1751

Doc ID: 027147430012 Type: GEN
Kind: CONDOMINIUM AMEND
Recorded: 09/04/2018 at 04:40:14 PM
Fee Amt: $62.00 Page 1 of 12
Johnson County Iowa
Kim Painter County Recorder
BK5833 PG697-708

Prepared By: James D. Houghton, 568 Highway 1 West, Iowa City, IA 52246 ~ (319) 351-8600
Return Document To: Anderson & Houghton, LLP, 568 Highway 1 West, Iowa City, IA 52246 ~ (319) 351-8600

# THIRD AMENDMENT TO DECLARATION OF SUBMISSION OF PROPERTY TO HORIZONTAL PROPERTY REGIME PURSUANT TO CHAPTER 499B FOR CHURCHILL SQUARE CONDOMINIUMS

---

**DECLARANT**
S.G.A., Inc.
100 N. Calhoun
P.O. Box 22
West Liberty, IA 52776

**DECLARANT'S ATTORNEY**
James D. Houghton
Anderson & Houghton, LLP
568 Highway 1 West
Iowa City, IA 52246

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## THIRD AMENDMENT TO DECLARATION OF SUBMISSION OF PROPERTY TO HORIZONTAL REGIME ESTABLISHING A PLAN FOR CONDOMINIUM OWNERSHIP OF PREMISES

This Third Amendment to Declaration of Submission of Property to the Horizontal Property Regime established by Chapter 499B, the Code of Iowa, and amending the original Declaration dated July 20, 2017 and recorded July 20, 2017, in Book 5680, Page 513-561, and First Amendment to Declaration dated October 2, 2017 and recorded October 2, 2017, in Book 5709, Page 515-526, and Second Amendment to Declaration dated May 31, 2018 and recorded May 31, 2018, in Book 5790, Page 857, of the records of the

Johnson County Recorder's Office is made by S.G.A., Inc., hereinafter referred to as "Declarant," and being made pursuant to the Declarant's reserved rights found in Article I (2) and Exhibit "A," and hereby amends the original Declaration and First Amendment as follows:

1. Exhibit "A" of the original Declaration is hereby deleted and the attached Revised Exhibit "A" is hereby adopted in its place.
2. The attached Exhibit "G" and Exhibits thereto are hereby adopted as to Units 4709, 4711, 4713 & 4715, Herbert Hoover Highway.

The Third Amendment shall take effect when filed in the office of the Recorder of Johnson County, Iowa.

IN WITNESS WHEREOF; Declarant has executed this Third Amendment to the Declaration the day and year written below.

**S.G.A., Inc.**

9/4/2018
Date

By: _____
Travis J. Shield, President & Secretary

STATE OF IOWA )
) ss:
COUNTY OF JOHNSON )

This instrument was acknowledged before me, the undersigned, a Notary Public in and for the State of Iowa, on September 4, 2018, by Travis J. Shield as President and Secretary of S.G.A., Inc.

_____
Notary Public in and for the State of Iowa

JACQUELINE MAHER
Notary Public
Commission No. 774752
My Commission Expires September 11, 2018

**REVISED**

**EXHIBIT "A"**

**DESCRIPTION OF LAND, UNITS AND OWNERSHIP INTERESTS IN COMMON ELEMENTS**

1. ***Description of Land.*** The real estate submitted to the Horizontal Property Regime is described as follows:

**Lot 10, Churchill Meadows, Iowa City, Johnson County, Iowa, according to the plat thereof recorded in Book 59, Page 244, Plat Records of Johnson County, Iowa; also Auditor's Parcel 2016084, being a portion of the Vacated Herbert Hoover Highway in the NW ¼ of the NE ¼ of Section 7, Township 79 North, Range 5 West of the 5th P.M., Iowa City, Johnson County, Iowa, according to the plat thereof recorded in Book 60, Page 301, Plat Records of Johnson County, Iowa.**

2. ***Description of Units and Ownership Interests.*** The ownership interests in the Common Elements, voting rights and unit designation of each unit in the Regime are set forth below.

| *Unit* | *Percentage Ownership in Common Votes in Elements and Pro Rata Share of Expenses* | *Votes in Association* |
|---|---|---|
| 4102 Unbridled Ave. | 1/16th | 1 |
| 4104 Unbridled Ave. | 1/16th | 1 |
| 4106 Unbridled Ave. | 1/16th | 1 |
| 4108 Unbridled Ave. | 1/16th | 1 |
| 4122 Unbridled Ave. | 1/16th | 1 |
| 4124 Unbridled Ave. | 1/16th | 1 |
| 4126 Unbridled Ave. | 1/16th | 1 |
| 4128 Unbridled Ave. | 1/16th | 1 |
| 4701 Herbert Hoover Hwy. | 1/16th | 1 |
| 4703 Herbert Hoover Hwy. | 1/16th | 1 |
| 4705 Herbert Hoover Hwy. | 1/16th | 1 |
| 4707 Herbert Hoover Hwy. | 1/16th | 1 |
| 4709 Herbert Hoover Hwy. | 1/16th | 1 |
| 4711 Herbert Hoover Hwy. | 1/16th | 1 |
| 4713 Herbert Hoover Hwy. | 1/16th | 1 |
| 4715 Herbert Hoover Hwy. | 1/16th | 1 |
| Total: 16 | 100% | 16 |

| | | | |
|---|---|---|---|
| Prepared by: | Ronald L. Amelon<br>MMS Consultants, Inc. | 1917 S. Gilbert Street<br>Iowa City, Iowa 52240 | 319-351-8282<br>319-351-8476 facsimile |
| After recording return to: | James D. Houghton<br>Anderson & Houghton, LLP | 568 Highway 1 West<br>Iowa City, Iowa 52246 | 319-351-8600<br>319-338-7627 facsimile |


