

Preparer

Information: Kirsten H. Frey, 920 S. Dubuque Street, P.O. Box 2000, Iowa City, Iowa 52240 (319) 351-8181

SECOND AMENDMENT TO DECLARATION OF CONDOMINIUM FOR FOREST GREENS CONDOMINIUMS

The Declarant, Hodge Construction Company, an Iowa corporation, hereby amends the original Declaration of Submission to Horizontal Property Regime pursuant to Chapter 499B of the Code of Iowa for Forest Greens Condominiums, which was recorded April 10, 2000, in Book 4073, Page 617, Records of Linn County, Iowa, as amended by a certain First Amendment to Declaration of Condominium for Forest Greens Condominiums, which was recorded May 3, 2000 in Book 4087, Page 228, Records of Linn County, Iowa in the following particulars:

1. The legal description found in the First Amendment to Declaration of Condominium for Forest Greens Condominiums, which was recorded May 3, 2000 in Book 4087, Page 228, Records of Linn County, Iowa contains a scrivener's error. Therefore, the following legal description is substituted for the legal description contained within the Condominium Declaration of Forest Greens Condominiums and within the First Amendment to Declaration of Condominium for Forest Greens Condominiums, in every location the legal description appears including, but not limited to Page 1 of the Condominium Declaration; Article II, paragraph one on page 5 of the Condominium Declaration; Exhibit A, Description of Land, Units, and Ownership; Exhibit E, Bylaws of Forest Greens Condominiums:

A part of the SE ¼ and the SW ¼ of Section 33-T84N-R7W of the 5th P.M., Hiawatha, Linn County, Iowa described as follows:

Beginning at the SE corner of Lot 2, Cimarron Estates Addition to Cedar Rapids, Iowa:

thence S00°26'45"E, 60.00 feet;
thence N89°49'19"E, 82.48 feet;
thence S00°08'38"E, 836.45 feet;
thence S89°51'22"W, 364.77 feet;
thence N64°25'19"W, 221.86 feet;
thence N57°12'24"W, 192.46 feet;
thence N09°55'51"W, 183.04 feet;
thence N04°33'31"E, 219.88 feet;
thence N39°36'07"E, 197.46 feet;
thence N51°44'01"E, 113.30 feet;
thence N00°06'11"W, 73.92 feet to the south line of Auditor's Plat No. 327 to Linn County;
thence N89°49'17"E, along said south line, 441.02 feet to the point of beginning containing 13.46 acres.

DOCUMENT NO. 71279
RECORDING FEE 85.00
AUD. FEE 5.00
AUTOMATION FEE 1.00

LINN COUNTY, IOWA

2000 JUN 15 PM 2:06

FILED
JOAN MCCALMANT
COUNTY RECORDER

2. Article VII(1) of the original Condominium Declaration contains a scrivener's error in the name of the association, which is listed as "Forest Greens Condominium Association."

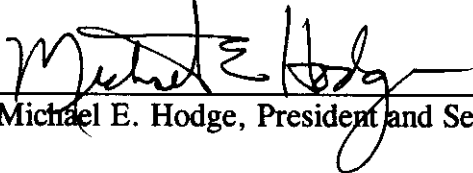
The name of the association is "Forest Greens Condominiums Association" and "Forest Greens Condominiums Association" should replace "Forest Greens Condominium Association" in Article VII(1) of the original Declaration of Submission to Horizontal Property Regime pursuant to Chapter 499B of the Code of Iowa for Forest Greens Condominiums.

3. Exhibit C of the original Condominium Declaration neglected to provide unit designations, showing the location of each unit within the condominium regime. As a result, the revised and substituted Exhibit C attached hereto supersedes and replaces Exhibit C.
4. Article XII(1)(c) of the original Condominium Declaration contains a scrivener's error in the first word of the paragraph, which is currently the word "In". The first word of Article XII(1)(c) should be "If" so that the sentence reads: "If an amendment to this Declaration is made by amending the Bylaws of the Association, then the amendment shall be made in the manner specified in such Bylaws."
5. Article XII(1)(d) of the original Condominium Declaration contains a scrivener's error in the reference to the Johnson County Recorder. The word "Linn" should be substituted for and replace the word "Johnson" so that the second sentence of Article XII(1)(d) of the Condominium Declaration shall read as follows: "Upon the recording of such instrument in the office of the Linn County Recorder, the same shall be effective against any person owning an interest in a unit or the regime."
6. Exhibit D to the original Declaration of Submission to Horizontal Property Regime contains a scrivener's error. The reference to Iowa Code Section 504A.39 contains a typographical error. The reference should be to Iowa Code Section 504A.29. Therefore, the following sentence is hereby substituted for the first sentence of Exhibit D, the Articles of Incorporation of Forest Greens Condominiums Association: "Pursuant to Iowa Code Section 504A.29, the undersigned corporation adopts the following Articles of Incorporation."
7. Article X of Exhibit D to the original Declaration of Submission to Horizontal Property Regime is hereby deleted.
8. Exhibit E to the original Declaration of Submission to Horizontal Property Regime contains a scrivener's error. The reference to "Cedar Trail Village" in the opening paragraph of the Bylaws should be to Forest Greens Condominiums. Therefore, the following sentence is hereby substituted for the first sentence of Exhibit E, Bylaws of Forest Greens Condominiums Association: "These are the Bylaws of FOREST GREENS CONDOMINIUMS ASSOCIATION (hereinafter referred to as "Association"), a corporation organized pursuant to Chapter 504A of the Code of Iowa, for the purpose of administering Forest Greens Condominiums, a horizontal property regime (condominium) established pursuant to Chapter 499B of the Code of Iowa, located on the following described real estate in Linn County, Iowa....."
9. For purposes of clarification, Exhibit "G", the Engineer's Certificate, attached to the original Declaration of Submission to Horizontal Property Regime is hereby deleted and the revised and amended Exhibit "G" attached hereto supersedes and replaces the original Exhibit "G".

DATED this 24 day of May, 2000.

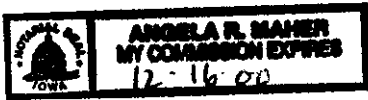
BOOK **4110** PAGE **351**

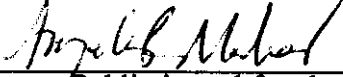
HODGE CONSTRUCTION COMPANY


Michael E. Hodge, President and Secretary

STATE OF IOWA)
) SS:
JOHNSON COUNTY)

On this 24th day of May, 2000, before me personally appeared Michael E. Hodge to me personally known, who being by me duly sworn, did say that he is the President and Secretary, respectively, 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 Michael E. Hodge as such officers, acknowledged the execution of said instrument to be the voluntary act and deed of said corporation by it and by him voluntarily executed.




Notary Public in and for the
State of Iowa.

CASE HISTORY - JAMES EARL RAY, JR.

1. On 11/11/68, James Earl Ray, Jr. was arrested in London, England, on charges of the murder of Dr. Martin Luther King, Jr. He was held in a London prison and later transferred to the Federal House of Detention in Nashville, Tennessee.

