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Polk County Iowa  
JULIE M. HAGGERTY RECORDER  
File# 2008-00053429

BK 12507 PG 95-100

**Type of Document:** Amended and Substituted Third Amendment to Declaration of Submission of Property to Horizontal Property Regime

**Preparer Information:** (name, address and phone number)

Michael J. Green  
4500 Westown Parkway, Suite 277  
West Des Moines, IA 50266  
Phone: (515) 242-2431

**Taxpayer Information:** (name and complete address)

High Land Co., L.C.  
c/o Robert J. Caluzzi  
P.O. Box 27061  
West Des Moines, IA 50265

**RETURN TO:**

**Return Document To:** (name and complete address)

Michael J. Green  
4500 Westown Parkway, Suite 277  
West Des Moines, IA 50266

**Grantors:**

High Land Co., L.C.

**Grantees:**

**Legal Description:** See Page 2

**Document or instrument number of previously recorded documents:** Book 12280, Page 763, Book 12294, Page 723, Book 12484, Page 94 and Book 12484, Page 99.

ITC

573700

**AMENDED AND SUBSTITUTED  
THIRD AMENDMENT  
TO  
DECLARATION OF SUBMISSION OF PROPERTY  
TO HORIZONTAL PROPERTY REGIME  
INGERSOLL SQUARE CONDOMINIUMS**

High Land Co., L.C., an Iowa limited liability company, hereinafter referred to as "Developer", hereby executes this Second Amendment to Declaration of Submission of Property to a Horizontal Property Regime known as Ingersoll Square Condominiums.

**RECITALS AND SUBMISSION:**

A. This Amendment is filed to amend one certain Declaration of Submission of Property to Horizontal Property Regime Ingersoll Square Condominiums, dated July 10, 2007 and filed of record July 11, 2007 at Book 12280, Page 763, one certain First Amendment to Declaration of Submission of Property to Horizontal Property Regime, dated July 19, 2007 and filed of record July 20, 2007 at Book 12294, Page 723 and one certain Second Amendment to Declaration of Submission of Property to Horizontal Property Regime, dated the 14th day of December, 2007 and filed of record December 18, 2007 at Book 12484, Page 94, affecting the following described real property:.

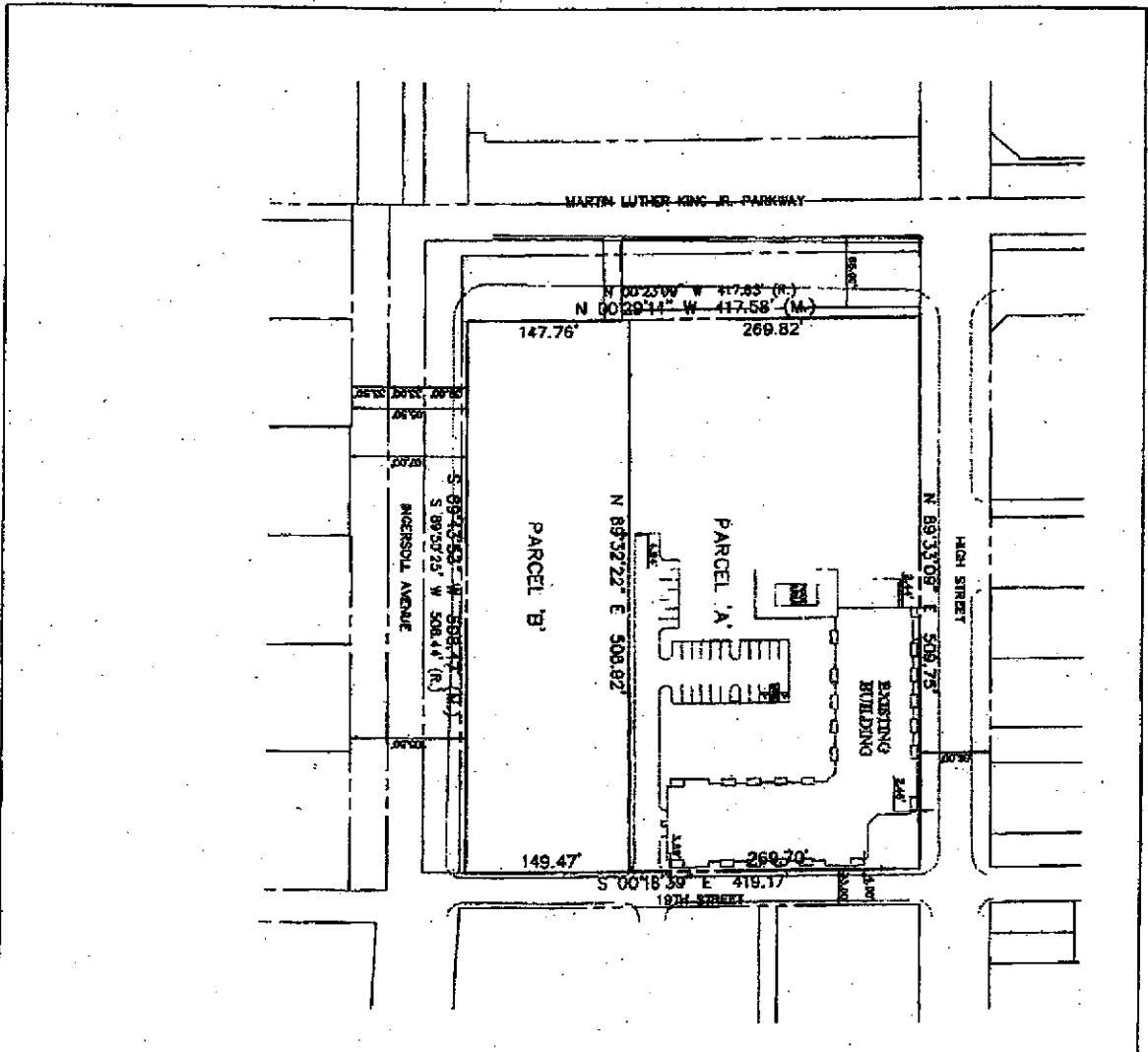
All of Lots 1 through 8 and the East 51 feet of Lot 9 in Block B in West and Burton's Addition, an Official Plat; and all of Lots 1 through 9 in Harding Road Place, an Official Plat, now included in and forming a part of Des Moines, Polk County, Iowa, being subject to established easements of record; and the 16.0 foot wide vacated East/West Alley Right-of-Way lying South of and adjoining Lots 1 through 8, and lying South of and adjoining the East 51.0 feet of Lot 9, in Block B, West and Burton's Addition, an Official Plat; and which lies North of and adjoining Lots 1 through 9, Harding Road Place, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa, except the portion of Lots 8 and 9 of Block B, West and Burton's Addition, and the portions of Lots 1 through 9 of Harding Road Place that were condemned by the City of Des Moines, Iowa, in those condemnation proceedings filed for record in the Office of the Polk County Recorder on June 21, 2002, at Book 9194, commencing at Page 1, together with all easements and servient estates appurtenant thereto.