**EXHIBIT "G"**
**ENGINEER'S CERTIFICATE**
**Churchill Square Condominiums**
**Units 4709, 4711, 4713, and 4715 (Herbert Hoover Highway)**

STATE OF IOWA )
) ss:
JOHNSON COUNTY )

I, Ronald L. Amelon, being first duly sworn on oath do depose and state the following:

1. That I am a Professional Engineer authorized and licensed to practice my profession in the State of Iowa.

2. That I have examined the Building Plans for Churchill Square Condominiums Units 4709, 4711, 4713, and 4715 (Herbert Hoover Highway), referenced as Exhibit "D". This certificate is to become an exhibit to the Declaration of Submission of Property to Horizontal Property Regime for Churchill Square Condominiums (the Declaration).

3. I hereby certify that I have verified by non-destructive field observations that the above referenced Building Plans diagrammatically represent Units 4709, 4711, 4713, and 4715 (Herbert Hoover Highway), and all of Churchill Square Condominiums located therein, and the common elements that the Declarant has constructed on the real estate shown on the attached Site Plan, as Exhibit "B", insofar as is reasonably possible due to expected carpentry tolerances, except for the following:

   NONE

4. I hereby certify that the attached Site Plan – Exhibit "B", locates Units 4709, 4711, 4713, and 4715 (Herbert Hoover Highway). That as a licensed Professional Engineer, I hereby certify that said Site Plan is sufficient to determine with reasonable certainty the location of Units 4709, 4711, 4713, and 4715 (Herbert Hoover Highway) of Churchill Square Condominiums, and hereby certify that said Building and Units, as constructed, are located as indicated on said Site Plan.

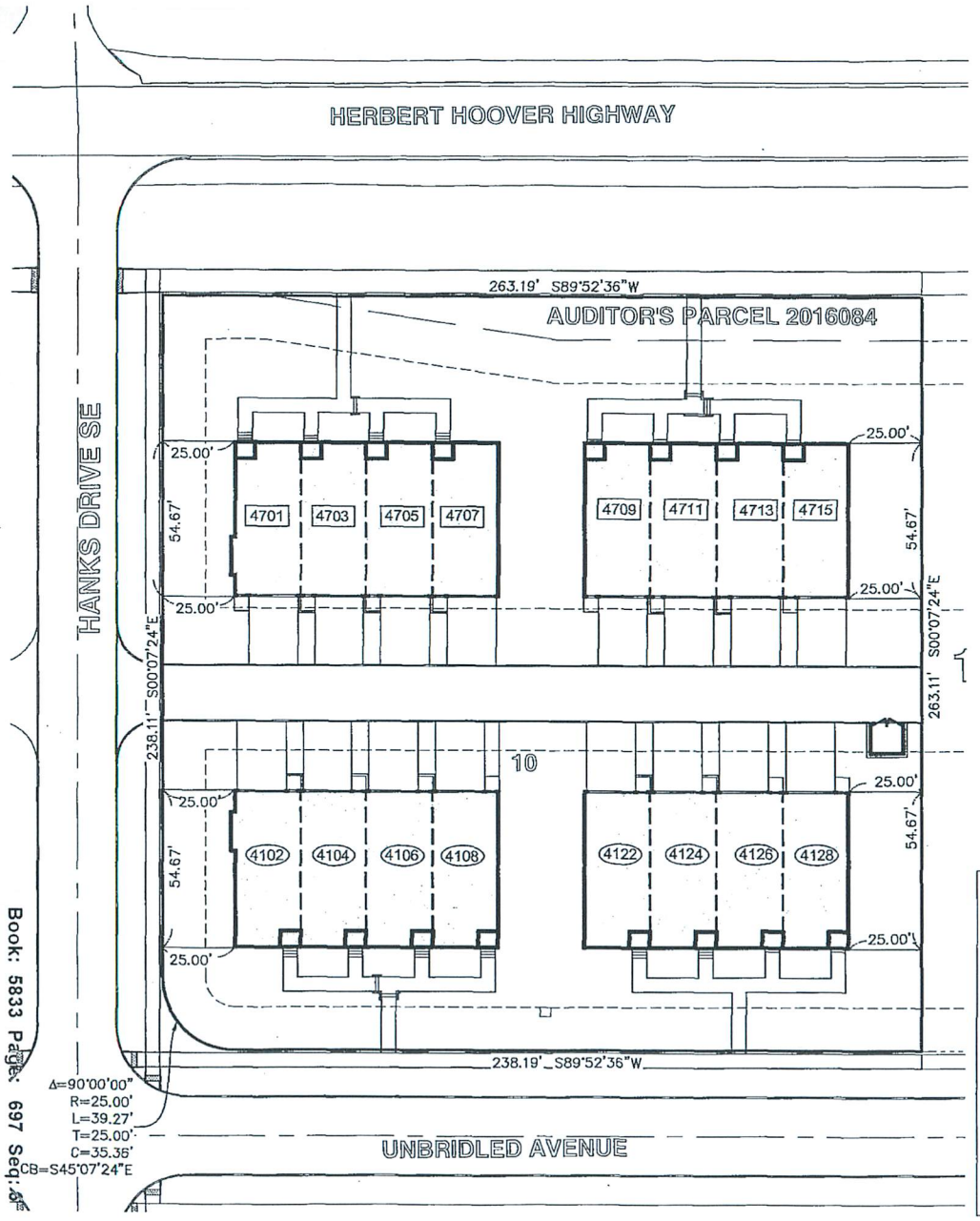
Ronald L. Amelon, P.E.
Iowa License Number 14201
My biennial license renewal date is December 31, 2019

Subscribed and sworn to before me by said Ronald L. Amelon this 4th day of September, 2018.