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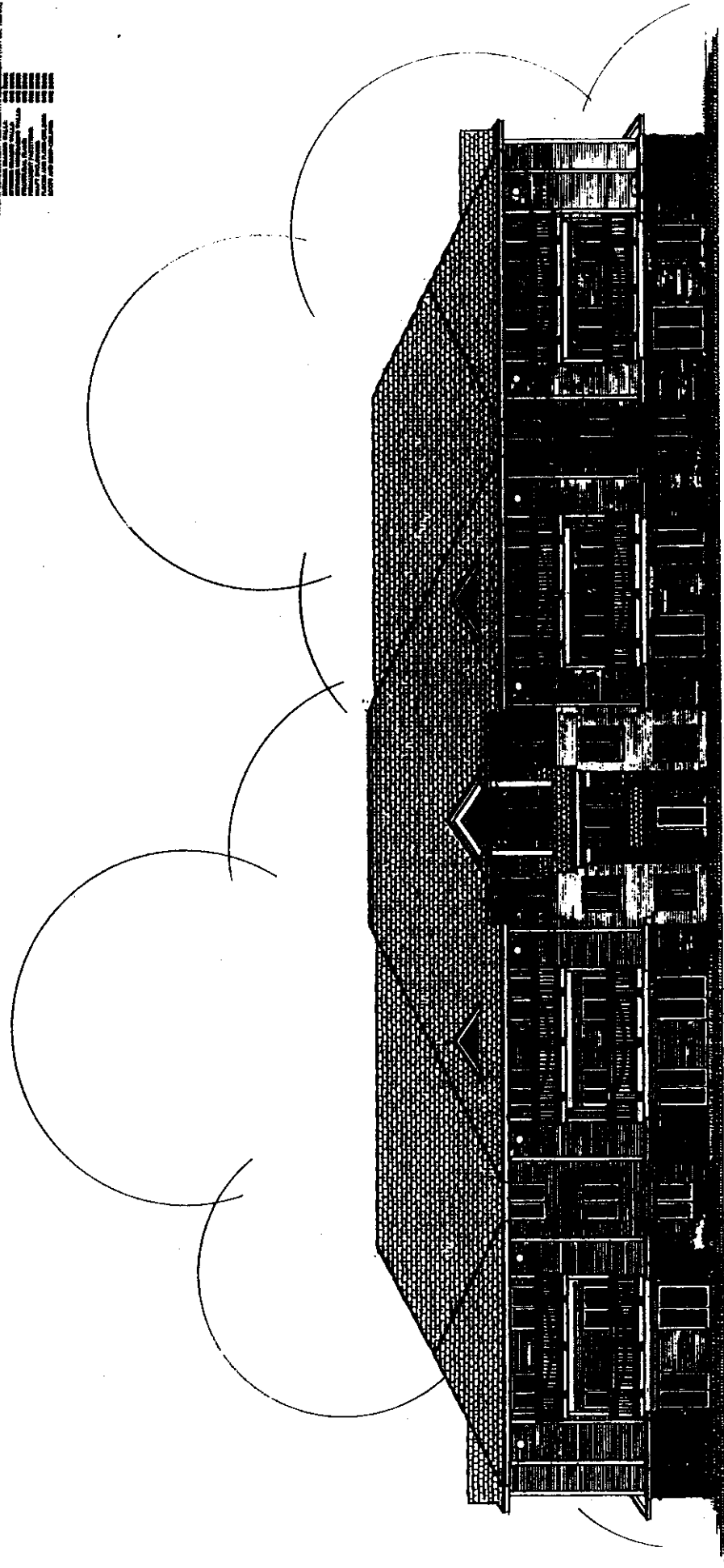
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• front elevation •

EXHIBIT

C

tabbies

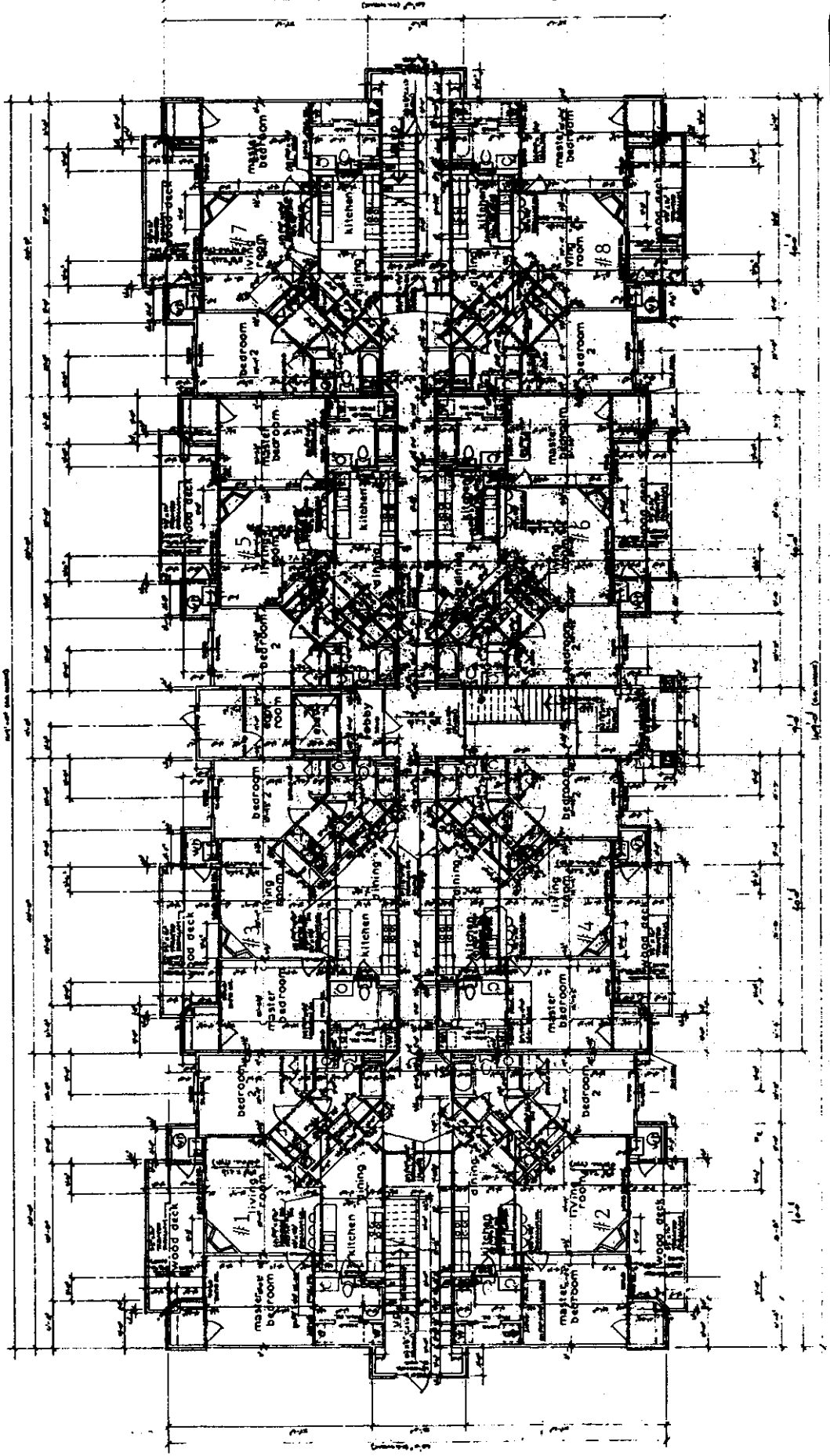


EXHIBIT
C

first floor plan 1008 st. etc. etc.

