

Preparer

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

FIRST 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 10th, 2000, in Book 4073, Page 617, Records of Linn County, Iowa, in the following particulars:

1. The legal description found in the original Declaration of Submission to Horizontal Property Regime 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 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, By-laws of Forest Green Condominiums:

A part of the SE 1/4 and the SW 1/4 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°18'19"E, 82.48 feet;
thence S00°08'38"E, 836.45 feet;
thence S89°51'22"W, 364.77 feet;
thence N64°24'19"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.

62082
DOCUMENT NO.
RECORDING FEE 10-
AUD. FEE 5-
AUTOMATION FEE 1-

2000 MAY - 3 PM 4: 00
LINN COUNTY, IOWA
JOAN MCCALLUM
COUNTY RECORDER

DATED this 26 day of April, 2000.

HODGE CONSTRUCTION COMPANY

Michael E. Hodge

Michael E. Hodge, President and Secretary

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."

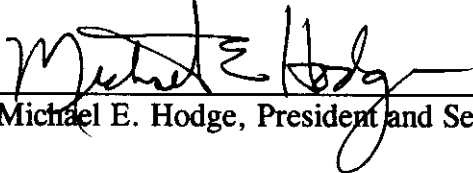
The name of the association is "Forest Greens Condominiums Association" and "Forest Greens Condominiums Association" should replace "Forest Greens Condominium Association" in Article VII(1) of the original Declaration of Submission to Horizontal Property Regime pursuant to Chapter 499B of the Code of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

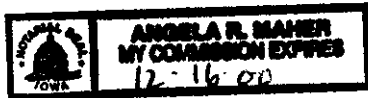
BOOK **4110** PAGE **351**

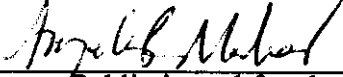
HODGE CONSTRUCTION COMPANY


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.

BOOK 4110 PAGE 353

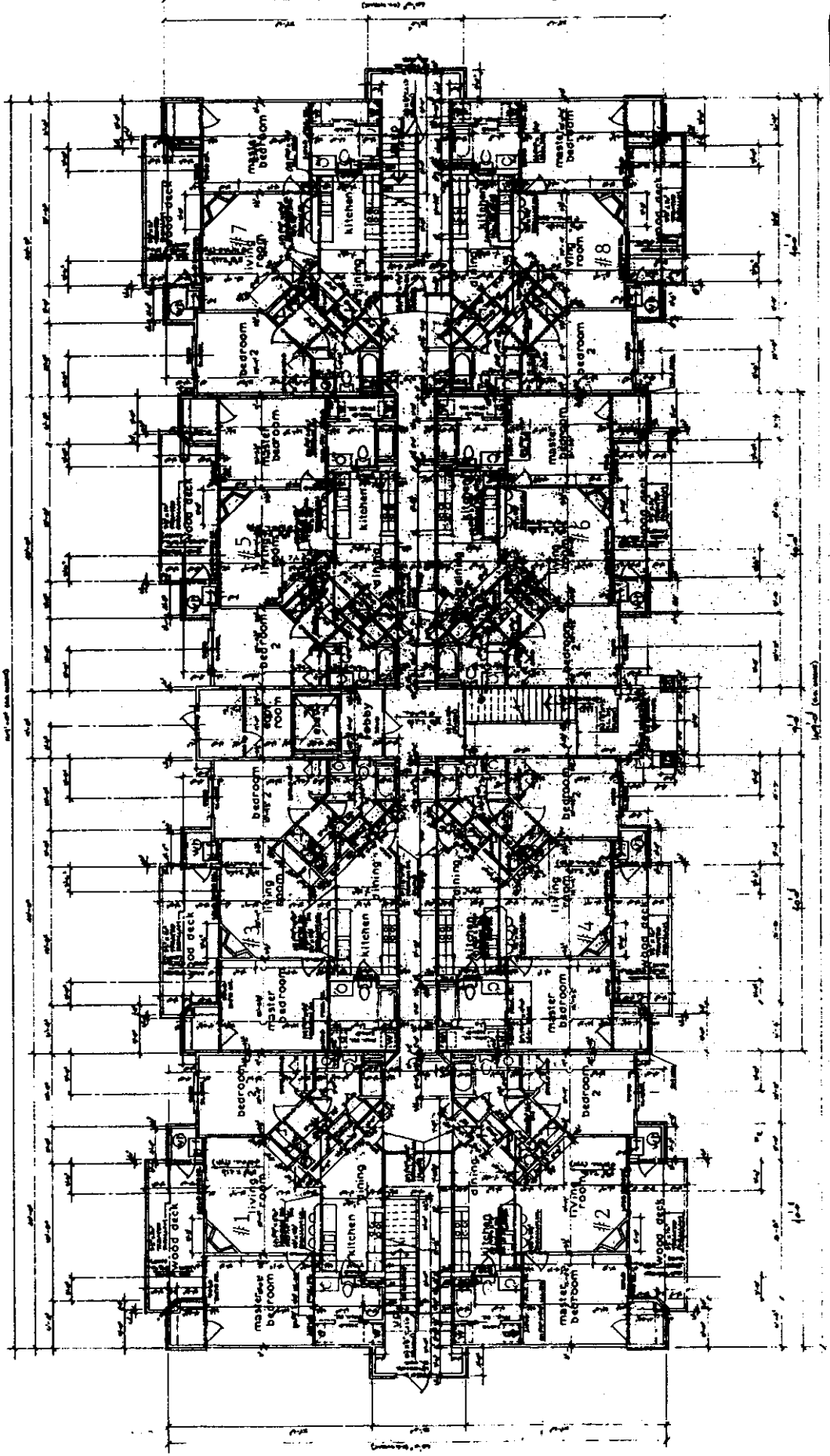
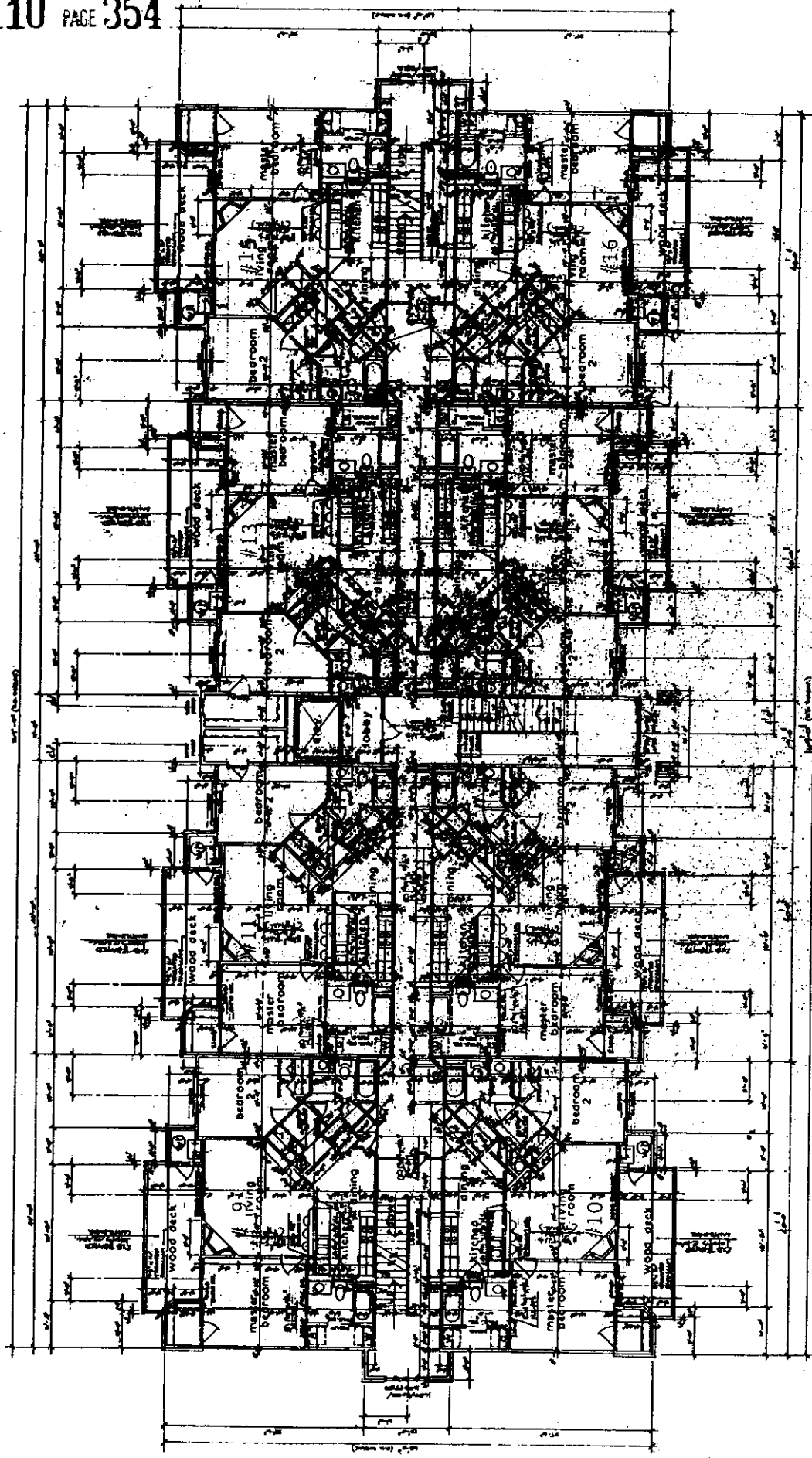


EXHIBIT
C

first floor plan 1008 st. etc. etc.

BOOK 4110 PAGE 354



EXHIBIT

C

1023 sq. ft. unit
 1023 sq. ft. unit
 1023 sq. ft. unit

1023 sq. ft. unit

second floor plan

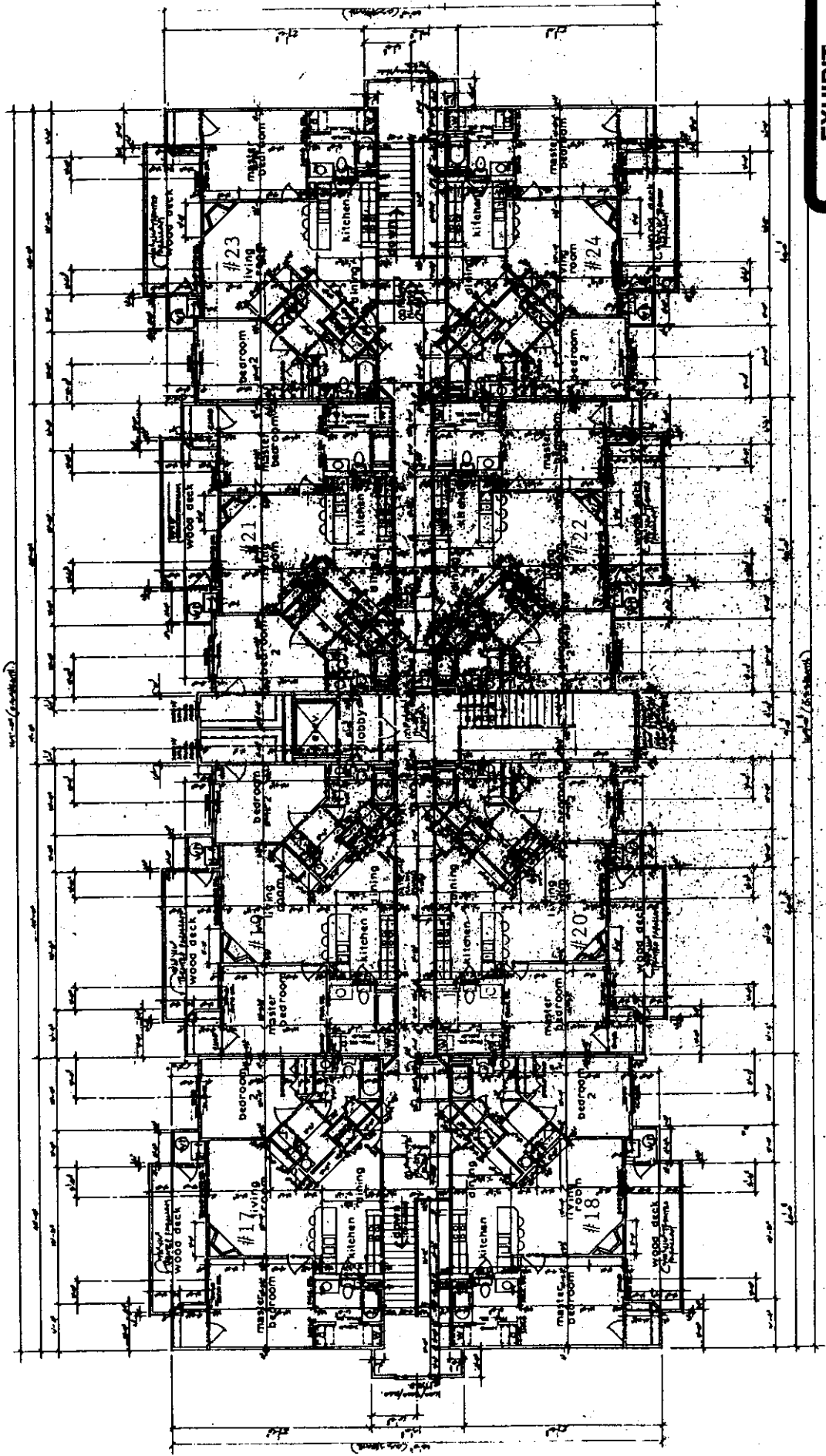


EXHIBIT
C

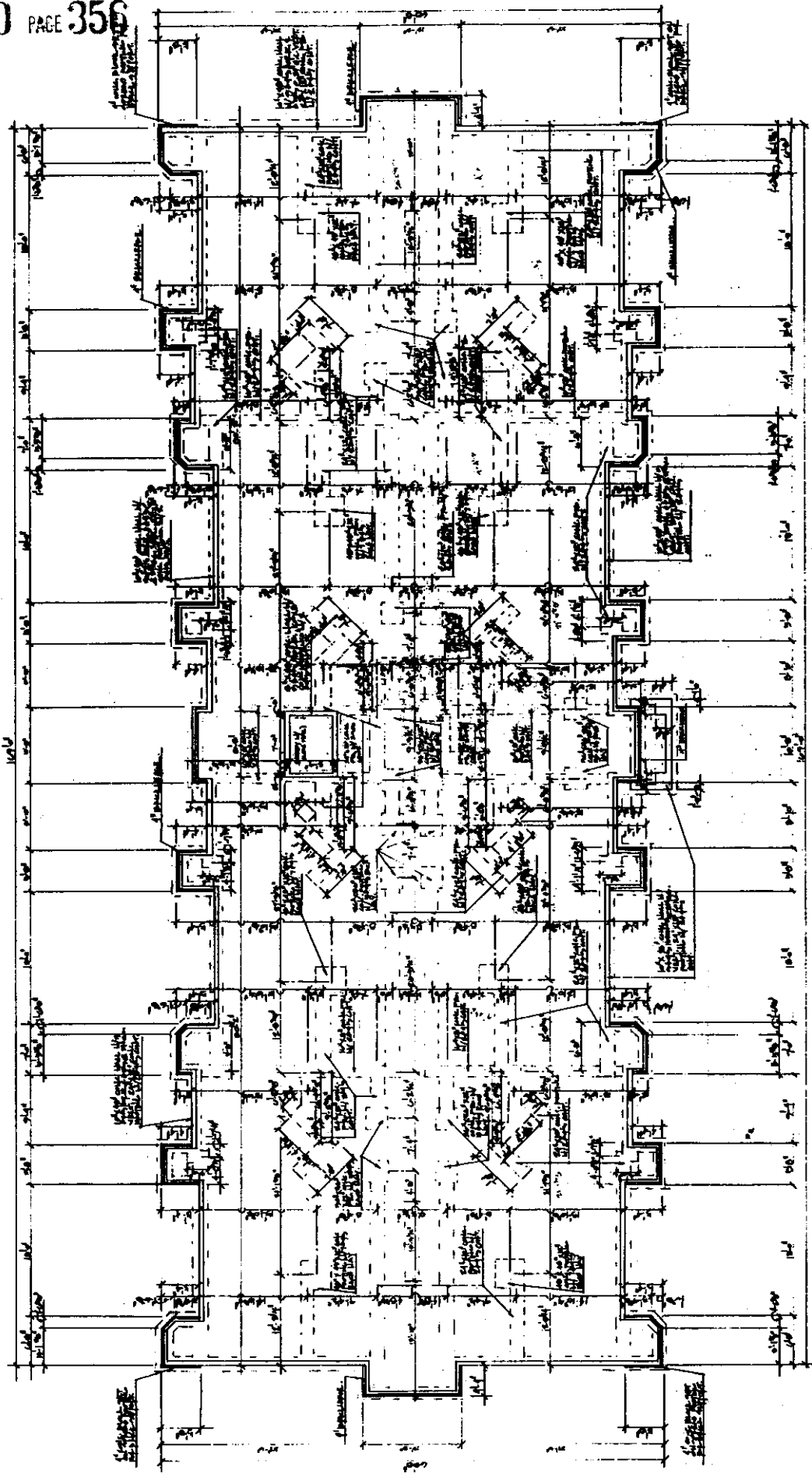
Blocker

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

BOOK 4110 PAGE 356

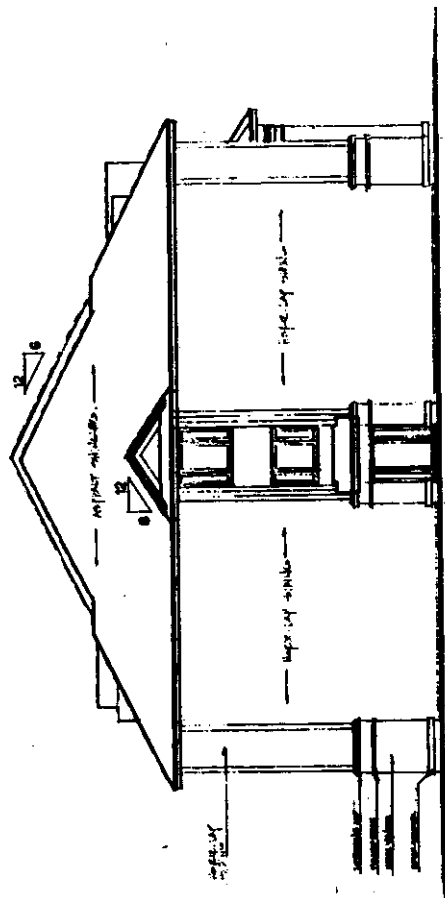


EXHIBIT

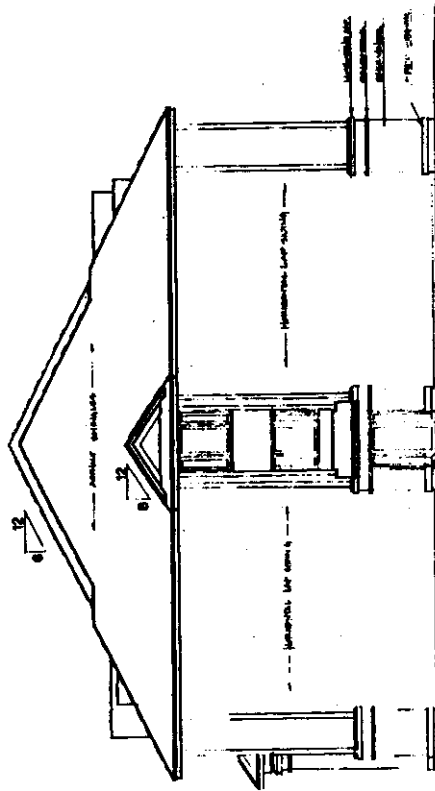
C

Index

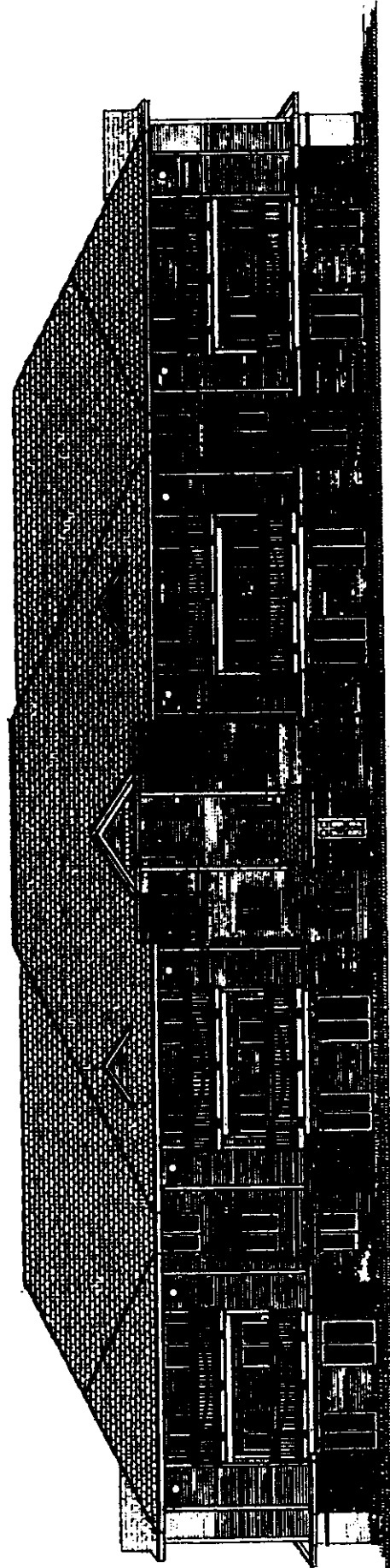
foundation plan



left elevation



right elevation



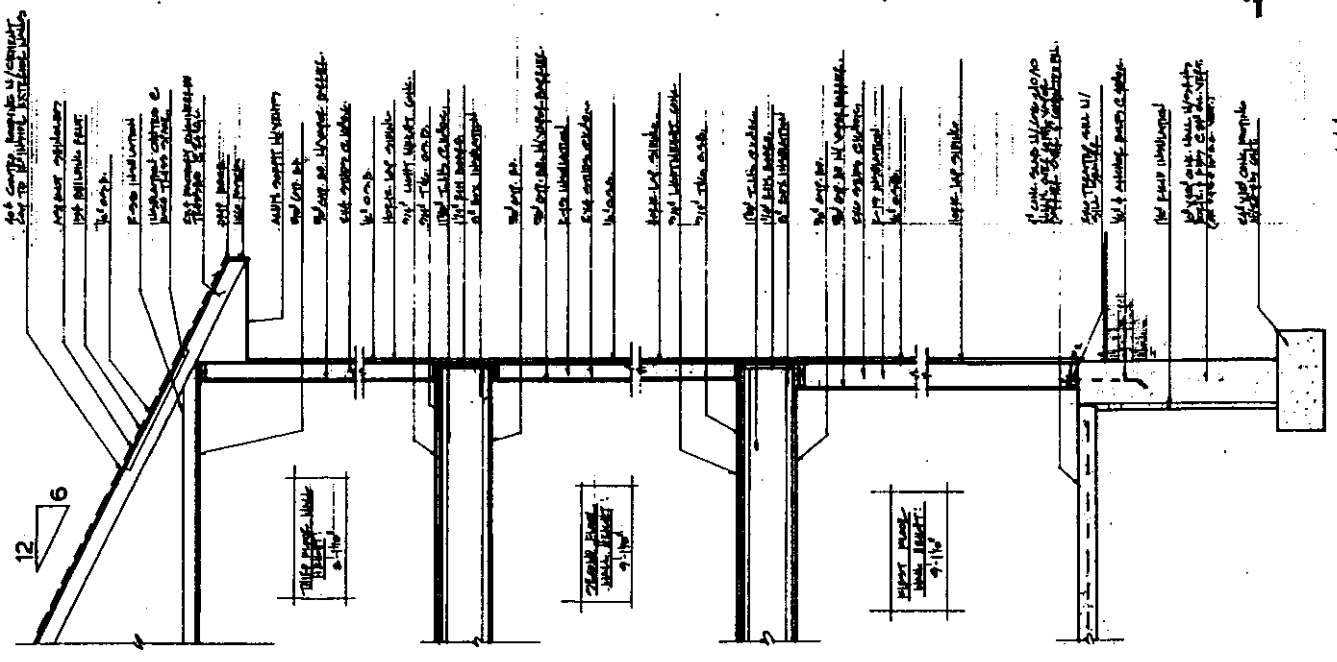
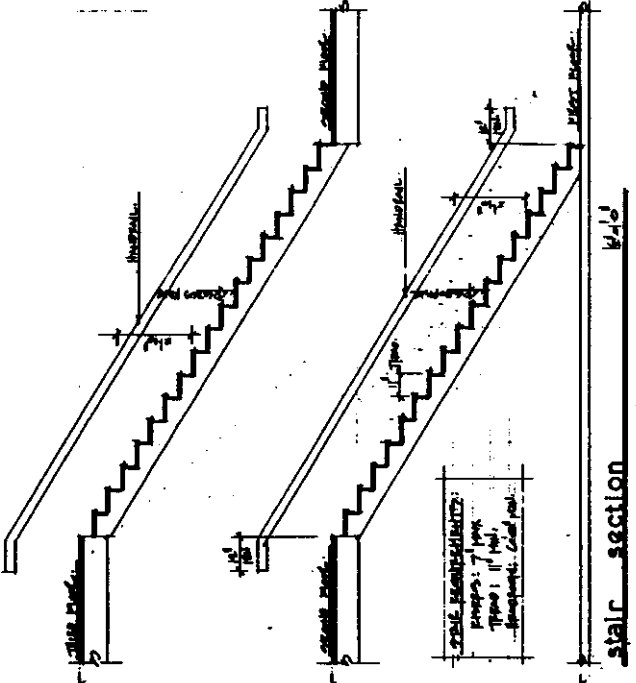
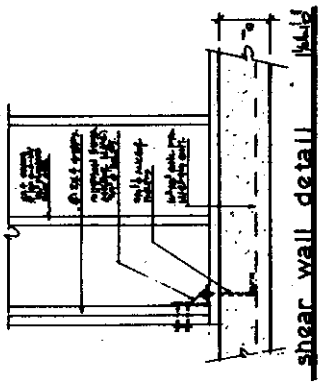
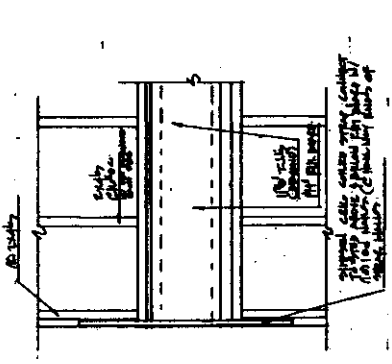
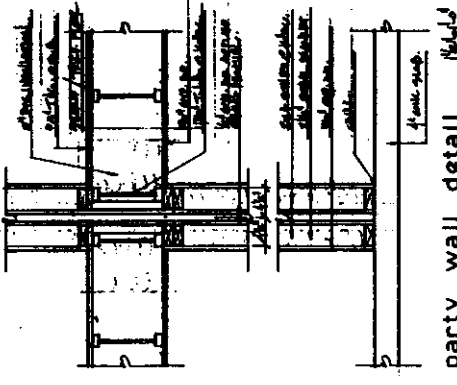
rear elevation

EXHIBIT
C

BOOK 4110 PAGE 358

notes

- FOUNDATION NOTES:**
1. All foundation work shall be in accordance with the approved plans and specifications.
 2. All foundation work shall be done in accordance with the approved plans and specifications.
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 9. All foundation work shall be done in accordance with the approved plans and specifications.
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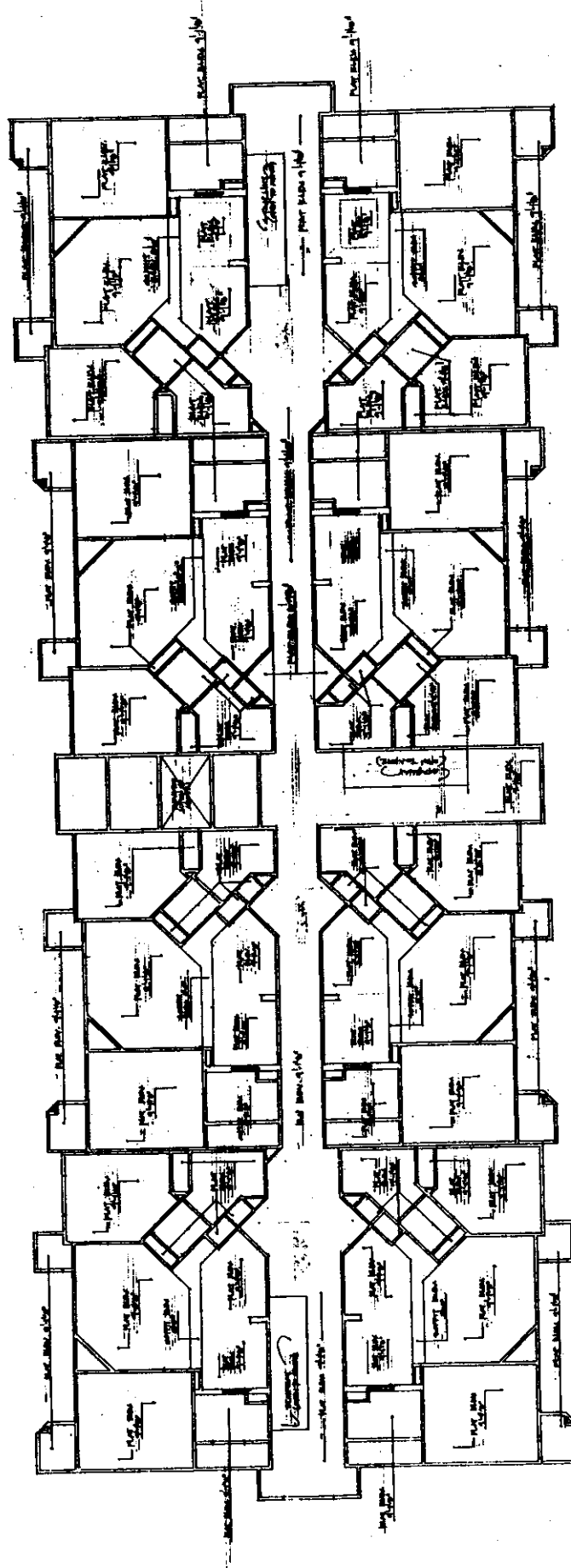


- 1. All work shall be in accordance with the approved plans and specifications.
- 2. All work shall be done in accordance with the approved plans and specifications.
- 3. All work shall be done in accordance with the approved plans and specifications.
- 4. All work shall be done in accordance with the approved plans and specifications.
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- 8. All work shall be done in accordance with the approved plans and specifications.
- 9. All work shall be done in accordance with the approved plans and specifications.
- 10. All work shall be done in accordance with the approved plans and specifications.