Notary Public in and for the State of Iowa.

LARA ABRAMS
Commission Number 811104
MY COMMISSION EXPIRES
06/18/2021

# EXHIBIT "B" - SITE PLAN
# CHURCHILL SQUARE CONDOMINIUMS
## IOWA CITY, IOWA




NORTH

LEGAL DESCRIPTION
CHURCHILL SQUARE CONDOMINIUMS, IOWA CITY, IOWA, ACCORDING TO THE PLAT THEREOF RECORDED IN BOOK 60, PAGE 108, PLAT RECORDS OF JOHNSON COUNTY, IOWA

NOTES:

1. ALL MEASUREMENTS FROM PROPERTY LINES TO BUILDINGS ARE PERPENDICULAR AND/OR RADIAL TO SAID PROPERTY LINES.
2. THIS DRAWING DEPICTS IMPROVEMENTS COMPLETED AS OF 08/31/18.
3. REFERENCE BUILDING PLANS, EXHIBIT "D" FOR BUILDING DIMENSIONS.
4. THIS IS A CONDO SURVEY AND NOT A BOUNDARY OR PROPERTY SURVEY AND SHOULD NOT BE RELIED UPON AS SUCH. THE PROPERTY BOUNDARIES ARE RECORD DIMENSIONS AND APPROXIMATE ONLY.

[XXX] HERBERT HOOVER HIGHWAY SE STREET ADDRESS

(XXX) UNBRIDLED AVENUE STREET ADDRESS

LICENSED PROFESSIONAL ENGINEER
RONALD L. AMELON 14201
IOWA

SEAL

I hereby certify that this engineering document was prepared by me or under my direct supervision and that I am a duly licensed Professional Engineer under the laws of the State of Iowa.

9/4/2018

RONALD L AMELON, P.E. Iowa Lic. No. 14201

My license renewal date is December 31, 2019.

Pages or sheets covered by this seal:

This sheet only

CIVIL ENGINEERS
LAND PLANNERS
LAND SURVEYORS
LANDSCAPE ARCHITECTS
ENVIRONMENTAL SPECIALISTS

1917 S. GILBERT ST.
IOWA CITY, IOWA 52240
(319) 351-8282
www.mmsconsultants.net

| Date | Revision |
|---|---|
| 09/20/2017 | UNITS 4701,4703,4705,4707 |
| 02/09/2018 | UNITS 4122, 4124, 4126, 4128 |
| 08/31/2018 | UNITS 4709-4715 -JDM |