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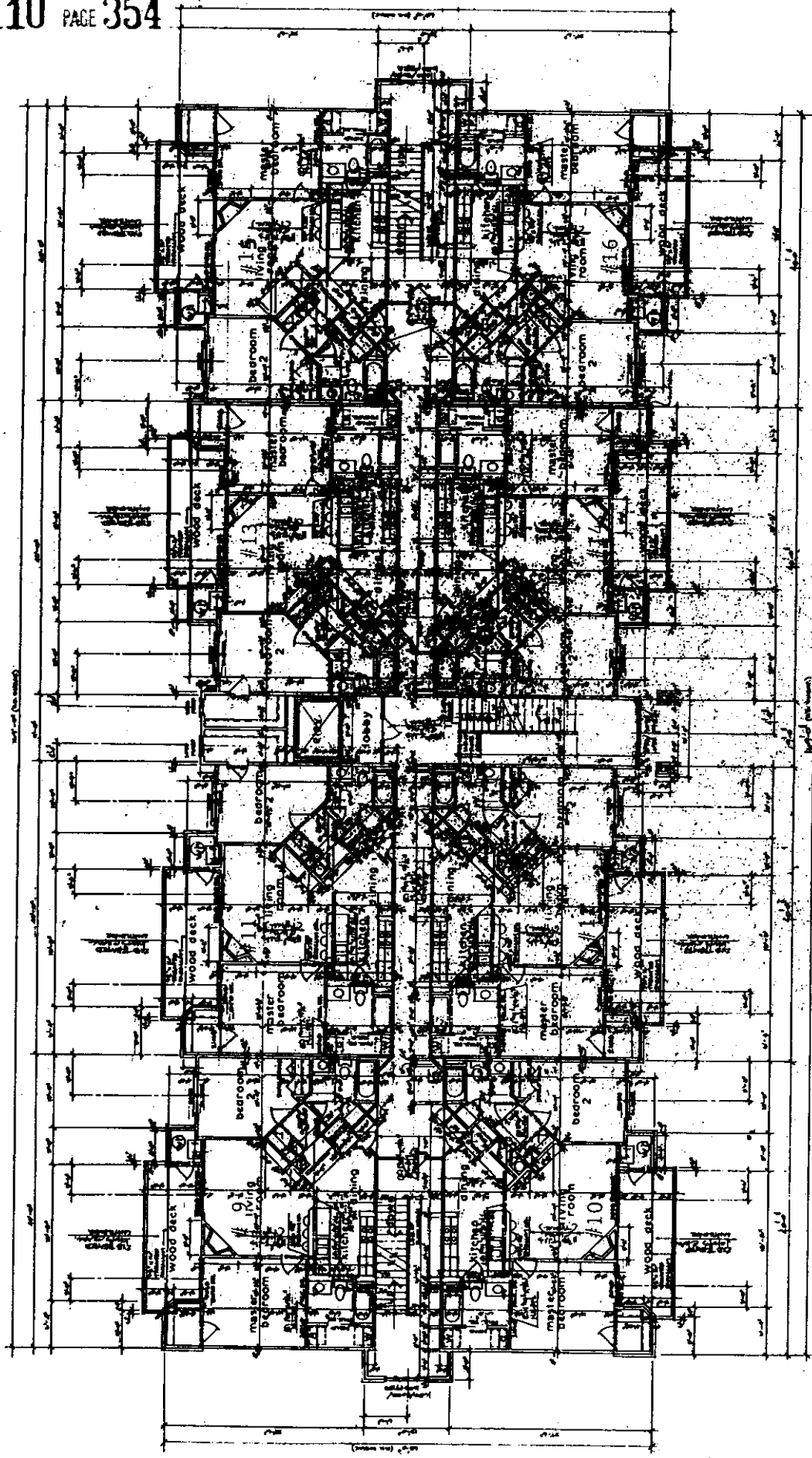


