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Johnson County Iowa
Kim Painter County Recorder
BK5985 PG321-322

Preparer
Information: Kandie K. Gelner, P. O. Box 2000, Iowa City, IA 52244-2000. Telephone: (319) 351-8181

AMENDMENT TO DECLARATION OF SUBMISSION OF PROPERTY TO HORIZONTAL PROPERTY REGIME FOR TULANE COURT

The undersigned officers of the Tulane Court Owners Association hereby certify that the following Resolution amending the Declaration of Submission of Property to Horizontal Property Regime for Tulane Court which document was recorded December 11, 1981 in Book 611, Page 89, Records of Johnson County, Iowa, was presented to all members of this association pursuant to Article XIII of said Declaration, at a meeting held the 29th day of October, 2019; that all the requirements of said Declaration and By-Laws were met; and that said Resolution was duly adopted by an affirmative vote of more than 67 2/3% of all owners at said special meeting, to-wit:

RESOLVED, that the Declaration of Submission of Property to Horizontal Property Regime for Tulane Court shall be amended pursuant to the provisions of Article XIII therein by deleting paragraph (b) of Section 2, Article X in its entirety and replacing it with the following:

(b) All units must be occupied by the owner or members of the owner's immediate family. No unit owner may lease his unit at any time to a Third Party. However, any owner leasing his unit as of the date of this Amendment shall be allowed to continue leasing until the current tenant vacates the property. All unit owners must, upon the sale or conveyance of his/her unit, notify the potential buyer or person taking title that no unit may be leased to a Third Party. For the purpose of this provision, "Third Party" shall be defined as any person who is not an owner (or a member of the owner's immediate family).

A copy of all current lease agreements must be submitted to the Association. Owners shall also submit a "tenant registration form" to the Association for each existing tenant/lease, in a form prepared for the Association by the Board of Directors. These documents shall be supplied no less than thirty (30) days after adoption of this Amendment and prior to the extension of any current lease. The Association may charge a reasonable review and processing fee concerning the above. If an owner fails to provide a copy of the lease and/or the "tenant registration form" to the Association as directed above, the Association may impose reasonable monetary penalties as determined

by the Board, in addition to other remedies available under the Declaration and Iowa law. The Association may also revoke an owner's ability to extend a current lease for his unit, so that his right to lease ends upon the term of the current rental agreement. This rental restriction provision takes precedence over any inconsistent language in the Articles or Bylaws or Rules of the Tulane Court Owners Association. No owner may lease a unit for fewer than or greater than twelve (12) months.

Notwithstanding the above prohibitions on leasing, an owner may request a hearing before the Board to request a temporary or special variance in case of hardship. Permission to lease will be granted at the sole discretion of the Board of Directors.

FURTHER RESOLVED, that the President and Secretary of Tulane Court Owners Association shall certify a copy of the Resolution in recordable form to be recorded in the Records of Johnson County, Iowa.

DATED this 20th day of November, 2019.

TULANE COURT OWNERS ASSOCIATION

BY: Susan Van Duyn-Phipps
Susan Van Duyn-Phipps, President

BY: Kathy Lilli
Kathy Lilli, Secretary

STATE OF IOWA)
) SS:
JOHNSON COUNTY)

On this 20th day of November, 2019, before me, the undersigned, a Notary Public in and for said County, in said State, personally appeared Susan Van Duyn-Phipps and Kathy Lilli, to me personally known, who being by me duly sworn, did say that they are the President and Secretary, of said corporation; that no seal has been procured by the said corporation; that said instrument was signed on behalf of said corporation by authority of its Board of Directors; and that the said Susan Van Duyn-Phipps and Kathy Lilli, as such officers, acknowledged the execution of said instrument to be the voluntary act and deed of said corporation by it and by them voluntarily executed.

NOTARIAL SEAL IOWA
LORI J. BOWERS
Commission Number 128869
My Commission Expires
7-20-22

Lori J. Bowers
Notary Public in and for the State of Iowa