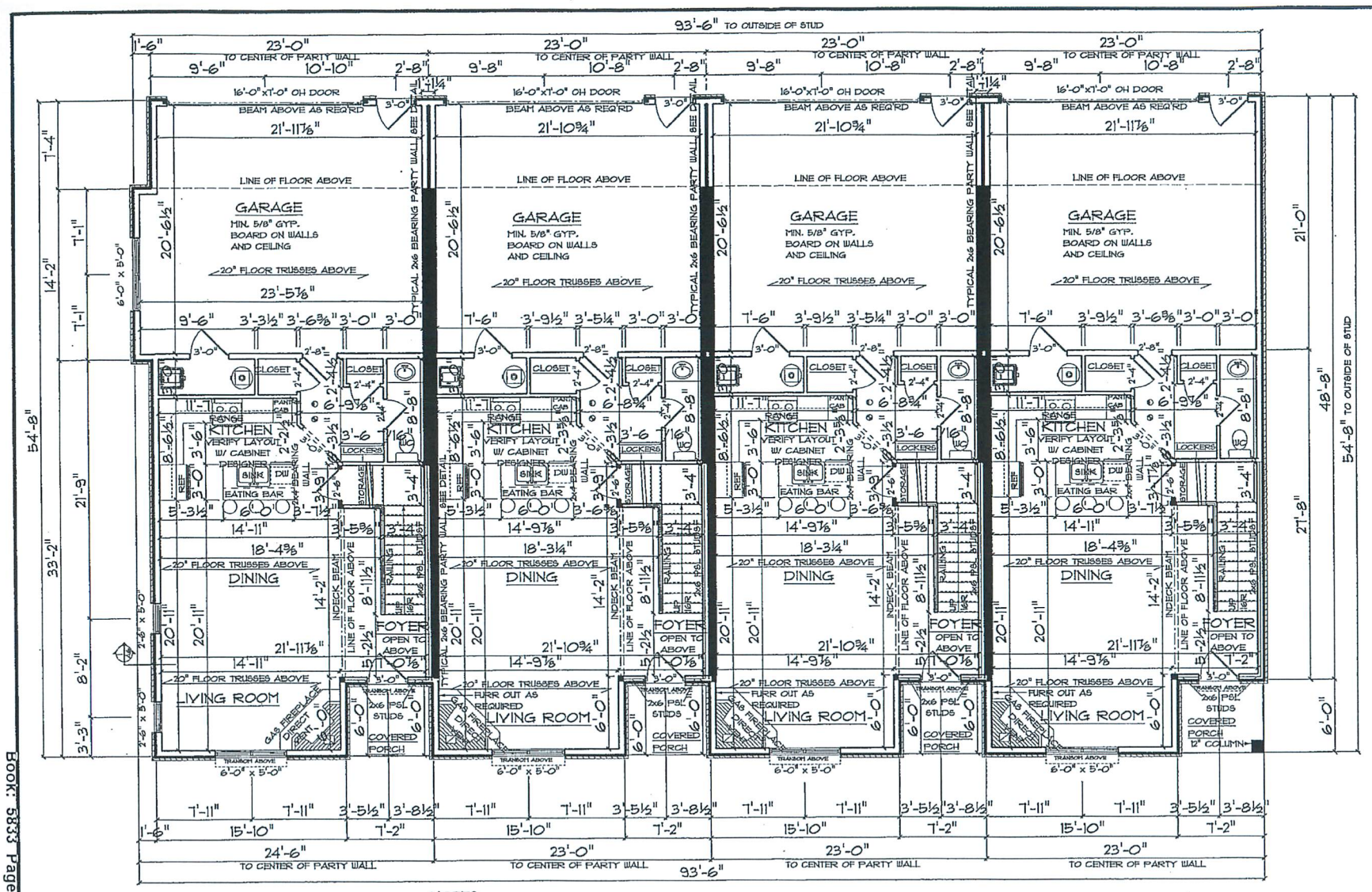
# EXHIBIT "B" SITE PLAN

CHURCHILL SQUARE CONDOMINIUMS
IOWA CITY
JOHNSON COUNTY
IOWA

MMS CONSULTANTS, INC.

| | |
|---|---|
| Date: 07/11/17 | |
| Designed by: | Field Book No: |
| Drawn by: RAB | Scale: 1"=40' |
| Checked by: KJB | Sheet No: 1 |
| Project No: IC 5085-008 | of: 1 |

Book: 5833 Page: 697 Seq: 6




## END UNIT MAIN LEVEL FLOOR PLAN

| | |
|---|---|
| MAIN LEVEL SQ. FT.: | 729 SQ. FT. |
| UPPER LEVEL SQ. FT.: | 934 SQ. FT. |
| TOTAL FINISHED SQ. FT.: | 1663 SQ. FT. |

## NOTES

- 9'-1 1/8" WALL HEIGHTS UNLESS NOTED
- SINGLE/HUNG WINDOWS UNLESS NOTED - VERIFY SIZES
- ALL DIMENSIONS ARE FRAME TO FRAME
- ROOF TRUSSES ARE TO BE DESIGNED AND CERTIFIED BY AN ENGINEER LICENSED IN THE STATE OF CONSTRUCTION
- EXTERIOR WALLS ARE 2x6'S AT 16" O.C.
- INTERIOR WALLS ARE 2x4'S AT 16" O.C.
- FLOOR JOISTS AND BEAMS SIZES ARE TO BE DETERMINED BY SUPPLIER
- 2x6 PLUMBING WALLS AS REQUIRED
- 24" CLEARANCE IN FRONT OF OPENING TO SHOWER
- 21" CLEARANCE IN FRONT OF WATER CLOSET
- STAIRS - MIN. RUN 10" - MAX RISE 7 3/4"
- LOCATION OF ATTIC ACCESS TO BE DETERMINED BY CONTRACTOR

C - CARBON MONOXIDE DETECTOR
S - SMOKE DETECTOR

Exhibit D

## MAIN LEVEL FLOOR PLAN

| | |
|---|---|
| MAIN LEVEL SQ. FT.: | 729 SQ. FT. |
| UPPER LEVEL SQ. FT.: | 912 SQ. FT. |
| TOTAL FINISHED SQ. FT.: | 1641 SQ. FT. |

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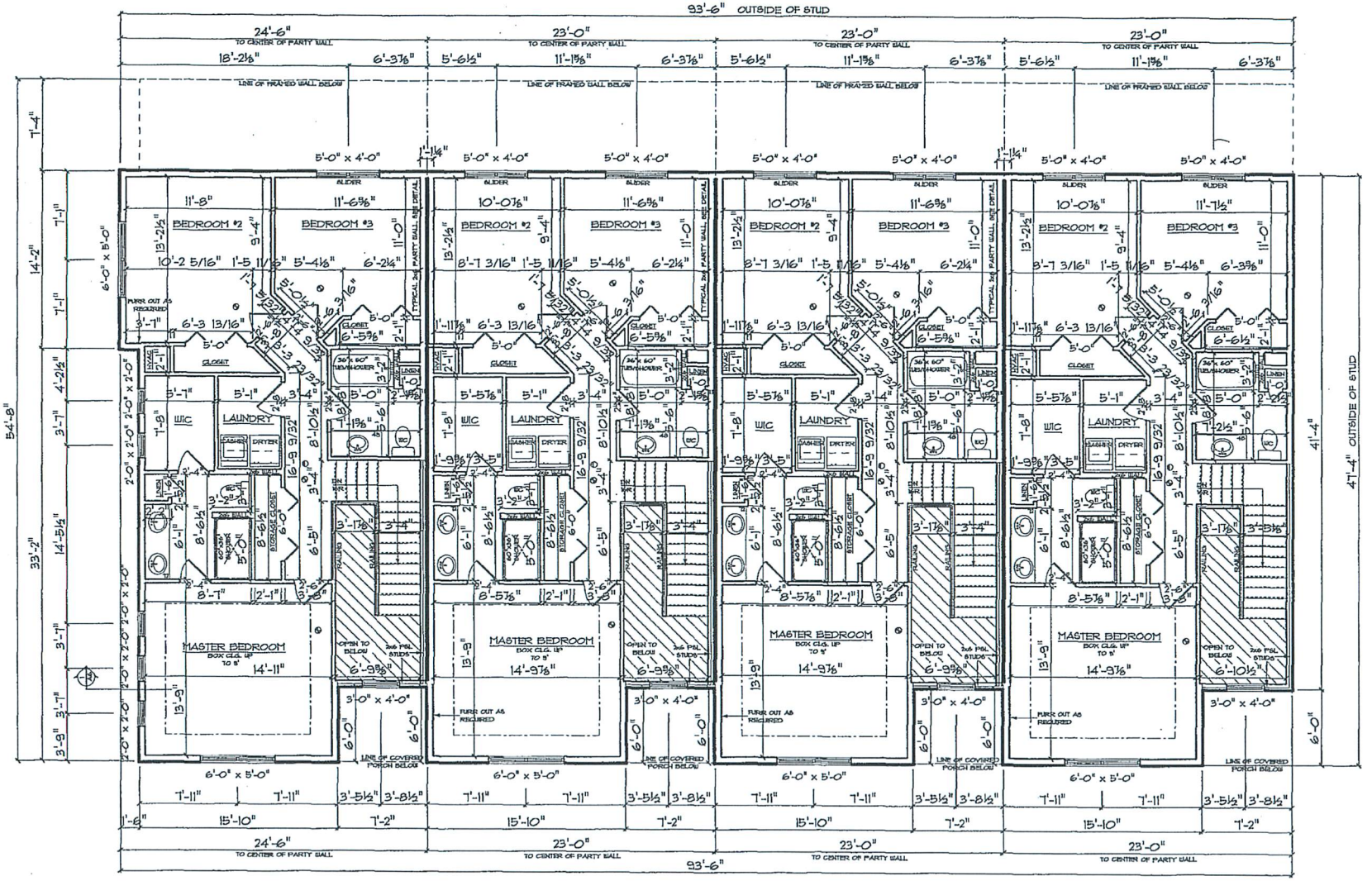
# SGA CONSTRUCTION
## CHURCHILL MEADOWS 4-PLEX