EXHIBIT
C

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1023 sq. ft. per unit

1023 sq. ft. per unit

second floor plan

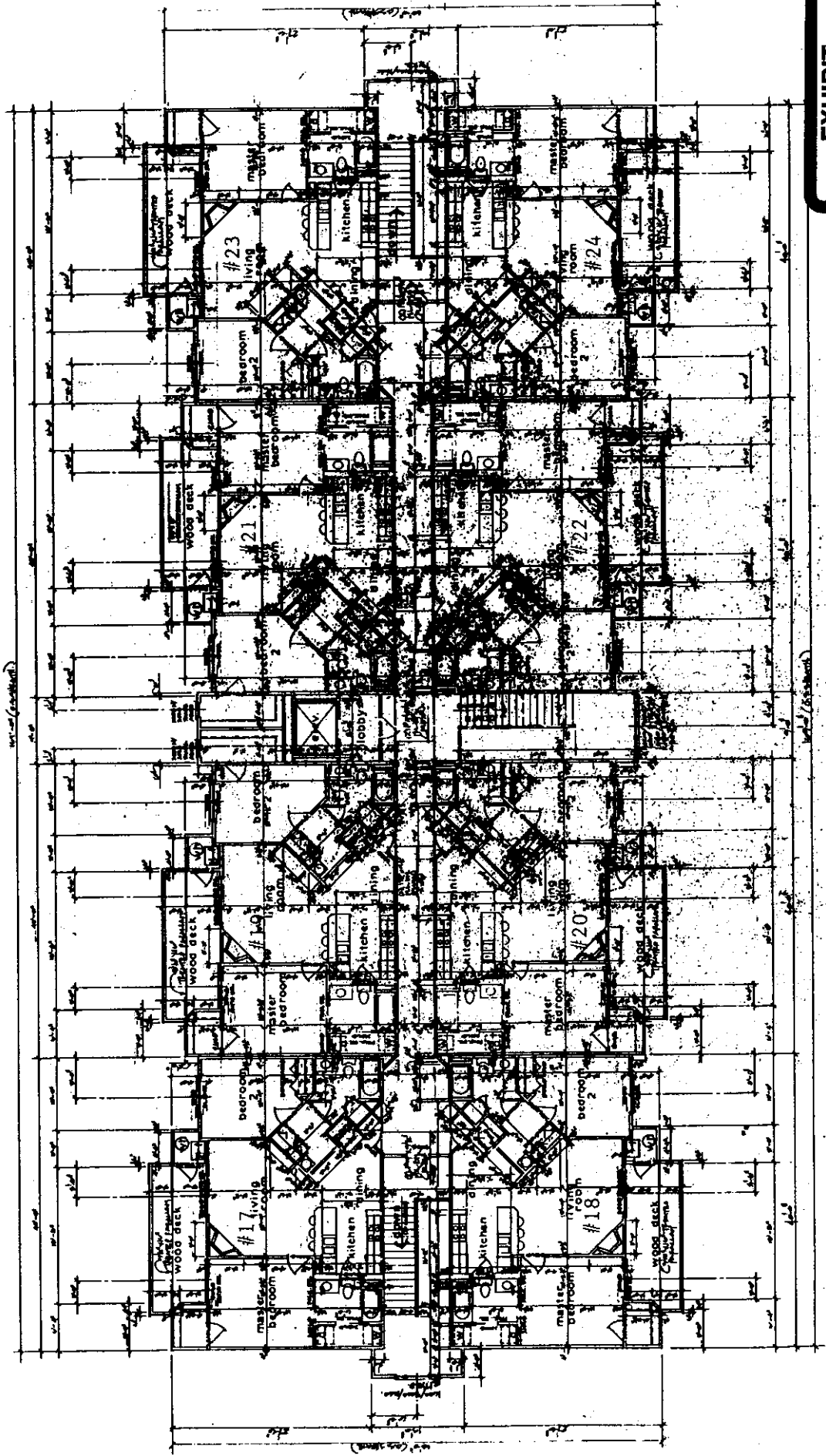


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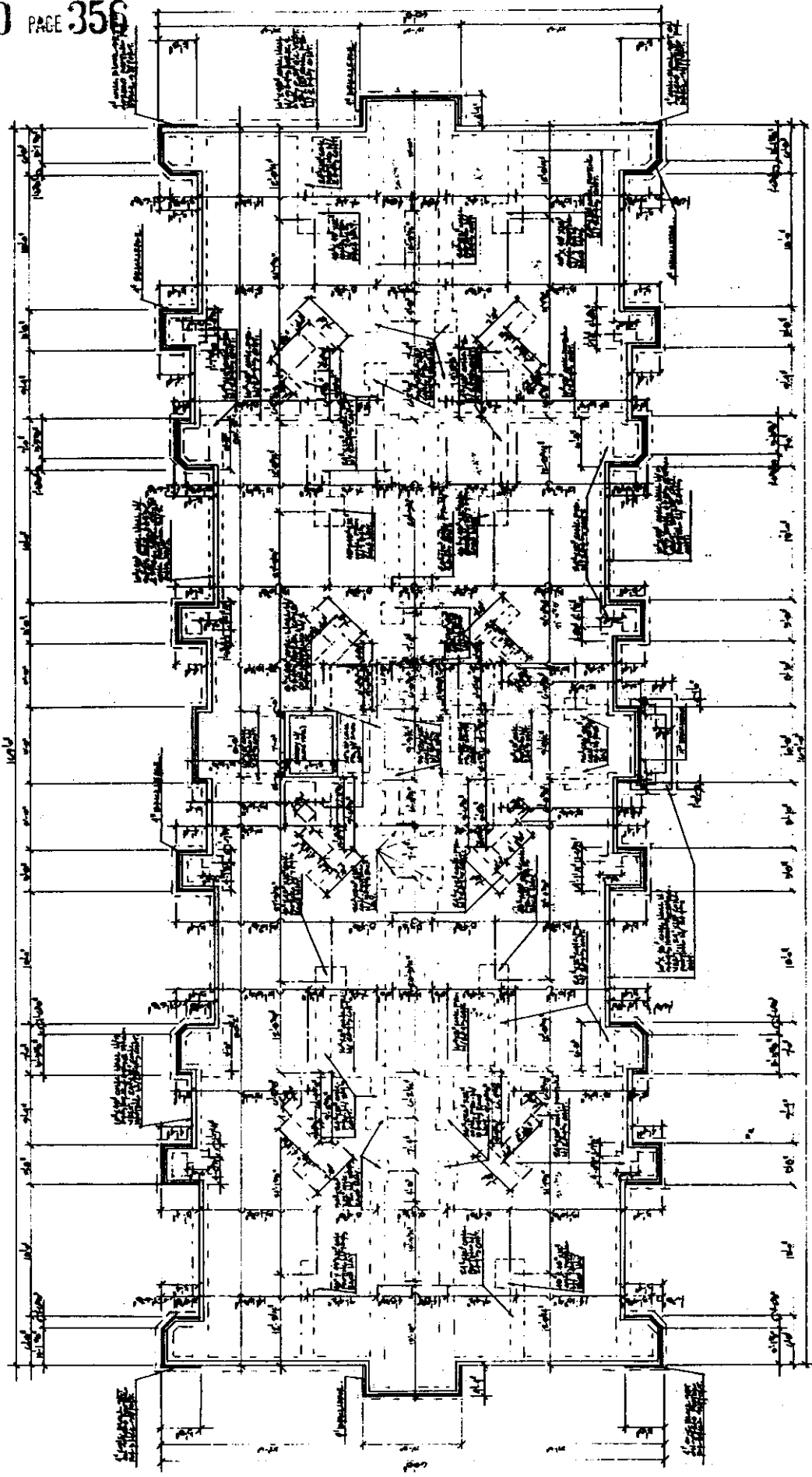
Blocker

For details, see
 1. Section 101
 2. Section 102
 3. Section 103
 4. Section 104
 5. Section 105
 6. Section 106
 7. Section 107
 8. Section 108
 9. Section 109
 10. Section 110

1023 sq. ft. unit

third floor plan

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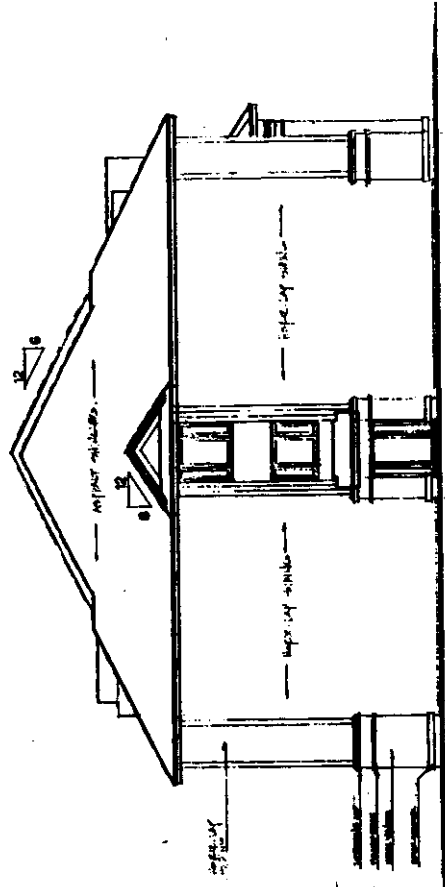


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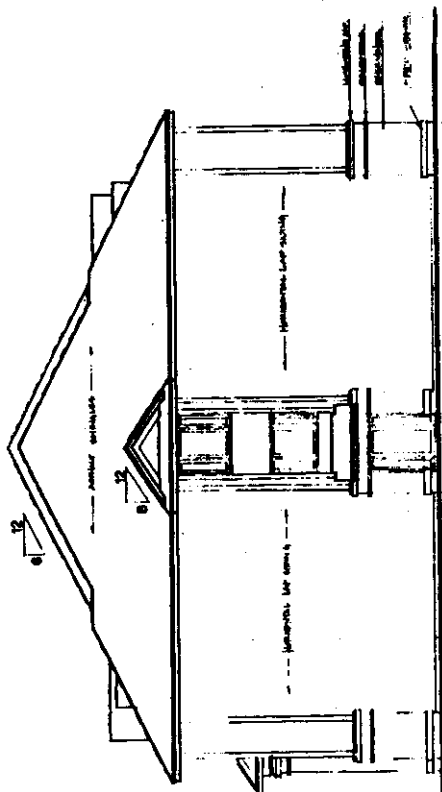
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Index