EXHIBIT

C

books



first floor reflected ceiling plan

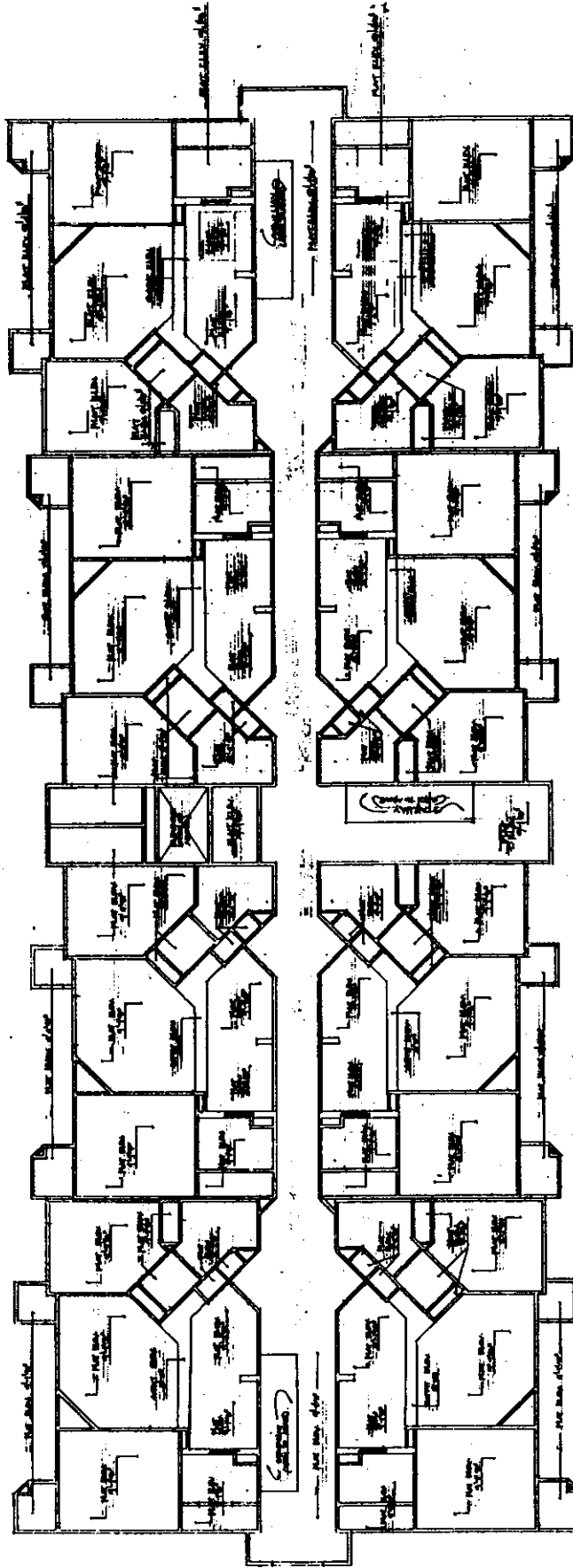
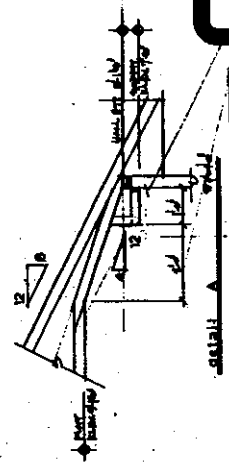
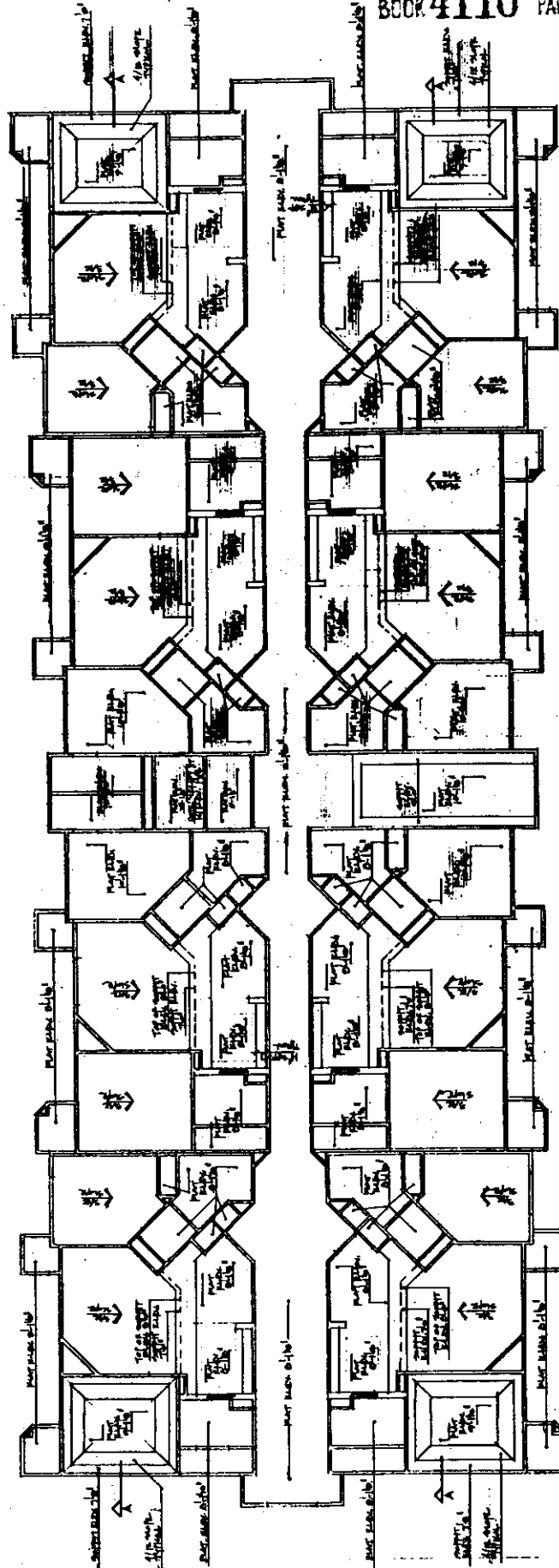


EXHIBIT
C

second floor reflected ceiling plan

BOOK 4110 PAGE 361

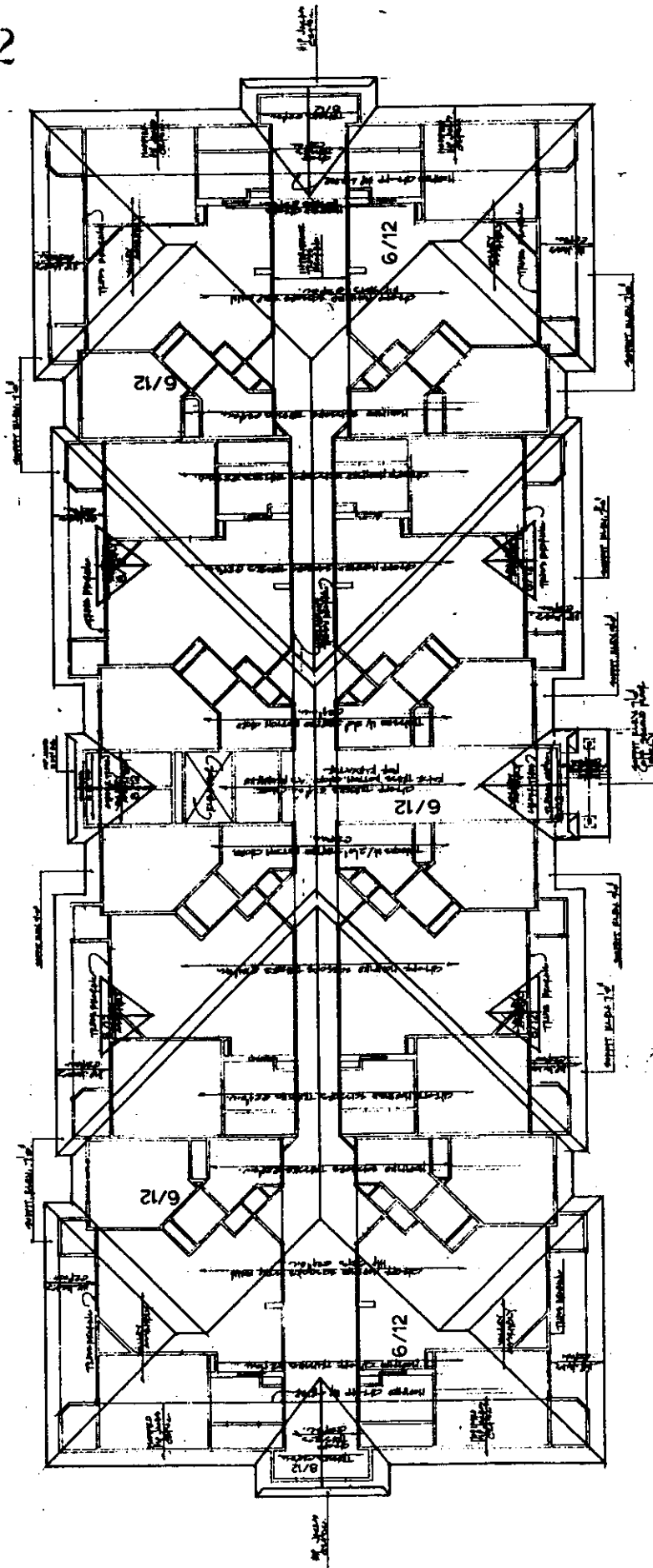


EXHIBIT

C

third floor reflected ceiling plan

BOOK 4110 PAGE 362



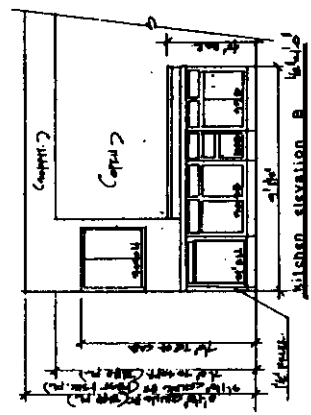
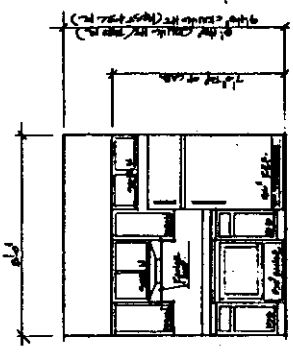
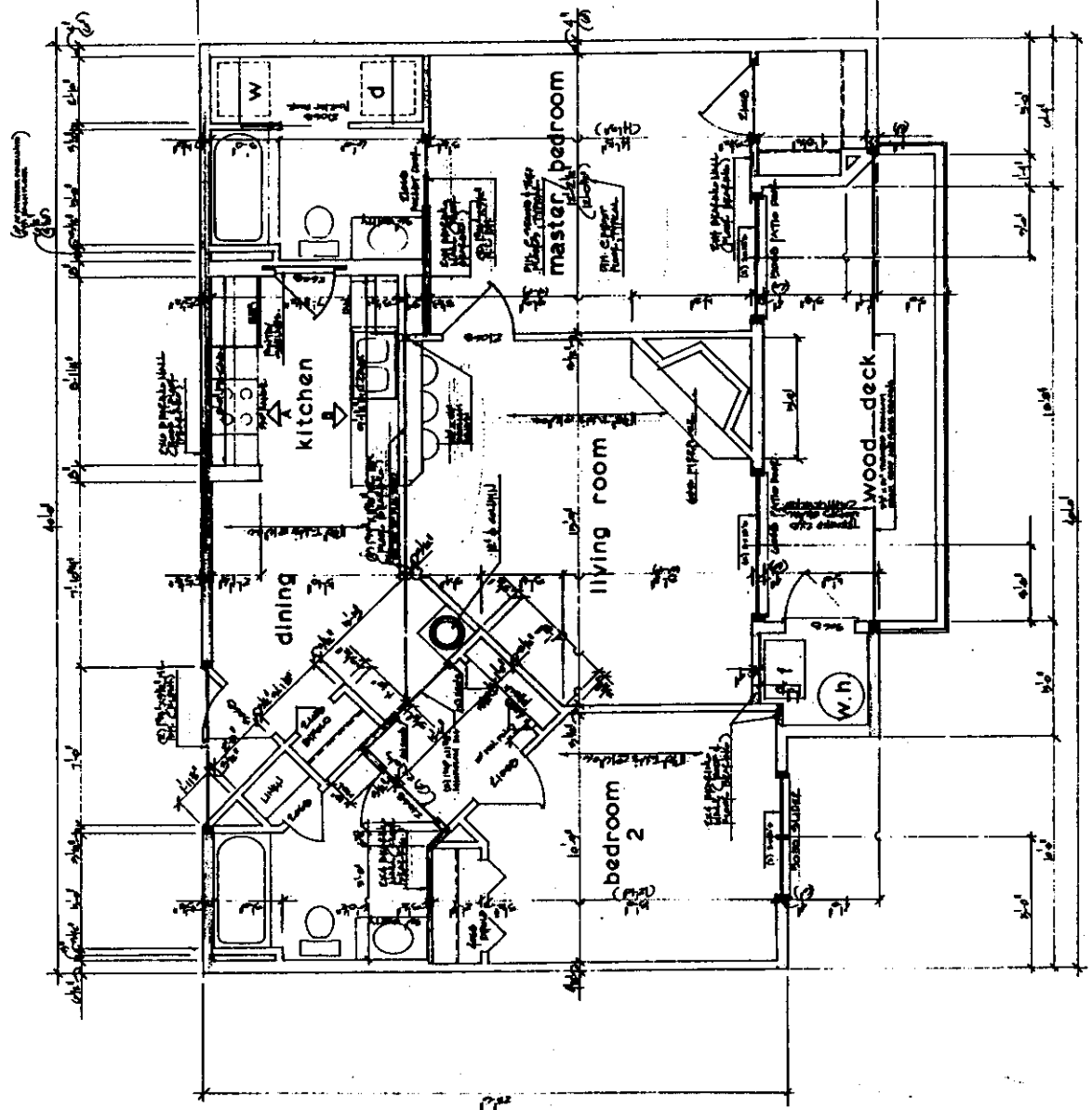
These beams are to be removed. See notes on page 361 and 362. The contractor is to verify the location of these beams and remove them as shown on the drawings. The contractor is to verify the location of these beams and remove them as shown on the drawings.

EXHIBIT

C

Books

roof plan



- NOTES:**
1. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
 2. ALL FINISHES ARE TO BE AS SHOWN ON THE FINISH SCHEDULE.
 3. ALL WORK IS TO BE IN ACCORDANCE WITH THE 2000 INTERNATIONAL RESIDENTIAL CODE BOOK.
 4. ALL WORK IS TO BE IN ACCORDANCE WITH THE 2000 INTERNATIONAL MECHANICAL AND ELECTRICAL CODE BOOK.
 5. ALL WORK IS TO BE IN ACCORDANCE WITH THE 2000 INTERNATIONAL PLUMBING AND MECHANICAL CODE BOOK.
 6. ALL WORK IS TO BE IN ACCORDANCE WITH THE 2000 INTERNATIONAL FIRE AND ALARM CODE BOOK.
 7. ALL WORK IS TO BE IN ACCORDANCE WITH THE 2000 INTERNATIONAL BUILDING DEPARTMENT CODE BOOK.
 8. ALL WORK IS TO BE IN ACCORDANCE WITH THE 2000 INTERNATIONAL ENERGY CONSERVATION CODE BOOK.
 9. ALL WORK IS TO BE IN ACCORDANCE WITH THE 2000 INTERNATIONAL SMOKE ALARM CODE BOOK.
 10. ALL WORK IS TO BE IN ACCORDANCE WITH THE 2000 INTERNATIONAL CARBON MONOXIDE DETECTOR CODE BOOK.

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
 - See Unit 106 for information
 - See Unit 107 for information
 - See Unit 108 for information
 - See Unit 109 for information
 - See Unit 110 for information

unit floor plan

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

DOCUMENT NO. 1921
RECORDING FEE 10-
AUD. FEE 5-
AUTOMATION FEE 1-

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

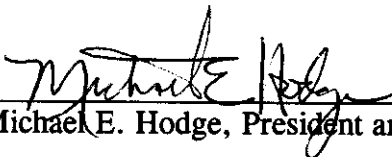
THIRD AMENDMENT TO DECLARATION OF CONDOMINIUM FOR FOREST GREENS CONDOMINIUMS

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, and a Second Amendment to Declaration of Condominium for Forest Greens Condominiums which was recorded June 15, 2000 in Book 4110, Page 349, Records of Linn County, Iowa in the following particulars:

1. Exhibit "B" attached to the original Declaration of Submission to Horizontal Property Regime is hereby deleted and the revised and amended Exhibit "B" attached hereto supercedes and replaces the original Exhibit "B".

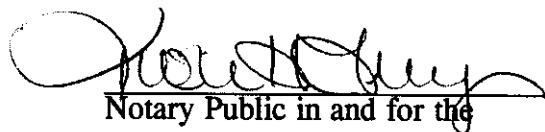
DATED this 10th day of July, 2000.

HODGE CONSTRUCTION COMPANY

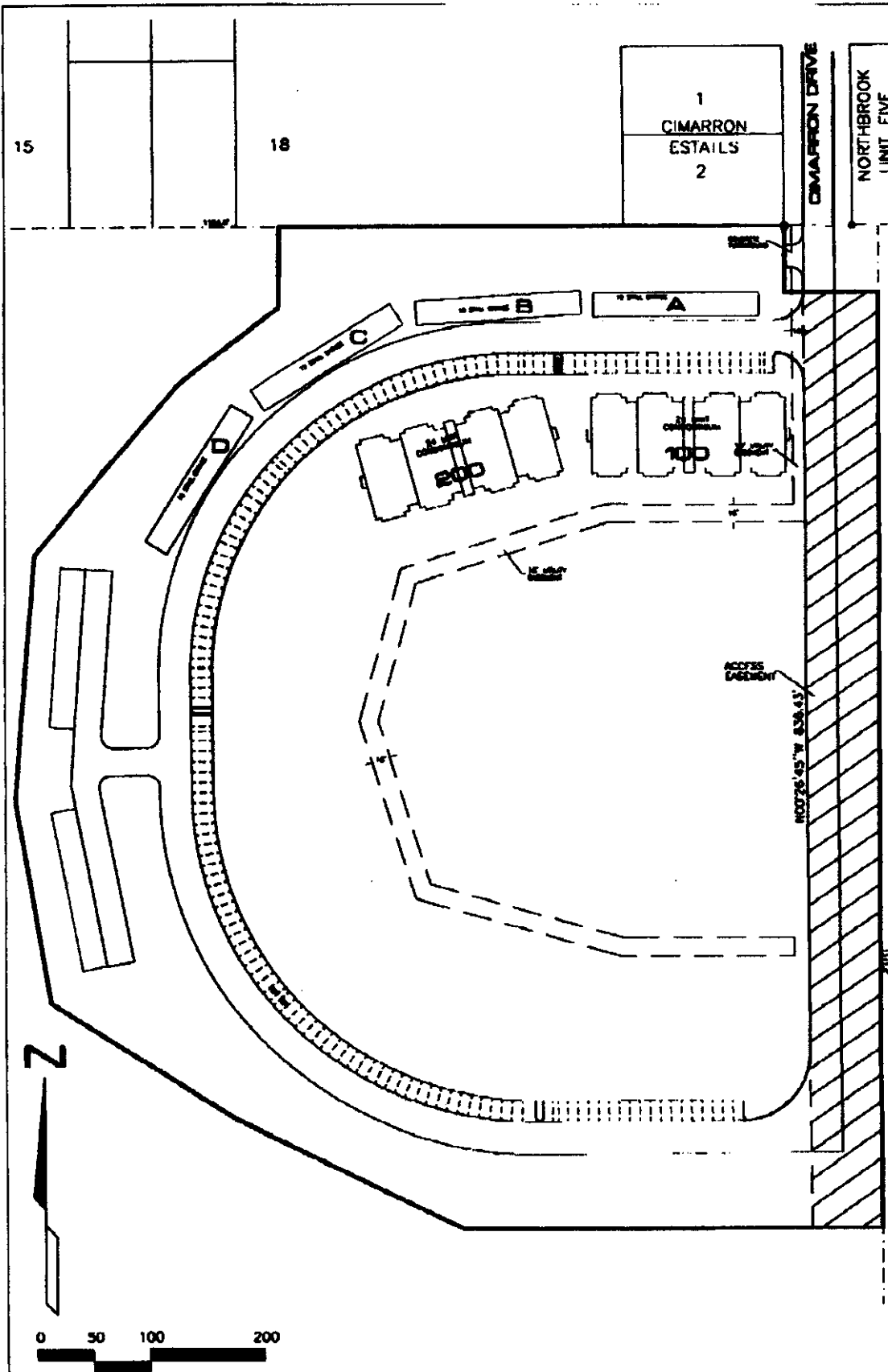

Michael E. Hodge, President and Secretary

STATE OF IOWA)
JOHNSON COUNTY) SS:

On this 10th day of July, 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.

FILED
J. MCGALMANT
COUNTY RECORDER
LINN COUNTY, IOWA
JUL 12 12:00



Project No.: 17928-30
 Title: **EXHIBIT B**
 SITE PLAN

BRAIN ENGINEERING, INC.
 509 W. MAIN STREET
 WAUBESAU, IOWA 52085
 (319) 860-8782

Book:
 Scale:
 1" = 100'

FILED FOR RECORD
 12:00 pm
 JUL 12 2000
John K. Belmont
 RECORDER LINN CO., IOWA



Doc ID: 005944740019 Type: GEN
Recorded: 07/25/2003 at 11:19:57 AM
Fee Amt: \$106.00 Page 1 of 19
Instr# 200400007383
Linn County Iowa
JOAN MCCALMANT RECORDER

BK **5301** PG **635-653**

*106.00 pd ck# 16550 7

Preparer * 16557

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

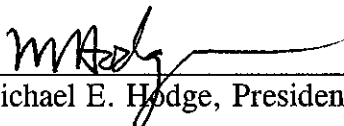
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1. Exhibit "B" attached to the Declaration of Submission to Horizontal Property Regime is hereby deleted and the revised and amended Exhibit "B" attached hereto, the Site Plan, hereby supercedes and replaces said prior Exhibit "B".
2. Exhibit "C" attached to the Declaration of Submission to Horizontal Property Regime is hereby supplemented by the additional building plans for Building 300, Forest Green Condominiums.
3. Attached hereto as Exhibit "G" is an Engineer's Certificate which hereby supplements the previously filed Engineer's Certificate.

DATED this 17th day of July, 2003.


HODGE CONSTRUCTION COMPANY



Michael E. Hodge, President and Secretary

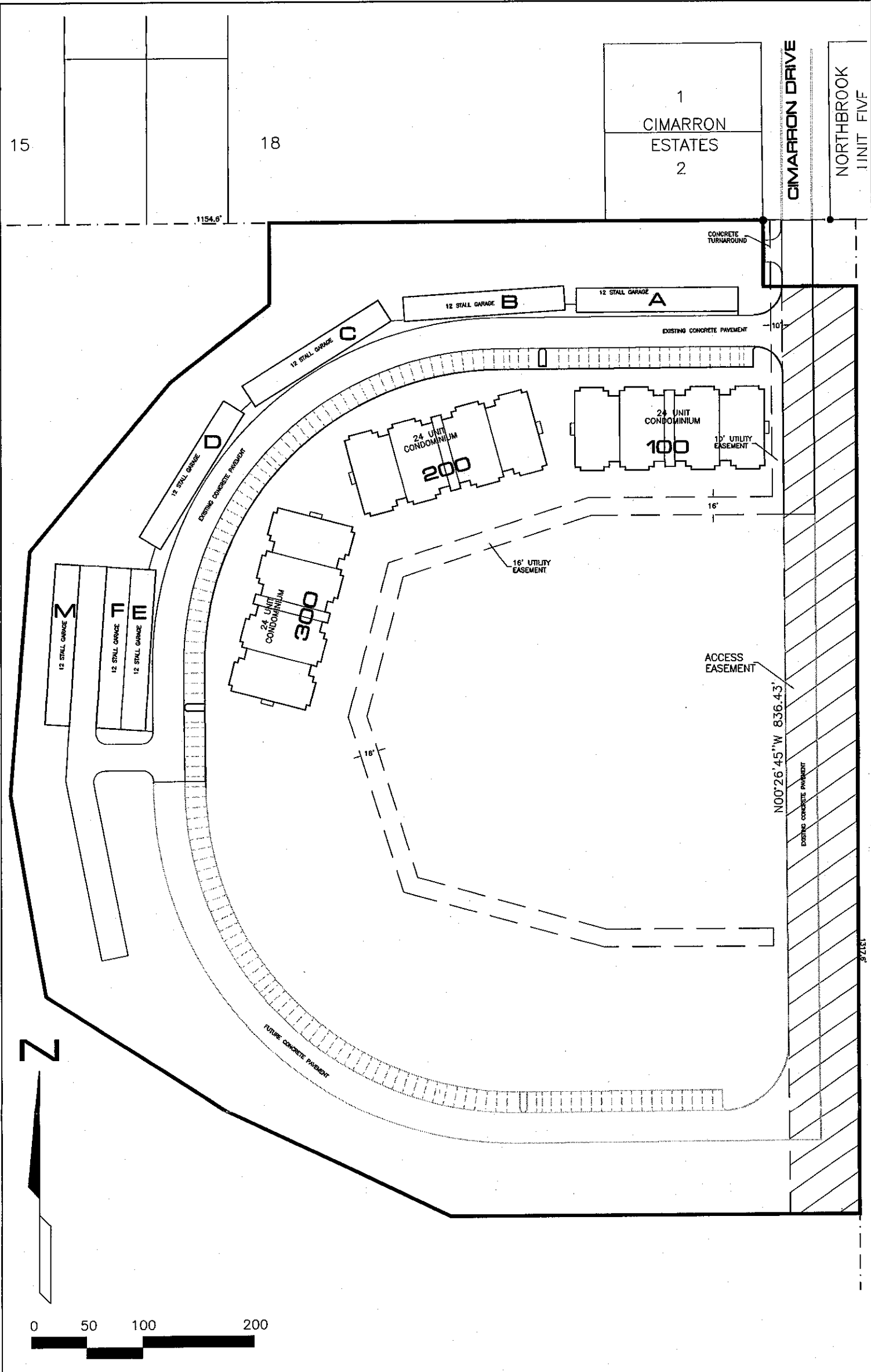
STATE OF IOWA)
) SS:
JOHNSON COUNTY)

On this 17 day of July, 2003, 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.

Kf16/2nd Amend

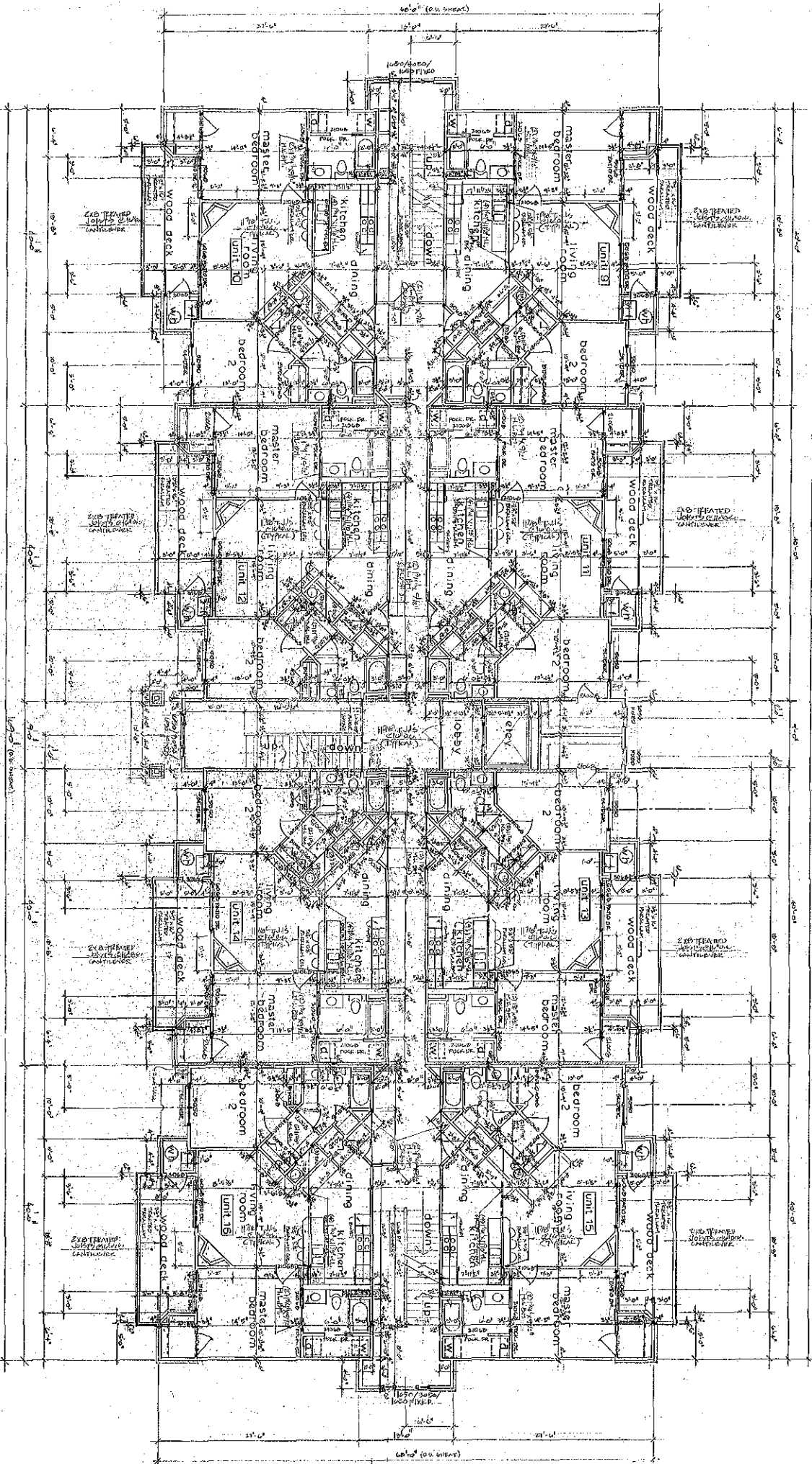




Project No: 17923-10	Title: EXHIBIT B SITE PLAN	BRAIN ENGINEERING, INC. 1540 MIDLAND COURT NE CEDAR RAPIDS, IOWA 52402 (319) 2949424	Book: Scale: 1" = 100'
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Second floor plan

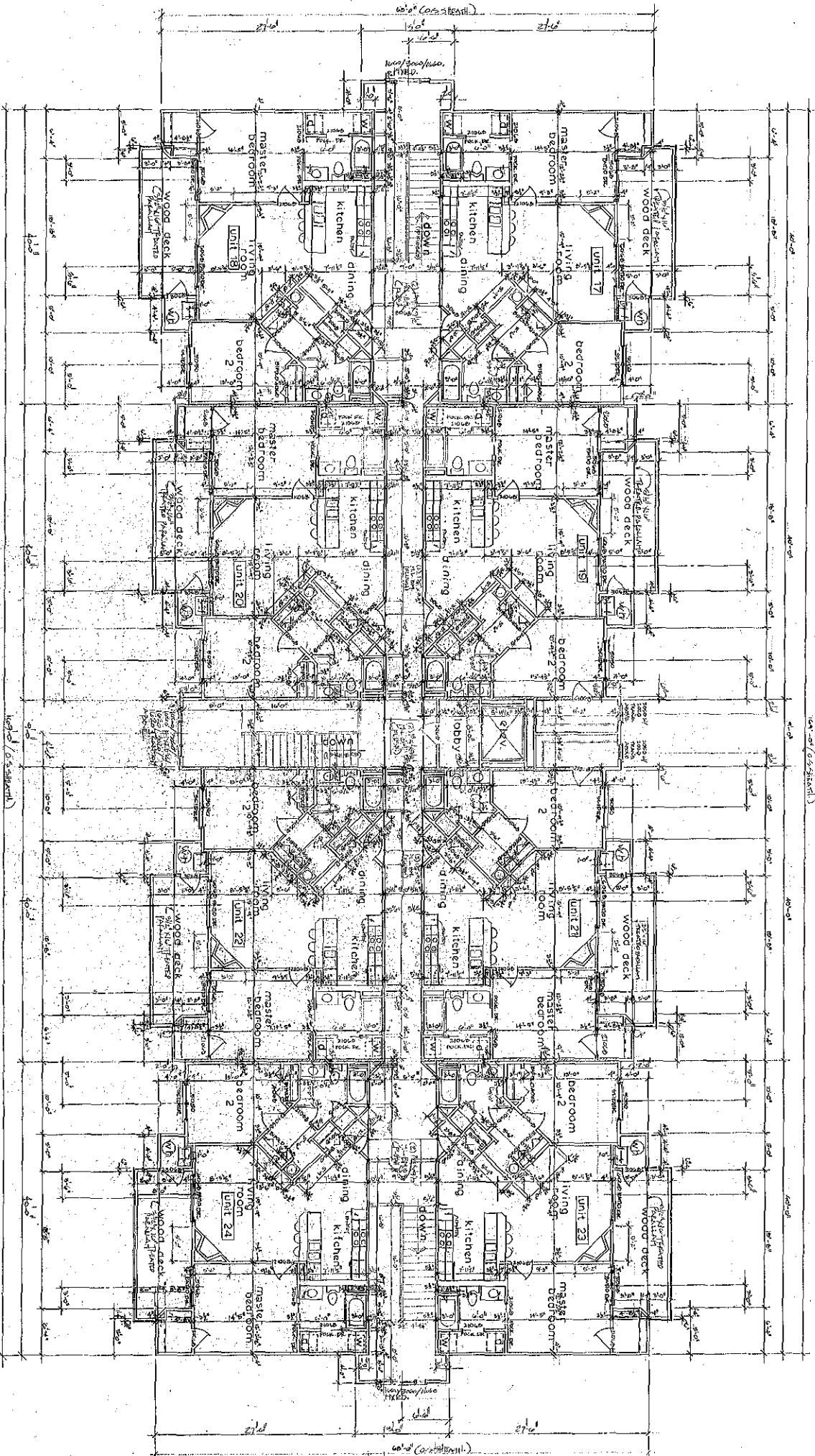
1023 sq. ft. per unit



SEE EXHIBIT 'A' FOR UNIT 16
 SEE EXHIBIT 'B' FOR UNIT 17
 SEE EXHIBIT 'C' FOR UNIT 18
 SEE EXHIBIT 'D' FOR UNIT 19
 SEE EXHIBIT 'E' FOR UNIT 20
 SEE EXHIBIT 'F' FOR UNIT 21
 SEE EXHIBIT 'G' FOR UNIT 22
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 SEE EXHIBIT 'BZ' FOR UNIT 93
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 SEE EXHIBIT 'CB' FOR UNIT 95
 SEE EXHIBIT 'CC' FOR UNIT 96
 SEE EXHIBIT 'CD' FOR UNIT 97
 SEE EXHIBIT 'CE' FOR UNIT 98
 SEE EXHIBIT 'CF' FOR UNIT 99
 SEE EXHIBIT 'CG' FOR UNIT 100

third floor plan

1023 S.F. PER UNIT



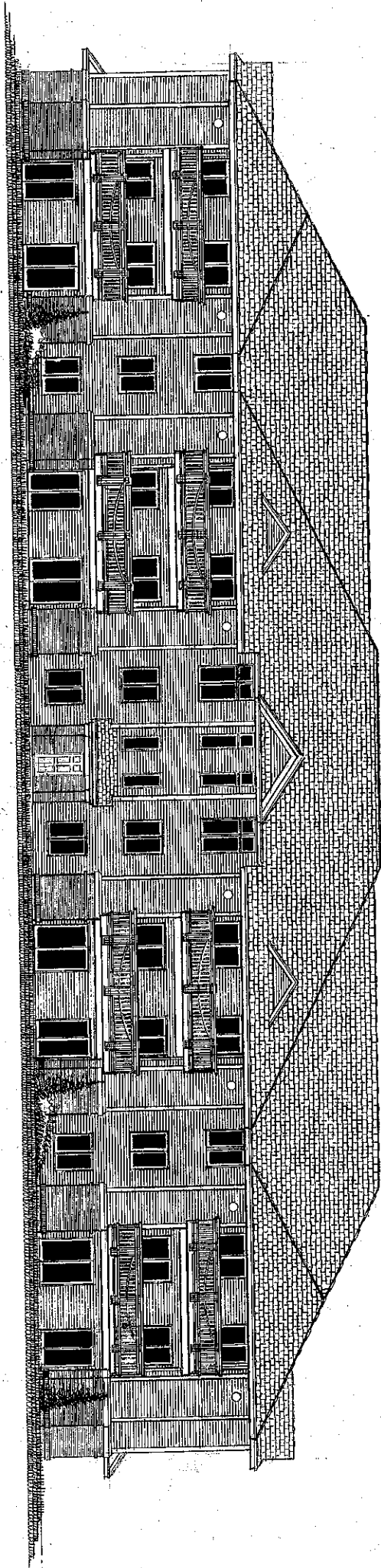
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Exhibit C - Forest Greens Condominiums