SCALE: 1/8" = 1'-0"
DATE: 01/24/2016
DRAWN BY: CDM
CHECKED BY: CDM
PROJECT NUMBER: SM1799

A4

DESIGN ELEMENTS IS NOT AN ARCHITECT OR ENGINEER AND CANNOT PERFORM STRUCTURAL PLANS SHOULD THESE BE REQUIRED, THE BUILDER OR OWNER MUST CONTRACT WITH A STRUCTURAL ENGINEER OF THIS PLAN BUILDER'S CHOICE. DESIGN ELEMENTS HAS NO LIABILITY WHATSOEVER ALL STRUCTURAL MEMBERS, FASTENING, AND DETAILS MUST BE CAREFULLY REVIEWED BY A STRUCTURAL ENGINEER PROFESSIONAL.

Book: 5833 Page: 697 Seq: 7




## END UNIT UPPER LEVEL FLOOR PLAN

| | |
|---|---|
| MAIN LEVEL SQ. FT.: | 729 SQ. FT. |
| UPPER LEVEL SQ. FT.: | 934 SQ. FT. |
| TOTAL FINISHED SQ. FT.: | 1663 SQ. FT. |

## NOTES

- 8'-1 1/8" WALL HEIGHTS UNLESS NOTED
- SINGLE-HUNG WINDOWS UNLESS NOTED - VERIFY SIZES
- ALL DIMENSIONS ARE FRAME TO FRAME
- ROOF TRUSSES ARE TO BE DESIGNED AND CERTIFIED BY AN ENGINEER LICENSED IN THE STATE OF CONSTRUCTION
- EXTERIOR WALLS ARE 2x6'S AT 16" O.C.
- INTERIOR WALLS ARE 2x4'S AT 16" O.C.
- FLOOR JOISTS AND BEAMS SIZES ARE TO BE DETERMINED BY SUPPLIER
- 2x6 PLUMBING WALLS AS REQUIRED
- 24" CLEARANCE IN FRONT OF OPENING TO SHOWER
- 21" CLEARANCE IN FRONT OF WATER CLOSET
- STAIRS - MIN. RUN 10" - MAX RISE 7 3/4"
- LOCATION OF ATTIC ACCESS TO BE DETERMINED BY CONTRACTOR

(C) - CARBON MONOXIDE DETECTOR
(S) - SMOKE DETECTOR

## UPPER LEVEL FLOOR PLAN

| | |
|---|---|
| MAIN LEVEL SQ. FT.: | 729 SQ. FT. |
| UPPER LEVEL SQ. FT.: | 912 SQ. FT. |
| TOTAL FINISHED SQ. FT.: | 1641 SQ. FT. |