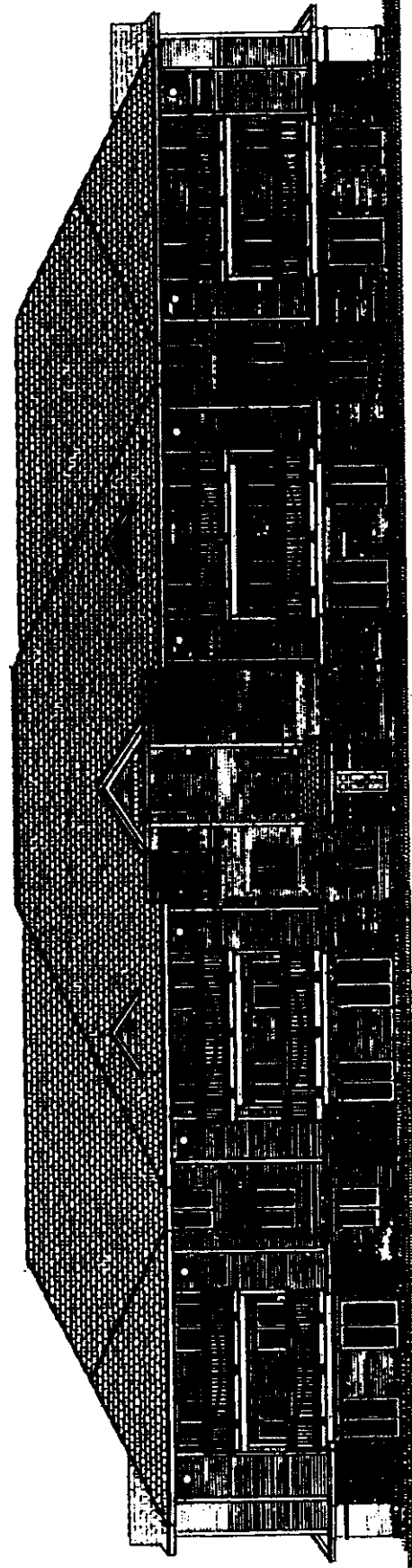
foundation plan



left elevation



right elevation



rear elevation

EXHIBIT

C

books

BOOK 4110 PAGE 358

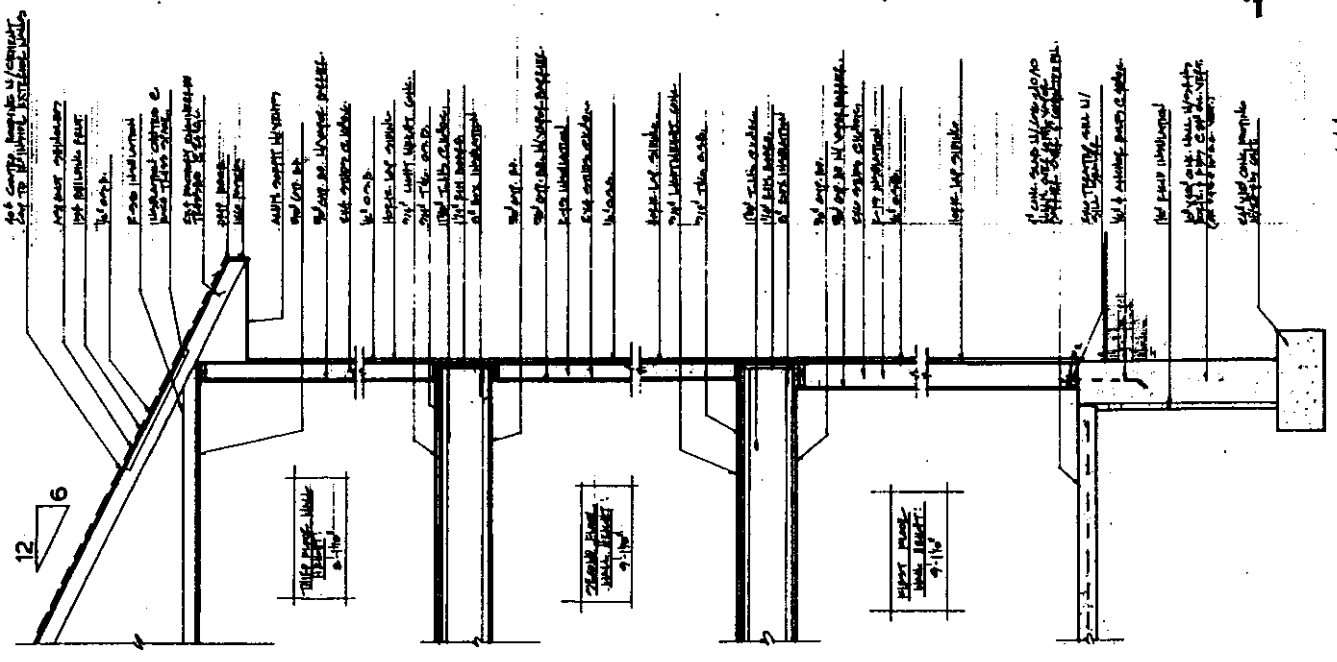
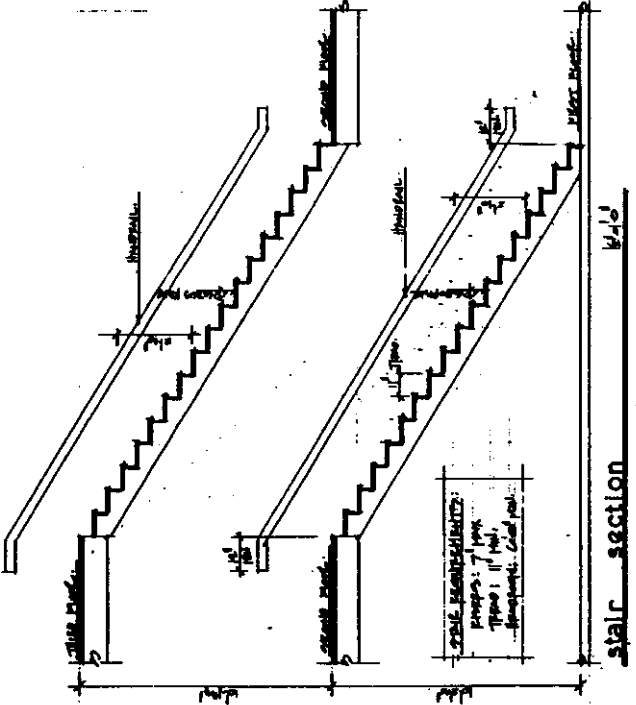
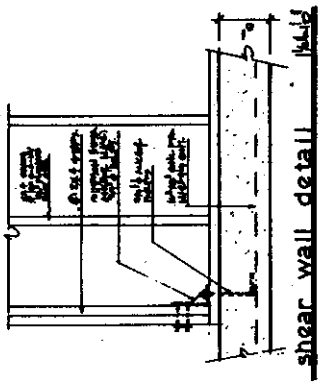
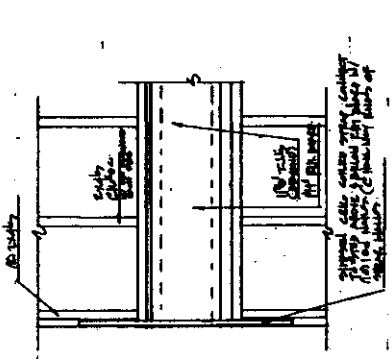
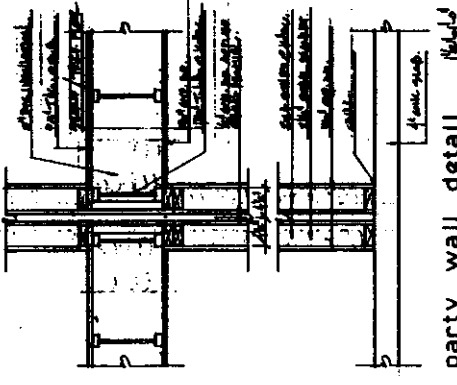
NOTES

FOUNDATION NOTES:

