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Johnson County Iowa
Kim Painter County Recorder

BK 3943 PG 380-384

**FIRST AMENDMENT TO DECLARATION OF SUBMISSION
OF PROPERTY TO HORIZONTAL PROPERTY REGIME**

RECORDER'S COVER SHEET

Preparer Information:

Patrick J. Ford
222 S. Linn St., P.O.Box 2447
Iowa City, IA 52244-2447
Telephone: (319)338-7551

Taxpayer Information:

Belmont Townhomes Condominiums
Owners Association
Mr. Steve Gordon
805 South Gilbert Street
Iowa City, Iowa 52245

Return Document To:

Patrick J. Ford
P.O. Box 2447
Iowa City, Iowa 52244-2447

Grantor:

Belmont Townhomes Condominiums

Grantee:

Belmont Townhomes Condominiums
Owners Association

Legal Description:

Lot 5, Saddlebrook Addition Part 2, according to the plat thereof
recorded in Book 42, Page 246, Plat Records of Johnson County, Iowa.

Document or instrument number of previously recorded documents:

**FIRST AMENDMENT TO DECLARATION
OF
SUBMISSION OF PROPERTY TO
HORIZONTAL PROPERTY REGIME
ESTABLISHING A PLAN FOR CONDOMINIUM
OWNERSHIP OF PREMISES**

1. The condominium regime known as Belmont Townhomes Condominiums is located on the following described real estate situated in Johnson County, Iowa, to-wit:

Lot 5, Saddlebrook Addition Part 2, according to the plat thereof recorded in Book 42, Page 246, Plat Records of Johnson County, Iowa.

2. As of the date of this amendment, the following units have been or soon will be sold to the following individuals:

Unit 2900, Building E	Elizabeth Gaskin
Unit 2910, Building E	Chuck Sand
Unit 2922, Building D	Brett Winborn
Unit 2924, Building D	Annalisa Jordan
Unit 2928, Building D	Lindsey Chapman
Unit 2940, Building C	Hilary Anne Frost-Kumpf
Unit 2942, Building C	Richard & Christene Vokoun
Unit 2948, Building C	Christine Werling

3. The titleholder for the remaining units is Triple Crown Condominiums, L.L.C.

4. As of the date of this amendment, the following lenders hold mortgages on the following Units:

Unit 2900, Building E	University of Iowa Community Credit Union
Unit 2922, Building D	US Bank, N.A.
Unit 2924, Building D	US Bank, N.A.
Unit 2928, Building D	Hills Bank and Trust Company
Unit 2948, Building C	Farmers & Merchants Savings Bank
Unit 2910, Building E	No mortgages of record
All remaining units	Iowa State Bank & Trust Company

5. With the unanimous approval of all Owners, the following amendment to the Declaration is hereby adopted:

- A. Article XII, paragraph 1(b) is replaced in its entirety by the following paragraph:

(b) Resolution. A resolution adopting a proposed amendment may be proposed by either the Board of Directors or by any member of the Association. Except as provided elsewhere, any amendment of a material nature must be approved by at least 67% of all Owners entitled to vote, and at least 51% of the holders of any mortgage that constitutes a lien on any Unit within the regime.

- B. Article IX, paragraph 2(b) is amended by replacing the first sentence thereof with the following:

A Condominium may be rented or leased by the Owner or his or her lessee, provided the entire Unit is rented, and the lease or rental agreement is in writing.

- C. Article XII is amended by inserting the following as paragraph 3:

3. Mortgagee Right to Notice. The holder of any mortgage that constitutes a lien upon any Unit located within the regime is entitled to notification of the following:

- (a) any condemnation or casualty loss affecting such mortgagee's rights or interest in the regime;
- (b) sixty (60) day delinquency in payment of Association dues;
- (c) lapse, cancellation or material modifications of any insurance coverage secured by the Belmont Townhomes Condominiums Owners Association; and

(d) any proposed action requiring consent of a specified percentage of mortgagees.

- D. Article II, paragraph 1, of the Bylaws of Belmont Townhomes Condominiums Owners Association is amended by replacing the first sentence thereof with the following sentence:

The organizational meeting of the members of the Association to elect successors of the initial board of directors shall be held by the earlier date of three (3) years from the date of recording of the Declaration, or four (4) months after the date on which the Declarant has sold and given possession of 75% percent of the Units within the project.

- E. Article VII, paragraph 1, of the Bylaws of Belmont Townhomes Condominiums Owners Association is amended by replacing it in its entirety with the following paragraph:

These bylaws may be amended, altered, repealed or new bylaws adopted by the members at a regular or special meeting of all the members upon the affirmative vote of at least 67% of all votes entitled to be cast, and at least 51% of the holders of any mortgage which constitutes a lien upon any Unit within the regime.

6. This amendment was adopted pursuant to the procedures set forth in Article XII of the Declaration, and Article VII of the Bylaws of Belmont Townhomes Condominiums Owners Association.

7. This amendment has been unanimously approved by all Owners entitled to vote on such amendment, and the holders of all mortgages which constitute a lien upon any Unit in the regime.

DATED this 19th day of September, 2005.

BELMONT TOWNHOMES CONDOMINIUMS
OWNERS ASSOCIATION

By: Steve Gordon
Steve Gordon, Member, Board
of Directors

STATE OF IOWA)
) SS:
COUNTY OF JOHNSON)

This instrument was acknowledged before me on the 19th day of September, 2005, by Steve Gordon as member of Board of Directors of Belmont Townhomes Condominiums Owner Association.



Lynn Knight
Notary Public in and for the
State of Iowa

mgm/PJF/BelmontTownhomes/FirstAmdDeclar071505