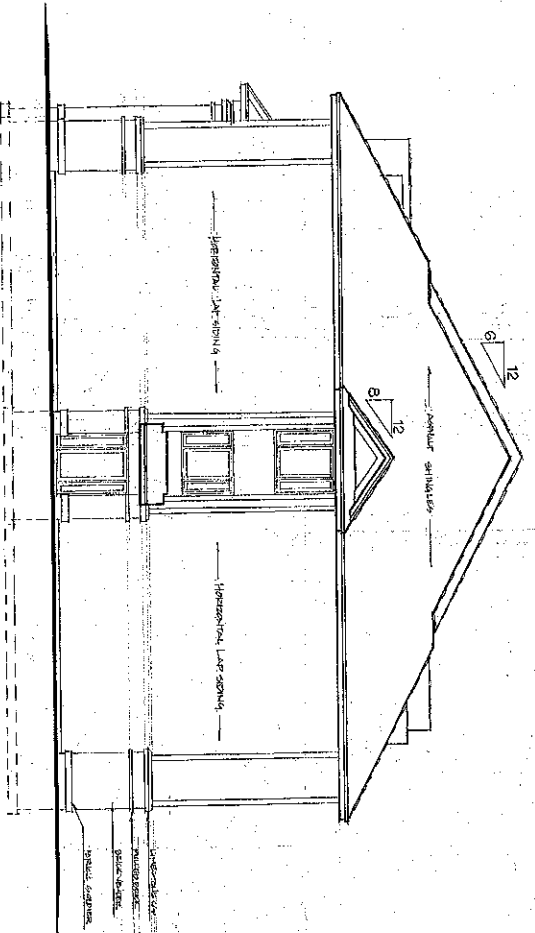
BK&A
 BILL KNAPP & ASSOCIATES
 PA. REG. ARCH. # 0000000000
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 PA. REG. INTERIOR DESIGNER # 0000000000
 PA. REG. LANDSCAPE ARCHITECT # 0000000000

BRUGGEMAN
 ARCHITECTS

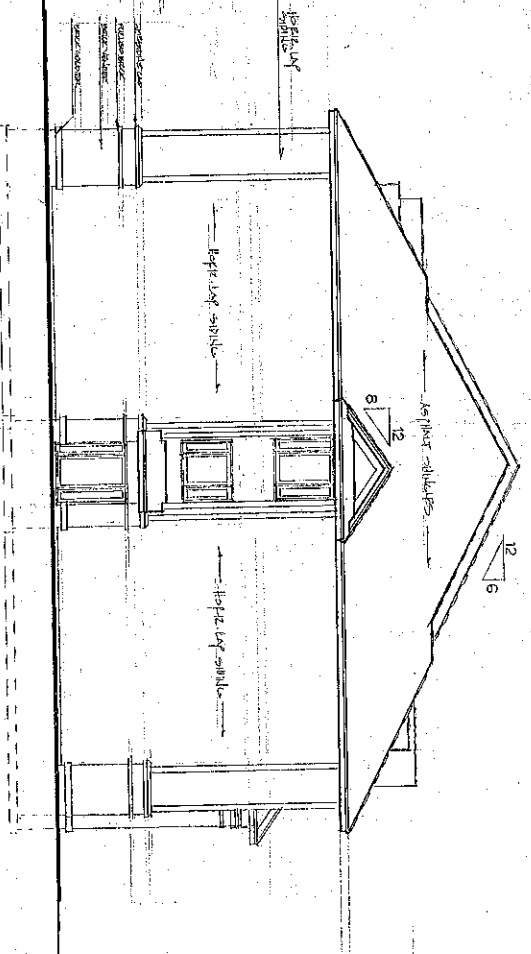
rear elevation



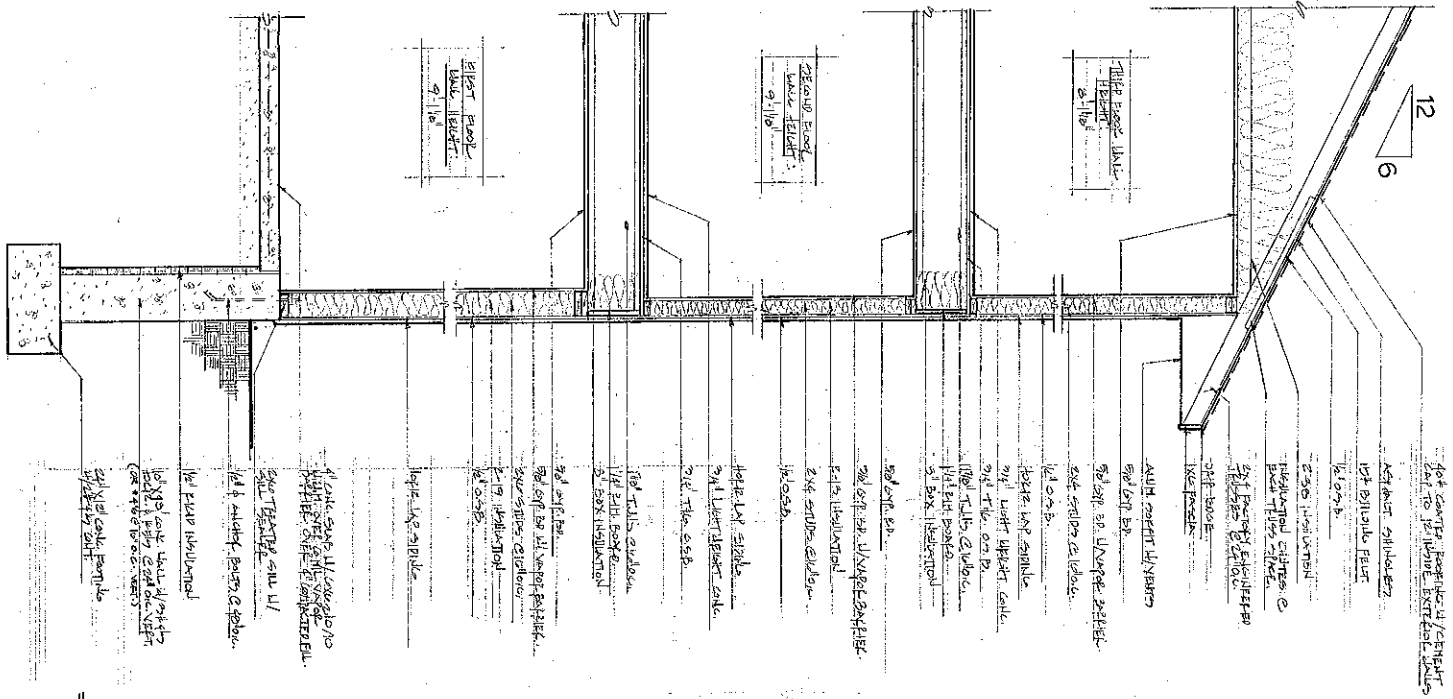
right elevation



left elevation

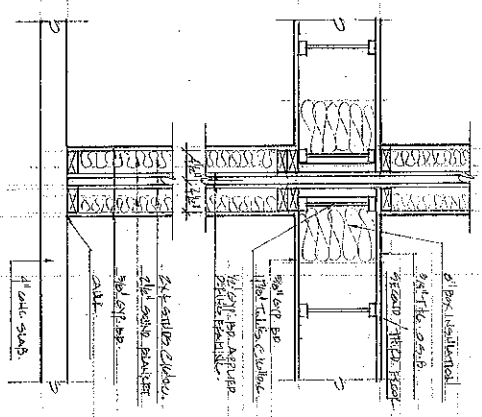


Wall section

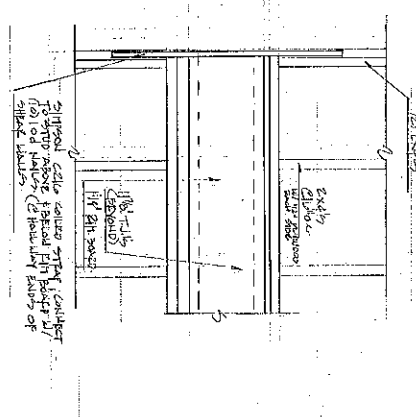


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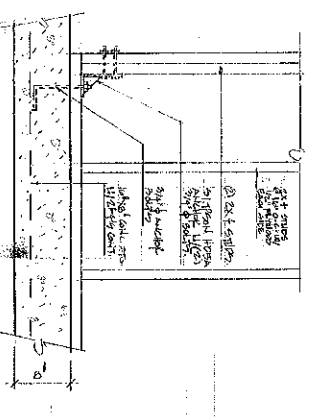
party wall detail



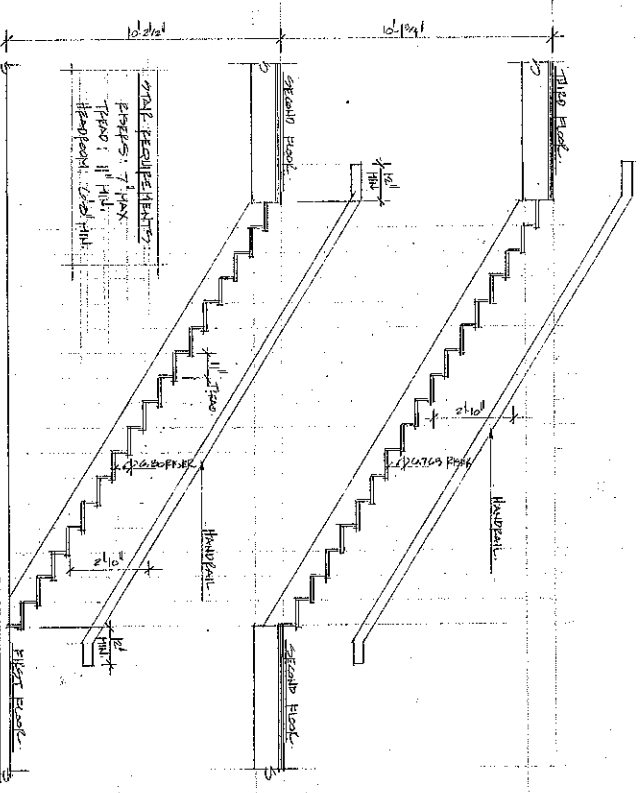
shear wall connection



shear wall detail



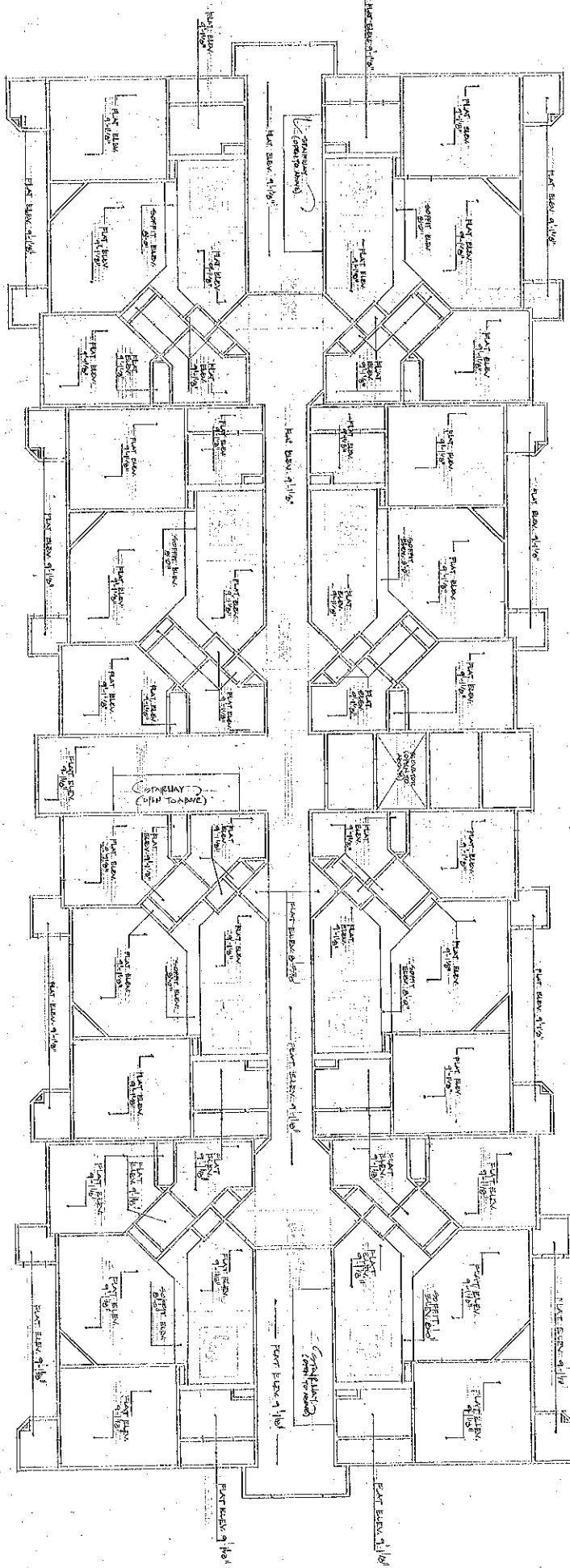
stair section



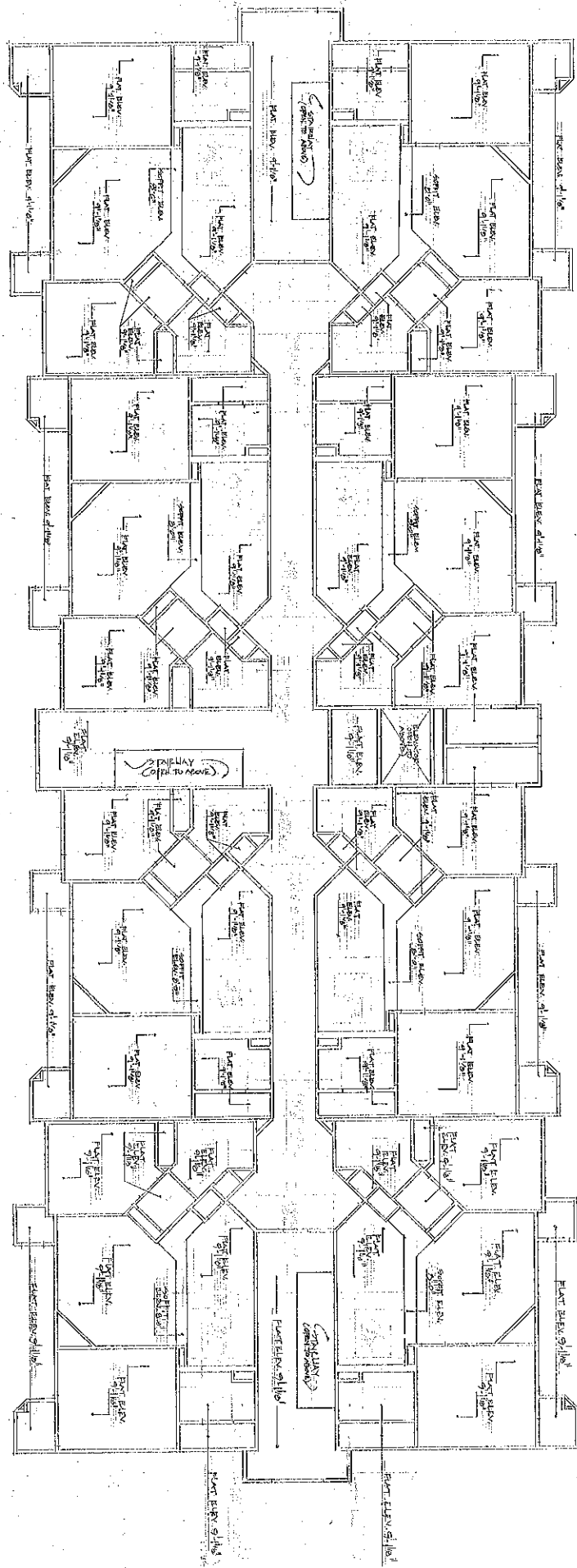
notes

- framing notes:**
1. All framing members to be installed and certified by a qualified contractor.
 2. All framing members to be installed in accordance with the manufacturer's instructions.
 3. All framing members to be installed in accordance with the applicable code requirements.
 4. All framing members to be installed in accordance with the applicable code requirements.
 5. All framing members to be installed in accordance with the applicable code requirements.
- foundation notes:**
1. All foundation members to be installed in accordance with the applicable code requirements.
 2. All foundation members to be installed in accordance with the applicable code requirements.
 3. All foundation members to be installed in accordance with the applicable code requirements.
 4. All foundation members to be installed in accordance with the applicable code requirements.
 5. All foundation members to be installed in accordance with the applicable code requirements.

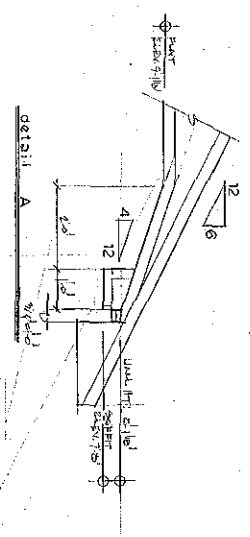
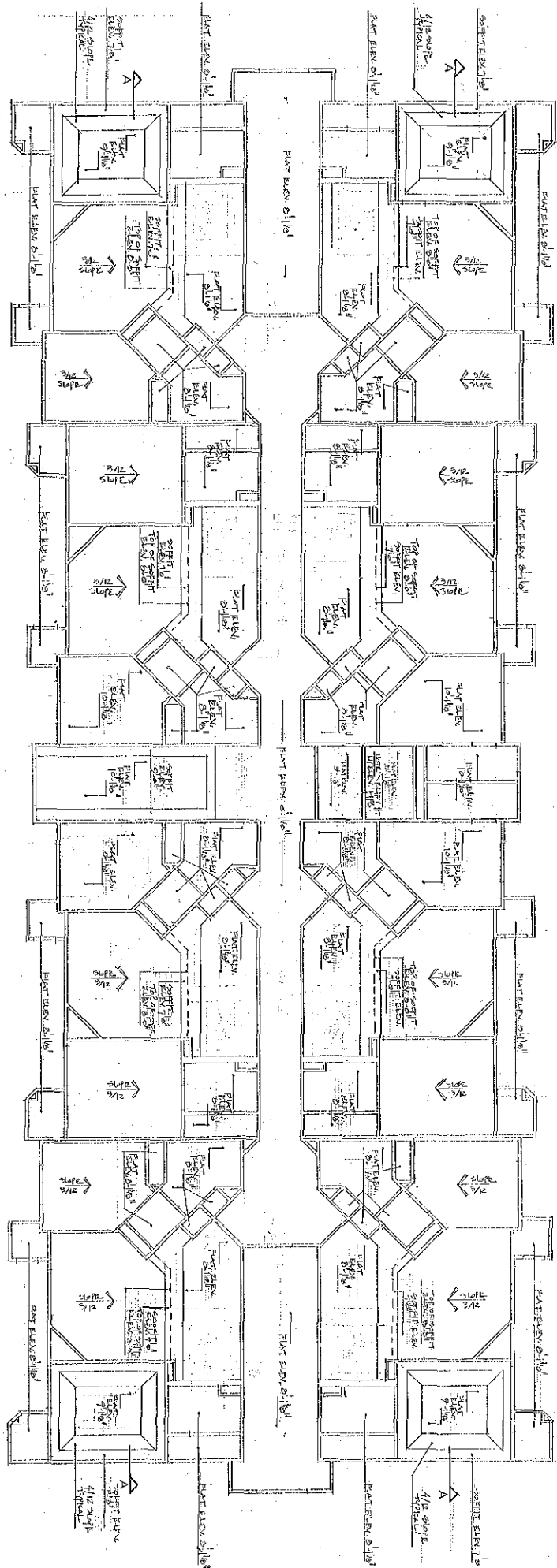
first floor reflected ceiling plan



second floor reflected ceiling plan



third floor reflected ceiling plan



DESIGN REQUIREMENTS

1. BASIC BUILDING CODE: CONCRETE BUILDING CODE (VTD 230 CMR) (03/25/01) DESIGN CODE: S

2. DESIGN LIVE LOADS:

A. KITCHEN: 20 PSF
 B. LIVING/DINING: 15 PSF
 C. OFFICE: 15 PSF
 D. STORAGE: 15 PSF
 E. MECHANICAL: 15 PSF
 F. ROOF: 20 PSF
 G. WIND: 15 PSF
 H. SNOW: 15 PSF
 I. SEISMIC: 15 PSF
 J. TOTAL: 15 PSF

3. DESIGN DEAD LOADS:

A. FINISH FLOORING: 10 PSF
 B. PARTITION WALLS: 15 PSF
 C. CEILING: 10 PSF
 D. MECHANICAL: 15 PSF
 E. ROOF: 20 PSF
 F. WIND: 15 PSF
 G. SNOW: 15 PSF
 H. SEISMIC: 15 PSF
 I. TOTAL: 15 PSF

4. DESIGN WIND LOADS:

A. WIND SPEED: 115 MPH
 B. EXPOSURE: B
 C. WIND DIRECTION: ALL SIDES
 D. TOTAL: 15 PSF

5. DESIGN EARTHQUAKE:

A. SEISMIC ZONE: 4
 B. SOIL CLASSIFICATION: S1
 C. DESIGN SPECTRAL ACCELERATION: 0.15g
 D. TOTAL: 15 PSF

6. DESIGN TEMPERATURE:

A. DESIGN TEMPERATURE: 32°F
 B. TOTAL: 15 PSF

7. DESIGN SOUNDING:

A. SOUNDING: 15 PSF
 B. TOTAL: 15 PSF

8. DESIGN VIBRATION:

A. VIBRATION: 15 PSF
 B. TOTAL: 15 PSF

9. DESIGN COLLISION:

A. COLLISION: 15 PSF
 B. TOTAL: 15 PSF

10. DESIGN FLOODING:

A. FLOODING: 15 PSF
 B. TOTAL: 15 PSF

11. DESIGN ICE:

A. ICE: 15 PSF
 B. TOTAL: 15 PSF

12. DESIGN HAIL:

A. HAIL: 15 PSF
 B. TOTAL: 15 PSF

13. DESIGN WIND-BORNE DEBRIS:

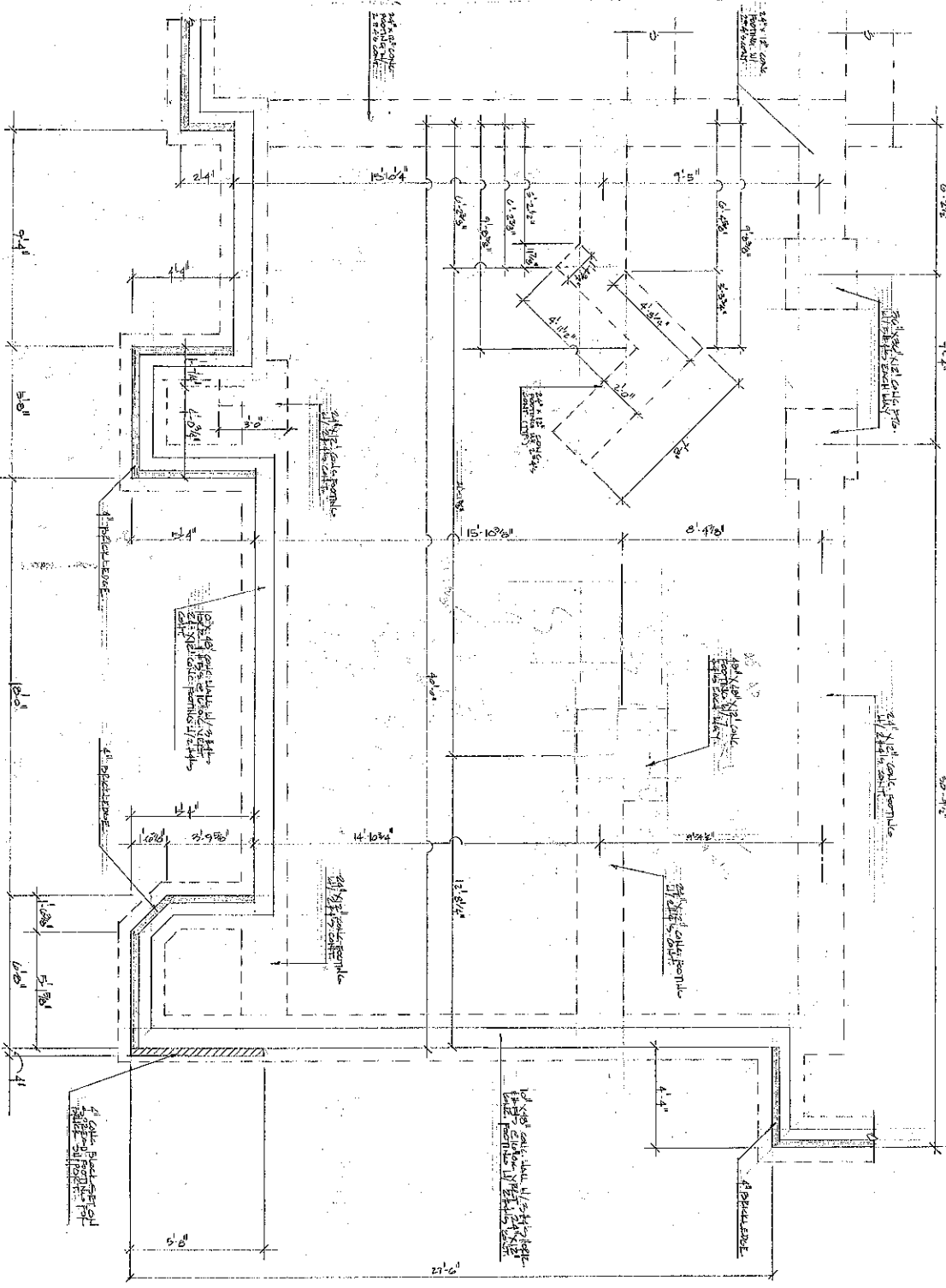
A. WIND-BORNE DEBRIS: 15 PSF
 B. TOTAL: 15 PSF

14. DESIGN THERMAL MOVEMENT:

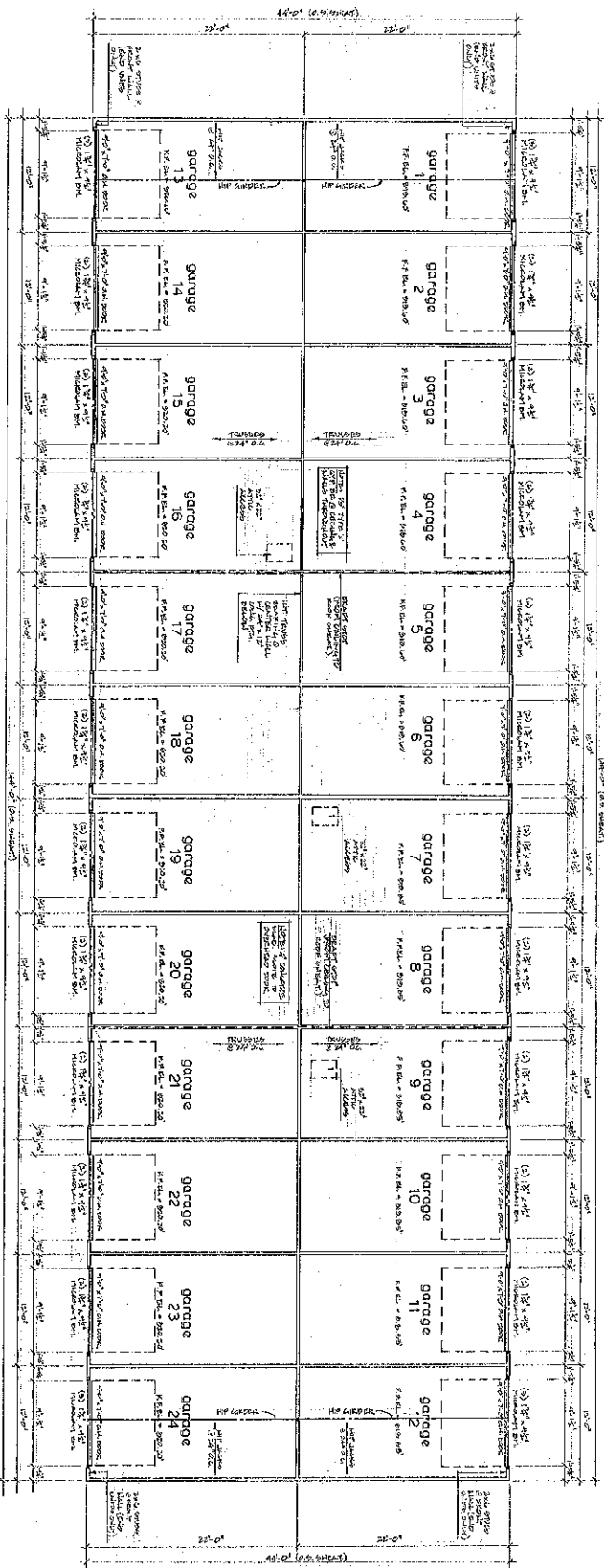
A. THERMAL MOVEMENT: 15 PSF
 B. TOTAL: 15 PSF

15. DESIGN SETTLEMENT:

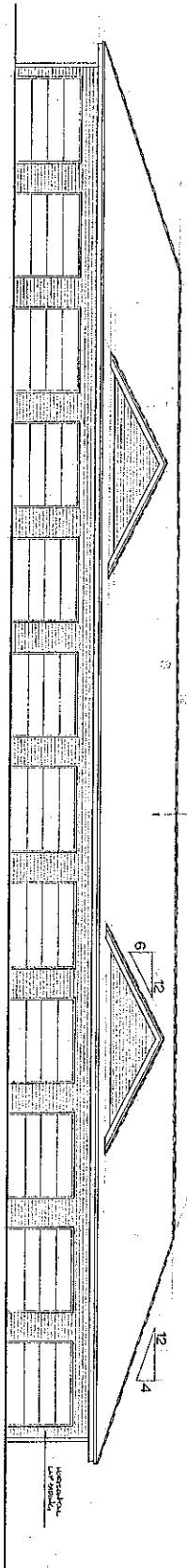
A. SETTLEMENT: 15 PSF
 B. TOTAL: 15 PSF



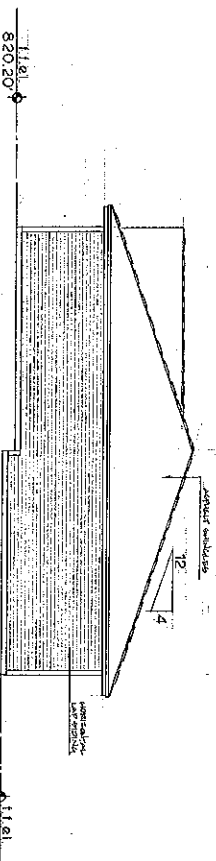
unit foundation plan



first floor plan (Sheet 2 of 2)



front elevation

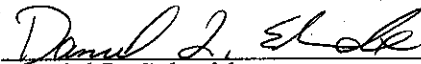


right elevation

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 building plans for Building 300 containing Units 301 through 324, and the Site Plan, 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
Iowa Reg. No. 13841

Subscribed and sworn to before me by the said Daniel L. Schmidt, on this 18TH day of July, 2003.





Notary Public in and for the
State of Iowa.



Doc ID: 012371040020 Type: GEN
Recorded: 06/18/2007 at 03:10:48 PM
Fee Amt: \$107.00 Page 1 of 20
Instr# 200700067480
Linn County Iowa
JOAN MCCALMANT RECORDER

BK 6703 PG 93-112

**AMENDMENT TO DECLARATION OF CONDOMINIUM
Recorder's Cover Sheet**

NAME: FOREST GREENS CONDOMINIUMS

DECLARANT: Hodge Construction Company
711 S. Gilbert Street
Iowa City, IA 52240

DATE OF DECLARATION: March 24, 2000

LEGAL COUNSEL: Kirsten H. Frey AT0002699
Kennedy, Cruise, Frey & Gelner, L.L.P.
920 S. Dubuque Street - P.O. Box 2000
Iowa City, IA 52244-2000
Telephone: (319) 351-8181
Facsimile: (319) 351-0605

* RETURN ADDRESS:

Kirsten H. Frey
Kennedy, Cruise, Frey & Gelner, L.L.P.
P.O. Box 2000
Iowa City, IA 52244-2000

KF30\O69a7832

\$107.00 ✓ 18421 PB

Preparer

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

**AMENDMENT TO DECLARATION OF CONDOMINIUM
FOR FOREST GREENS CONDOMINIUMS**

COMES NOW, the Forest Greens Condominiums Owners Association, and hereby states as follows:

WHEREAS, Notice of a Special Meeting of the Forest Greens Condominiums Owners Association to be held on the 23rd day of April 2007 was given on the 10th day of April 2007 in accordance with the provisions of the Condominium Declaration and the Bylaws of the Forest Greens Condominiums Owners Association; and

WHEREAS, said Notice indicated that a purpose of the Special Meeting was to consider a possible amendment to the Condominium Declaration, a copy of which proposed amendment was provided with said Notice; and

WHEREAS, a quorum was present at said special meeting; and

WHEREAS, following discussion, said proposed amendment was approved and ratified by a vote of 105 to 2, said vote being more than the 66 2/3 vote required to amend the Condominium Declaration, according to its terms; and

NOW THEREFORE, the Forest Greens Condominium Owners Association, 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, and a Second Amendment to Declaration of Condominium for Forest Greens Condominiums which was recorded June 15, 2000 in Book 4110, Page 349, Records of Linn County, Iowa, and a Third Amendment to Declaration of Condominium for Forest Greens Condominiums which was recorded July 12, 2000 in Book 4125, Page 284, Records of Linn County, Iowa and a Amendment to Declaration of Condominium for Forest Greens Condominiums which was recorded July 25, 2003 in Book 5301, Page 635, Records of Linn County, Iowa in the following particulars:

1. Subparagraph 4 of Article I, Section A, "Definitions" is hereby deleted and replaced with the following provision:

4. **Unit.** The term "unit" shall mean one or more rooms, occupying all or part of a floor or floors, which are intended for use as a residence and which are not owned in common with other owners in the regime. The boundary lines of each Unit are the interior surfaces of its perimeter walls, bearing walls, floors, ceilings, windows and window frames, doors and door frames, and trim, and includes the portions of the building so described and the air space so encompassed. There may be one hundred and nine (109) units within this Project.

2. Article I, Section B, "Development Phases" is hereby deleted and replaced with the following provision.

B. Development Phases

1. **General.** The Project had been and is being developed in two principal phases. Building 200, a twenty-four unit building was substantially complete at the time of the filing of the original Declaration. Building 100, a second twenty-four Unit building, was constructed shortly thereafter. Building 300, a third twenty-four Unit building, was constructed in 2003. These three buildings, containing a total of seventy-two Units constitutes Phase 1.

Phase 2 is made up of multiple Unit buildings containing two, three, four or five townhomes each, which may be constructed periodically hereafter. The Declarant may build up to thirty-seven (37) additional Units within the Regime. Nonetheless, this Declaration shall apply to and be binding upon all buildings and up to all one hundred and nine Units subject to the special provisions in this Article.