1. Foundation shall be constructed in accordance with the approved plans and specifications.
2. All foundation work shall be done in accordance with the approved plans and specifications.
3. The foundation shall be constructed on a firm, stable subgrade.
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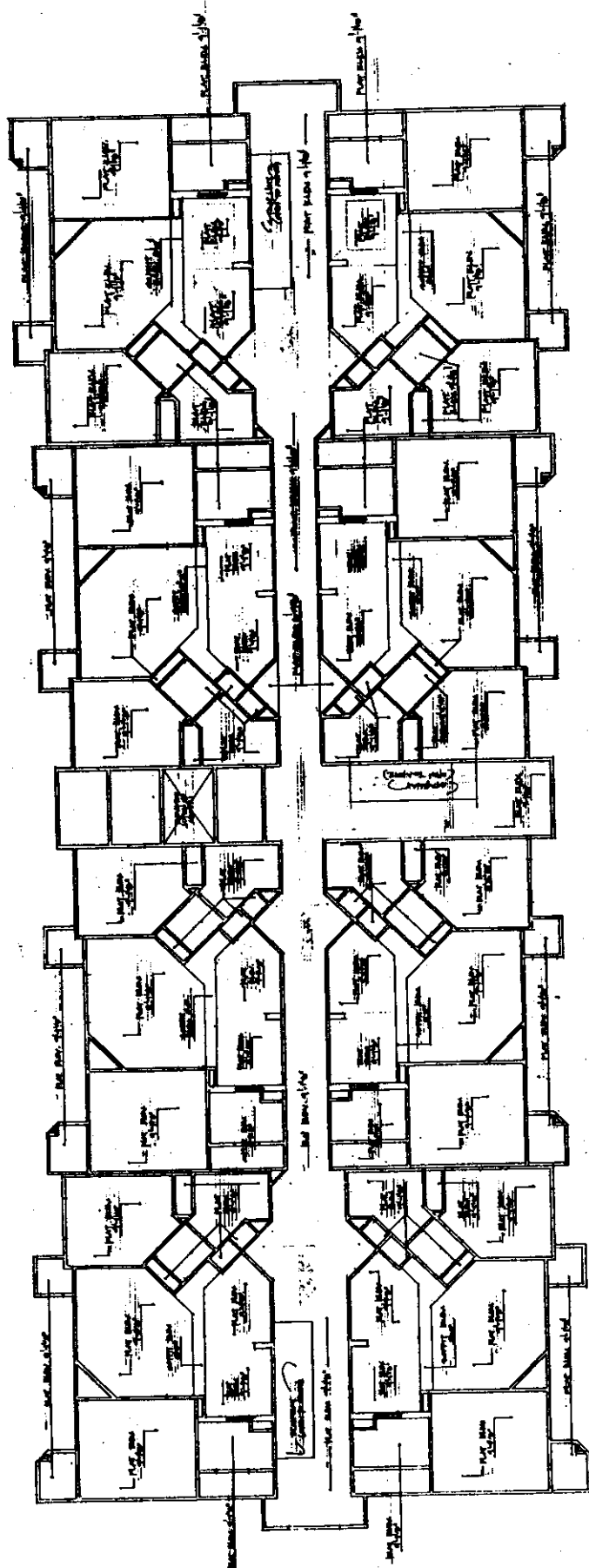
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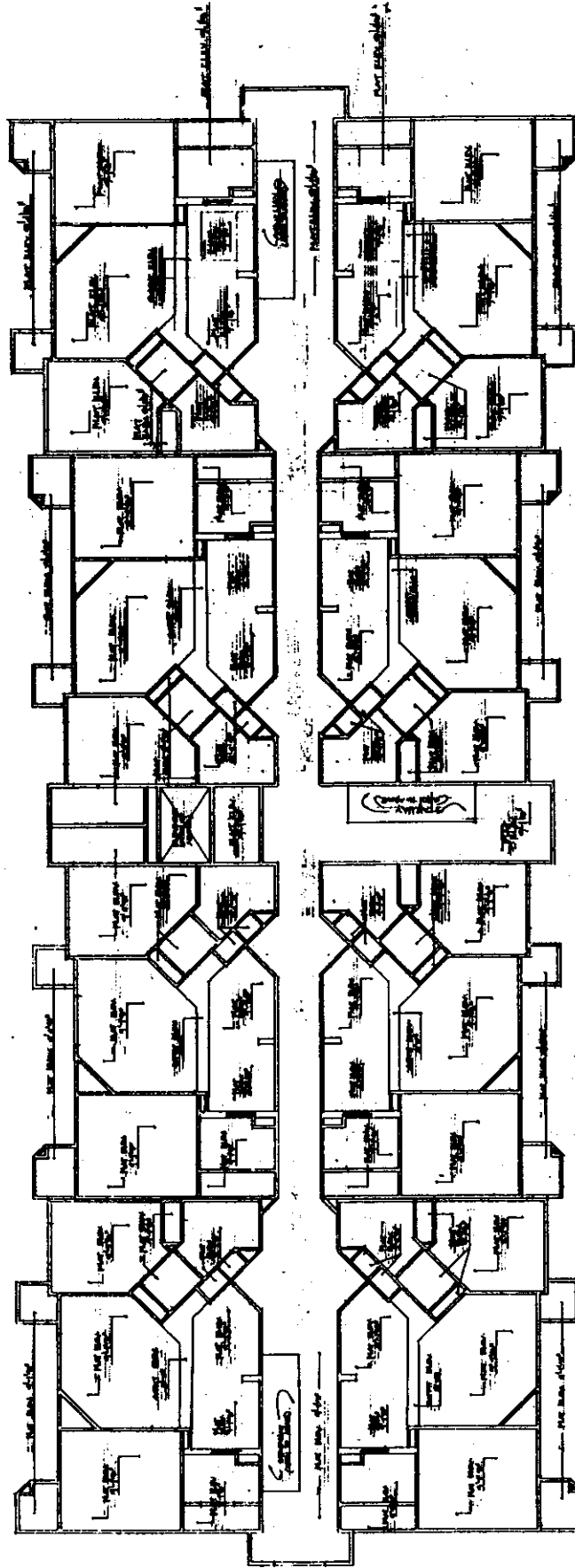
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100. 1/2" rebar

EXHIBIT
C



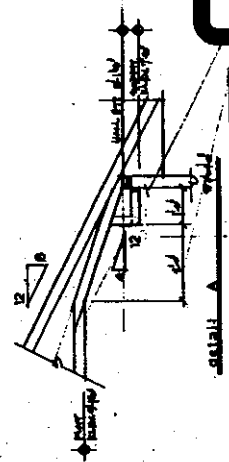
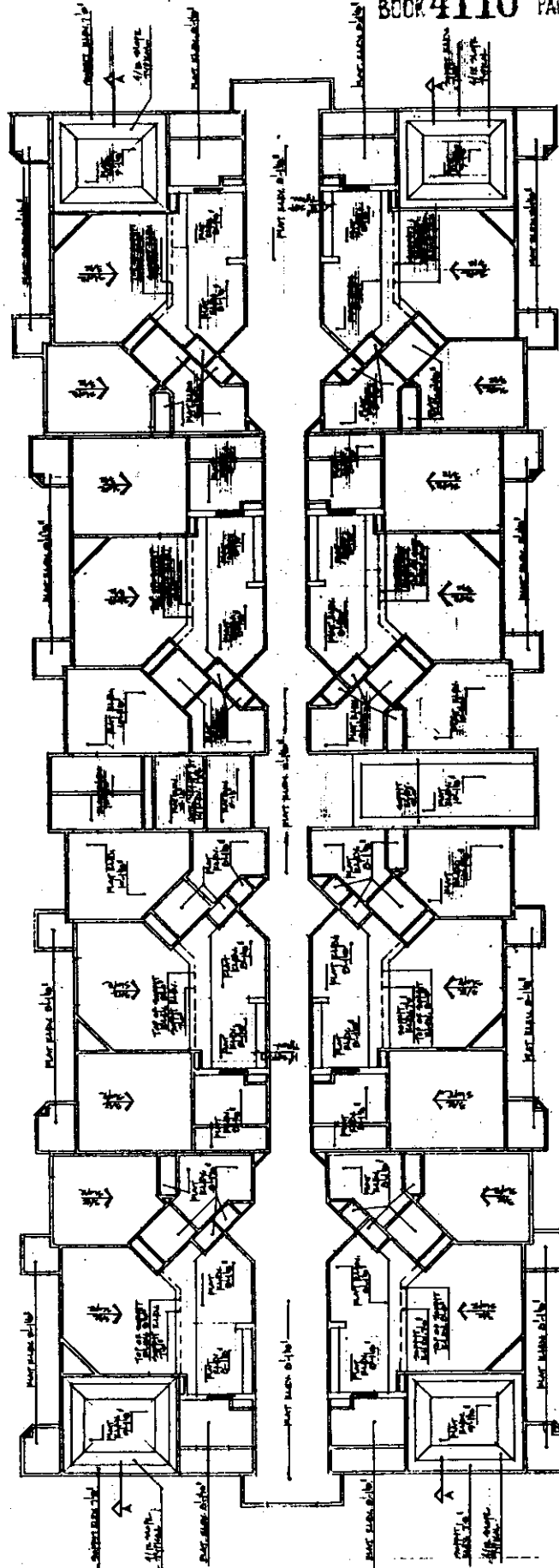
first floor reflected ceiling plan



