, Iowa; First Amendment dated September 25, 2018, in Book 5840, Page 246, Records of Johnson County, Iowa; Second Amendment dated April 30, 2019, in Book 5897, Page 851; Third Amendment dated November 18, 2022, in Book 6442, Page 697, Records of Johnson County, Iowa; Fourth Amendment dated May 4, 2023, in Book 6476, Page 265, Records of Johnson County, Iowa, hereby amends said Declaration as follows:

1. An alteration or improvement under Article VIII Paragraph 4 of the Declaration of Condominium or Section 8.5 of the Bylaws may include construction, installation, or addition of a patio, screened porch, fencing, shed, retaining wall, or like improvement to an owner's unit or limited or general common element. An owner requesting such an alteration or improvement shall not commence work on any alteration or improvement until a complete set of plans, as set forth in the second paragraph of Section 8.5 of said Bylaws, has been submitted to the Board of Directors and approved by the Board. The Board's determination as to whether the alteration and/or improvement is within design guidelines of the Board, if any, and that such alteration and/or improvement will not be detrimental to the integrity or appearance of the Condominium Regime shall be under the absolute discretion of the Board of Directors. The Board of Directors may adopt rules and regulations governing any such alteration or improvement. The Owner shall, as long as s/he owns the unit, be solely responsible for any and all costs related to the alteration, improvement, repair, and maintenance of the alteration or improvement, as well any increased cost to the Prairie Hill Owners Association for insurance, utilities, or otherwise. All subsequent owners of the unit shall bear the same responsibility for the costs of alteration, improvement, repair, and maintenance of the alteration or improvement. An owner of an improvement may, at their own expense, remove the improvement and return the location to its previous natural state. No alteration or improvement of a Unit shall cause an increase or decrease in the "unit's total percentage of undivided interest in the land and common elements and share of common expense" as set forth on revised Exhibit H of the Declaration of Condominium.

Furthermore, an Owner desiring to install landscaping or plantings, or any alteration or improvement, outside of the limited common element yard as defined in the Declaration of Condominium may do so if all terms and conditions for an alteration or improvement as set forth above are complied with and approved.

Anywhere the Declaration and Bylaws refer to thirty-six (36) units, it is changed to thirty-seven (37) units. And where it says, "Each residential building contains two (2) or four (4) residential units," it is changed to: "Each residential building contains two (2), four (4), or five (5) residential units."

The Board of Directors of Prairie Hill Condominium Owners Association with the unanimous super-majority vote of the Council of Co-owners releases the Declarant, ICCH, LLC, from the requirement to contribute $500.00 per unit to the Replacement Reserves Fund as outlined in section 6.2.1 of the Bylaws of Prairie Hill Condominium Owners Association.

The above-referenced Amendment to the Condominium Declaration was adopted by the affirmative vote of at least 67% of all owners entitled to vote, in person or by proxy, which minimum vote requirement is set by Paragraph 1(b) of Article XIV of the Declaration. All of the other provisions of the said existing Declaration of Submission of Property to Horizontal Property Regime for Prairie Hill Condominiums, as amended, are herein affirmed and shall remain in effect.

Dated at Iowa City, Iowa this 27th day of September, 2023.

PRAIRIE HILL OWNERS ASSOCIATION

By: Bob Reynolds Bob Reynolds, President

STATE OF IOWA)
) ss:
COUNTY OF JOHNSON)

This instrument was acknowledged before me on the 27th day of September, 2023, by Bob Reynolds as President of the Prairie Hills Owners Association.

BARBARA J CAHILL
Commission Number 756271
MY COMMISSION EXPIRES
DECEMBER 18, 2023

Notary Public in and for the State of Iowa