As each building is constructed, the Declarant shall construct the garages for the Units contained within the respective building and the additional required land improvements including, but not limited to, sidewalks, driveways, parking areas, signage, mail boxes, and landscaping as may be required by the City of Hiawatha, Iowa, for obtaining a certificate of occupancy for each building as it is constructed and completed.

The Declarant, or its successor or assigns, shall have the perpetual right to construct the additional buildings and improvements as described in this Declaration.

2. Special Provisions.

(a) Until such time that any building has been fully constructed and a certificate of occupancy issued by the City of Hiawatha, Iowa, no assessments for maintenance or any Association expenses shall be chargeable to the Association for any said building or shall be made against any Units in said building. Until such time as the certificate of occupancy is issued, the Declarant shall retain sole responsibility for all expenses associated with incomplete Units and the Limited Common Elements adjacent thereto. After the certificate of occupancy is issued for a building, the Board of Directors for the Association shall assess and collect fees from the owners of the Units in said building with all such owners in completed buildings sharing the common expenses as hereinafter described. However, even if any Units in this Condominium Regime are not complete or no certificate of occupancy has been issued, assessments shall be made against all said Units effective June 1, 2010.

(b) Building shall be constructed substantially in the same manner as shown by the building plans marked Exhibit "C" and incorporated herein. However, Declarant reserves the right to file amended building plans for said building in the event that the actual construction deviates from the Declarant's intentions. Declarant also reserves the right to file an amended Exhibit "B" to show the correct location of said building and such amended exhibits need not be approved by the owners of any Condominium Units within the Regime.

(c) Further, the Declarant reserves the right to complete all buildings in the Condominium Regime according to the plans marked Exhibit "C" and may deviate from the plans as long as each Condominium Unit is substantially the quality as the Units shown on Exhibit "C" herein. Declarant reserves the right to construct up to a total of one hundred and nine (109) units within the Forest Green Condominiums in any combination of buildings and may file amended plans (Exhibit "C") after construction of each respective building has been completed, all without obtaining the approval of any owners of Units in this Condominium Regime. In the same regard, Declarant reserves the right to file an amended Exhibit "B" to show correct locations of any new buildings and garages as they are constructed.

(d) Further, because at the time of the filing of this Declaration, the additional buildings and/or improvements have not yet been fully planned or constructed, the Declarant reserves the right to

construct said building and/or improvements in a location and manner consistent with the overall appearance and integrity of the Project. The Declarant shall have the right to construct such buildings and improvements without obtaining the approval of the owners of Units in the Condominium Regime.

3. Article II, Paragraph 2, containing the Description of Buildings is hereby amended to read that the Condominium Regime consists of multiple buildings containing up to a total of one hundred and nine (109) dwelling units. Phase 1 contains three twenty-four Unit buildings, known and referenced as Buildings 100, 200, & 300, for a total of seventy-two units. Phase 2 will contain multi-Unit townhome buildings and may contain up to thirty-seven (37) Units. The specifications for the Units found within Phase 2 are attached hereto as Exhibit "H."

4. Article II, Paragraph 3, containing the Description of the Units is hereby deleted and replaced with the following paragraph:

Description of the Units. Annexed hereto and made a part hereof as Exhibit "A" is a list of all Units in the buildings, showing their Unit designation, percentage interest in the Common Elements, number of votes in the Association, and share of common expenses. Annexed hereto and made a part hereof as Exhibit "B" is a site plan showing the location of the buildings and the Limited Common Elements to which each Unit has immediate access. Annexed hereto and made a part hereof as Exhibit "C" are the building plans for the buildings, which together with the definition of the term "unit" in Article I show the dimensions of each Unit.

5. Article II is hereby amended by adding the following paragraph as Paragraph 4, after Paragraph 3, "Description of Units":

Common Expenses. Each Unit within the Regime is subject to assessment by the Association for its share of Common Expenses as shown on Exhibit A attached hereto. Common Expenses shall be broken down into three component parts: (i) those expenses associated with the Regime as a whole including but not limited to snow removal, mowing, landscaping, and liability insurance for the road and the real estate; (ii) Phase 1 expenses, including but not limited to elevator maintenance, security system maintenance, insurance and maintenance on buildings 100, 200, and 300 and their associated garage buildings, and such other expenses that are unique to the buildings within Phase 1; and (iii) Phase 2 expenses, including but not limited to insurance and maintenance on the buildings to be constructed in Phase 2 and such other expenses that are unique to the buildings within Phase 2. The Association shall divide all expenses associated with the Regime as a whole by two and assess one half of said expenses and all Phase 1

expenses against those Units in Phase 1, and the other one-half of all expenses associated with the Regime as a whole and all Phase 2 expenses against those Units in Phase 2.

The dollar amount of the pro rata share of each Unit shall not increase directly as a result of this Amendment. Although the percentage of each Unit's share of Common Expenses is different than the original Declaration, the change is a reflection of the division of Common Expenses into Phase 1 and Phase 2 Common Expenses, as opposed to an increase in any Unit's share of the Common Expenses as a whole. The total Common Expenses may increase, however, as a result of changes in expenses attributable to the costs and charges incurred by the Association, as opposed as a result of this Amendment.

6. Subparagraph (a) of Article V, Paragraph 2, "Reservation" is hereby amended by adding the following sentence as the end of the existing subparagraph, "For Units in Phase 2, the Limited Common Elements shall also include that portion of the yard immediately adjacent and within thirty (30) feet of the rear of the Unit, such yard to be reserved for the use of the respective Unit."

7. Subparagraph (e) of Article IX, Paragraph 2 "Use of Property" is hereby deleted and replaced with the following:

(e) Satellite Dishes. An individual satellite dish provides programming for only one Owner. The following restrictions apply to any Owner's installation and use of an individual satellite dish in his or her Unit:

(1) The individual satellite dish must be one meter (39.37 in.) in diameter or less.

(2) The individual satellite dish must be located wholly within a Unit or Limited Common Element appurtenant to that Unit.

(3) The individual satellite dish must not protrude beyond an Owner's Unit, including into the air beyond a balcony railing or patio.

(4) An Owner is not permitted to drill a hole through an exterior wall without the Board's permission.

(5) With the Board's permission to drill a hole through an exterior wall, an Owner must provide the Association with a \$50.00 deposit for any repairs necessary to fill in any and all holes drilled for the purpose of installation.

(6) An Owner is prohibited from installing an individual satellite dish in any General Common Element, including the roof and/or yard or garden.

(7) For aesthetic purposes, an Owner must consult with the Board to determine the preferred placement of the individual satellite dish. The Association desires a uniform appearance to the extent possible.

(8) The Board reserves the right to require any Owner whose satellite dish violates the Declaration to relocate the satellite dish to comply with the Declaration.

(9) If the Association provides a collective satellite dish that reasonably accommodates an Owner's choice of television programming, reception quality and prices, the Board strongly encourages the Owner to use the collective satellite dish and reserves the right to deny permission to the Owner for the installation of an individual satellite dish.

A collective satellite dish provides programming for one or more Owners and may be located on the General or Limited Common Elements. The purpose of a collective satellite dish is to minimize structural impact caused by the installation of individual satellite dishes, avoid duplicating existing cabling, allow for easy removal, maximize Owners' options for television programming, and provide a uniform and aesthetic appearance. The following restrictions apply to any Owner's use of a collective satellite dish:

(1) The Association may erect collective satellite dishes on the Common Elements.

(2) The Association must approve the installation, removal, number, site, and choice of collective satellite dishes.

(3) A collective satellite dish must be one meter (39.37 in.) in diameter or less.

(4) Each Owner who subscribes to a collective satellite dish is responsible for all costs related to connection, programming and disconnection.

(5) Each Owner who subscribes to a collective satellite dish must make a one-time payment to the Association of \$25.00 to pay for installation, maintenance and removal of the collective satellite dish. The Board may assess subscribers' reasonable additional fees as necessary to cover any costs arising from the collective satellite dish.

8. Exhibit "A" as previously amended is hereby deleted and replaced by the Exhibit "A" attached hereto.

9. Exhibit "B" attached to the Declaration of Submission to Horizontal Property Regime is hereby deleted and the revised and amended Exhibit "B" attached hereto, the Site Plan, hereby supercedes and replaces said prior Exhibit "B".

10. Exhibit "C" attached to the Declaration of Submission to Horizontal Property Regime is hereby supplemented by the additional building plans for buildings located in Phase 2, Forest Green Condominiums. These building plans are typical of the Units that may be constructed in Phase 2 and Declarant reserves the right to file more specific, detailed plans for Units in Phase 2 as those Units are constructed as more specifically provided in Article II, Section B, "Development Phases."

DATED this 7 day of June 2007.

**FOREST GREENS CONDOMINIUMS
OWNERS ASSOCIATION**

Charles Gerard

BY: Charles Gerard, President

Charles Piquard

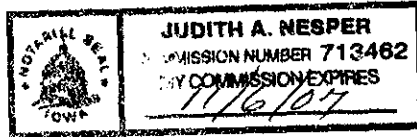
BY: ~~Jessica Hodge~~, Secretary

CHARLES PIQUARD

STATE OF IOWA)
LINN COUNTY) ss:

This instrument was acknowledged before me on June 07, 2007 by Charles Gerard as President of Forest Greens Condominiums Owners Association.

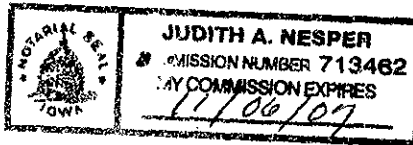
Judith A. Nesper
Notary Public in and for the State of Iowa



STATE OF IOWA)
JOHNSON COUNTY) ss:

This instrument was acknowledged before me on June 07, 2007 by ~~Jessica Hodge~~ as Secretary of Forest Greens Condominiums Owners Association. *Charles Picquard*

Judith A. Nesper
Notary Public in and for the State of Iowa



KF30/Forest Greens Amendment

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:

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.

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 is set forth below.

<u>Unit</u>	<u>Percentage Ownership in Common Elements</u>	<u>Share of Common Expenses</u>	<u>Votes in Association</u>	<u>Garage #</u>
101	.00694	0.0139 of Phase 1	1	101
102	.00694	0.0139 of Phase 1	1	102
103	.00694	0.0139 of Phase 1	1	103
104	.00694	0.0139 of Phase 1	1	104
105	.00694	0.0139 of Phase 1	1	105
106	.00694	0.0139 of Phase 1	1	106
107	.00694	0.0139 of Phase 1	1	107
108	.00694	0.0139 of Phase 1	1	108
109	.00694	0.0139 of Phase 1	1	109
110	.00694	0.0139 of Phase 1	1	110
111	.00694	0.0139 of Phase 1	1	111
112	.00694	0.0139 of Phase 1	1	112

<u>Unit</u>	<u>Percentage Ownership in Common Elements</u>	<u>Share of Common Expenses</u>	<u>Votes in Association</u>	<u>Garage #</u>
113	.00694	0.0139 of Phase 1	1	113
114	.00694	0.0139 of Phase 1	1	114
115	.00694	0.0139 of Phase 1	1	115
116	.00694	0.0139 of Phase 1	1	116
117	.00694	0.0139 of Phase 1	1	117
118	.00694	0.0139 of Phase 1	1	118
119	.00694	0.0139 of Phase 1	1	119
120	.00694	0.0139 of Phase 1	1	120
121	.00694	0.0139 of Phase 1	1	121
122	.00694	0.0139 of Phase 1	1	122
123	.00694	0.0139 of Phase 1	1	123
124	.00694	0.0139 of Phase 1	1	124
201	.00694	0.0139 of Phase 1	1	201
202	.00694	0.0139 of Phase 1	1	202
203	.00694	0.0139 of Phase 1	1	203
204	.00694	0.0139 of Phase 1	1	204
205	.00694	0.0139 of Phase 1	1	205
206	.00694	0.0139 of Phase 1	1	206
207	.00694	0.0139 of Phase 1	1	207
208	.00694	0.0139 of Phase 1	1	208
209	.00694	0.0139 of Phase 1	1	209
210	.00694	0.0139 of Phase 1	1	210
211	.00694	0.0139 of Phase 1	1	211
212	.00694	0.0139 of Phase 1	1	212
213	.00694	0.0139 of Phase 1	1	213
214	.00694	0.0139 of Phase 1	1	214
215	.00694	0.0139 of Phase 1	1	215
216	.00694	0.0139 of Phase 1	1	216
217	.00694	0.0139 of Phase 1	1	217
218	.00694	0.0139 of Phase 1	1	218
219	.00694	0.0139 of Phase 1	1	219
220	.00694	0.0139 of Phase 1	1	220
221	.00694	0.0139 of Phase 1	1	221
222	.00694	0.0139 of Phase 1	1	222
223	.00694	0.0139 of Phase 1	1	223
224	.00694	0.0139 of Phase 1	1	224
301	.00694	0.0139 of Phase 1	1	301
302	.00694	0.0139 of Phase 1	1	302
303	.00694	0.0139 of Phase 1	1	303
304	.00694	0.0139 of Phase 1	1	304
305	.00694	0.0139 of Phase 1	1	305
306	.00694	0.0139 of Phase 1	1	306
307	.00694	0.0139 of Phase 1	1	307
308	.00694	0.0139 of Phase 1	1	308
309	.00694	0.0139 of Phase 1	1	309
310	.00694	0.0139 of Phase 1	1	310
311	.00694	0.0139 of Phase 1	1	311
312	.00694	0.0139 of Phase 1	1	312
313	.00694	0.0139 of Phase 1	1	313
314	.00694	0.0139 of Phase 1	1	314

<u>Unit</u>	<u>Percentage Ownership in Common Elements</u>	<u>Share of Common Expenses</u>	<u>Votes in Association</u>	<u>Garage #</u>
315	.00694	0.0139 of Phase 1	1	315
316	.00694	0.0139 of Phase 1	1	316
317	.00694	0.0139 of Phase 1	1	317
318	.00694	0.0139 of Phase 1	1	318
319	.00694	0.0139 of Phase 1	1	319
320	.00694	0.0139 of Phase 1	1	320
321	.00694	0.0139 of Phase 1	1	321
322	.00694	0.0139 of Phase 1	1	322
323	.00694	0.0139 of Phase 1	1	323
324	.00694	0.0139 of Phase 1	1	324
402	0.0135	0.0270 of Phase 2	1	402
404	0.0135	0.0270 of Phase 2	1	404
406	0.0135	0.0270 of Phase 2	1	406
408	0.0135	0.0270 of Phase 2	1	408
410	0.0135	0.0270 of Phase 2	1	410
401	0.0135	0.0270 of Phase 2	1	401
403	0.0135	0.0270 of Phase 2	1	403
405	0.0135	0.0270 of Phase 2	1	405
407	0.0135	0.0270 of Phase 2	1	407
409	0.0135	0.0270 of Phase 2	1	409
411	0.0135	0.0270 of Phase 2	1	411
413	0.0135	0.0270 of Phase 2	1	413
415	0.0135	0.0270 of Phase 2	1	415
417	0.0135	0.0270 of Phase 2	1	417
419	0.0135	0.0270 of Phase 2	1	419
421	0.0135	0.0270 of Phase 2	1	421
423	0.0135	0.0270 of Phase 2	1	423
425	0.0135	0.0270 of Phase 2	1	425
427	0.0135	0.0270 of Phase 2	1	427
412	0.0135	0.0270 of Phase 2	1	412
414	0.0135	0.0270 of Phase 2	1	414
416	0.0135	0.0270 of Phase 2	1	416
418	0.0135	0.0270 of Phase 2	1	418
420	0.0135	0.0270 of Phase 2	1	420
429	0.0135	0.0270 of Phase 2	1	429
431	0.0135	0.0270 of Phase 2	1	431
433	0.0135	0.0270 of Phase 2	1	433
435	0.0135	0.0270 of Phase 2	1	435
422	0.0135	0.0270 of Phase 2	1	422
424	0.0135	0.0270 of Phase 2	1	424
426	0.0135	0.0270 of Phase 2	1	426
428	0.0135	0.0270 of Phase 2	1	428
430	0.0135	0.0270 of Phase 2	1	430

<u>Unit</u>	<u>Percentage Ownership in Common Elements</u>	<u>Share of Common Expenses</u>	<u>Votes in Association</u>	<u>Garage #</u>
437	0.0135	0.0270 of Phase 2	1	437
439	0.0135	0.0270 of Phase 2	1	439
441	0.0135	0.0270 of Phase 2	1	441
443	0.0135	0.0270 of Phase 2	1	443

3. The location of each Unit and number of rooms, and the immediate Common Area to which each unit has access is shown on the building plans, Exhibit "C" attached hereto and incorporated herein. The patio or deck appurtenant to any Unit is designated as Limited Common Elements for that Unit. Garages are also Limited Common Elements for the applicable Unit owner.

KF30/Forest Greens Exh A

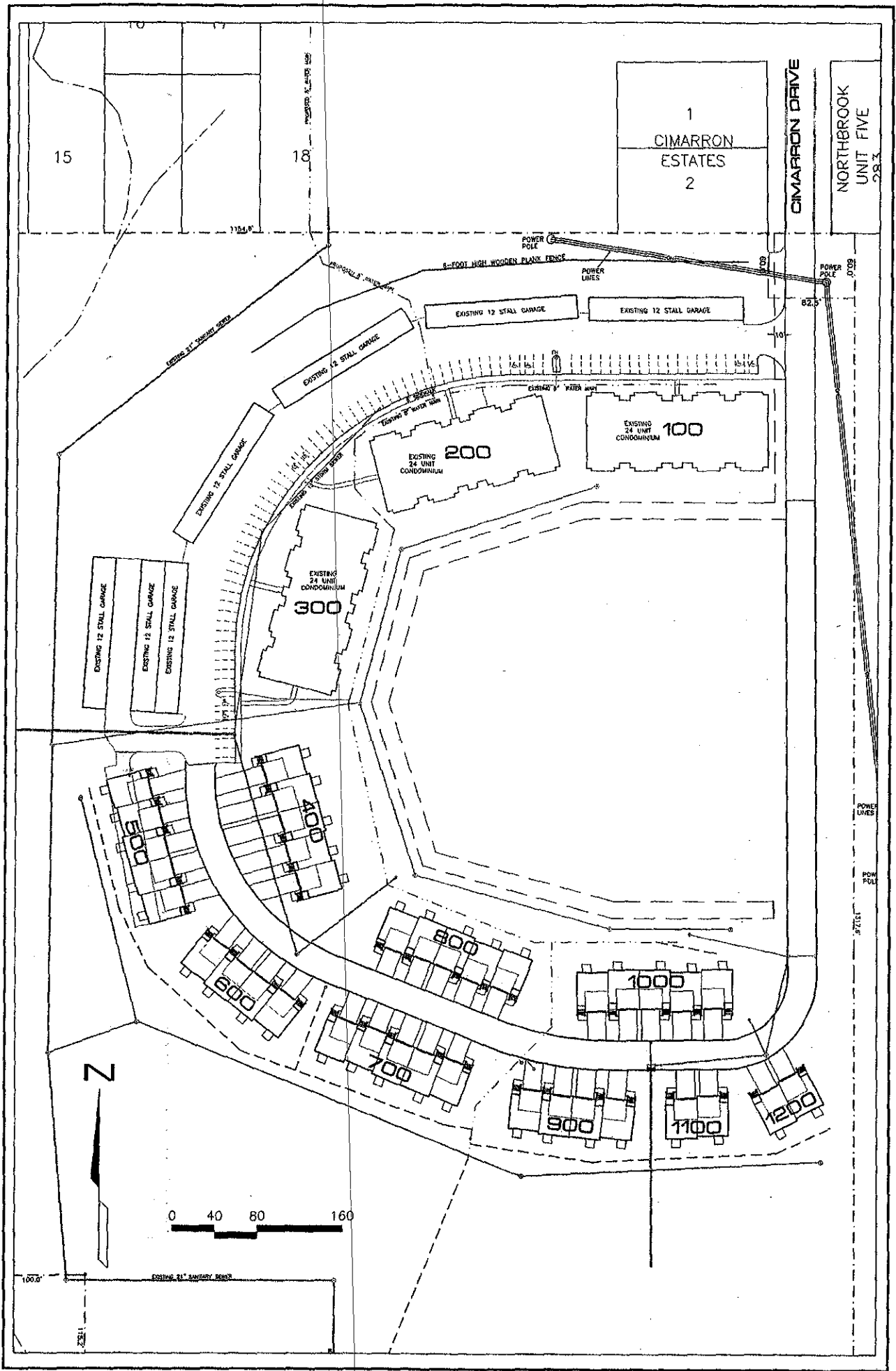
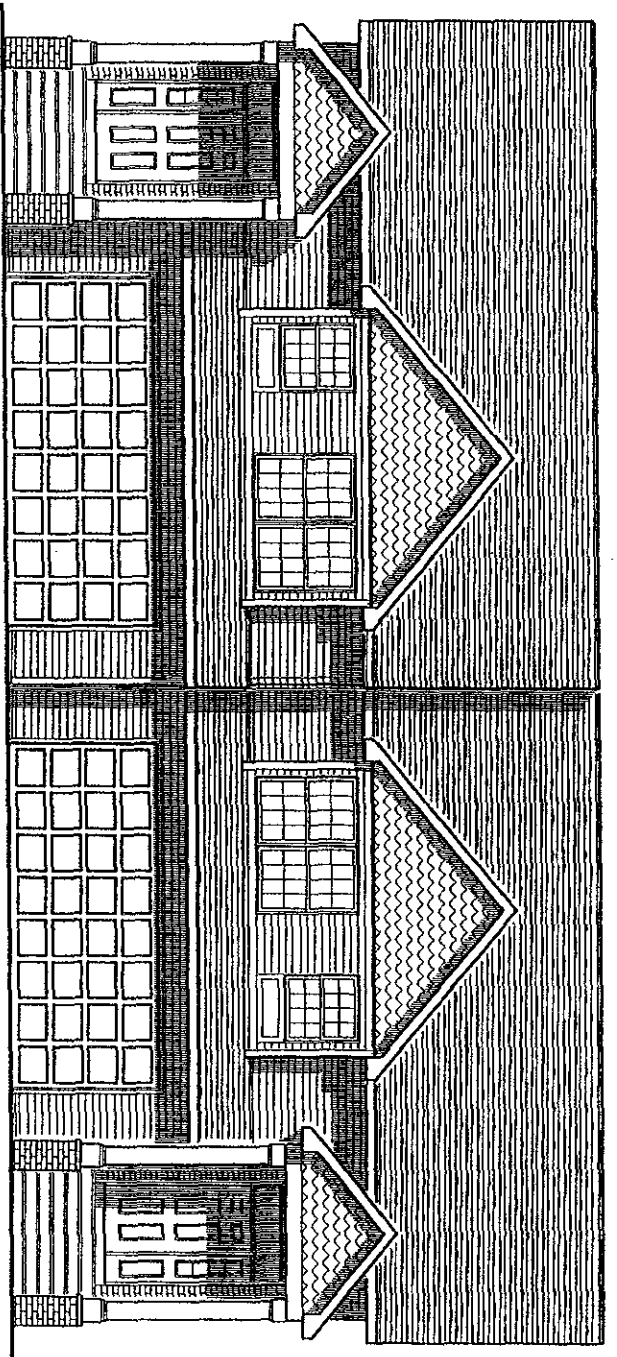


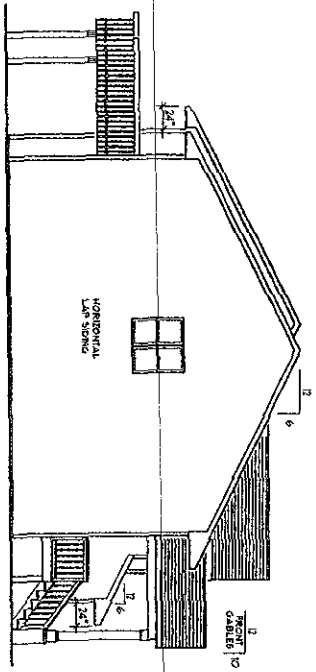
EXHIBIT "B"



FRONT ELEVATION

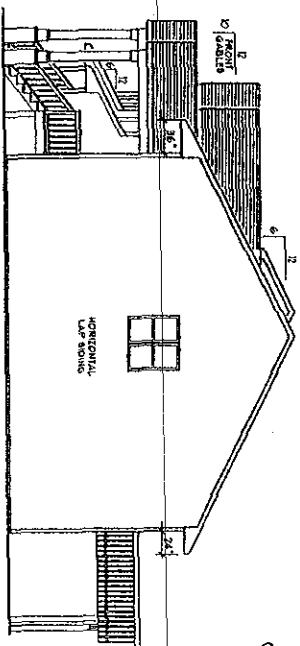
1/4" = 1'-0"

EXHIBIT "C"



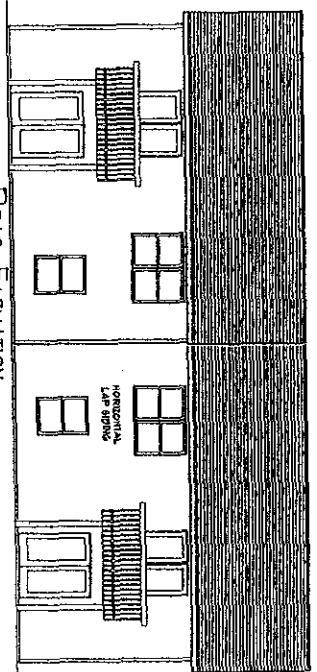
LEFT ELEVATION

1/8" = 1'-0"



RIGHT ELEVATION

1/8" = 1'-0"



REAR ELEVATION

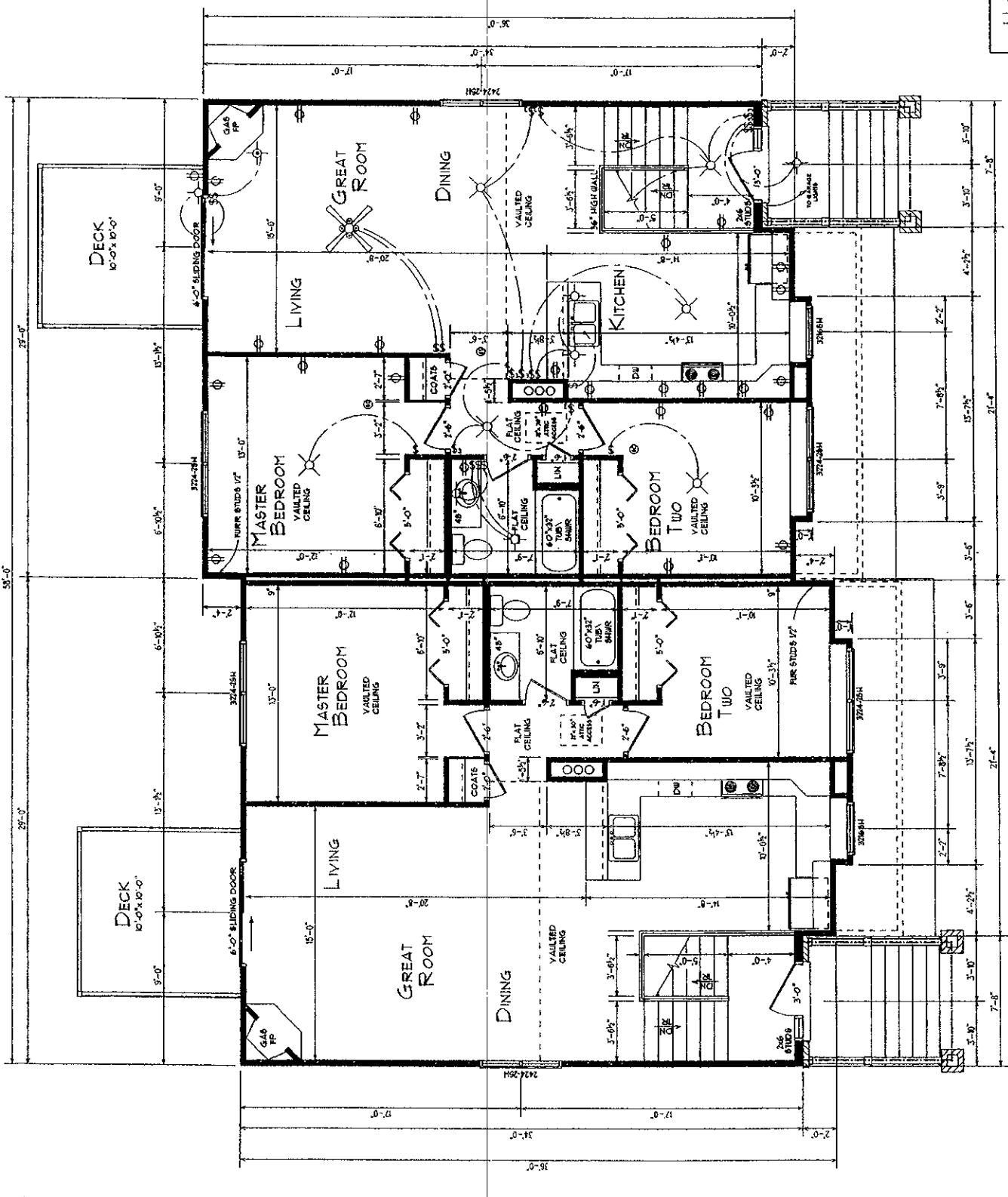
1/8" = 1'-0"

HODGE CONSTRUCTION CO., INC.
 FOREST GREEN CONDOMINIUMS

DATE	NOTED	THREAT	5 R BOCK
DATE	NOTED	THREAT	5 R BOCK
DRAWING NUMBER			1 of 4

ELECTRICAL LEGEND

- \$ 100 WATT SWITCH
- \$ 3 THREE WATT SWITCH
- ⊖ DUPLEX OUTLET
- ⊖ SWITCH CONTROLLED OUTLET
- ⊖ QUADRAPLEX OUTLET
- ⊖ 200 VOLT OUTLET
- ⊖ CEILING MOUNTED LIGHT FIXTURE
- ⊖ RECESSED CEILING LIGHT FIXTURE
- ⊖ RECESSED CEILING EMBALL FIXTURE
- ⊖ WALL MOUNTED LIGHT FIXTURE
- ⊖ CEILING MOUNTED EXHAUST FAN
- ⊖ CEILING MOUNTED ENHANCED WITH LIGHT
- ⊖ CEILING MOUNTED HEAT LAMP
- ⊖ CEILING MOUNTED DIMMER LIGHT
- ⊖ STAIR STEP FOOT LIGHT
- ⊖ UNDER CABINET LIGHT
- ⊖ GARBAGE DISPOSAL
- ⊖ SMOKE DETECTOR
- ⊖ TELEPHONE JACK
- ⊖ INTERCOM SPEAKER
- ⊖ TELEPHONE CABLE JACK
- ⊖ COMPUTER CABLE JACK
- ⊖ TRACK LIGHT
- ⊖ CEILING FAN
- ⊖ CEILING FAN WITH LIGHTS



MAIN LEVEL FLOOR PLAN

N4"=10"
 1026 SQ. FT. MAIN LEVEL
 596 SQ. FT. FINISHED LIVING SPACE LOWER LEVEL
 1622 SQ. FT. TOTAL
 8'-1 1/8" CEILING HEIGHT UNLESS OTHERWISE NOTED

HODGE CONSTRUCTIONPreliminary General Specifications for
The Forest Green Development
Split Level Units

1. **FOUNDATION** – Poured reinforced concrete as per plan.
2. **WALL FRAMING** – Shall be 2 x 4 SPF grade, size and location shown on plans with 7/16" OSB and "Tyvek" Housewrap on all exterior walls.
3. **FLOOR FRAMING** – Shall be conventional 2 x 10 douglas fir or TJI engineered floor system with 3/4" OSB floor sheathing.
4. **BUILDING EXTERIOR**
 - a. Brick and vinyl siding combination
 - b. Engineered roof trusses, 1/2" OSB sheathing, felt, with 250 lb shingles
 - c. Roof ventilation – "Ventaridge" or equal roof vent
 - d. Soffit and fascia – aluminum ventilated
 - e. Gutters and downspouts – aluminum seamless
5. **EXTERIOR DOORS** – "Stanley" insulated steel entry doors, or equal, as per plan.
6. **EXTERIOR WINDOWS** – "Windsor" single hung vinyl windows with clear Lo-e insulated glass or equal.
7. **INTERIOR TRIM**
 - a. Interior doors – 1-3/8" hollow core oak doors
 - b. Casing – 2-1/4" colonial oak.
 - c. Base – 3" colonial oak.
 - d. Windows – Drywall wrapped with oak sill and apron.
8. **CABINETS** - Merillat – "Millbridge Oak" or equal, flat panel doors with crown molding on upper cabinets.
9. **COUNTERTOPS**
 - a. Kitchen – "Wilsonart" or Formica, laminate, pattern, "in-stock", post formed backsplash.
 - b. Vanities – molded cultured marble tops.
10. **INTERIOR WALLS AND CEILINGS**
 - a. Drywall – 5/8" gypsum board ceiling and 1/2" gypsum board walls.
 - b. Texture – orange peel texture on all walls and knock down texture on ceilings.
 - c. Paint – All walls and ceilings shall have two coats of Sherwin Williams Pro-Mar 200 eggshell Latex, or equal. Walls and ceilings shall be same color throughout. Colors shall be "Off White."
 - d. Repainting or touching up small areas might be noticeable from certain angles. Any further painting to cover this condition will be an extra charge to Buyer.

11. INSULATION

- a. Stud walls – 2 x 4” fiberglass friction fit batts (R-13)
- b. Attic area – blown Rockwool (R-40) or equal.

12. PLUMBING FIXTURES – (As stated below, or equal)

- a. Dayton D3321 Stainless steel kitchen sink
- b. Moen 7430 single handle control swing spout faucet
- c. In-Sinkerator Badger V disposal
- d. Ice maker line
- e. Aquaglass soaking tubs and showers
- f. Moen faucets
- g. Gerber or Mansfield toilets (white)
- h. Rheem 40 gallon water heaters, gas
- i. ¾” water meter set-ups
- j. Gas service to water heater, fireplace, stove, dryer and furnace
- k. Two frost proof sillcocks for lawn faucets per unit (1 front, 1 back)

13. ELECTRIC – (As per plan and to National Electrical Code)

- a. service – 100 Amp single-phase services with sub panel
- b. 6 cable TV locations, 6 telephone outlets as per plan

14. HEATING AND AIR CONDITIONING

- a. Lennox Aire-Flow G50UH-50 – 50,000 BTU Gas furnaces
- b. Lennox – 10 AC24-24,000 BTU 10 Seer AC

15. FLOOR COVERING & FIREPLACE TILE – (As specified, or equal). Carpet and vinyl.

16. APPLIANCES

- a. White GE or equal
- b. Refrigerator, stove, microwave and dishwasher.