Exhibit D

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SGA CONSTRUCTION

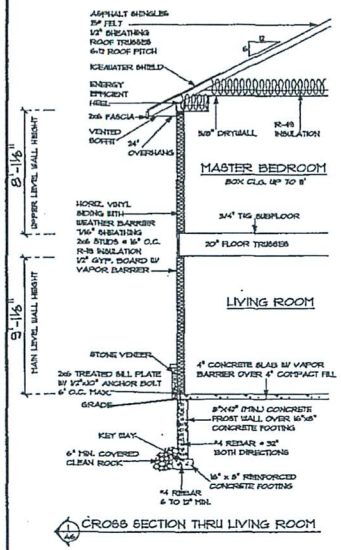
CHURCHILL MEADOWS 4-PLEX

SCALE: 1/8" = 1'-0"
DATE: 10/24/2016
DRAWN BY: CDM
CHECKED BY: CDM
PROJECT NUMBER: 16M1799

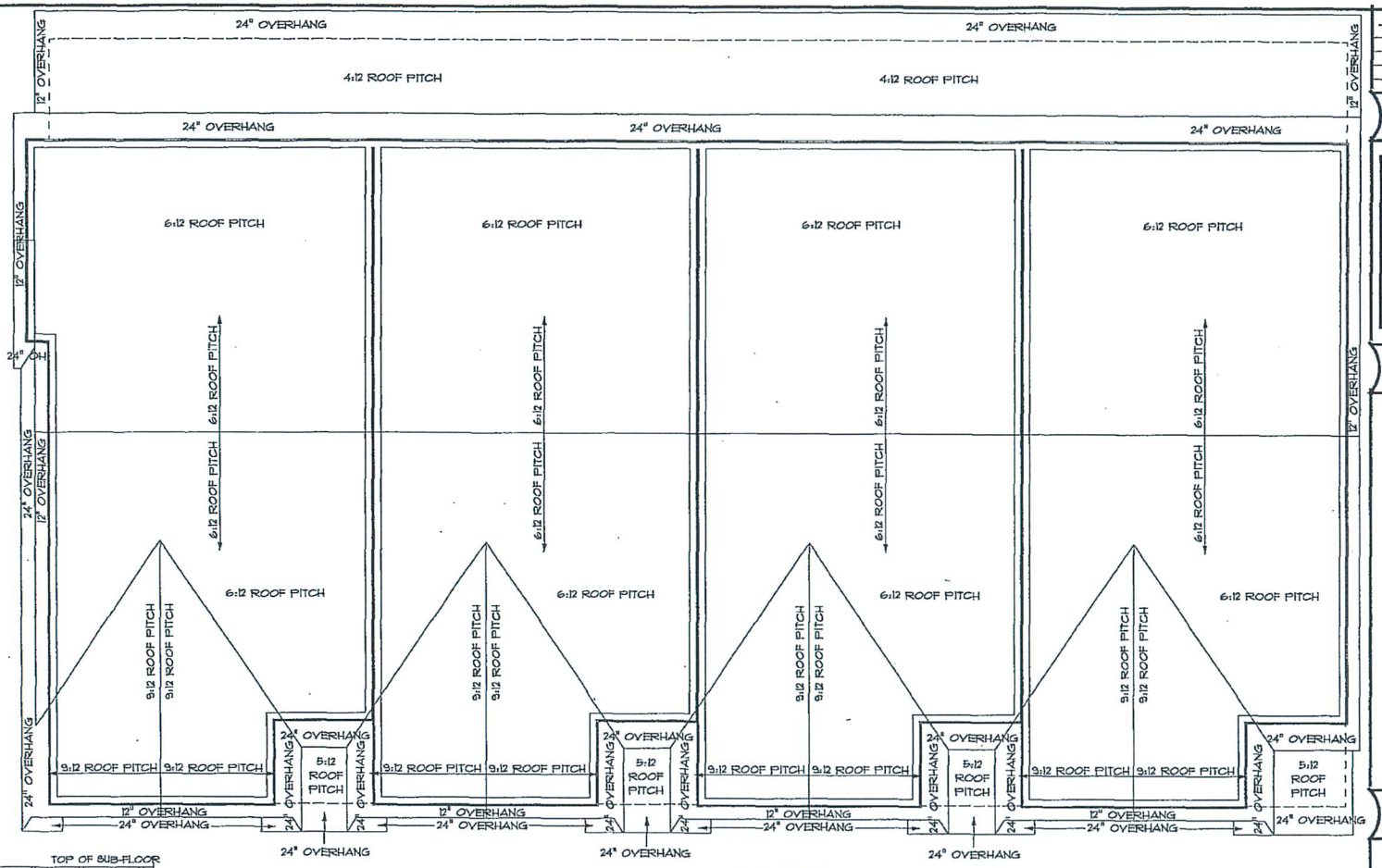
A5

PURCHASER AGREES NOT AT ANY TIME TO USE, LOAN, EXCHANGE, SELL OR COPY PLANS AND SPECIFICATIONS FROM THESE PLANS SHALL REMAIN THE EXCLUSIVE PROPERTY OF DESIGN ELEMENTS AND SHALL NOT BE USED IN WHOLE OR IN PART, FOR CONSTRUCTION OF THIS OR ANY OTHER BUILDING. PURCHASER AGREES TO RELEASE, INDEMNIFY AND HOLD HARMLESS DESIGN ELEMENTS FROM ANY CLAIMS OR LAWSUITS THAT COULD ARISE FROM ITS ACTUAL OR ALLEGED USE OF THESE PLANS. PURCHASER AGREES TO PAY ALL ATTORNEY FEES AND COSTS INCURRED BY DESIGN ELEMENTS IN DEFENDING ITSELF FROM ANY CLAIMS OR LAWSUITS THAT COULD ARISE FROM ITS ACTUAL OR ALLEGED USE OF THESE PLANS. PURCHASER AGREES TO PAY ALL ATTORNEY FEES AND COSTS INCURRED BY DESIGN ELEMENTS IN DEFENDING ITSELF FROM ANY CLAIMS OR LAWSUITS THAT COULD ARISE FROM ITS ACTUAL OR ALLEGED USE OF THESE PLANS.