second floor reflected ceiling plan

EXHIBIT
C

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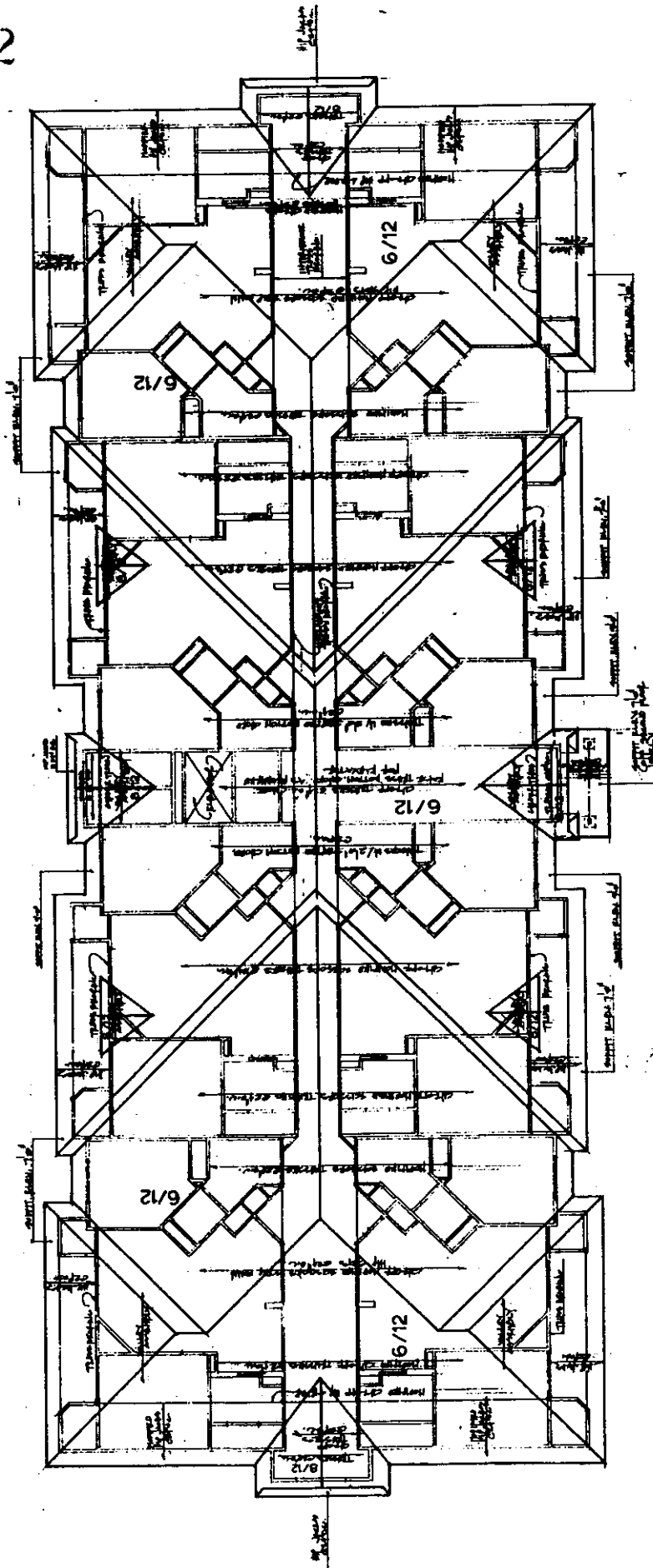


EXHIBIT

C

third floor reflected ceiling plan

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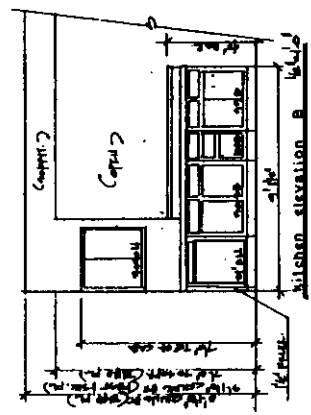
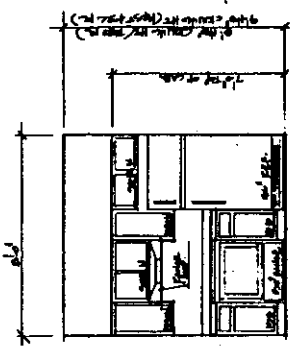
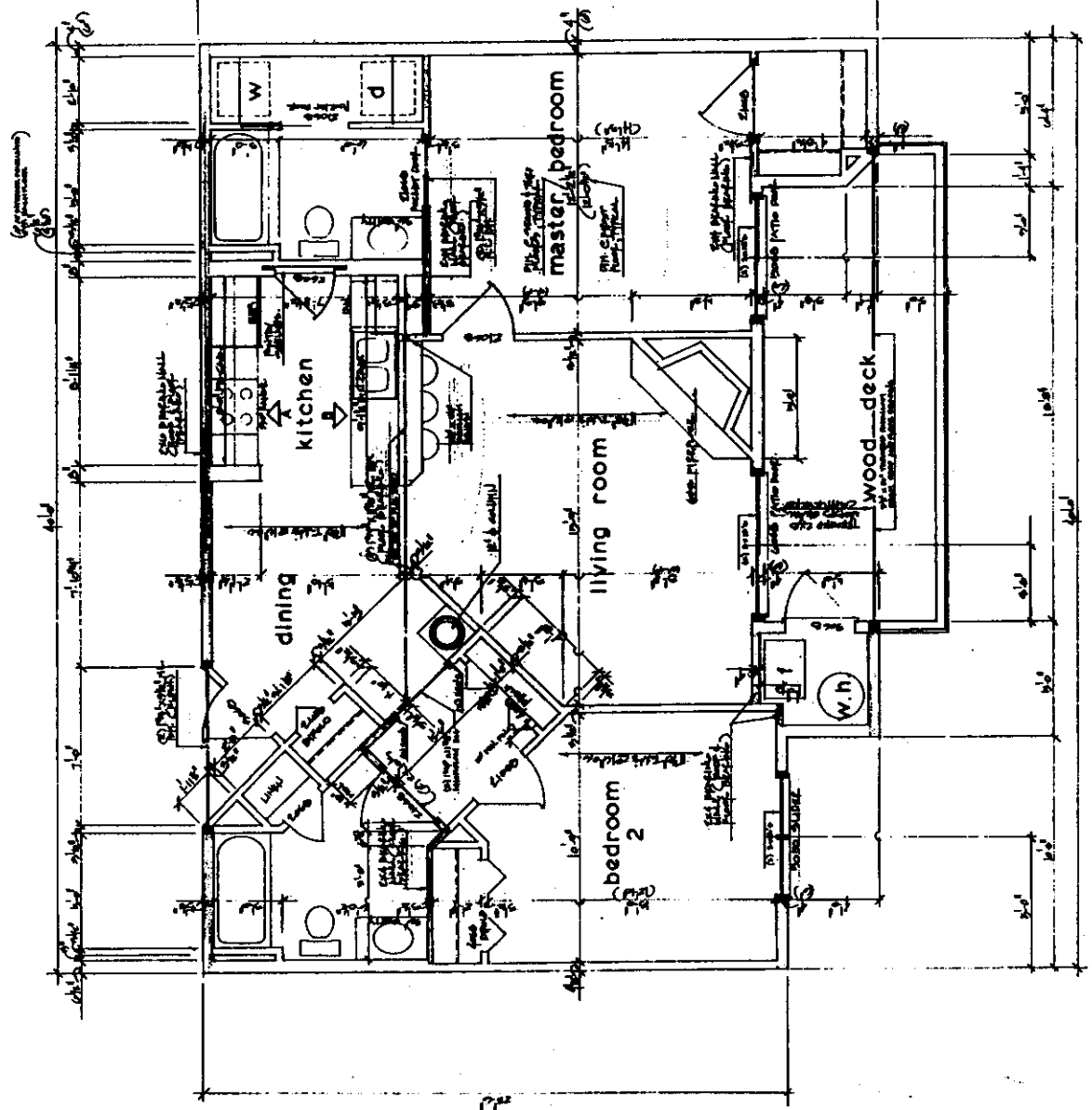
These marks
 are for the
 purpose of
 showing the
 location of
 the units
 and the
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EXHIBIT