17. SHELVING – Wire shelving

18. SITE WORK (As per site plan)

- a. Driveways shall be 4” thick concrete
- b. Sidewalks shall be 4” thick concrete
- c. All disturbed area to be covered with sod or seed
- d. Retaining walls as needed – treated 6 x 6 wood
- e. Buyers will be responsible for the cost of the utilities and water used to sprinkle sod, seed or shrubs after closing.
- f. Entire front and 15 feet of side and back yard to be sodded from house.

19. MISCELLANEOUS

- a. Hodge Construction is not responsible for deck materials shrinking or twisting after installation
- b. A one-time cleaning will be done upon completion prior to move-in.
- c. Decorative mailbox and enclosure included in base price.


Doc ID: 012708380009 Type: GEN
Recorded: 10/10/2007 at 11:30:07 AM
Fee Amt: \$52.00 Page 1 of 9
Instr# 200800020744
Linn County Iowa
JOAN MCCALMANT RECORDER
BK **6810** PG **73-81**


**AMENDMENT TO DECLARATION OF CONDOMINIUM
FOR FOREST GREENS CONDOMINIUMS
Recorder's Cover Sheet**

NAME: FOREST GREENS CONDOMINIUMS

DECLARANT: Hodge Construction Company
711 S. Gilbert Street
Iowa City, IA 52240

DATE OF DECLARATION: March 24, 2000

LEGAL COUNSEL: Kirsten H. Frey AT0002699
Kennedy, Cruise, Frey & Gelner, L.L.P.
920 S. Dubuque Street - P.O. Box 2000
Iowa City, IA 52244-2000
Telephone: (319) 351-8181
Facsimile: (319) 351-0605

RETURN ADDRESS:  Kirsten H. Frey
Kennedy, Cruise, Frey & Gelner, L.L.P.
P.O. Box 2000
Iowa City, IA 52244-2000

15200 ✓ 18571 DB

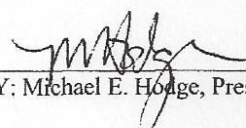
**AMENDMENT TO DECLARATION OF CONDOMINIUM
FOR FOREST GREENS CONDOMINIUMS**

COMES NOW, the Declarant, Hodge Construction Company, and for its Amendment to the Declaration of Condominium hereby amends the Declaration of Submission to Horizontal Property Regime Pursuant to Chapter 499B of the Code of Iowa for Forest Greens Condominiums recorded April 10, 2000 in Book 4073, Page 617 of the Records of Linn County, Iowa, as follows:

1. The existing Exhibit "B" to the Condominium Declaration is hereby superseded and replaced by the attached Exhibit "B", the Site Plan.
2. Those portions of Exhibit "C" to the Condominium Declaration regarding Phase 2 units are hereby amended and replaced by the attached supplement to Exhibit "C", the Building Plans for the Phase 2 units.
3. Exhibit "H" to the Condominium Declaration, the Building Specifications, is hereby superseded and replaced by the attached Exhibit "H", the Building Specifications for the units in Phase 2, Forest Greens Townhouses.

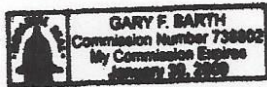
DATED this 3rd day of October 2007.

HODGE CONSTRUCTION COMPANY


 BY: Michael E. Hodge, President and Secretary

STATE OF IOWA)
) ss:
 JOHNSON COUNTY)

This instrument was acknowledged before me on October 3, 2007 by Michael E. Hodge as President and Secretary of Hodge Construction Company.



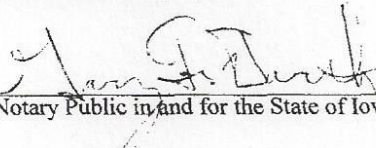

 Notary Public in and for the State of Iowa

EXHIBIT "B"

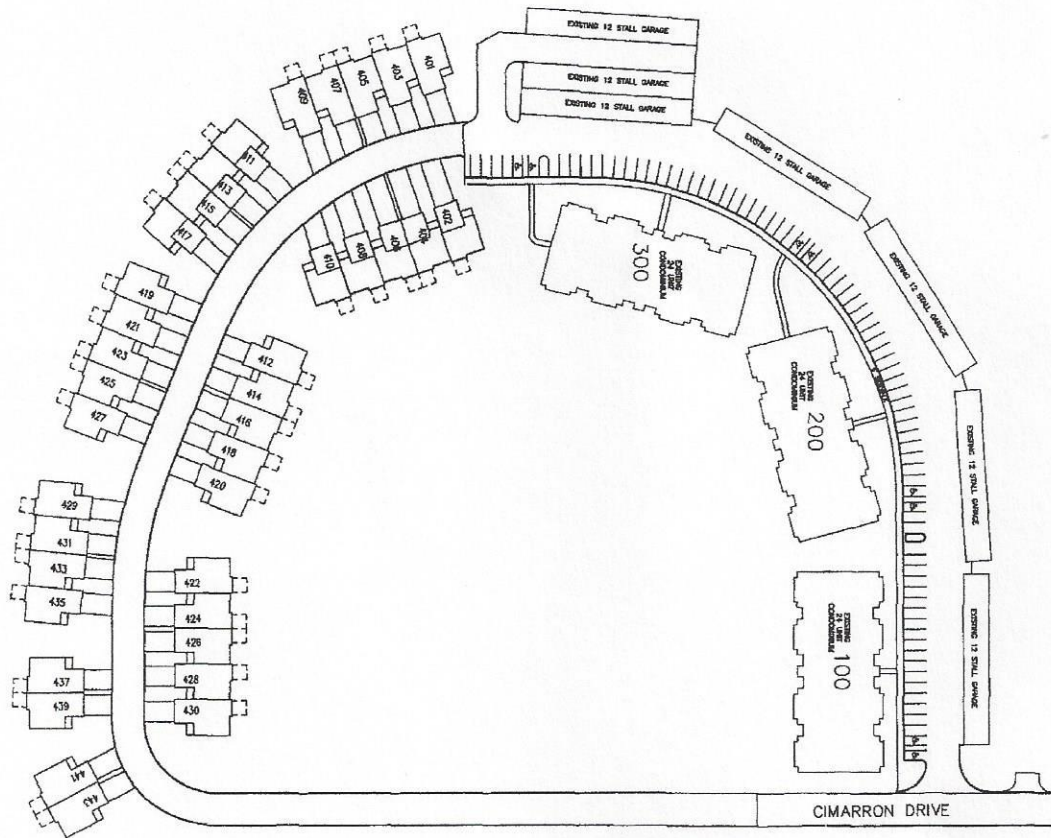


EXHIBIT "C"

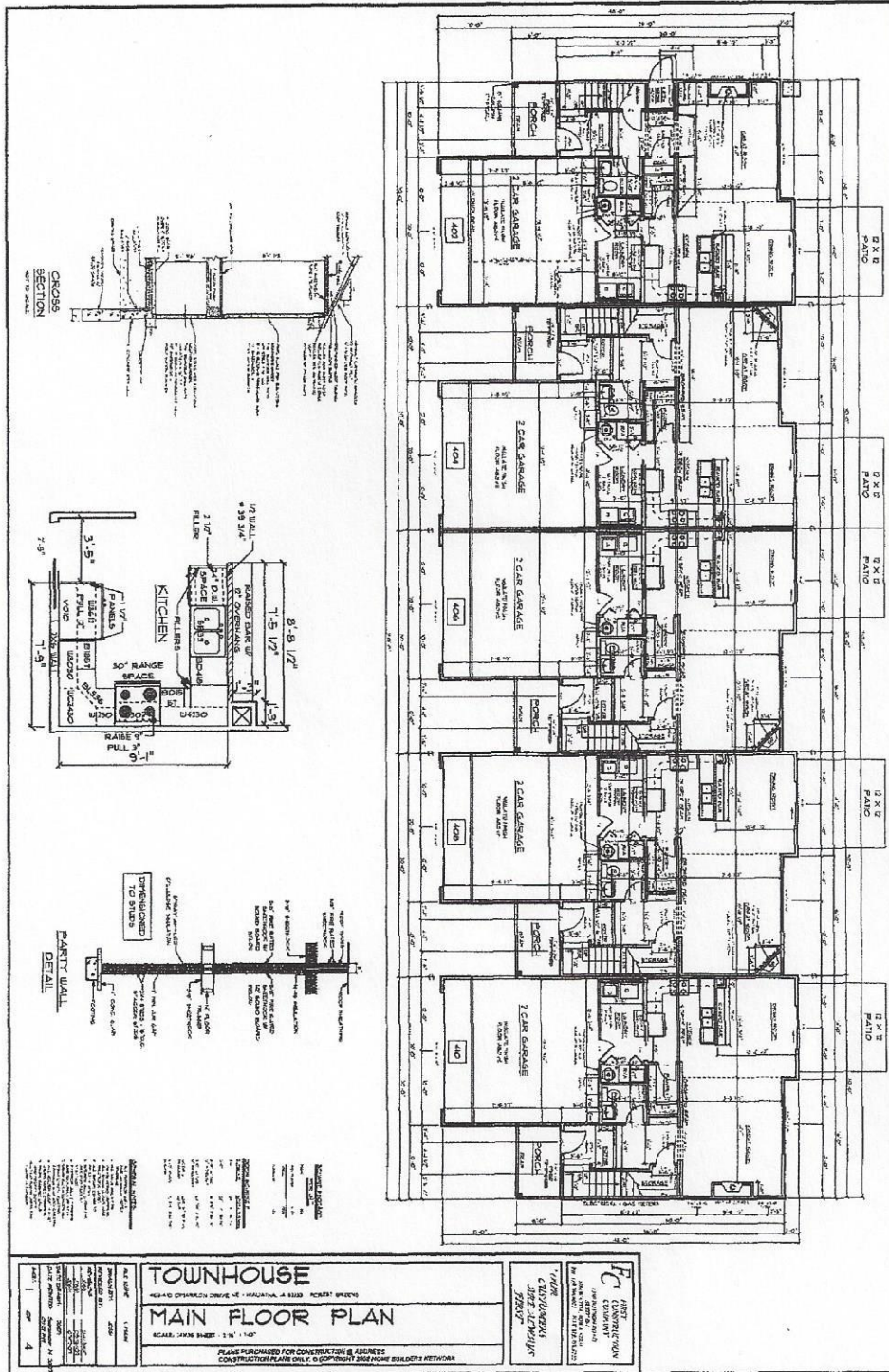


EXHIBIT "C"

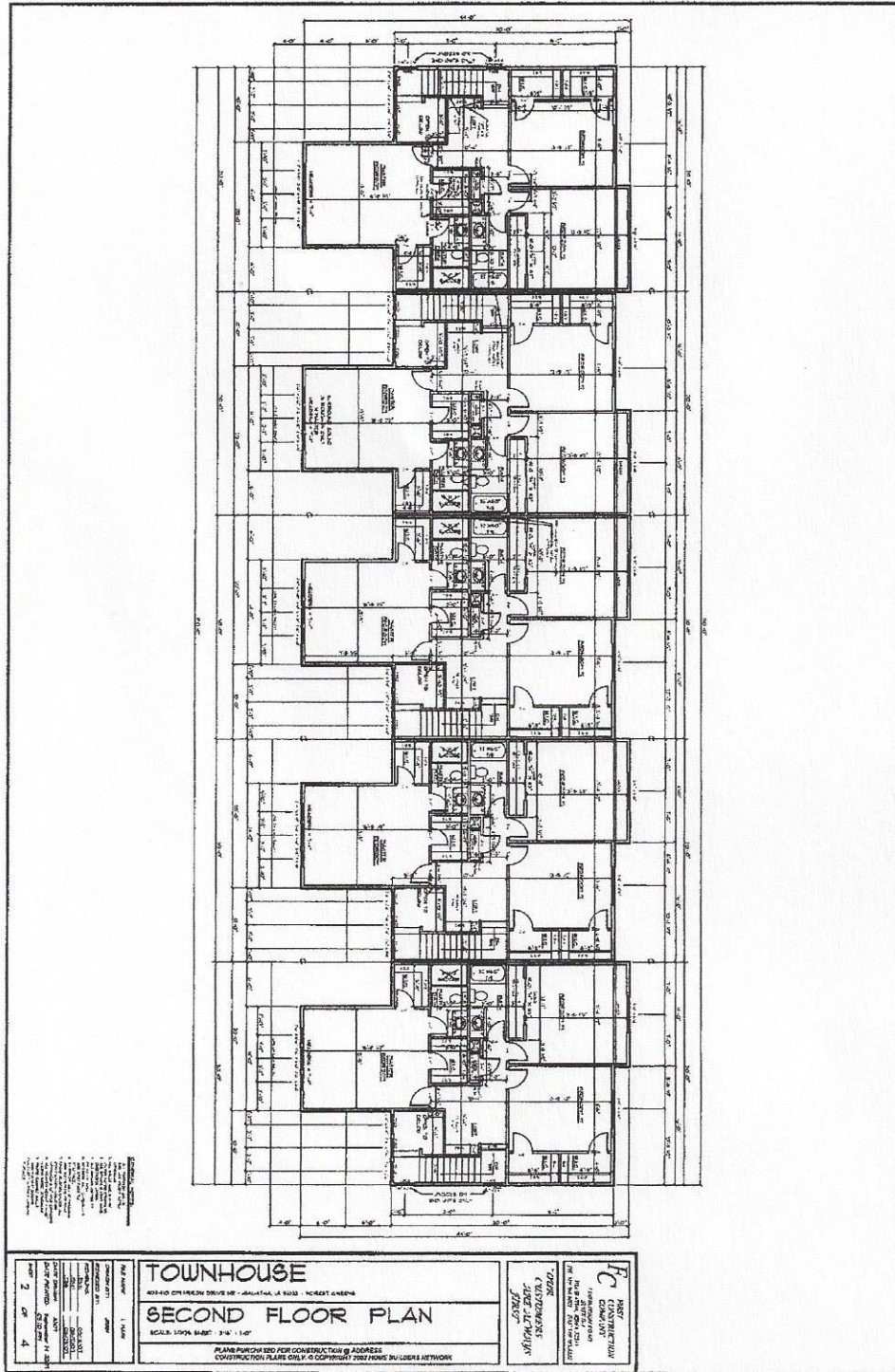


EXHIBIT "C"

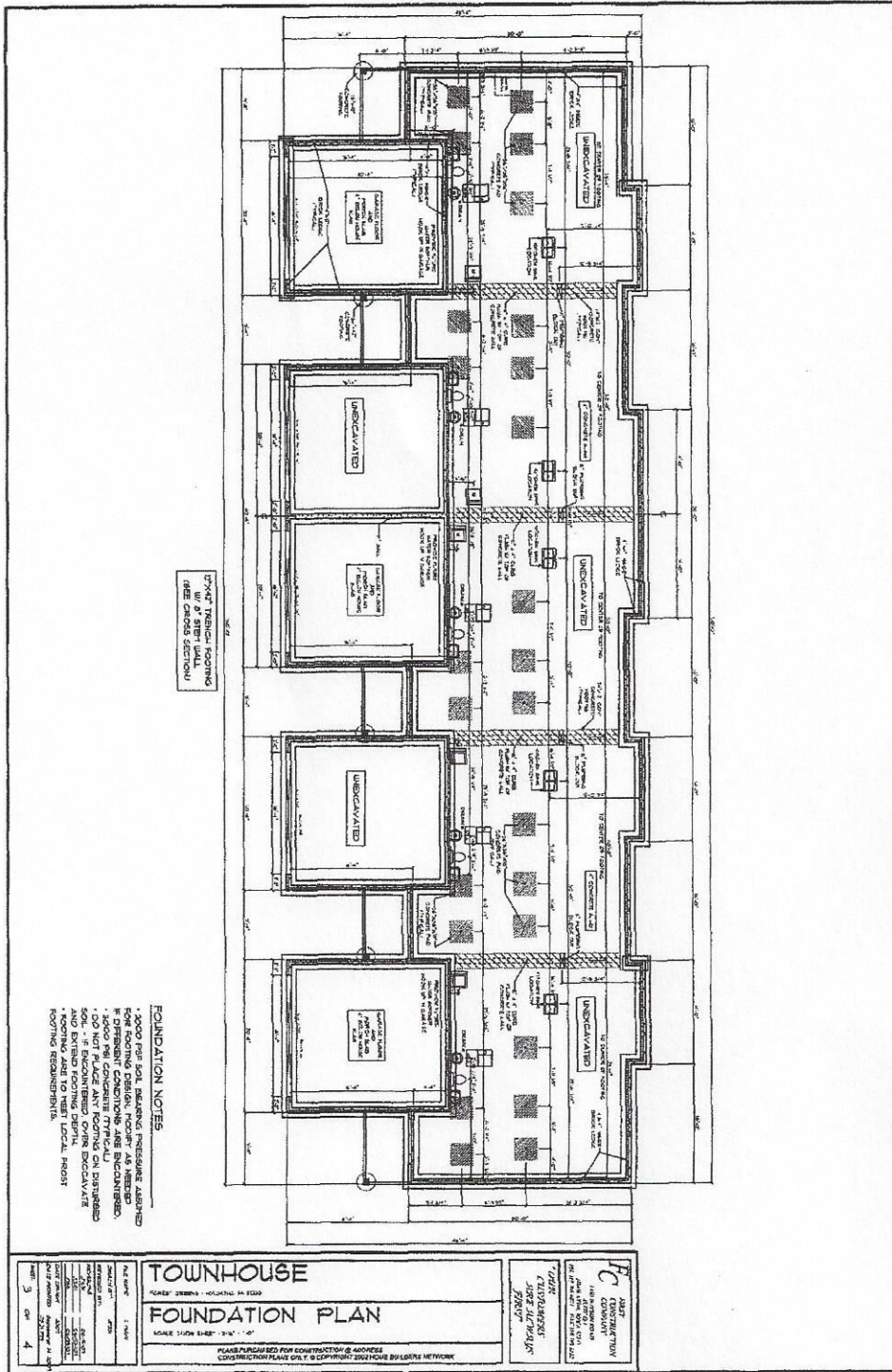
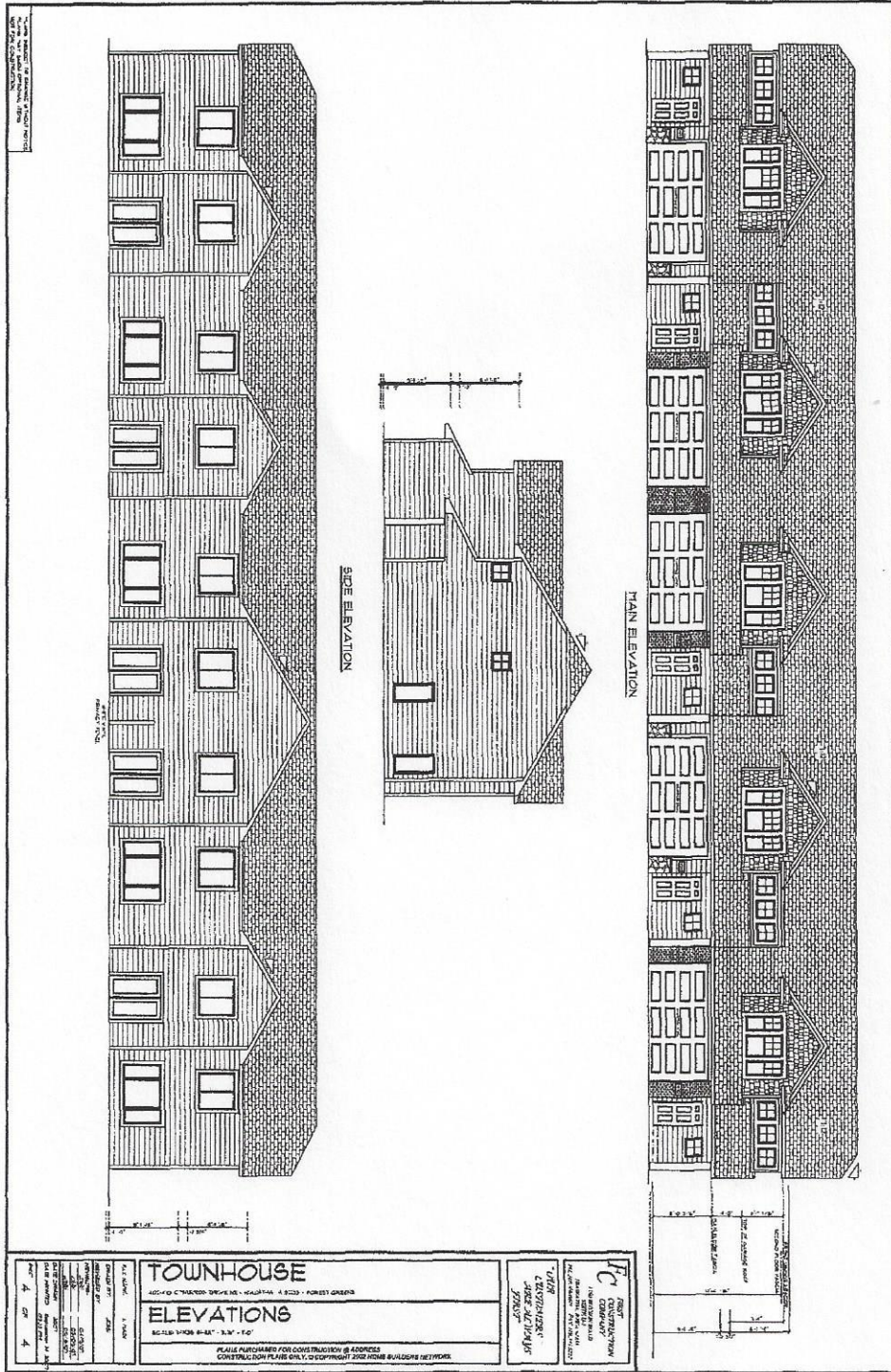


EXHIBIT "C"





FOREST GREENS TOWNHOUSES

GENERAL SPECIFICATIONS

(Specifications subject to change with options selected)

Excavation

- Includes digging, backfilling, rough grading, handling any dirt or fill brought to the job site.
- Dirt: The homeowner is responsible to supply or pay for any additional black dirt requested.

Concrete

- Main Floor: 3 1/2" thick concrete w/ rock and 2" polystyrene insulation (R-10)
- Garage floor: 4" thick concrete w/ wire mesh and rock.
- Flatwork: 4" thick concrete. Sidewalks: 4" wide, as per plan. Driveway: as per plat; otherwise additional concrete added cost to buyer.

Lumber / Building Materials

- Exterior Walls: 2" x 4" wood stud 16" O.C. w/7/16" OSB sidewall sheathing.
- Interior Walls: 2" x 4" wood stud 16" O.C.
- Floor sheathing: 3/4" T & G OSB Floor - glued & screwed
- Underlayment: 1/4" Sub floor under vinyl (included in floor covering allowance)
- Roof System: Engineered Truss system where applicable w/ hurricane clips, 1/2" OSB Roof sheathing w/ H clips w/ #30 felt & Ice and water-dam on common overhangs.
- Floor system: Engineered Floor Truss System 19.2" O.C.
- Sill Plate: 2" x 4" treated sill plate.
- Shingles: CertainTeed "Landmark" 30 year or equal, tab built up composition shingles.
- Siding: Norandex Woodsman Select Double 4 vinyl or equal.
- Soffit / Fascia cover: Aluminum, white.
- Patio: 12' x 12' or Optional Deck (if required by grade): Joists: 2 x 8 ACG joists w/ Cedar Decking and rail (excludes steps). OPT: Pergola, privacy rail, Trex decking, vinyl rail, iron spindles
- Main Floor has 9' ceilings and Second Floor has 8' ceilings. (excludes under soffits, trays, doorways, etc.)

Windows & Exterior Doors

- Windows: Milgard Vinyl single hung & sliders or equal with Low E coating, with grills on front elevation as per plan.
- Exterior Doors: Front Entry: Insulated fiberglass 6 panel, 3" wide with adjustable threshold and Sidelights: per plan, painted. OPT: Storm Door
- House to garage: 6 panel steel, solid foam core, painted.
- Sliding Doors: Andersen Vinyl clad slider or equal. (No grills)

Garage Door

- Main Stall: Door: 16' x 8", White, 5241 Carriage Door, Steel Insulated & 1 Garage Door Opener w/keypad and 2 remotes.

Gutter & Downspouts

- Seamless aluminum gutter and downspout are included.
- Downspout extensions, splash blocks or any tiling under walkways or driveways and screen gutter covers are the HOMEOWNERS RESPONSIBILITY TO INSTALL AND MAINTAIN.

Heating / Cooling

- Furnace: Lennox Aire-Flo or equal 92%+ Hi-Efficiency Furnace & 14 SEER A/C & programmable thermostat. (Prices are net all rebates).
- Seal duct work
- Honeywell Fresh Air Ventilator -- Circulates outside air into system
- Vents: Bath fans: vented to exterior, located in each bathroom. Dryer vents: solid 3 1/2" vented to outside.

Electrical

- Service: 150 AMP Circuit breaker panel, (located in the basement or inside garage on sidewall, dependent upon plan)
 - Phone line: Cat 5e: telephone / computer twisted pair line; allowing for up to 4 lines in a residence; 2 lines are blocked down, 1 location has jacks for 2 lines. 1 in each bedroom and kitchen.
 - Cable TV: 1- in each bedrooms and living area.
 - Garage outlet: 1 GFI outlet in garage on 20 amp circuit,
 - Mount fixtures and electrical as per plan with openings per code.
 - Recessed cans: 4 Recessed Lights standard in Kitchen. 1 recessed light included for covered porches.
 - Ceiling Fans: 2 included: typically in the Great Room & Master Bedroom-wiring & fans
 - Total fixtures: Std. selection packages or Allowance made per plan and amt. of lower level finish
 - Smoke detectors and Carbon Monoxide Detectors included as required by code.
- Any extras are to be outlined by signing a change order form: (Change Order fee of \$250 will not apply to this category if selections are made and not changed during electrical walk-thru / plan.)

Plumbing

- White fixtures are standard; all other colors are available by special order prior to framing at increased prices
- Water closet—Gerber or equal elongated bowl with seat & water saver flush.
- Vanity and top—See kitchen/bath plan—Fornica post form top std. w/Gerber or equal drop in sink.
- Kitchen faucet / sink: Delta 470 SS Pullout w/ spray faucet on stainless steel double bowl sink or equal.
- Bathroom Lavs: Delta 2521 chrome double handle faucet in Gerber drop-in sink or equal.
- Main Bath Tub/Shower: Delta 1348CNPS Chrome faucet on 32 x 60 Lasco or equal Tub/Shower
- Master Bath Shower: Delta 1324C Chrome faucet on Lasco or equal shower. - 3' x 5' w/ 2 seats - Includes shower door.

EXHIBIT "H"

2 of 2

- Garbage Disposal: In-Sinkerator Badger 5, ½ hp or equal
 - Hot Water Heater: 40-gallon gas.
 - Ice maker: supply recessed wall box with shut off valve in kitchen.
 - Laundry: hot and cold water service with drain for washer in recessed wall box with shut off valves.
 - Hose bibs: 1 outside Woodford hose bibs. Located inside garage.
 - Underground Plumbing: lines to be cast iron or PVC
 - Water piping: PEX water supply lines.
 - Gas piping: Fireplace, Furnace, and Water Heater.
- Insulation**
- Sidewall: 3 ½" Blown-in Blanket Insulation Premium Package – Includes R-15 sidewalls (main & 2nd floor), sound insulation around bathrooms, and sealing of all exterior wall electrical wire penetrations and around sill plate, as well as
 - Ceiling: Flat R-46 Blown-in / Vault R-30 batt.
 - Garage: Sidewalls: 3 ½" - R-11 batt insulation. Garage: Ceiling: R-19 batt insulation or equal
- Drywall**
- Interior:**
- 1/2": Sidewalls. 5/8" or 1/2" H.D.: Ceiling. Finish: Orange Peel Walls - Med. Acoustic Texture on Ceiling.
 - OPT: Rounded corners & Knock down ceiling texture
- Garage:**
- 1/2": Sidewalls. 5/8" : Ceiling. Finish: Fire Tape Coat, No texture or paint.
- Floor Coverings**
- Main level living areas: (Including Living room, Dining, Nook, Halls, Stairs and Bedrooms):**
- Carpet: Shaw CC114 or equal w/6 lb. pad. OPT: 8lb. pad
 - Vinyl: Armstrong Memories or equal in Master and Main Bathrooms.
 - Tile: Caverns or equal in Kitchen, Dining, Laundry, Foyer and Powder room.
- Cabinets / vanities / countertops**
- Standard Selection:**
- Countertops: Laminate Post form with backsplash, Many "Group 1" color choices.
 - Kitchen & Bath Cabinets: Merillat, "Essentials" Oak Flat Panel, 30" Square wall cabinets with crown molding on wall cabinets. No soffits above cabinets.
 - OPT: Granite countertop in Kitchen, Cabinet hardware: Kitchen & Bath - knobs included Chrome, Brushed Nickel, & Brass finishes available. Maple Cabinets, Laundry Cabinet
- Painting & Staining**
- Interior of home (ceilings & walls) painted one color "Latex" Paint from Sherwin Williams or equal. Color: Accessible Beige, other color samples available.
 - All nail holes are filled.
 - Trim color is Light Stain or Paprika Stain from Cedar Rapids Millwork or equal.
- Trim / Specialty Trim**
- All trim as per plan. Windows are not trimmed, doors and sliding glass door trimmed.
 - Interior Doors: 1 3/8" Pre-hung Hollow Core Oak Flush Doors w/ Oak Veneered doors and jambs.
 - Casing: Oak Colonial: 1/2" x 2 ¼".
 - Base: Oak Colonial: 3/8" x 2 ¼".
 - Bi pass doors: 1 3/8" Hollow Core Oak Veneer with no jambs.
 - Sheetrock returns on all window heads and sides, main level sills to be hard surfaced oak. Lower level to remain sheetrock.
 - OPT: Painted Trim, Heavy Colonial Trim, Solid/Hollow Paneled white doors, 3-6 panel oak/poplar doors. Spindle Rail in Foyer
 - Wire shelving: Layout per plan. Pantry shelving - White Wood
 - Door knobs: Weiser or equal knob sets on interior and exterior doors. Style: Troy Finish: Brass
 - Deadbolt on front door only.
- Bathroom Accessories**
- 1-18" towel bar / 1-towel ring / 1-toilet paper holder per bathroom - Brushed Nickel
 - Shower Door: 1- Chrome w/ rain glass on master bath shower. OPT: Shower doors in other bathrooms, Glass and Finish options.
 - Mirrors: 1 - ¼" pencil edge in each bathroom. (Sized per plan) OPT: Framed mirrors
- Appliances / Audio / Security**
- Stainless Steel Refrigerator, Space Saver Microwave, Flat top Stove, and Dishwasher Whirlpool or equal from Home Appliance
 - Whole house audio rough-in - Great Room and Master Bedroom
 - Security rough-in - 2-Keypads, 1-Motion, 1-Glass Break and 1-Siren location
- Fireplace**
- Direct vent: 35 " - "Superior/Lennox" Natural Gas Fireplace or equal. Includes- Hardwood Trim Surround and Automatic Fan Blower.
- Utility Services**
- Calling for hookup or transfer of services is the responsibility of the Buyer, and should be done 3 to 4 weeks prior to closing.
 - Water & Sanitary Sewer: are provided by the City.
 - Natural Gas: is provided by Mid America and Electric by Alliant.
 - Telephone service: is available from Qwest, dependent upon the City.
 - DSL service: call the local phone company, for availability.
 - Cable service: is available from MediaCom. Satellite TV is available from outside suppliers.
- Landscaping**
- Standard: final grading and Sodding of yard. (excludes common area)
- Lot**
- Note: Retaining walls may be needed at the expense of the buyer.
- Legal Description: per plan.



Doc ID: 013708340003 Type: GEN
Recorded: 10/22/2008 at 04:07:13 PM
Fee Amt: \$17.00 Page 1 of 3
Revenue Tax: \$0.00
Instr# 200900023656
Linn County Iowa
JOAN MCCALMANT RECORDER

BK **7109** PG **6-8**

**AMENDMENT TO DECLARATION OF CONDOMINIUM
FOR FOREST GREENS CONDOMINIUMS
Recorder's Cover Sheet**

NAME: FOREST GREENS CONDOMINIUMS

DECLARANT: Hodge Construction Company
711 S. Gilbert Street
Iowa City, IA 52240

DATE OF DECLARATION: March 24, 2000

LEGAL COUNSEL: Kirsten H. Frey AT0002699
Kennedy, Cruise, Frey & Gelner, L.L.P.
920 S. Dubuque Street - P.O. Box 2000
Iowa City, IA 52244-2000
Telephone: (319) 351-8181
Facsimile: (319) 351-0605

\$17.00 ✓ 3015 mka
RETURN ADDRESS:

Kirsten H. Frey
Kennedy, Cruise, Frey & Gelner, L.L.P.
P.O. Box 2000
Iowa City, IA 52244-2000

**AMENDMENT TO DECLARATION OF CONDOMINIUM
FOR FOREST GREENS CONDOMINIUMS**

COMES NOW, the Declarant, Hodge Construction Company, and for its Amendment to the Declaration of Condominium 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 of the Records of Linn County, Iowa, as amended to date, in the following particulars:

1. The existing Exhibit "B" to the Declaration of Submission to Horizontal Property Regime is hereby deleted and the revised and amended Exhibit "B" attached hereto supersedes and replaces the prior Exhibit "B".

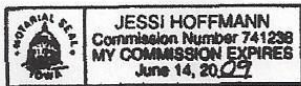
DATED this 22nd day of September 2008.