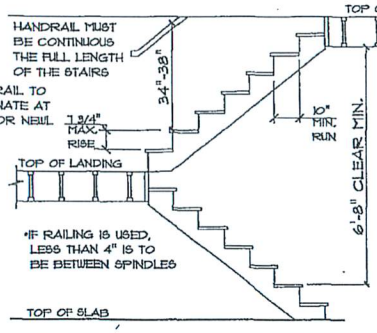
Book: 5833 Page: 697 Seq: 8




1 A6 CROSS SECTION THRU LIVING ROOM




ROOF PLAN




STAIR NOTES:

| | |
|---|---|
| MIN. RUN | 0'-10" |
| MAX. RISE | 0'-7 3/4" |
| MIN. HEADROOM | 6'-8" |

HANDRAIL HEIGHTS 34"-38"
HANDRAILS MAY ENCROACH WIDTH OF STAIRS BY 4-1/2" MAX.
HANDRAILS MAX. CROSS SECTION = 2-5/8"
HANDRAILS REQ'D ALONG STAIRS W/ 2 OR MORE TREADS

GUARDRAIL HEIGHTS 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.

TYPICAL STAIR SECTION
NOT TO SCALE

Exhibit D

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SGA CONSTRUCTION
CHURCHILL MEADOWS 4-PLEX

SCALE: 1/8"=1'-0"
DATE: 01/24/2016
DRAWN BY: CDM
CHECKED BY: CDM
PROJECT NUMBER: SGA 1799

A6

BOOK: 8833 Page: 89 / Seq: 9




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SGA CONSTRUCTION

CHURCHILL MEADOWS 4-PLEX

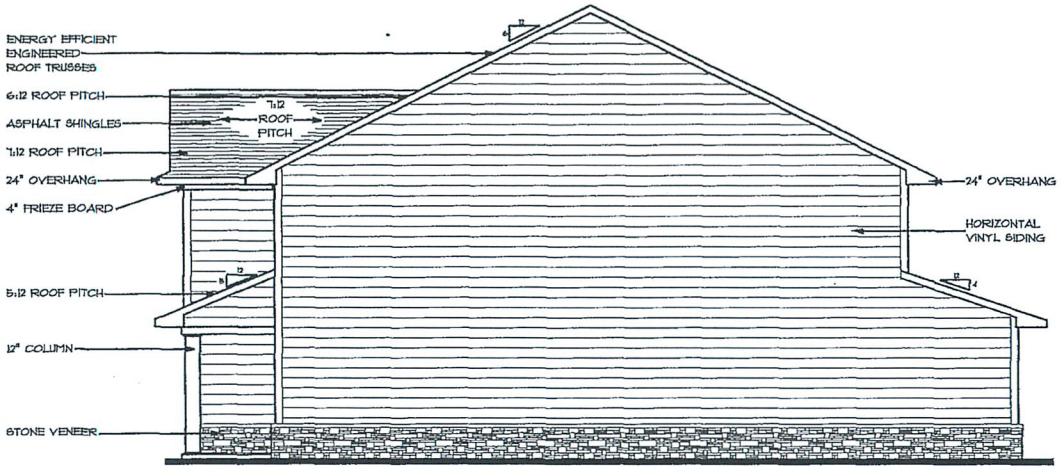
SCALE: 1/8" = 1'-0"
DATE: 07/24/2016
DRAWN BY: CDM
CHECKED BY: CDM
PROJECT NUMBER: 16M1799

A1

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Book: 5333 Page: 697 Seq: 10

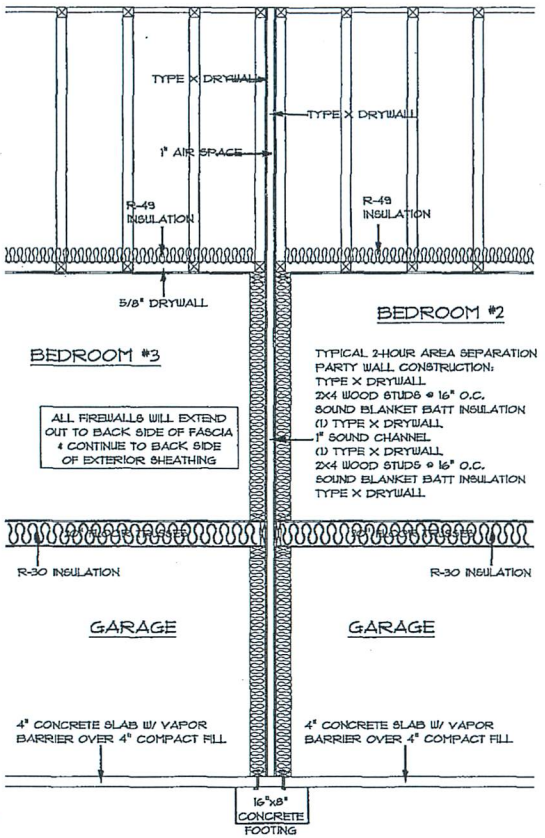



EAST ELEVATION

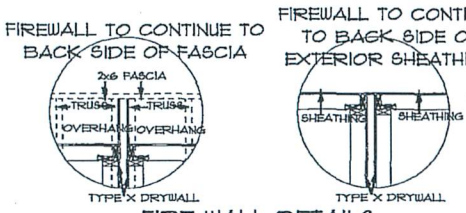



WEST ELEVATION

FACES HANKS DRIVE




CROSS SECTION THRU TYPICAL
2 HOUR SEPARATION PARTY WALL




FIRE WALL DETAILS

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SGA CONSTRUCTION
CHURCHILL MEADOWS 4-PLEX