C

Books

roof plan



- NOTES:**
1. ALL DIMENSIONS ARE IN FEET AND INCHES.
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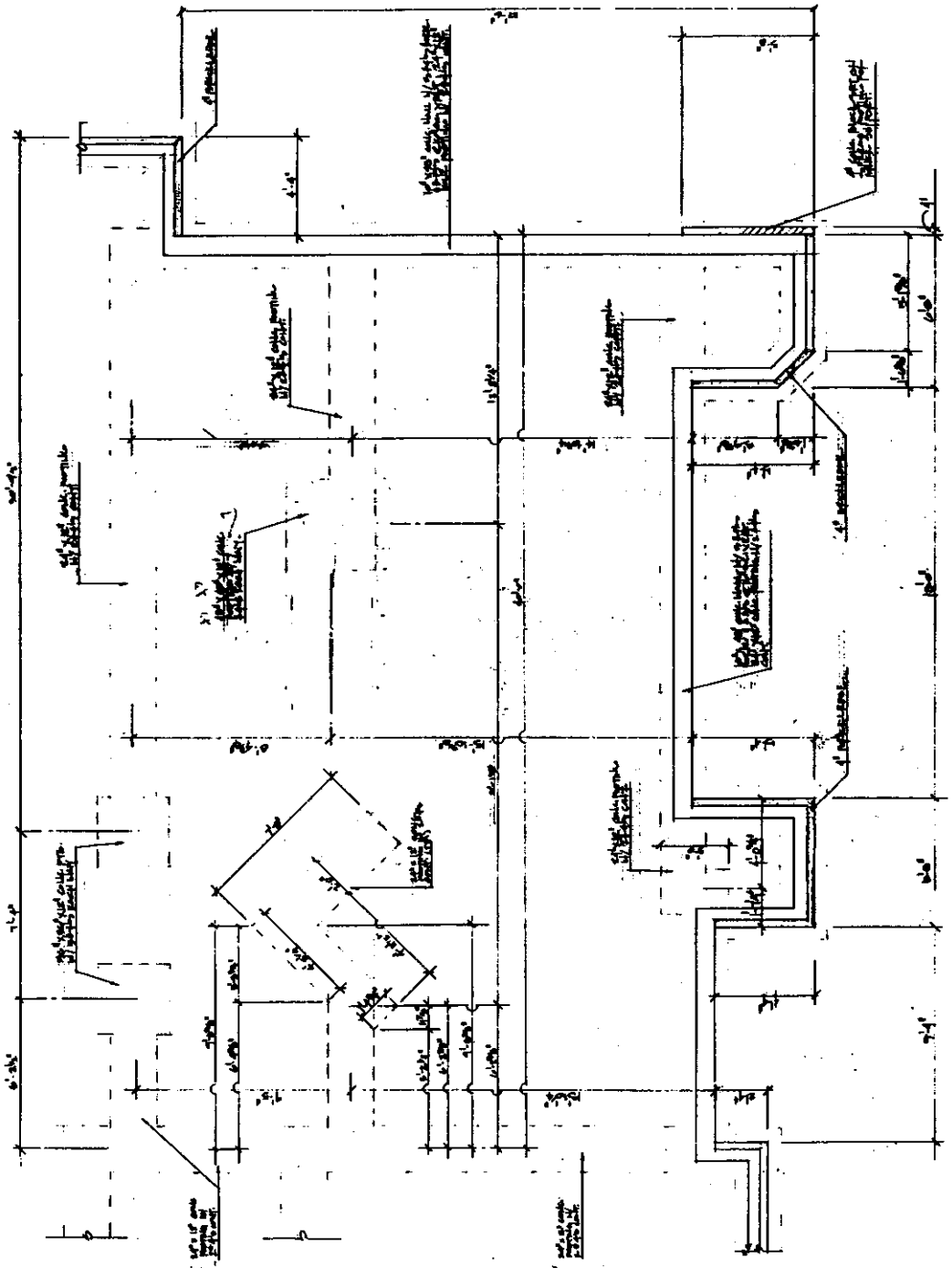
NOTE: See unit for information
 - See Unit 101 for information
 - See Unit 102 for information
 - See Unit 103 for information
 - See Unit 104 for information
 - See Unit 105 for information

unit floor plan

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PLAN 111
C

Books



unit foundation plan

- 1. ALL DIMENSIONS ARE IN FEET AND INCHES UNLESS OTHERWISE NOTED.
- 2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
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FOUNDATION PLAN

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EXHIBIT "G"

ENGINEER'S CERTIFICATE

STATE OF IOWA)
) SS:
LINN COUNTY)

I, Dan Schmidt, being first duly sworn on oath do depose and state that I am a Professional Engineer authorized and licensed to practice my profession in the State of Iowa. I do further depose and state that I have examined the Site Plan, designated as Exhibit B, for all buildings in Forest Greens Condominiums, and the building plans for Building 200 containing Units 201 through 224, designated as Exhibit C, for all buildings in Forest Greens Condominiums, to which this Exhibit is attached, and the same diagrammatically represent, insofar as reasonably possible by use of non-destructive measurement techniques, the building, common elements, limited common elements, and improvements that the Declarant has, in fact, constructed and completed to the extent shown on the Site Plan, designated as Exhibit B, on the real estate described in the Declaration.

Daniel L. Schmidt

Dan Schmidt
Iowa Reg. No. 13841

Subscribed and sworn to before me by the said Dan Schmidt, on this 22nd day of May, 2000.

HEATHER DEE
MY COMMISSION EXPIRES
12-16-00

Heather Dee

Notary Public in and for the
State of Iowa.

Kf14/r62b3992

FILED FOR RECORD
2:06 P.M.
JUN 15 2000
[Signature]
RECORDER LINN CO., IOWA