HODGE CONSTRUCTION COMPANY
Michael E. Hodge, President and Secretary

Alm W. Frey President of First Construction Company
BY: Al Frey, under Power of Attorney
dated September 22, 2008

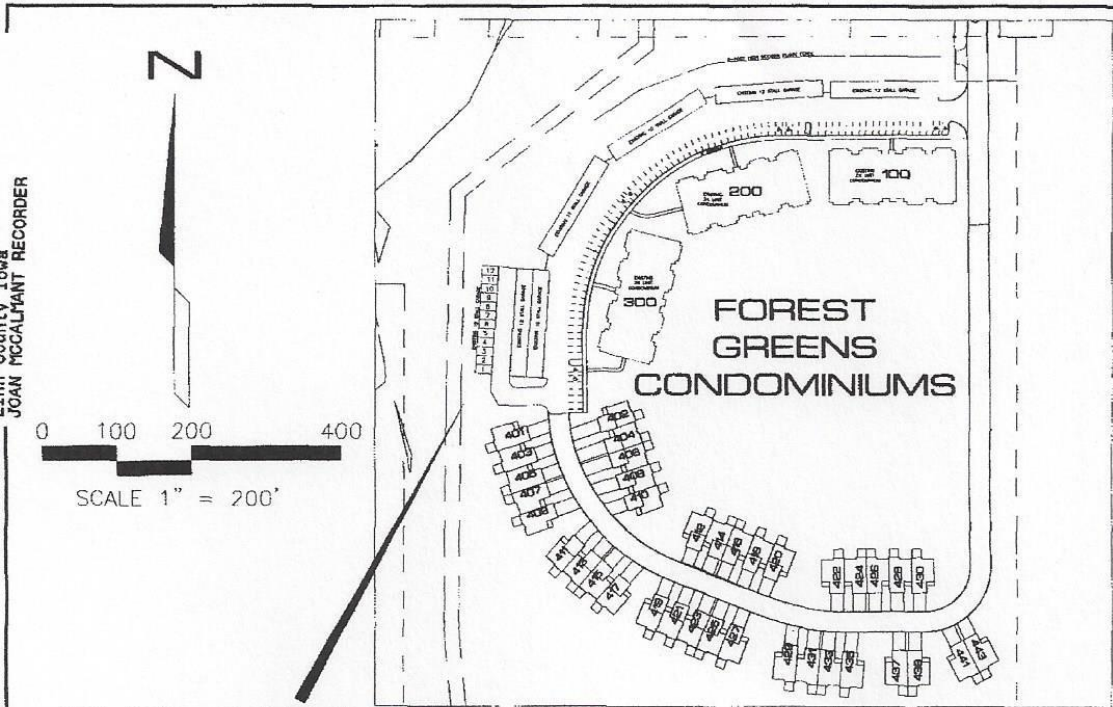
STATE OF IOWA)
) ss:
JOHNSON COUNTY)

On this 22nd day of September 2008, before me, a Notary Public in and for said county, personally appeared Al Frey, as Power of Attorney for Hodge Construction Company, under Power of Attorney dated April 13, 2008, to me personally known, who being by me duly sworn did say that Michael E. Hodge is the President and Secretary of said corporation, that no seal has been procured by the said corporation and that said instrument was signed on behalf of said limited liability company by authority of its President and Secretary, and the said Al Frey, as Power of Attorney for Hodge Construction Company, acknowledged the execution of said instrument to be the voluntary act and deed of said corporation by it voluntarily executed.

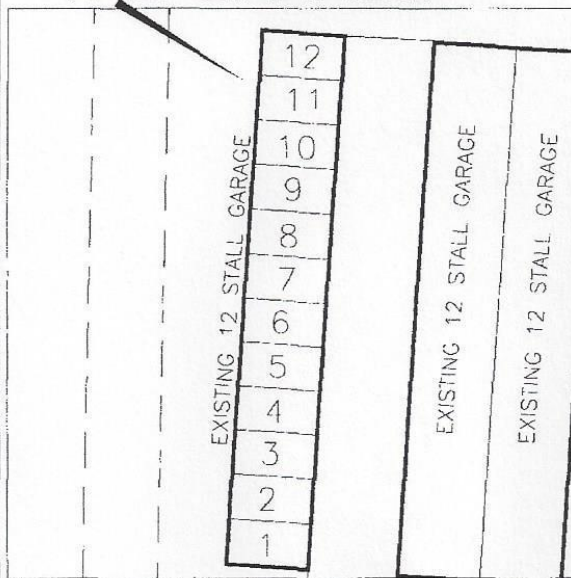


Jessi Hoffmann
Notary Public in and for the State of Iowa

Doc ID: 019608630001 Type: GEN
 Recorded: 09/02/2008 at 02:42:17 PM
 Fee Amt: \$7.00 Page 1 of 1
 Revenue Tax: \$0.00
 Instr# 200800012806
 Linn County Iowa
 JOAN MCCALLANT RECORDER

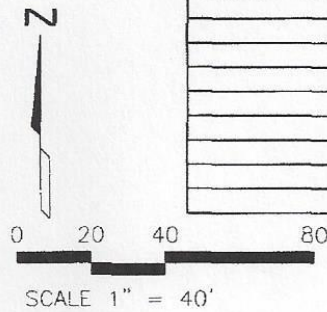


THIS GARAGE



OWNER: HODGE CONSTRUCTION COMPANY
 C/O MICHAEL HODGE
 711 S. GILBERT STREET
 IOWA CITY, IOWA 52240
 319-354-2233

Unit	Garage Number
410	1
	2
	3
	4
	5
	6
	7
	8
	9
	10
	11
	12



File Name: K:\Proj\179206-10\REVISED SITE PLAN\179206-'c' condo exhibit.dwg

Drawing Title:

Project No.
179206-10

BRAIN
 CIVIL LAND DEVELOPMENT SURVEYING TRANSPORTATION
 ENGINEERING, INC.

SITE PLAN
 EXHIBIT B

*#17
 78

*First Construction Co
 1350 Boyson Rd Ste 21
 HWO 52733*



Doc ID: 014576780003 Type: GEN
Recorded: 11/03/2009 at 03:30:32 PM
Fee Amt: \$19.00 Page 1 of 3
Revenue Tax: \$0.00
Linn County Iowa
JOAN MCCALMANT RECORDER

BK 7450 PG 521-523

\$1900 ✓ 103047 RB

**AMENDMENT TO DECLARATION OF CONDOMINIUM
FOR FOREST GREENS CONDOMINIUMS
Recorder's Cover Sheet**

NAME: FOREST GREENS CONDOMINIUMS

DECLARANT: Hodge Construction Company
711 S. Gilbert Street
Iowa City, IA 52240

DATE OF DECLARATION:

LEGAL COUNSEL: Kirsten H. Frey AT0002699
Kennedy, Cruise, Frey & Gelner, L.L.P.
920 S. Dubuque Street - P.O. Box 2000
Iowa City, IA 52244-2000
Telephone: (319) 351-8181
Facsimile: (319) 351-0605

RETURN ADDRESS: Alvin W. Frey
First Construction Company
3325 Wild Rose Rd.
Cedar Rapids, IA 52411

AMENDMENT TO DECLARATION OF CONDOMINIUM FOR FOREST GREENS CONDOMINIUMS

COMES NOW, the Declarant, Hodge Construction Company, and for its Amendment to the Declaration of Condominium 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 of the Records of Linn County, Iowa, as amended to date, in the following particulars:

- 1. The existing Exhibit "B" to the Declaration of Submission to Horizontal Property Regime is hereby deleted and the revised and amended Exhibit "B" attached hereto supersedes and replaces the prior Exhibit "B".

DATED this 28 day of October 2009.

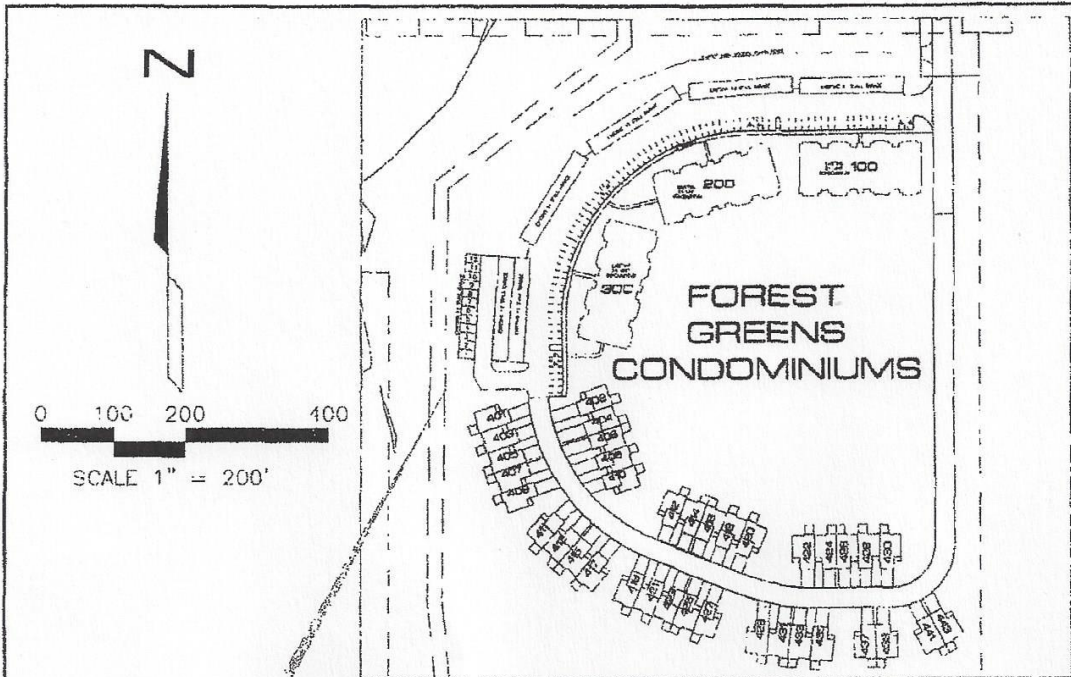
Hodge Construction Company
By: Alvin W. Frey
Alvin W. Frey, President of First Construction Company as Attorney-in-fact

STATE OF IOWA)
) ss:
LINN COUNTY)

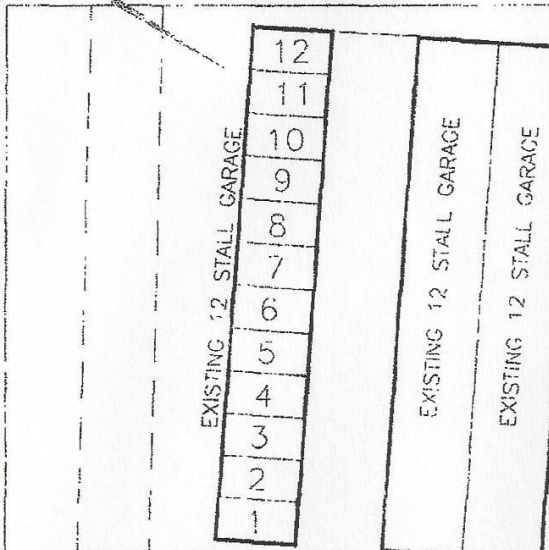
On this 28th day of October 2009, before me, a Notary Public in and for said county, personally appeared Alvin W. Frey, as Power of Attorney for Hodge Construction Company, under Power of Attorney dated April 13, 2008, to me personally known, who being by me duly sworn did say that Michael E. Hodge is the President and Secretary of said corporation, that no seal has been procured by the said corporation and that said instrument was signed on behalf of said corporation by authority of its President and Secretary, and the said Alvin W. Frey, as Power of Attorney for Hodge Construction Company, acknowledged the execution of said instrument to be the voluntary act and deed of said corporation by it voluntarily executed.

Helen M Littlechild
Notary Public in and for the State of Iowa



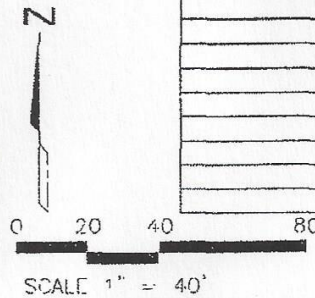


THIS GARAGE



OWNER: HODGE CONSTRUCTION COMPANY
 C/O MICHAEL HODGE
 711 S. GILBERT STREET
 IOWA CITY, IOWA 52240
 319-354-2233

Unit	Garage Number
410	1
415	2
	3
	4
	5
	6
	7
	8
	9
	10
	11
	12



File Name: K:\Proj\179206-10\REVISED SITE PLAN\179206-1c condo exhibit.dwg

Drawing title:

Project No.
179206-10



*SITE PLAN
EXHIBIT B*



Doc ID: 021989590004 Type: GEN
Recorded: 10/07/2015 at 04:05:38 PM
Fee Amt: \$22.00 Page 1 of 4
Revenue Tax: \$0.00
Linn County Iowa
JOAN MCCALMANT RECORDER

BK **9377** PG **6-9**

#220067# 6747

JB

**AMENDMENTS TO BYLAWS OF FOREST GREENS
CONDOMINIUMS ASSOCIATION**

Preparer Information: John C. Wagner
John C. Wagner Law Offices, P.C.
1000 Collins Road N.E.
Cedar Rapids, IA 52402

Return Document To: Forest Greens Condo Association, Inc.
250 Cimarron Drive #105
Hiawatha, IA 52233

Legal Description: See Page 2.

Legal Description

A part 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 Hiawatha;
thence S00°26'45"E, 60.0 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 Plan 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.

**AMENDMENTS TO BYLAWS OF FOREST GREENS
CONDOMINIUMS ASSOCIATION**

Article VII. Article VII(1) of the Forest Greens Condominiums Association Bylaws is hereby amended to provide that the bylaws may be amended, altered or repealed or new bylaws adopted by the members at a regular or a special meeting of the members upon the affirmative vote of a majority of all votes entitled to be cast [this bylaw previously required a two-thirds vote].

Article IX. Article IX is hereby amended by the italicized and underlined language set forth at Exhibit A which is attached hereto.

Article XII. Article XII(1)(d) of the Forest Greens Condominiums Association Bylaws is hereby amended to make reference to the recording location as the "Linn County Recorder" [this bylaw previously made an inadvertent reference to the Johnson County Recorder].



Doc ID: 021736980004 Type: GEN
Recorded: 05/13/2015 at 10:46:48 AM
Fee Amt: \$22.00 Page 1 of 4
Revenue Tax: \$0.00
Linn County Iowa
JOAN MCCALMANT RECORDER

BK 9244 PG 243-246

**AMENDMENTS TO BYLAWS OF FOREST GREENS
CONDOMINIUMS ASSOCIATION**

Preparer Information: John C. Wagner
John C. Wagner Law Offices, P.C.
1000 Collins Road N.E.
Cedar Rapids, IA 52402

Return Document To: Forest Greens Condo Association, Inc.
250 Cimarron Drive #105
Hiawatha, IA 52233

Legal Description: See Page 2.

Legal Description

A part 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 Hiawatha;
thence S00°26'45"E, 60.0 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 Plan 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.

**AMENDMENT TO RULES AND REGULATIONS FOR FOREST GREEN
CONDOMINIUMS ASSOCIATION**

9. Operation of large appliances (i.e. refrigerators, freezers) is prohibited in the detached garages.

10. Items on top of deck railings shall be securely fastened to the railings or designed to fit on the railings.

11. Townhouse owners may install a storm door if it meets the following criteria. It shall be white, full view, with clear or low-e glass only. Retractable screens are allowed, but must meet above criteria. Maintenance of the storm door will be the responsibility of the unit owner.

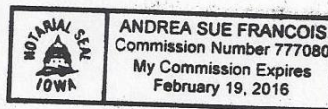
THE UNDERSIGNED does hereby represent that the Rules and Regulations of the Forest Greens Condominiums Association were duly amended by the vote of the association owners on 30th day of April, 2015, and that said amendments are set forth above. All other provisions of said Rules and Regulations remain in full force and effect unless specifically referred to above.

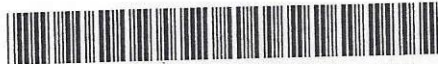
Charley Gerard
Charley Gerard, President

STATE OF IOWA)
)SS:
LINN COUNTY)

On this 30th day of April, 2015, before me, the undersigned, a Notary Public in and for said State, personally appeared Charley Gerard, to me personally known, who being by me duly sworn, did say that he is the President of the corporation executing the within and foregoing instrument, that the instrument was signed on behalf of the corporation by authority of its Board of Directors; and that Charley Gerard of said corporation officer acknowledged and attested the execution of the foregoing instrument to be the voluntary act and deed of the corporation, by it and by him voluntarily executed.

Andrea S. Francois
Notary Public in and for the State of Iowa





Doc ID: 021736970008 Type: GEN
Recorded: 05/13/2015 at 10:43:16 AM
Fee Amt: \$42.00 Page 1 of 8
Revenue Tax: \$0.00
Linn County Iowa
JOAN MCCALMANT RECORDER
BK 9244 PG 235-242

**AMENDMENTS TO BYLAWS OF FOREST GREENS
CONDOMINIUMS ASSOCIATION**

Preparer Information: John C. Wagner
John C. Wagner Law Offices, P.C.
1000 Collins Road N.E.
Cedar Rapids, IA 52402

Return Document To: Forest Greens Condo Association, Inc.
250 Cimarron Drive #105
Hiawatha, IA 52233

Legal Description: See Page 2.

Legal Description

A part 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 Hiawatha; thence S00°26'45"E, 60.0 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;
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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 Plan 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.

**AMENDMENTS TO BYLAWS OF FOREST GREENS
CONDOMINIUMS ASSOCIATION**

Article VII. Article VII(1) of the Forest Greens Condominiums Association Bylaws is hereby amended to provide that the bylaws may be amended, altered or repealed or new bylaws adopted by the members at a regular or a special meeting of the members upon the affirmative vote of a majority of all votes entitled to be cast [this bylaw previously required a two-thirds vote].

Article IX. Article IX is hereby amended by the italicized and underlined language set forth at Exhibit A which is attached hereto.

Article XII. Article XII(1)(d) of the Forest Greens Condominiums Association Bylaws is hereby amended to make reference to the recording location as the "Linn County Recorder" [this bylaw previously made an inadvertent reference to the Johnson County Recorder].

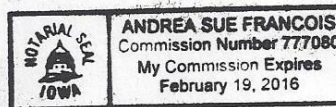
THE UNDERSIGNED does hereby represent that the Bylaws of the Forest Greens Condominiums Association were duly amended by the vote of the association owners on 30th day of April, 2015, and that said amendments are set forth above. All other provisions of said Bylaws shall remain in full force and effect unless specifically referred to above.

Charley Gerard
Charley Gerard, President

STATE OF IOWA)
)SS:
LINN COUNTY)

On this 30th day of April, 2015, before me, the undersigned, a Notary Public in and for said State, personally appeared Charley Gerard, to me personally known, who being by me duly sworn, did say that he is the President of the corporation executing the within and foregoing instrument, that the instrument was signed on behalf of the corporation by authority of its Board of Directors; and that Charley Gerard of said corporation officer acknowledged and attested the execution of the foregoing instrument to be the voluntary act and deed of the corporation, by it and by him voluntarily executed.

Andrea S. Francois
Notary Public in and for the State of Iowa



ARTICLE IX

Conditions of and Restrictions on Ownership, Use and Enjoyment

1. Property Subject to Certain Provisions. The ownership, use, occupation, and enjoyment of each unit and of the common elements of the regime shall be subject to the provisions of the By-laws of the Association, and this Declaration, all of which provisions irrespective of where set forth or classified shall have equal status and shall be enforceable and binding as a covenant, condition, restriction, or requirement running with the land and shall be binding on and enforceable against each and all units and the owners thereof and their respective assigns, lessees, tenants, occupants and successors in interest.

In addition thereto, the Board of Directors of the Association shall have the right to implement rules and regulations regarding the use of the common property within the condominium regime and may change those rules and regulations upon thirty (30) days' notice to each respective unit owner. Initial rules and regulations are marked Exhibit "F" and attached hereto.

2. Use of Property. The use of the property shall be in accordance with and subject to the following provisions:

(a) A unit shall be used or occupied for residential dwelling purposes only.

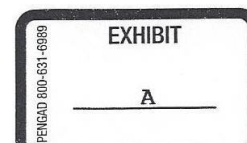
(b) A condominium may be rented or leased by the owner or his lessee provided the entire unit is rented, the occupancy is only by the lessee and his family or sub lessee and his family, and the period of rental is at least one month unless some other period is established in the regulations or Bylaws of the Association. No lease shall relieve the owner of any responsibility or liability imposed by the condominium documents as against the Association and other owners.

(c) No activity shall be allowed which unduly interferes with the peaceful possession and use of the property by the unit owners nor shall any fire hazard or unsightly accumulation of refuse be allowed.

(d) Nothing shall be done or kept in any unit or in the common area which will increase the rate of insurance on the common area, without the prior written consent of the Association. No owner shall permit anything to be done or kept in his unit, garage or in the common area which will result in the cancellation of insurance on any unit or any part of the common area, or which would be in violation of any law.

(e) No unit owner shall be permitted to erect a TV antenna, satellite dish, or any other fixture, item or appurtenance on any building roof, balcony, exterior wall or the like.

(f) The Association shall have the authority to adopt rules and regulations governing the use of the property and such rules shall be observed and obeyed by the owners, their guests and licensees. Initial rules and regulations are marked Exhibit "F" and attached to this Declaration.



(g) No parking of any vehicles shall be allowed except on designated driveways, parking areas and garages.

(h) Agents of or contractors hired by the Association may enter any unit when necessary in connection with any maintenance, landscaping, or construction for which the Association is responsible, providing such entry shall be made with as little inconvenience to the owners as practicable.

(i) A unit owner shall give notice to the Association of every lien against his/her unit other than permitted mortgages, taxes and association assessments, and of any suit or other proceeding which may affect the title to his/her unit within ten (10) days after the lien attaches or the owner receives notice of such suit.

(j) A unit owner shall be liable to the Association for the expense of any maintenance, repair or replacement rendered necessary by his/her act, neglect, or carelessness, or by that of his/her family, guests, employees, agents or lessees which liability shall include any increase in insurance rates resulting therefrom.

(k) No animals shall be allowed or kept within any unit or on any of the general or limited common elements of the project unless approved by the Board of Directors for the Association under the following terms and conditions:

(i) Dogs shall only be allowed in owner-occupied units within the condominium regime and not within any units which are being rented.

(ii) No dog shall be allowed within owner-occupied units until written approval has been provided by the Board of Directors for the Association. The Board of Directors may delegate the authority to grant approval to a manager hired by the Board.

(iii) No dog shall be allowed that weighs more than thirty-five (35) pounds when mature or that displays any traits or behavior that would, within the sole discretion of the Board of Directors, cause any disruption to the harmonious, peaceful environment within the condominium regime.

(iv) No more than one (1) dog per owner-occupied unit shall be allowed.

(v) If any dog, after being approved, is found to be a nuisance or to violate any of the terms and conditions provided herein, within the sole discretion of the Board of Directors, the Board of Directors shall have authority to immediately remove said dog from the condominium regime.

(vi) Approved dogs may be walked on a leash within the general common elements of the condominium premises but may not be tethered or kept untended on the general or limited common elements of the project. Except when being walked on the general common elements, approved dogs shall be kept within the owner's condominium unit.

(vii) Owner-occupied units may have two (2) cats, but not both a dog and one or more cats, as long as the cat is confined to the unit and is not a nuisance or does not detract from the peaceful enjoyment of the condominium premises by all other occupants. The Board of Directors shall have the sole discretion to determine whether a cat should be allowed to remain within the condominium premises.

(viii) The owner of any approved dog shall be responsible for cleaning and removing any and all messes made by the dog immediately and failure to do so shall result in the removal of the dog from the condominium premises.

(ix) The Board of Directors shall have authority to make additional rules and regulations governing animals within the condominium regime except that any changes to the above provisions relative to dogs and cats can only be made with majority approval of all members in the homeowner's association.

(l) A unit owner leasing a unit to a tenant shall in each instance:

(i) have the lease form agreement approved by the Board of Directors in advance of execution which approval will be promptly provided and not unreasonably withheld.

(ii) the unit owner as landlord shall provide the tenant with a complete copy of the declarations, covenants and by-laws of the Forest Greens Condominium Association. Both tenant and unit owner/landlord shall sign and submit an acknowledgement provided by the Board of Directors that the declarations, covenants and by-laws were conveyed to the tenant and accepted and subsequently provided to the Board of Directors of the Condominium Association within 30 days of entering into the lease agreement. If owner/landlord is subsequently notified of changes in the declarations, covenants and by-laws of the Association, the owner/landlord will provide tenant timely notice of same.

(iii) each lease shall clearly provide:

(1) that the tenant is bound by all of Forest Greens Condominium Declarations, Covenants and By-laws in the same manner and to the same extent as a unit owner.

(2) that a tenant may have no dog, cat or exotic animal in a leased unit without advance approval of the Board of Directors, and then only as otherwise allowed by these by-laws.

(3) it is for a minimum term of no less than 30 days.

(4) it may be voided by unit owner/landlord or Board of Directors for tenant's continued failure to comply with the declarations, covenants, by-laws and Hiawatha ordinances.

(5) A unit owner and/or tenant shall be responsible for any damage to the common areas of Forest Greens Condominiums caused by a tenant.

(iv) These amendments shall become effective upon approval by the Association on all leases executed subsequent to adoption. The effective date for these amendments as to leased units shall be the first anniversary of any existing lease between unit owner/landlord and tenant following adoption of these amendments by the Association.

3. No Waiver. Failure of the Association or any owner to enforce any covenant, condition, restriction or other provision of Chapter 499B of the Code of Iowa, this Declaration, the Articles of Incorporation, or By-Laws of the Association, or the rules and regulations adopted pursuant thereto, shall not constitute a waiver of the right to enforce the same thereafter.



Doc ID: 019797680003 Type: GEN
Recorded: 05/07/2012 at 11:21:34 AM
Fee Amt: \$17.00 Page 1 of 3
Revenue Tax: \$0.00
Linn County Iowa
JOAN MCCALMANT RECORDER

BK **8276** PG **10-12**

#17 CK 3931 سار

Return To: Dorothy Speight, 250 Cimarron, Unit 105, Hiawatha, IA 52233

Preparer: Lew Eells, 1921 51st Street NE, Cedar Rapids, IA 52402, (319) 393-1020

**AMENDMENT TO DECLARATION OF CONDOMINIUM
FOR FOREST GREENS CONDOMINIUMS**

COMES NOW the Forest Greens Condominiums Owners Association, and hereby states as follows:

WHEREAS notice of the annual meeting of the Forest Greens Condominiums Owners Association to be held on **April 23, 2012**, was given on **March 23, 2012**, in accordance with the provisions of the Condominium Declaration and the By-Laws of the Forest Greens Condominiums Owners Association; and,

WHEREAS said notice indicated that the purpose of the annual meeting was to consider possible amendment to the Condominium Declaration, a copy of which proposed amendment was provided with said notice; and,

WHEREAS a quorum was present at said annual meeting; and,

WHEREAS following discussions, said proposed amendment was approved and ratified by a vote of **86 to 0**, said vote being more than the sixty-six and two-thirds (66-2/3) vote required to amend the Condominium Declaration, according to its terms; and,

NOW THEREFORE, the Forest Greens Condominiums Owners Association hereby amend 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, of the records of the Linn County, Iowa, Recorder, 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, of the records of the Linn County, Iowa, Recorder, and a Second Amendment to Declaration of Condominium for Forest Greens Condominiums which was recorded June 15, 2000, in Book 4110, Page 349, of the records of the Linn County, Iowa, Recorder, and a Third Amendment to Declaration of Condominium for Forest Greens Condominiums which was recorded July 12, 2000, in Book

4125, Page 284, of the records of the Linn County, Iowa, Recorder, and an Amendment to the Declaration of Condominium for Forest Greens Condominiums which was recorded July 25, 2003, in Book 5301, Page 635, of the records of the Linn County, Iowa, Recorder, in the following particulars:

1. That the numbering of the owner's unit number is to correspond with the number on the owner's assigned garage and the storage garages identified with "M" and "1-12" as shown on the sheet attached hereto on the Site Plan Exhibit "B" to the Declaration of Submission to Horizontal Property Regime, revised February of 2012. Said amended Exhibit "B" takes the place of the original Exhibit "B" and supersedes and replaces it.

2. Article VII, Pages 10-11, Management of the Regime, is amended to read as follows: All owners, tenants, families, guests, and other persons using or occupying the regime shall be bound by and strictly comply with the provisions of the by-laws of the Association and applicable provisions of other condominium documents, and all agreements, regulations, and determinations lawfully made by the Association and its directors, officers, or agents shall be binding on all such owners and other persons. A failure to comply with the by-laws or the provisions of the other condominium documents or any agreement or determination thus lawfully made shall be grounds for an action to recover sums due for damages and attorney fees on the part of the Association or any owner as applicable, and any mandatory or other injunctive relief, without waiving either remedy.

Dated: 5/3/12

FOREST GREENS CONDOMINIUMS OWNERS ASSOCIATION, by:

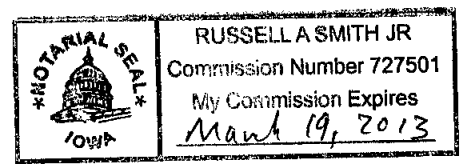
Dorothy A. Speight
Dorothy Speight, President

Carol Forbes
Carol Forbes, Secretary

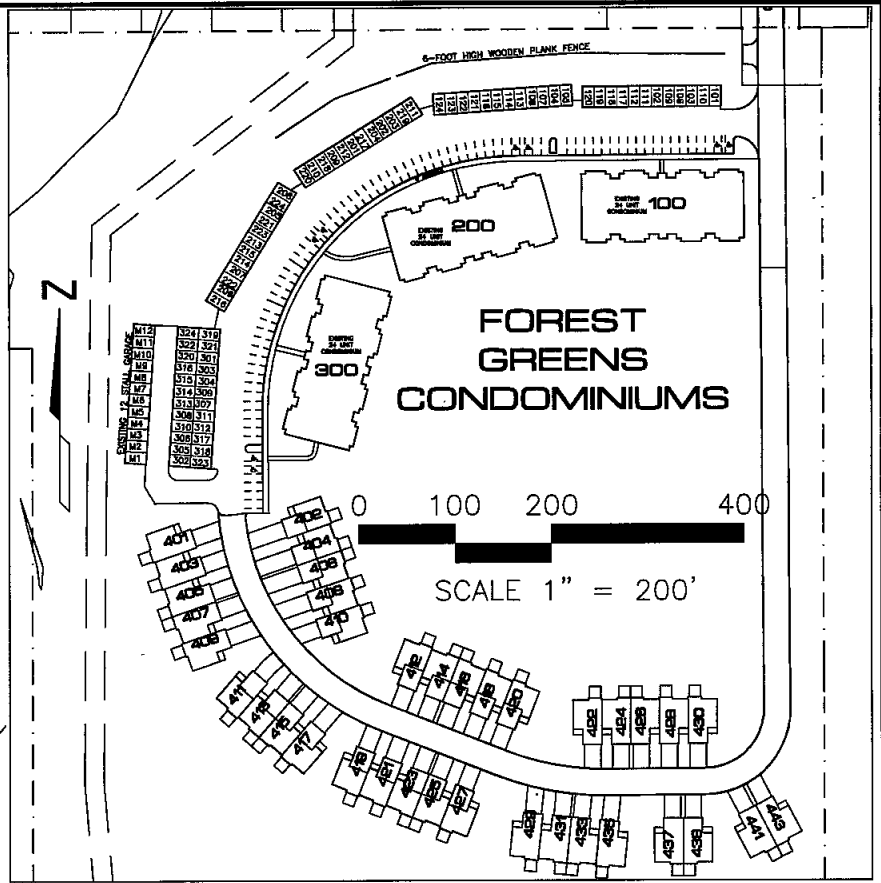
STATE OF IOWA, COUNTY OF LINN

This instrument was acknowledged before me on 5/3/12, by **Dorothy Speight** and **Carol Forbes**, to me personally known, who being by me duly sworn, did say that they are the President and Secretary of said Condominium Association; that no seal has been procured by said Association; that said instrument was signed on behalf of said Association by authority of the members at an annual meeting; that they acknowledged the execution of said instrument to be the voluntary act and deed of said Association, by it and by them voluntarily executed.