SCALE: 1/8" = 1'-0"
DATE: 07/24/2006
DRAWN BY: CDM
CHECKED BY: CDM
PROJECT NUMBER: 6N1799

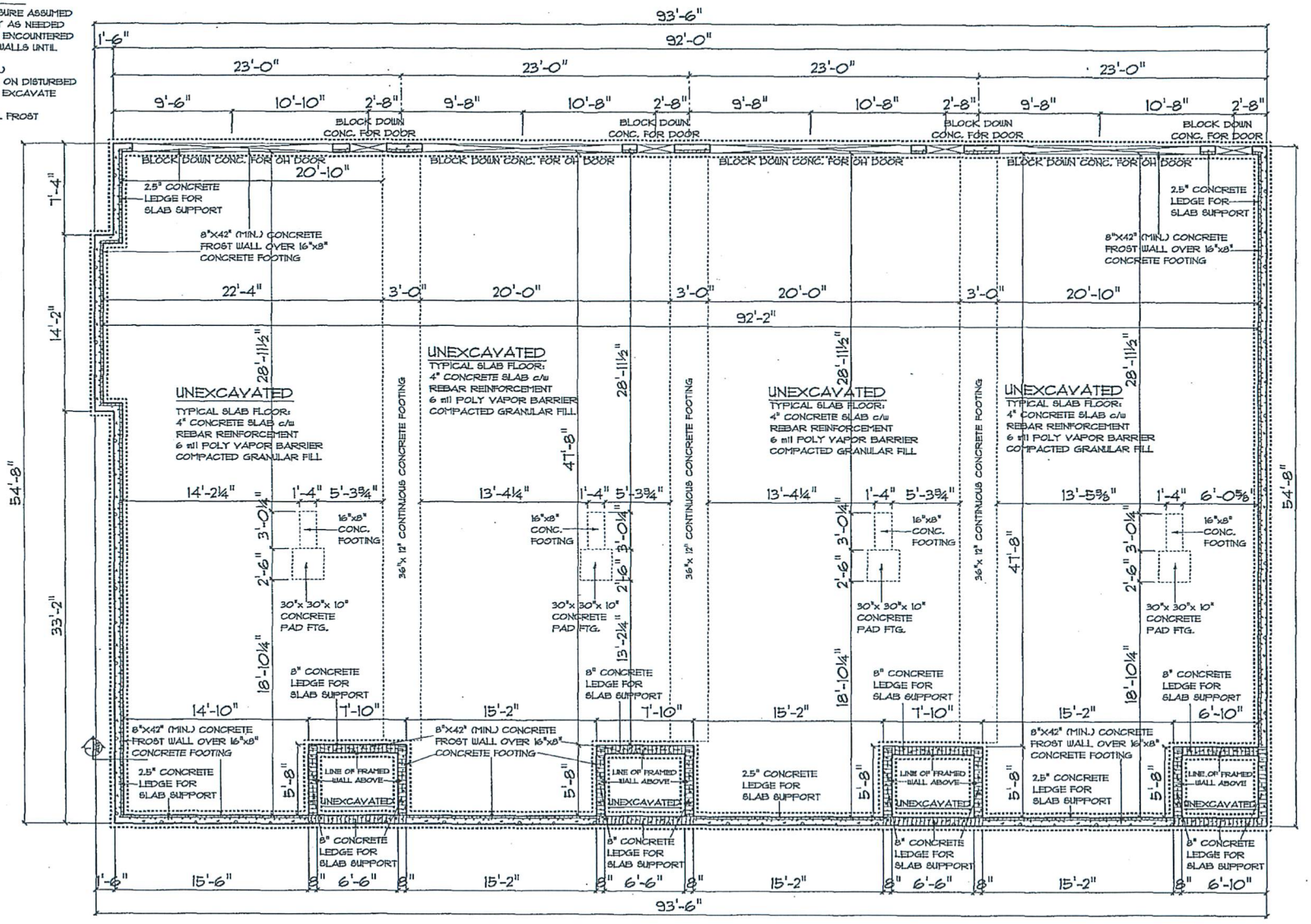
A2

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Book: 5833 Page: 697 Seq: 11

## FOUNDATION NOTES

- 1500 PSF SOIL BEARING PRESSURE ASSUMED FOR FOOTING DESIGN. MODIFY AS NEEDED IF DIFFERENT CONDITIONS ARE ENCOUNTERED
- DO NOT BACKFILL BASEMENT WALLS UNTIL FIRST FLOOR IS IN PLACE
- 3000 PSI CONCRETE (TYPICAL)
- DO NOT PLACE ANY FOOTINGS ON DISTURBED SOIL - IF ENCOUNTERED, OVER EXCAVATE AND EXTEND FOOTING DEPTH
- FOOTINGS ARE TO MEET LOCAL FROST FOOTING REQUIREMENTS




FOUNDATION PLAN

Exhibit D

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# SGA CONSTRUCTION
## CHURCHILL MEADOWS 4-PLEX

SCALE: 1/8" = 1'-0"
DATE: 10/24/2016
DRAWN BY: CDM
CHECKED BY: CDM
PROJECT NUMBER: 16W1799

A3

DESIGN ELEMENTS IS NOT AN ARCHITECT OR ENGINEER AND CONSTRUCTION FROM THESE PLANS SHOULD FIRST BE REVIEWED BY A QUALIFIED PROFESSIONAL. THE CLIENT ASSUMES ALL RESPONSIBILITY FOR DESIGN ELEMENTS' PLANS AND ANY CHANGES MADE THEREIN, AND WITH THAT COLD AMOUNT TO ANY AND ALL LIABILITY FOR ANY CONSTRUCTION OF THIS HOME OR BUILDING. IT CONCERNING ALL STRUCTURAL MEMBERS, BEARINGS, AND DETAILS MUST BE CAREFULLY REVIEWED BY A STRUCTURAL DESIGN PROFESSIONAL.

BOOK: 3833 Page: 897 Seq: 12