B. Other than the amendments specifically referenced herein, all other provisions of the original Declaration remain unchanged.

NOW, THEREFORE, the Developer, in accordance with the provision of Article XI(1)(c) of the above-referenced Declaration hereby amends the same as follows:







**PLAT OF SURVEY**  
**SHEET 2 OF 2**

**OWNER/DEVELOPER**  
 WEST LAMB CO., LLC  
 1001 WEST LAMB AVENUE  
 SUITE 500 DENVER, COLORADO 80202  
 (303) 440-4327

**NOTE**  
 ALL DISTANCES AND BEARINGS SHOWN ARE BASED ON THE PLAN INFORMATION.  
 NO FIELD SURVEY INFORMATION HAS BEEN OBTAINED.

**LEGEND**

- ▲ PART BOUNDARY
- SECTION CORNER
- CHAIN CORNER & POINT
- SET POINT BEARING & DIST.
- YELLOW CONCRETE PIPE
- IRON ROD
- OLD NAIL
- BARRIED DISTANCE
- UNBARRIED DISTANCE
- PREVIOUSLY RECORDED DISTANCE
- PUBLIC UTILITY EASEMENT
- PAUL



**COOPER CRAWFORD**  
 & ASSOCIATES, L.L.C.

CIVIL ENGINEERING  
 3107 GRAND AVENUE, WEST TOWN DENVER, COLORADO 80202  
 PHONE (303) 241-1144 FAX (303) 241-1146

SCALE: 1"=20'  
 DATE: 10-26-07  
 JOB NUMBER:  
 CC  
 0872

Legal Description

Parcel 'B'

A part of Lots 2,3,4,5,6,7,8 and 9, of Harding Road Place, an official plat, and a part of Lots 1,2,3,4,5,6,7 and 8 of Block B, West and Burton's Addition, an official plat, and including a part of the vacated alley lying between said West and Burton's Addition and said Harding Road Place, City of Des Moines, Polk County, Iowa more particularly described as follows:

Commencing at the Southeast corner of said Lot 1, West and Burton's Addition; thence S00°18'39"E, 0.49 feet along the West right-of-way line of 19<sup>th</sup> Street as it is presently established to the Point of Beginning; thence continuing S00°18'39"E, 149.47 feet along said West right-of-way line to the North right-of-way line of Ingersoll Avenue as it is presently established; Thence S89°43'53"W, 508.47 feet along the said north right-of-way line to the East right-of-way line of Martin Luther King Junior Parkway as it is presently established; thence N00°29'14"W, 147.76 feet along said East right-of-way line; thence N89°32'22"E, 508.92 feet to the Point of Beginning.

Said tract of land contains 1.736 acres more or less.

Said tract of land subject to and together with any and all easements of record.

Parcel 'A'

A part of Lots 1-8, of West and Burton's Addition, an official plat, and a part of the vacated alley lying between said West and Burton's Addition and Harding Road Place, an official plat, City of West Des Moines, Polk County, Iowa more particularly described as follows:

Beginning at the Northeast corner of said Lot 1, West and Burton's Addition, said point also being on the West Right-of-Way line of 19<sup>th</sup> Street as it is presently established and on the South Right-of-Way line of High Street as it is presently established; thence S00°18'39"E, 269.70 feet along East line of said Lot 1 and the said West Right-of-Way line; thence N89°32'22"E, 508.92 feet to the East Right-of-Way of Martin Luther King Jr. Parkway, as it is presently established; thence N00°29'14"W, 269.82 feet along said East Right-of-Way line to the said High Street South Right-of-Way line, said point also being on the north line of said Lot 8; thence N89°33'09"E, 509.75 feet along said South Right-of-Way line to the point of beginning.

Said tract of land contains 3.155 acres more or less.

Said tract of land subject to and together with any and all easements of record.