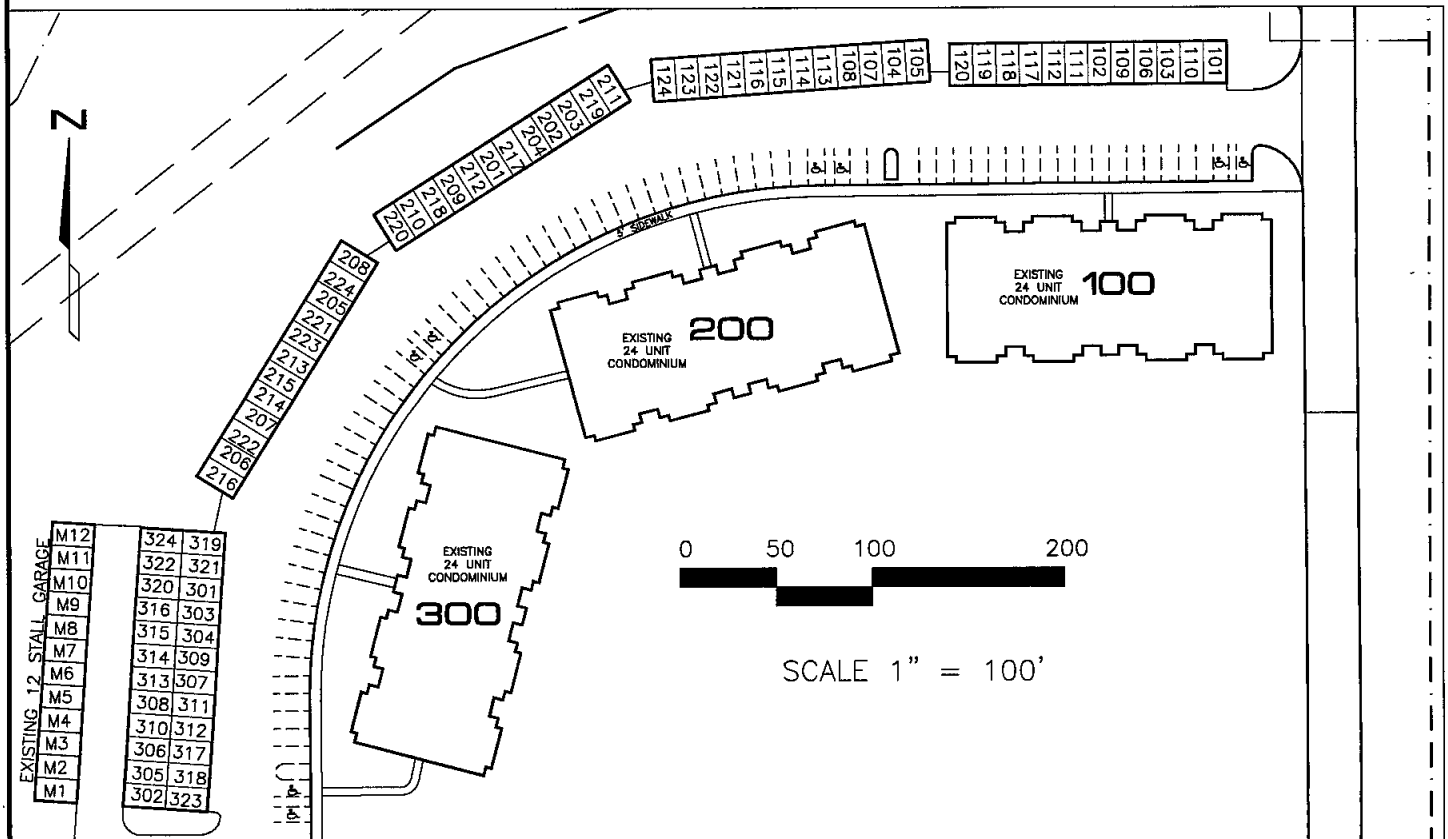
Russell A. Smith Jr.
Notary Public in and for the State of Iowa



revised 02/12



OWNER: HODGE CONSTRUCTION COMPANY
 C/O MICHAEL HODGE
 711 S. GILBERT STREET
 IOWA CITY, IOWA 52240
 319-354-2233

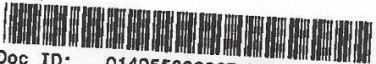


Project No.
418709-10



Drawing Title:

*SITE PLAN
 EXHIBIT B*



Doc ID: 014955390007 Type: GEN
Recorded: 06/14/2010 at 11:18:44 AM
Fee Amt: \$39.00 Page 1 of 7
Revenue Tax: \$0.00
Linn County Iowa
JOAN MCCALMANT RECORDER

BK 7625 PG 117-123


**AMENDMENT TO THE DECLARATION OF SUBMISSION OF PROPERTY
TO HORIZONTAL REGIME ESTABLISHING A PLAN
FOR CONDOMINIUM OWNERSHIP OF PREMISES FOR
FOREST GREENS CONDOMINIUMS
Recorder's Cover Sheet**

NAME: FOREST GREENS CONDOMINIUMS

DECLARANT: Hodge Construction Company
711 S. Gilbert Street
Iowa City, IA 52240

DATE OF RECORDING
OF ORIGINAL DECLARATION: April 10, 2000

LEGAL COUNSEL: Kirsten H. Frey AT0002699
Kennedy, Cruise, Frey & Gelner, L.L.P.
920 S. Dubuque Street - P.O. Box 2000
Iowa City, IA 52244-2000
Telephone: (319) 351-8181
Facsimile: (319) 351-0605

RETURN ADDRESS:  Kirsten H. Frey
Kennedy, Cruise, Frey & Gelner, L.L.P.
P.O. Box 2000
Iowa City, IA 52244-2000

3900p & CT
OK 19758

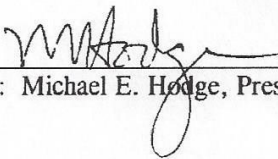
AMENDMENT TO THE DECLARATION OF SUBMISSION OF PROPERTY
TO HORIZONTAL REGIME ESTABLISHING A PLAN
FOR CONDOMINIUM OWNERSHIP OF PREMISES FOR
FOREST GREEN CONDOMINIUMS

COMES NOW, the Declarant, Hodge Construction Company, and for its Amendment to the Declaration of Condominium, hereby amends the original Declaration of Submission of Property to Horizontal 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 of the Records of Linn County, Iowa as amended to date, in the following particulars:

1. The Existing Exhibit "A" to the Declaration of Submission to Horizontal Property Regime is hereby deleted and the revised and amended Exhibit "A" attached hereto supersedes and replaces the prior "Exhibit A".
2. The Existing Exhibit "B" to the Declaration of Submission to Horizontal Property Regime is hereby deleted and the revised and amended Exhibit "B" attached hereto supersedes and replaces the prior "Exhibit B".

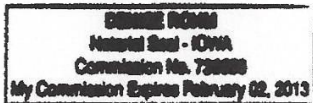
DATED this 4 day of June 2010.

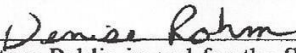
HODGE CONSTRUCTION COMPANY


By: Michael E. Hodge, President

STATE OF IOWA)
) ss:
JOHNSON COUNTY)

On this 4 day of June 2010, before me, a Notary Public in and for said county, personally appeared Michael E. Hodge, to me personally known, who being by me duly sworn did say that he is 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 Michael E. Hodge, as President and Secretary, 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

KF36R69a11575

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:

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.

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 is set forth below.

Table with 5 columns: Unit, Percentage Ownership in Common Elements, Share of Common Expenses, Votes in Association, Garage #. Rows 101-112.

KF36\R69a11575

<u>Unit</u>	<u>Percentage Ownership in Common Elements</u>	<u>Share of Common Expenses</u>	<u>Votes in Association</u>	<u>Garage #</u>
113	.00694	0.0139 of Phase 1	1	113
114	.00694	0.0139 of Phase 1	1	114
115	.00694	0.0139 of Phase 1	1	115
116	.00694	0.0139 of Phase 1	1	116
117	.00694	0.0139 of Phase 1	1	117
118	.00694	0.0139 of Phase 1	1	118
119	.00694	0.0139 of Phase 1	1	119
120	.00694	0.0139 of Phase 1	1	120
121	.00694	0.0139 of Phase 1	1	121
122	.00694	0.0139 of Phase 1	1	122
123	.00694	0.0139 of Phase 1	1	123
124	.00694	0.0139 of Phase 1	1	124
201	.00694	0.0139 of Phase 1	1	201
202	.00694	0.0139 of Phase 1	1	202
203	.00694	0.0139 of Phase 1	1	203
204	.00694	0.0139 of Phase 1	1	204
205	.00694	0.0139 of Phase 1	1	205
206	.00694	0.0139 of Phase 1	1	206
207	.00694	0.0139 of Phase 1	1	207
208	.00694	0.0139 of Phase 1	1	208
209	.00694	0.0139 of Phase 1	1	209
210	.00694	0.0139 of Phase 1	1	210
211	.00694	0.0139 of Phase 1	1	211
212	.00694	0.0139 of Phase 1	1	212
213	.00694	0.0139 of Phase 1	1	213
214	.00694	0.0139 of Phase 1	1	214
215	.00694	0.0139 of Phase 1	1	215
216	.00694	0.0139 of Phase 1	1	216
217	.00694	0.0139 of Phase 1	1	217
218	.00694	0.0139 of Phase 1	1	218
219	.00694	0.0139 of Phase 1	1	219
220	.00694	0.0139 of Phase 1	1	220
221	.00694	0.0139 of Phase 1	1	221 & M12
222	.00694	0.0139 of Phase 1	1	222
223	.00694	0.0139 of Phase 1	1	223
224	.00694	0.0139 of Phase 1	1	224
301	.00694	0.0139 of Phase 1	1	301
302	.00694	0.0139 of Phase 1	1	302
303	.00694	0.0139 of Phase 1	1	303
304	.00694	0.0139 of Phase 1	1	304
305	.00694	0.0139 of Phase 1	1	305
306	.00694	0.0139 of Phase 1	1	306
307	.00694	0.0139 of Phase 1	1	307
308	.00694	0.0139 of Phase 1	1	308
309	.00694	0.0139 of Phase 1	1	309
310	.00694	0.0139 of Phase 1	1	310
311	.00694	0.0139 of Phase 1	1	311
312	.00694	0.0139 of Phase 1	1	312

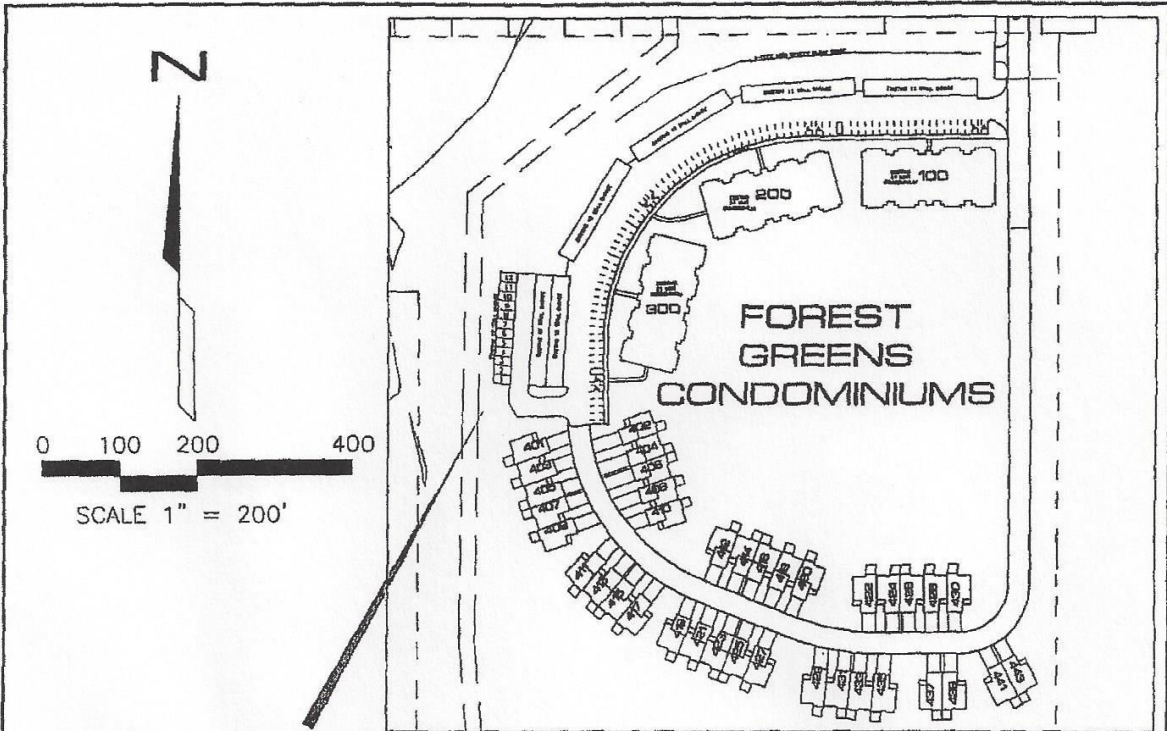
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<u>Unit</u>	<u>Percentage Ownership in Common Elements</u>	<u>Share of Common Expenses</u>	<u>Votes in Association</u>	<u>Garage #</u>
313	.00694	0.0139 of Phase 1	1	313
314	.00694	0.0139 of Phase 1	1	314
315	.00694	0.0139 of Phase 1	1	315
316	.00694	0.0139 of Phase 1	1	316
317	.00694	0.0139 of Phase 1	1	317
318	.00694	0.0139 of Phase 1	1	318
319	.00694	0.0139 of Phase 1	1	319
320	.00694	0.0139 of Phase 1	1	320
321	.00694	0.0139 of Phase 1	1	321
322	.00694	0.0139 of Phase 1	1	322
323	.00694	0.0139 of Phase 1	1	323
324	.00694	0.0139 of Phase 1	1	324
402	0.0135	0.0270 of Phase 2	1	402
404	0.0135	0.0270 of Phase 2	1	404
406	0.0135	0.0270 of Phase 2	1	406
408	0.0135	0.0270 of Phase 2	1	408
410	0.0135	0.0270 of Phase 2	1	410 & M-1
401	0.0135	0.0270 of Phase 2	1	401
403	0.0135	0.0270 of Phase 2	1	403
405	0.0135	0.0270 of Phase 2	1	405
407	0.0135	0.0270 of Phase 2	1	407
409	0.0135	0.0270 of Phase 2	1	409
411	0.0135	0.0270 of Phase 2	1	411
413	0.0135	0.0270 of Phase 2	1	413
415	0.0135	0.0270 of Phase 2	1	415 & M-2
417	0.0135	0.0270 of Phase 2	1	417
419	0.0135	0.0270 of Phase 2	1	419
421	0.0135	0.0270 of Phase 2	1	421
423	0.0135	0.0270 of Phase 2	1	423
425	0.0135	0.0270 of Phase 2	1	425
427	0.0135	0.0270 of Phase 2	1	427
412	0.0135	0.0270 of Phase 2	1	412
414	0.0135	0.0270 of Phase 2	1	414
416	0.0135	0.0270 of Phase 2	1	416 & M-4
418	0.0135	0.0270 of Phase 2	1	418 & M-3
420	0.0135	0.0270 of Phase 2	1	420
429	0.0135	0.0270 of Phase 2	1	429
431	0.0135	0.0270 of Phase 2	1	431
433	0.0135	0.0270 of Phase 2	1	433
435	0.0135	0.0270 of Phase 2	1	435
422	0.0135	0.0270 of Phase 2	1	422
424	0.0135	0.0270 of Phase 2	1	424
426	0.0135	0.0270 of Phase 2	1	426

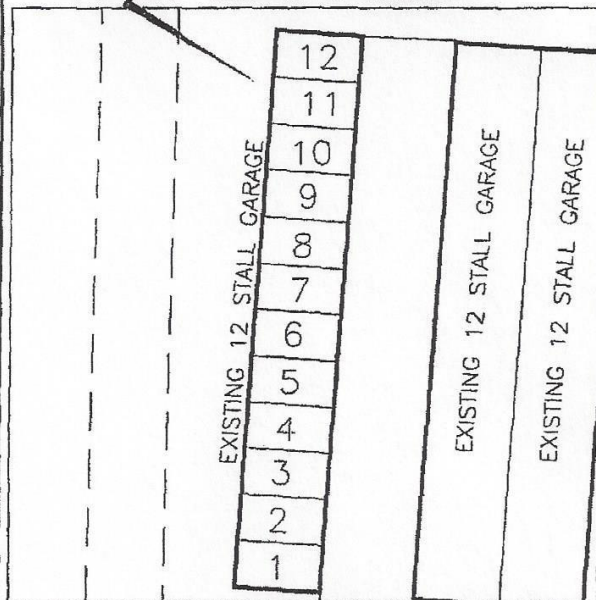
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<u>Unit</u>	<u>Percentage Ownership in Common Elements</u>	<u>Share of Common Expenses</u>	<u>Votes in Association</u>	<u>Garage #</u>
428	0.0135	0.0270 of Phase 2	1	428
430	0.0135	0.0270 of Phase 2	1	430
437	0.0135	0.0270 of Phase 2	1	437
439	0.0135	0.0270 of Phase 2	1	439
441	0.0135	0.0270 of Phase 2	1	441
443	0.0135	0.0270 of Phase 2	1	443

3. The location of each Unit and number of rooms, and the immediate Common Area to which each unit has access is shown on the building plans, Exhibit "C" attached to the original Condominium Declaration. The patio or deck appurtenant to any Unit is designated as Limited Common Elements for that Unit. Garages are also Limited Common Elements for the applicable Unit owner.

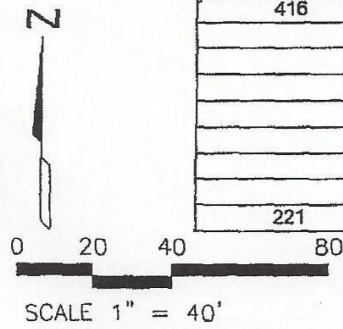


THIS GARAGE



OWNER: HODGE CONSTRUCTION COMPANY
C/O MICHAEL HODGE
711 S. GILBERT STREET
IOWA CITY, IOWA 52240
319-354-2233

Unit	Garage Number
410	1
415	2
418	3
416	4
	5
	6
	7
	8
	9
	10
	11
221	12



File Name: K:\Proj\179206-10\REVISED SITE PLAN\179206-1c condo exhibit.dwg

Project No.
179206-10



Drawing Title:

*SITE PLAN
EXHIBIT B*



Doc ID: 014800990007 Type: GEN
Recorded: 03/18/2010 at 10:18:02 AM
Fee Amt: \$39.00 Page 1 of 7
Revenue Tax: \$0.00
Linn County Iowa
JOAN MCCALMANT RECORDER
BK 7551 PG 295-301

\$39 ck 3067 mH

**AMENDMENT TO THE DECLARATION OF SUBMISSION OF PROPERTY
TO HORIZONTAL REGIME ESTABLISHING A PLAN
FOR CONDOMINIUM OWNERSHIP OF PREMISES FOR
FOREST GREENS CONDOMINIUMS
Recorder's Cover Sheet**

NAME: FOREST GREENS CONDOMINIUMS

DECLARANT: Hodge Construction Company
711 S. Gilbert Street
Iowa City, IA 52240

DATE OF RECORDING
OF ORIGINAL DECLARATION: April 10, 2000

LEGAL COUNSEL: Kirsten H. Frey AT0002699
Kennedy, Cruise, Frey & Gelner, L.L.P.
920 S. Dubuque Street - P.O. Box 2000
Iowa City, IA 52244-2000
Telephone: (319) 351-8181
Facsimile: (319) 351-0605

RETURN ADDRESS: Kirsten H. Frey
Kennedy, Cruise, Frey & Gelner, L.L.P.
P.O. Box 2000
Iowa City, IA 52244-2000

**AMENDMENT TO THE DECLARATION OF SUBMISSION OF PROPERTY
TO HORIZONTAL REGIME ESTABLISHING A PLAN
FOR CONDOMINIUM OWNERSHIP OF PREMISES FOR
FOREST GREEN CONDOMINIUMS**

COMES NOW, the Declarant, Hodge Construction Company, and for its Amendment to the Declaration of Condominium, hereby amends the original Declaration of Submission of Property to Horizontal 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 of the Records of Linn County, Iowa as amended to date, in the following particulars:

1. The Existing Exhibit "A" to the Declaration of Submission to Horizontal Property Regime is hereby deleted and the revised and amended Exhibit "A" attached hereto supersedes and replaces the prior "Exhibit A".
2. The Existing Exhibit "B" to the Declaration of Submission to Horizontal Property Regime is hereby deleted and the revised and amended Exhibit "B" attached hereto supersedes and replaces the prior "Exhibit B".


DATED this 10th day of March 2010.

HODGE CONSTRUCTION COMPANY

Alvin W. Frey
 By: Alvin W. Frey, President
 First Construction Company
 As Attorney in Fact

STATE OF IOWA)
) ss:
 LINN COUNTY)

On this 10th day of March 2010, before me, a Notary Public in and for said county, personally appeared Alvin W. Frey, President of First Construction Company, as Power of Attorney for Hodge Construction Company, under Power of Attorney dated April 13, 2008, to me personally known, who being by me duly sworn did say that Michael E. Hodge is the President and Secretary of said Hodge Construction Company, that no seal has been procured by Hodge Construction Company, and that said instrument was signed on behalf of said corporation by authority of its President and Secretary, and that said Alvin W. Frey, President of First Construction Company, as Power of Attorney for Michael E. Hodge, President and Secretary of Hodge Construction Company acknowledged, the execution of said instrument to be the voluntary act and deed of said corporation by it voluntarily executed.

Helen M Littlechild
 Notary Public in and for the State of Iowa


KF36AR69a11309

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:

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.

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 is set forth below.

<u>Unit</u>	<u>Percentage Ownership in Common Elements</u>	<u>Share of Common Expenses</u>	<u>Votes in Association</u>	<u>Garage #</u>
101	.00694	0.0139 of Phase 1	1	101
102	.00694	0.0139 of Phase 1	1	102
103	.00694	0.0139 of Phase 1	1	103
104	.00694	0.0139 of Phase 1	1	104
105	.00694	0.0139 of Phase 1	1	105
106	.00694	0.0139 of Phase 1	1	106
107	.00694	0.0139 of Phase 1	1	107
108	.00694	0.0139 of Phase 1	1	108
109	.00694	0.0139 of Phase 1	1	109
110	.00694	0.0139 of Phase 1	1	110
111	.00694	0.0139 of Phase 1	1	111
112	.00694	0.0139 of Phase 1	1	112

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<u>Unit</u>	<u>Percentage Ownership in Common Elements</u>	<u>Share of Common Expenses</u>	<u>Votes in Association</u>	<u>Garage #</u>
113	.00694	0.0139 of Phase 1	1	113
114	.00694	0.0139 of Phase 1	1	114
115	.00694	0.0139 of Phase 1	1	115
116	.00694	0.0139 of Phase 1	1	116
117	.00694	0.0139 of Phase 1	1	117
118	.00694	0.0139 of Phase 1	1	118
119	.00694	0.0139 of Phase 1	1	119
120	.00694	0.0139 of Phase 1	1	120
121	.00694	0.0139 of Phase 1	1	121
122	.00694	0.0139 of Phase 1	1	122
123	.00694	0.0139 of Phase 1	1	123
124	.00694	0.0139 of Phase 1	1	124
201	.00694	0.0139 of Phase 1	1	201
202	.00694	0.0139 of Phase 1	1	202
203	.00694	0.0139 of Phase 1	1	203
204	.00694	0.0139 of Phase 1	1	204
205	.00694	0.0139 of Phase 1	1	205
206	.00694	0.0139 of Phase 1	1	206
207	.00694	0.0139 of Phase 1	1	207
208	.00694	0.0139 of Phase 1	1	208
209	.00694	0.0139 of Phase 1	1	209
210	.00694	0.0139 of Phase 1	1	210
211	.00694	0.0139 of Phase 1	1	211
212	.00694	0.0139 of Phase 1	1	212
213	.00694	0.0139 of Phase 1	1	213
214	.00694	0.0139 of Phase 1	1	214
215	.00694	0.0139 of Phase 1	1	215
216	.00694	0.0139 of Phase 1	1	216
217	.00694	0.0139 of Phase 1	1	217
218	.00694	0.0139 of Phase 1	1	218
219	.00694	0.0139 of Phase 1	1	219
220	.00694	0.0139 of Phase 1	1	220
221	.00694	0.0139 of Phase 1	1	221
222	.00694	0.0139 of Phase 1	1	222
223	.00694	0.0139 of Phase 1	1	223
224	.00694	0.0139 of Phase 1	1	224
301	.00694	0.0139 of Phase 1	1	301
302	.00694	0.0139 of Phase 1	1	302
303	.00694	0.0139 of Phase 1	1	303
304	.00694	0.0139 of Phase 1	1	304
305	.00694	0.0139 of Phase 1	1	305
306	.00694	0.0139 of Phase 1	1	306
307	.00694	0.0139 of Phase 1	1	307
308	.00694	0.0139 of Phase 1	1	308
309	.00694	0.0139 of Phase 1	1	309
310	.00694	0.0139 of Phase 1	1	310
311	.00694	0.0139 of Phase 1	1	311
312	.00694	0.0139 of Phase 1	1	312

KF36\R69a11309

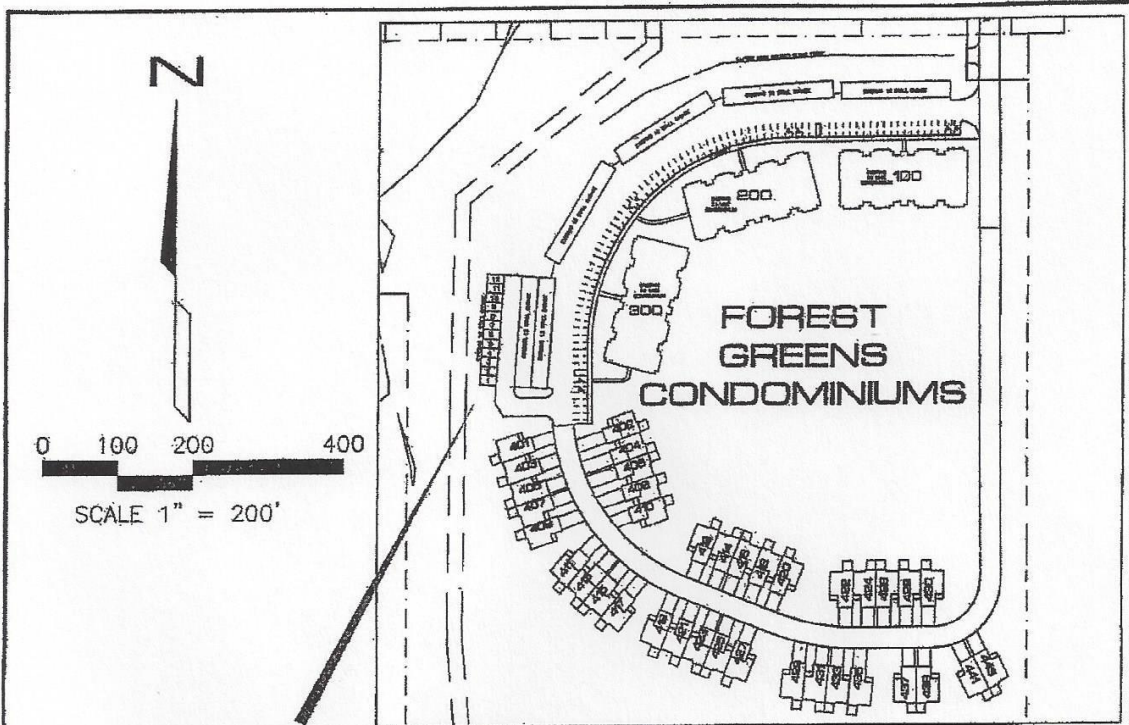
<u>Unit</u>	<u>Percentage Ownership in Common Elements</u>	<u>Share of Common Expenses</u>	<u>Votes in Association</u>	<u>Garage #</u>
313	.00694	0.0139 of Phase 1	1	313
314	.00694	0.0139 of Phase 1	1	314
315	.00694	0.0139 of Phase 1	1	315
316	.00694	0.0139 of Phase 1	1	316
317	.00694	0.0139 of Phase 1	1	317
318	.00694	0.0139 of Phase 1	1	318
319	.00694	0.0139 of Phase 1	1	319
320	.00694	0.0139 of Phase 1	1	320
321	.00694	0.0139 of Phase 1	1	321
322	.00694	0.0139 of Phase 1	1	322
323	.00694	0.0139 of Phase 1	1	323
324	.00694	0.0139 of Phase 1	1	324
402	0.0135	0.0270 of Phase 2	1	402
404	0.0135	0.0270 of Phase 2	1	404
406	0.0135	0.0270 of Phase 2	1	406
408	0.0135	0.0270 of Phase 2	1	408
410	0.0135	0.0270 of Phase 2	1	410 & M-1
401	0.0135	0.0270 of Phase 2	1	401
403	0.0135	0.0270 of Phase 2	1	403
405	0.0135	0.0270 of Phase 2	1	405
407	0.0135	0.0270 of Phase 2	1	407
409	0.0135	0.0270 of Phase 2	1	409
411	0.0135	0.0270 of Phase 2	1	411
413	0.0135	0.0270 of Phase 2	1	413
415	0.0135	0.0270 of Phase 2	1	415 & M-2
417	0.0135	0.0270 of Phase 2	1	417
419	0.0135	0.0270 of Phase 2	1	419
421	0.0135	0.0270 of Phase 2	1	421
423	0.0135	0.0270 of Phase 2	1	423
425	0.0135	0.0270 of Phase 2	1	425
427	0.0135	0.0270 of Phase 2	1	427
412	0.0135	0.0270 of Phase 2	1	412
414	0.0135	0.0270 of Phase 2	1	414
416	0.0135	0.0270 of Phase 2	1	416 & M-4
418	0.0135	0.0270 of Phase 2	1	418 & M-3
420	0.0135	0.0270 of Phase 2	1	420
429	0.0135	0.0270 of Phase 2	1	429
431	0.0135	0.0270 of Phase 2	1	431
433	0.0135	0.0270 of Phase 2	1	433
435	0.0135	0.0270 of Phase 2	1	435
422	0.0135	0.0270 of Phase 2	1	422
424	0.0135	0.0270 of Phase 2	1	424
426	0.0135	0.0270 of Phase 2	1	426

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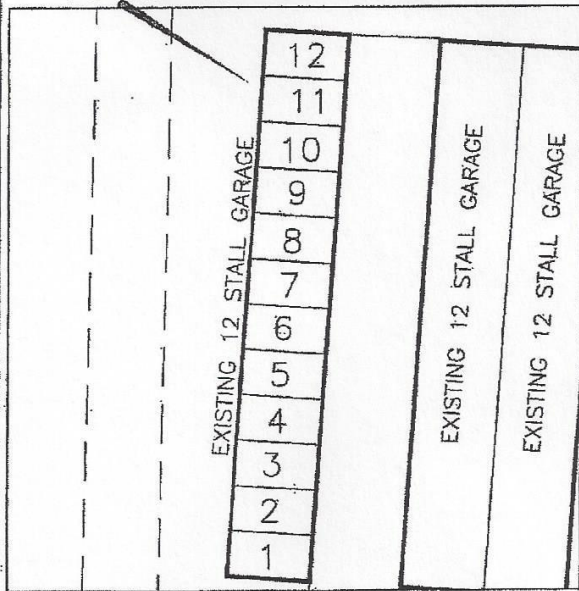
<u>Unit</u>	<u>Percentage Ownership in Common Elements</u>	<u>Share of Common Expenses</u>	<u>Votes in Association</u>	<u>Garage #</u>
428	0.0135	0.0270 of Phase 2	1	428
430	0.0135	0.0270 of Phase 2	1	430
437	0.0135	0.0270 of Phase 2	1	437
439	0.0135	0.0270 of Phase 2	1	439
441	0.0135	0.0270 of Phase 2	1	441
443	0.0135	0.0270 of Phase 2	1	443

3. The location of each Unit and number of rooms, and the immediate Common Area to which each unit has access is shown on the building plans, Exhibit "C" attached hereto and incorporated herein. The patio or deck appurtenant to any Unit is designated as Limited Common Elements for that Unit. Garages are also Limited Common Elements for the applicable Unit owner.

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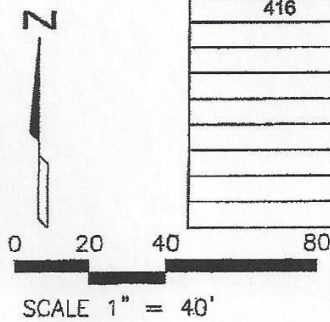


THIS GARAGE



OWNER: HODGE CONSTRUCTION COMPANY
 C/O MICHAEL HODGE
 711 S. GILBERT STREET
 IOWA CITY, IOWA 52240
 319-354-2233

Unit	Garage Number
410	1
415	2
418	3
416	4
	5
	6
	7
	8
	9
	10
	11
	12



File Name: K:\Proj\179206-10\REVISED SITE PLAN\179206-1c condo exhibit.dwg

Drawing Title:

Project No.
179206-10



*SITE PLAN
EXHIBIT B*



Doc ID: 014605730003 Type: GEN
Recorded: 11/18/2009 at 04:18:55 PM
Fee Amt: \$19.00 Page 1 of 3
Revenue Tax: \$0.00
Linn County Iowa
JOAN MCCALMANT RECORDER
BK 7462 PG435-437

**AMENDMENT TO DECLARATION OF CONDOMINIUM
FOR FOREST GREENS CONDOMINIUMS
Recorder's Cover Sheet**

NAME: FOREST GREENS CONDOMINIUMS

DECLARANT: Hodge Construction Company
711 S. Gilbert Street
Iowa City, IA 52240

DATE OF DECLARATION:

LEGAL COUNSEL: Kirsten H. Frey AT0002699
Kennedy, Cruise, Frey & Gelner, L.L.P.
920 S. Dubuque Street – P.O. Box 2000
Iowa City, IA 52244-2000
Telephone: (319) 351-8181
Facsimile: (319) 351-0605

RETURN ADDRESS: Alvin W. Frey
First Construction Company
3325 Wild Rose Rd.,
Cedar Rapids, IA 52411

JM #1900 109338

**AMENDMENT TO DECLARATION OF CONDOMINIUM
FOR FOREST GREENS CONDOMINIUMS**

COMES NOW, the Declarant, Hodge Construction Company, and for its Amendment to the Declaration of Condominium 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 of the Records of Linn County, Iowa, as amended to date, in the following particulars:

1. The existing Exhibit "B" to the Declaration of Submission to Horizontal Property Regime is hereby deleted and the revised and amended Exhibit "B" attached hereto supersedes and replaces the prior Exhibit "B".

DATED this 11th day of November 2009.

Hodge Construction Company

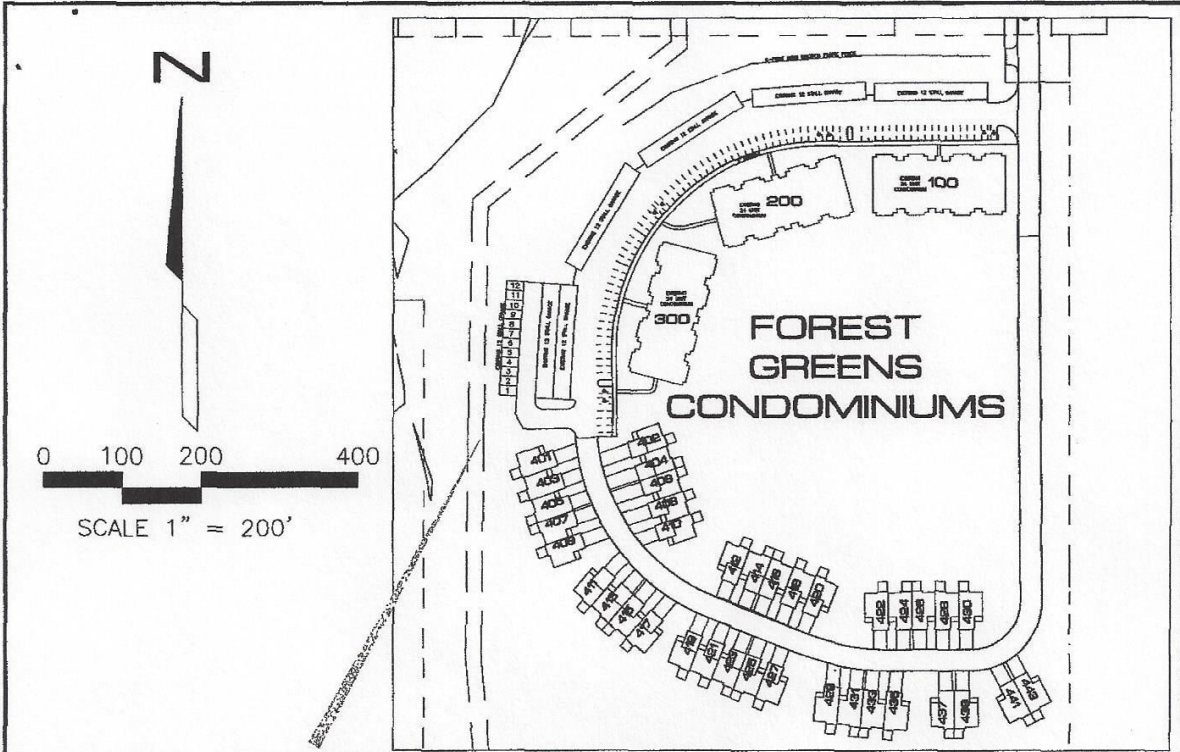
By: Alvin W. Frey
Alvin W. Frey, President
of First Construction Company
as Attorney-in-fact

STATE OF IOWA)
) ss:
LINN COUNTY)

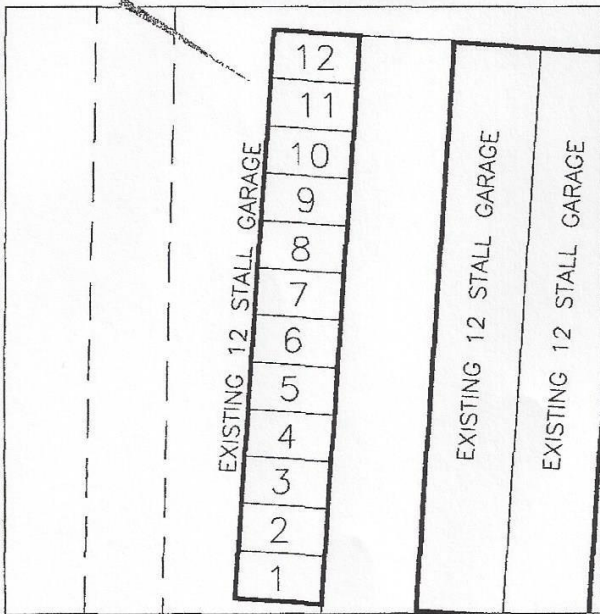
On this 11th day of November 2009, before me, a Notary Public in and for said county, personally appeared Alvin W. Frey, as Power of Attorney for Hodge Construction Company, under Power of Attorney dated April 13, 2008, to me personally known, who being by me duly sworn did say that Michael E. Hodge is the President and Secretary of said corporation, that no seal has been procured by the said corporation and that said instrument was signed on behalf of said corporation by authority of its President and Secretary, and the said Alvin W. Frey, as Power of Attorney for Hodge Construction Company, acknowledged the execution of said instrument to be the voluntary act and deed of said corporation by it voluntarily executed.



Helen M Littlechild
Notary Public in and for the State of Iowa

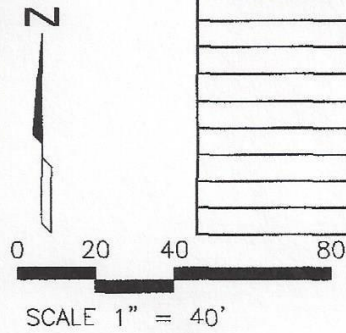


THIS GARAGE



OWNER: HODGE CONSTRUCTION COMPANY
 C/O MICHAEL HODGE
 711 S. GILBERT STREET
 IOWA CITY, IOWA 52240
 319-354-2233

Unit	Garage Number
410	1
415	2
418	3
	4
	5
	6
	7
	8
	9
	10
	11
	12



File Name: K:\Proj\179206-10\REVISED SITE PLAN\179206-1c condo exhibit.dwg

Project No.
179206-10



Drawing Title:

**SITE PLAN
EXHIBIT B**

**AMENDMENT TO THE DECLARATION OF SUBMISSION OF PROPERTY
TO HORIZONTAL REGIME ESTABLISHING A PLAN
FOR CONDOMINIUM OWNERSHIP OF PREMISES FOR
FOREST GREENS CONDOMINIUMS**

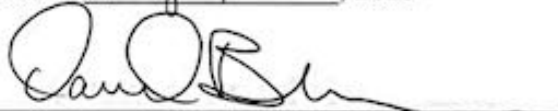
Pursuant to Article XII of the Declaration of Submission to Horizontal Property Regime Pursuant to Chapter 499B of the Code of Iowa for Forest Greens Condominiums (the "Declaration"), the undersigned officer of the Forest Greens Condominium Association (the "Association"), pursuant to an affirmative vote of the members representing 66 2/3% of owners present and entitled to vote, hereby amends the Declaration as follows:

1. Article IX (2) (K) (vii) is hereby deleted in its entirety and replaced with the following:

(vii) Owner-occupied units may have two cats or one dog and one cat, as long as the cat(s) is confined to the unit and is not a nuisance or does not detract from the peaceful enjoyment of the condominium premises by all other occupants. The Board of Directors shall have the sole discretion to determine whether a cat should be allowed to remain within the condominium premises.

2. In all other respects, the Declaration is reaffirmed as if this Amendment did not exist.

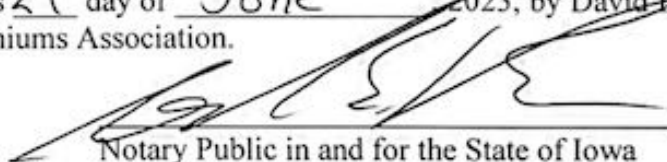
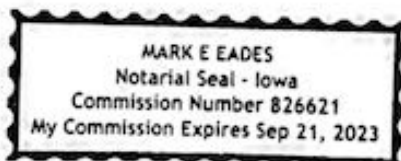
3. This Amendment shall be effective as of May 1, 2023



David Blum, President

STATE OF IOWA)
) ss:
COUNTY OF LINN)

Acknowledged before me this 21 day of June, 2023, by David Blum, as President of Forest Greens Condominiums Association.



Notary Public in and for the State of Iowa

**AMENDMENT TO THE
RULES AND REGULATIONS FOR
FOREST GREENS CONDOMINIUMS**

Pursuant to Section VIII of the Bylaws of the Forest Greens Condominiums Association (the "Association"), the undersigned officer of the Association, pursuant to an affirmative vote of the members representing a majority of the units' votes in the Association, hereby adds the following to the Rules and Regulations for Forest Greens Condominiums ("Rules and Regulations") as follows:

1. **Smoking and vaping will be prohibited indoors in buildings 100, 200, & 300. Smoking & vaping would be restricted to patios, balconies, and outdoors only.**

2. **Outdoor Occasion Decorations: According to the By-Laws we strive for an uncluttered and minimalistic appearance. The outside of the buildings are maintained by the Association and decorations shall not damage the property or interfere with snow removal or lawn mowing. Below are the rules for decorating:**
 - **The Condos in the upper decks may decorate their railings and/or light the immediate roof line.**

 - **Outdoor decorations on or in the condos on the ground floor are limited to patios. Unit owners may decorate using small trees and/or light the immediate roof line.**

 - **Townhouses may decorate their garage outline and/or small displays are allowed in the immediate front entry alcove using the entry light for illumination.**

 - **All Condo/Townhouse owners may decorate the inside of their homes.**

 - **The Forest Greens Condominium Association reserves the right to request that inappropriate decorations be removed.**

- **Decorations can be put on the outside of the buildings & townhouses 30 days before the occasion and must be taken down no later than 30 days after the occasion.**

3. All other provisions of the Rules and Regulations shall remain in full force and effect.

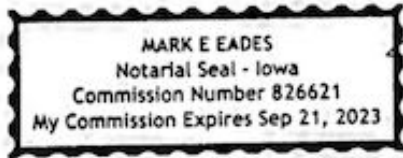
4. This Amendment shall be effective as of May 1, 2023.



David Blum, President

STATE OF IOWA)
) ss:
COUNTY OF LINN)

Acknowledged before me this 21 day of June, 2023, by David Blum, as President of Forest Greens Condominiums Association.


Notary Public in and for the State of Iowa

BK: 11102 PG: 659
Recorded: 8/4/2021 at 8:51:58.0 AM
County Recording Fee: \$12.00
Iowa E-Filing Fee: \$3.22
Combined Fee: \$15.22
Revenue Tax:
Joan McCalmant RECORDER
Linn County, Iowa
Unique Doc ID: 2655509

Prepared by: Kirsten H. Frey, Shuttleworth & Ingersoll, P.L.C., 327 2nd Ave. Suite 300, Coralville, IA 52241
(319) 365-9461
Address tax statement & return to: Abode Companies, Inc., 3405 7th Avenue, Suite 102, Marion, IA 52302

ASSIGNMENT AND ASSUMPTION OF DEVELOPMENT RIGHTS

THIS ASSIGNMENT AND ASSUMPTION OF DEVELOPMENT RIGHTS (the "*Assignment*") is made and entered into as of the 3rd day of August, 2021 and made effective August 3, 2021 (the "*Effective Date*"), by and between Hodge Construction Company, an Iowa corporation ("*Assignor*"), and Abode Construction, Inc., doing business as Abode Companies, Inc., an Iowa corporation ("*Assignee*").

WHEREAS, the Assignor is the "Developer" under that certain Declaration of Submission of Property to Horizontal Property Regime for Forest Greens Condominiums ("Regime") filed April 10, 2000 in Volume 4073, Page 617 of the records of the Linn County, Iowa Recorder (the "Declaration").

WHEREAS, the Assignor has been granted rights in its capacity as Developer under the Regime and Declaration (the "*Development Rights*") including, but not limited to, the right to develop the Regime pursuant to section I(B) of the Declaration and to file amendments to the Declaration to effectuate the same ;

WHEREAS, Assignor desires to assign its interest in all its Development Rights pertaining to the units to be conveyed to Assignee and Assignee desires to assume the same.

NOW, THEREFORE, in consideration of the material covenants and agreements entered herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. Assignment of Development Rights. Assignor hereby sells, assigns and transfers all of its Development Rights with respect to six (6) units located at 419, 421, 425, 427, 429, and 431 Cimarron Drive, Hiawatha, Iowa, legally described as:

Units 419, 421, 425, 427, 429 and 431 Forest Greens Condominiums, Linn County, Iowa, together with said units' undivided percentage interest in and to the common areas and facilities appurtenant thereto, all as appears of record and on land described in the Declaration recorded in the Office of the County Recorder, Linn County, Iowa, April 10, 2000, in Volume 4073, beginning at page 617, as may be amended, subject to easements, restrictions and covenants of record,

to Assignee and Assignee hereby assumes the same, which assignment shall be effective as of the Effective Date.

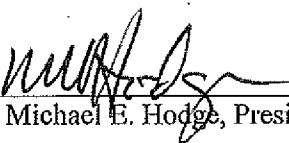
2. Assignor's Covenants. Assignor covenants with Assignee, and its successors in interest, that it holds and owns the Development Rights assigned herein, that it has good and lawful authority to

assign said rights to the Assignee; and that the Development Rights assigned herein are free of liens and encumbrances. Assignor further covenants to warrant and defend the assignment of the Development Rights hereunder to Assignee against all lawful claims of all persons.

3. Counterparts. This Assignment may be executed in counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument. If this Assignment is executed in counterparts, no signatory hereto shall be bound until each of the parties named below has duly executed or caused to be duly executed a counterpart of this Assignment.

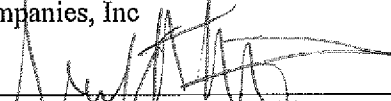
ASSIGNOR


HODGE CONSTRUCTION COMPANY


By: Michael E. Hodge, President

ASSIGNEE

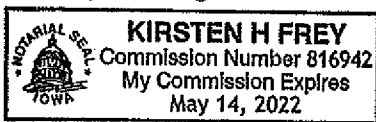
ABODE CONSTRUCTION, INC., d/b/a Abode Companies, Inc

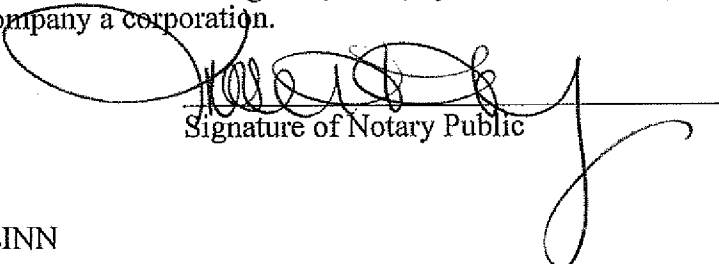

By: Jeffery A. Witter, President


By: Sarah J. Witter, Secretary

STATE OF IOWA, COUNTY OF JOHNSON

This record was acknowledged before me on August 3, 2021, by Michael E. Hodge, as President, of Hodge Construction Company a corporation.

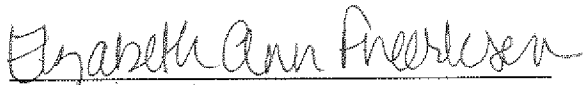



Signature of Notary Public

STATE OF IOWA, COUNTY OF LINN

This record was acknowledged before me on August 3, 2021, by Jeffery A. Witter as President and Sarah J. Witter, as Secretary of Abode Construction, Inc., doing business as Abode Companies, Inc.




Signature of Notary Public

BK: 11079 PG: 606
Recorded: 7/14/2021 at 10:39:26.0 AM
County Recording Fee: \$37.00
Iowa E-Filing Fee: \$3.69
Combined Fee: \$40.69
Revenue Tax:
Joan McCalmant RECORDER
Linn County, Iowa
Unique Doc ID: 2651514

**AMENDMENT TO THE DECLARATION OF SUBMISSION OF PROPERTY
TO HORIZONTAL REGIME ESTABLISHING A PLAN
FOR CONDOMINIUM OWNERSHIP OF PREMISES FOR
FOREST GREENS CONDOMINIUMS
Recorder's Cover Sheet**

NAME: FOREST GREENS CONDOMINIUMS

DECLARANT: Hodge Construction Company
711 S. Gilbert Street
Iowa City, IA 52240

DATE OF RECORDING
OF ORIGINAL DECLARATION: April 10, 2000

LEGAL COUNSEL: Kirsten H. Frey AT0002699
Shuttleworth & Ingersoll, P.L.C.
927 2nd Street, Suite 300
Coralville, IA 52241
Telephone: (319) 365-9461
Facsimile: (319) 365-8443

RETURN ADDRESS: Kirsten H. Frey
Shuttleworth & Ingersoll, P.L.C.
927 2nd Street, Suite 300
Coralville, IA 52241

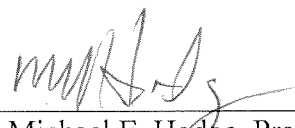
**AMENDMENT TO THE DECLARATION OF SUBMISSION OF PROPERTY
TO HORIZONTAL REGIME ESTABLISHING A PLAN
FOR CONDOMINIUM OWNERSHIP OF PREMISES FOR
FOREST GREEN CONDOMINIUMS**

COMES NOW, the Declarant, Hodge Construction Company, and for its Amendment to the Declaration of Condominium, hereby amends the original Declaration of Submission of Property to Horizontal 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 of the Records of Linn County, Iowa as amended to date, in the following particulars:

1. The Existing Exhibit "A" to the Declaration of Submission to Horizontal Property Regime is hereby deleted and the revised and amended Exhibit "A" attached hereto supersedes and replaces the prior "Exhibit A".
2. The Existing Exhibit "B" to the Declaration of Submission to Horizontal Property Regime is hereby deleted and the revised and amended Exhibit "B" attached hereto supersedes and replaces the prior "Exhibit B".

DATED this 13 day of July 2021

HODGE CONSTRUCTION COMPANY


By: Michael E. Hodge, President

STATE OF IOWA)
) ss:
JOHNSON COUNTY)

On this 13 day of July 2021, before me, a Notary Public in and for said county, personally appeared Michael E. Hodge, to me personally known, who being by me duly sworn did say that he is 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 Michael E. Hodge, as President and Secretary, acknowledged the execution of said instrument to be the voluntary act and deed of said corporation by it and by him voluntarily executed.

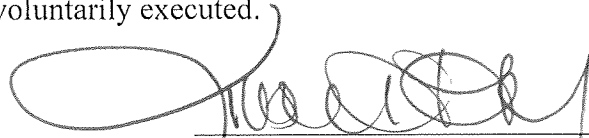

Notary Public in and for the State of Iowa



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:

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.

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 is set forth below.

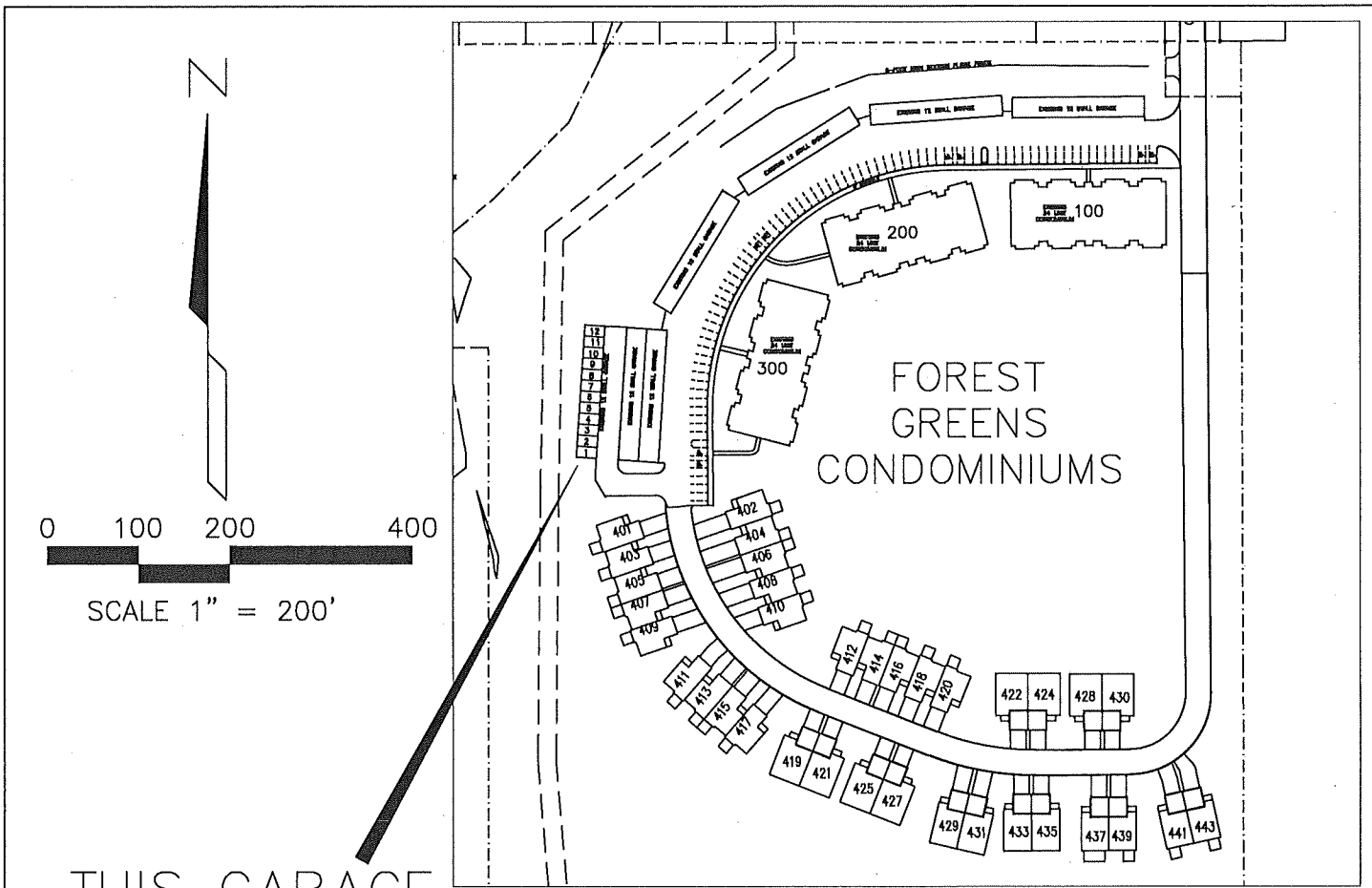
<u>Unit</u>	<u>Percentage Ownership in Common Elements</u>	<u>Share of Common Expenses</u>	<u>Votes in Association</u>	<u>Garage #</u>
101	.00694	0.0139 of Phase 1	1	101
102	.00694	0.0139 of Phase 1	1	102
103	.00694	0.0139 of Phase 1	1	103
104	.00694	0.0139 of Phase 1	1	104
105	.00694	0.0139 of Phase 1	1	105
106	.00694	0.0139 of Phase 1	1	106
107	.00694	0.0139 of Phase 1	1	107
108	.00694	0.0139 of Phase 1	1	108
109	.00694	0.0139 of Phase 1	1	109
110	.00694	0.0139 of Phase 1	1	110
111	.00694	0.0139 of Phase 1	1	111
112	.00694	0.0139 of Phase 1	1	112

<u>Unit</u>	<u>Percentage Ownership in Common Elements</u>	<u>Share of Common Expenses</u>	<u>Votes in Association</u>	<u>Garage #</u>
113	.00694	0.0139 of Phase 1	1	113
114	.00694	0.0139 of Phase 1	1	114
115	.00694	0.0139 of Phase 1	1	115
116	.00694	0.0139 of Phase 1	1	116
117	.00694	0.0139 of Phase 1	1	117
118	.00694	0.0139 of Phase 1	1	118
119	.00694	0.0139 of Phase 1	1	119
120	.00694	0.0139 of Phase 1	1	120
121	.00694	0.0139 of Phase 1	1	121
122	.00694	0.0139 of Phase 1	1	122
123	.00694	0.0139 of Phase 1	1	123
124	.00694	0.0139 of Phase 1	1	124
201	.00694	0.0139 of Phase 1	1	201
202	.00694	0.0139 of Phase 1	1	202
203	.00694	0.0139 of Phase 1	1	203
204	.00694	0.0139 of Phase 1	1	204
205	.00694	0.0139 of Phase 1	1	205
206	.00694	0.0139 of Phase 1	1	206
207	.00694	0.0139 of Phase 1	1	207
208	.00694	0.0139 of Phase 1	1	208
209	.00694	0.0139 of Phase 1	1	209
210	.00694	0.0139 of Phase 1	1	210
211	.00694	0.0139 of Phase 1	1	211 & M-5
212	.00694	0.0139 of Phase 1	1	212
213	.00694	0.0139 of Phase 1	1	213
214	.00694	0.0139 of Phase 1	1	214
215	.00694	0.0139 of Phase 1	1	215
216	.00694	0.0139 of Phase 1	1	216
217	.00694	0.0139 of Phase 1	1	217
218	.00694	0.0139 of Phase 1	1	218
219	.00694	0.0139 of Phase 1	1	219
220	.00694	0.0139 of Phase 1	1	220
221	.00694	0.0139 of Phase 1	1	221 & M-12
222	.00694	0.0139 of Phase 1	1	222
223	.00694	0.0139 of Phase 1	1	223
224	.00694	0.0139 of Phase 1	1	224
301	.00694	0.0139 of Phase 1	1	301
302	.00694	0.0139 of Phase 1	1	302
303	.00694	0.0139 of Phase 1	1	303
304	.00694	0.0139 of Phase 1	1	304
305	.00694	0.0139 of Phase 1	1	305
306	.00694	0.0139 of Phase 1	1	306
307	.00694	0.0139 of Phase 1	1	307
308	.00694	0.0139 of Phase 1	1	308 & M-6
309	.00694	0.0139 of Phase 1	1	309
310	.00694	0.0139 of Phase 1	1	310
311	.00694	0.0139 of Phase 1	1	311
312	.00694	0.0139 of Phase 1	1	312

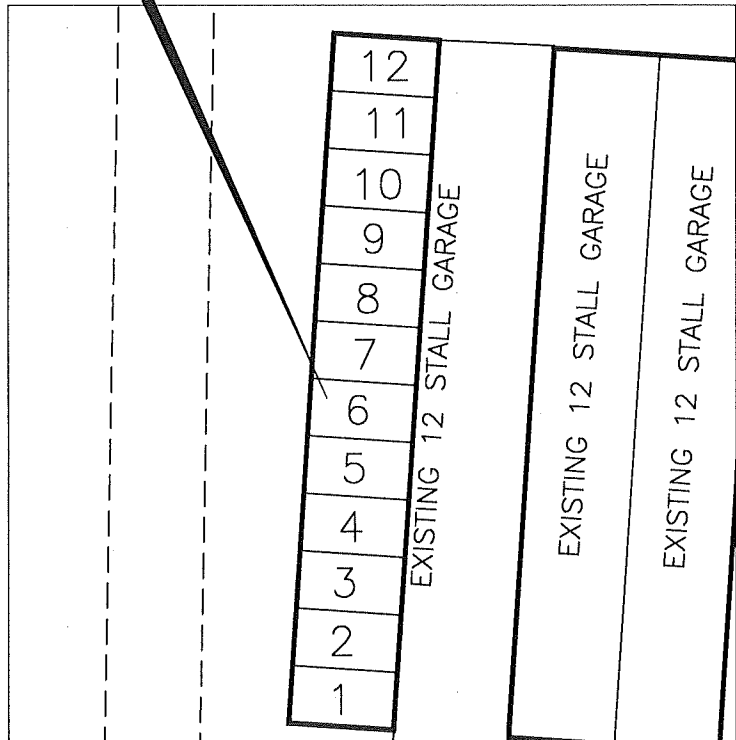
<u>Unit</u>	<u>Percentage Ownership in Common Elements</u>	<u>Share of Common Expenses</u>	<u>Votes in Association</u>	<u>Garage #</u>
313	.00694	0.0139 of Phase 1	1	313
314	.00694	0.0139 of Phase 1	1	314
315	.00694	0.0139 of Phase 1	1	315
316	.00694	0.0139 of Phase 1	1	316
317	.00694	0.0139 of Phase 1	1	317 & M-11
318	.00694	0.0139 of Phase 1	1	318
319	.00694	0.0139 of Phase 1	1	319
320	.00694	0.0139 of Phase 1	1	320
321	.00694	0.0139 of Phase 1	1	321
322	.00694	0.0139 of Phase 1	1	322
323	.00694	0.0139 of Phase 1	1	323
324	.00694	0.0139 of Phase 1	1	324
402	0.0135	0.0270 of Phase 2	1	402
404	0.0135	0.0270 of Phase 2	1	404
406	0.0135	0.0270 of Phase 2	1	406
408	0.0135	0.0270 of Phase 2	1	408
410	0.0135	0.0270 of Phase 2	1	410 & M-1
401	0.0135	0.0270 of Phase 2	1	401
403	0.0135	0.0270 of Phase 2	1	403
405	0.0135	0.0270 of Phase 2	1	405
407	0.0135	0.0270 of Phase 2	1	407
409	0.0135	0.0270 of Phase 2	1	409
411	0.0135	0.0270 of Phase 2	1	411
413	0.0135	0.0270 of Phase 2	1	413
415	0.0135	0.0270 of Phase 2	1	415 & M-2
417	0.0135	0.0270 of Phase 2	1	417
419	0.01575	0.0315 of Phase 2	1	419
421	0.01575	0.0315 of Phase 2	1	421
425	0.01575	0.0315 of Phase 2	1	425
427	0.01575	0.0315 of Phase 2	1	427
412	0.0135	0.0270 of Phase 2	1	412
414	0.0135	0.0270 of Phase 2	1	414 & M-10
416	0.0135	0.0270 of Phase 2	1	416 & M-4
418	0.0135	0.0270 of Phase 2	1	418 & M-3
420	0.0135	0.0270 of Phase 2	1	420
429	0.01575	0.0315 of Phase 2	1	429
431	0.01575	0.0315 of Phase 2	1	431
433	0.01575	0.0315 of Phase 2	1	433
435	0.01575	0.0315 of Phase 2	1	435
422	0.01575	0.0315 of Phase 2	1	422
424	0.01575	0.0315 of Phase 2	1	424

<u>Unit</u>	<u>Percentage Ownership in Common Elements</u>	<u>Share of Common Expenses</u>	<u>Votes in Association</u>	<u>Garage #</u>
428	0.01575	0.0315 of Phase 2	1	428
430	0.01575	0.0315 of Phase 2	1	430
437	0.0135	0.0270 of Phase 2	1	437
439	0.0135	0.0270 of Phase 2	1	439
441	0.0135	0.0270 of Phase 2	1	441
443	0.0135	0.0270 of Phase 2	1	443

3. The location of each Unit and number of rooms, and the immediate Common Area to which each unit has access is shown on the building plans, Exhibit "C" attached to the original Condominium Declaration. The patio or deck appurtenant to any Unit is designated as Limited Common Elements for that Unit. Garages are also Limited Common Elements for the applicable Unit owner.

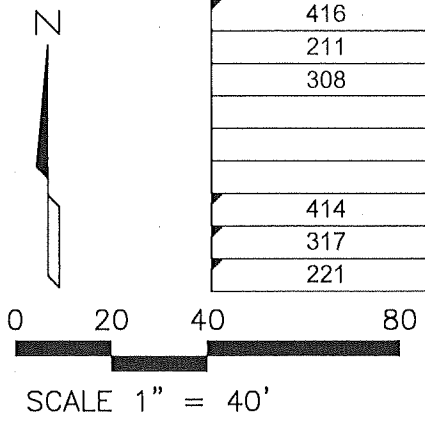


THIS GARAGE



OWNER: HODGE CONSTRUCTION COMPANY
 C/O MICHAEL HODGE
 711 S. GILBERT STREET
 IOWA CITY, IOWA 52240
 319-354-2233

Unit	Garage Number
410	1
415	2
418	3
416	4
211	5
308	6
	7
	8
	9
414	10
317	11
221	12



Project No.
179220-10



Drawing Title:

SITE PLAN
EXHIBIT B



Doc ID: 023623520003 Type: GEN
 Recorded: 12/11/2018 at 03:49:21 PM
 Fee Amt: \$17.00 Page 1 of 3
 Revenue Tax: \$0.00
 Linn County Iowa
 JOAN MCCALMANT RECORDER

BK 10259 PG 489-491

\$17.00 CLK 11016292

**Third Amendment to the Bylaws of Forest Greens Condominiums Association
 Recorder's Cover Sheet**

Preparer Information:

Laurie L. Dawley
 Shuttleworth & Ingersoll, P.L.C.
 P.O. Box 2107
 Cedar Rapids, IA 52406-2107
 Ph: 319-365-9461

Taxpayer Information: N/A

Return Address

Laurie L. Dawley
 Shuttleworth & Ingersoll, P.L.C.
 P.O. Box 2107
 Cedar Rapids, Iowa 52406-2107
 Ph: 319-365-9461

ENV

Grantor:

Forest Greens Condominiums Association

Legal Description: See attached Exhibit A

Document or instrument number if applicable:

Forest Greens Condominiums Association Bylaws recorded April 10, 2000, in Book 4073, Page 661 and Amendments to Bylaws recorded May 13, 2015, in Book 9244, Page 235 and October 7, 2015, in Book 9377, Page 6.

**Third Amendment to the Bylaws of
Forest Greens Condominiums Association**

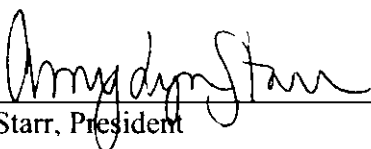
Pursuant to Section VII of the Bylaws of the Forest Greens Condominiums Association (the "Association"), the undersigned officer of the Association, pursuant to an affirmative vote of a majority of all votes entitled to be cast at a regular meeting of the Association held on May 18, 2018, hereby amends the Bylaws as follows:

1. Part II, Section 5 of the Bylaws is hereby amended and restated to read as follows:

5. A quorum at a members' meeting shall consist of the presence of members in person or by proxy, representing one third (33 1/3 %) of the units. The acts approved by a vote of a majority of the units represented at a meeting at which a quorum is present shall constitute the acts of the membership unless a different rule is provided herein or by the Articles of Incorporation, the Declaration or other agreement to which the Association is a party. The President, or, in his or her absence or disability, the Vice President shall preside at each members' meeting. If neither the President nor the Vice President is able to preside, a chairman shall be elected by the members present at such meeting.

2. All other provisions of the Bylaws of the Association, as amended, shall remain in full force and effect.

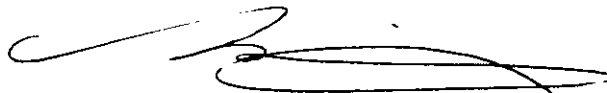
3. This Third Amendment shall be effective as of 12/10, 2018.



Amy Starr, President

STATE OF IOWA)
) ss:
COUNTY OF LINN)

Acknowledged before me this 10th day of December 2018, by Amy Starr as President of Forest Greens Condominiums Association.



Notary Public



Exhibit A

**Forest Greens Condominiums Association
(legal description)**

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, 60.0 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.

**AMENDMENTS TO RULES AND REGULATIONS FOR FOREST GREENS
CONDOMINIUM ASSOCIATION**

Preparer Information: John C. Wagner
John C. Wagner Law Offices, P.C.
1000 Collins Road N.E.
Cedar Rapids, IA 52402

Return Document To: Forest Greens Condo Association, Inc.
250 Cimarron Drive #105
Hiawatha, IA 52233

Legal Description: See Page 2.



Doc ID: 022049080004 Type: GEN
Recorded: 11/17/2015 at 03:50:57 PM
Fee Amt: \$22.00 Page 1 of 4
Revenue Tax: \$0.00
Linn County Iowa
JOAN MCCALMANT RECORDER

BK **9408** PG **280-283**

OK -
\$22.00 pd CK#6727

Legal Description

A part 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 Hiawatha;
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thence S00°08'38"E, 836.45 feet;
thence S89°51'22"W, 364.77 feet;
thence N64°25'19"W, 221.86 feet;
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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 Plan 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.

**AMENDMENT TO RULES AND REGULATIONS FOR FOREST GREEN
CONDOMINIUMS ASSOCIATION**

9. Operation of large appliances (i.e. refrigerators, freezers) is prohibited in the detached garages.

10. Items on top of deck railings shall be securely fastened to the railings or designed to fit on the railings.

11. Townhouse owners may install a storm door if it meets the following criteria. It shall be white, full view, with clear or low-e glass only. Retractable screens are allowed, but must meet above criteria. Maintenance of the storm door will be the responsibility of the unit owner.

