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Polk County Iowa JULIE M. HAGGERTY RECORDER File# 2014-00028571

вк 14972 рс 210-213

Type of Document: Approval by Members of Tradition Commercial Owners Association

Craig Kelinson, 5950 University Ave., Suite 321 WDM, Iowa 50266

Preparer Information: (Individual's Name, Street Address, City, Zip, Phone)

The Iowa Clinic, P.C., 5950 University Ave., Suite 321, WDM, Iowa 50266

Taxpayer Information: (Individual/Company Name, Street Address, City, Zip)

Craig Kelinson, 5950 University Ave., Suite 321, WDM, Iowa 50266

Return Document to: (Individual/Company Name, Street Address, City, Zip)

**Grantors:** 

**Grantees:** 

## **Legal Description:**

Lot 1, Tradition Plat 1, Ankeny, Polk County, Iowa

**Book & Page Reference:** 

## APPROVAL BY MEMBERS OF TRADITION COMMERCIAL OWNERS ASSOCIATION

- A. The undersigned are Owners of lots described on Exhibit "A" attached hereto.
- B. As the Owners of such lots, the undersigned constitute more than two-thirds (2/3) of the allocated voting interest of the Members of Tradition Commercial Owners Association, an Iowa non-profit corporation ("Association"), as specified in Article I, Section 2 of that certain Declaration of Reciprocal Covenants and Restrictions filed December 11, 2006 in Book 11987, Page 210 of the records of the Polk County, Iowa, Recorder ("Declaration").
- C. Article III, Section 1 of said Declaration burdens the Owners by and through the Association with the maintenance of Monument Signs, including one located at the corner of SW Oralabor Road and SW State Street.
- D. Article V, Section 2 of the Declaration provides that the Declaration of Reciprocal Covenants and Restrictions may be amended by the "affirmative vote of not less than two-thirds (2/3) of the Owners pursuant to the allocation of voting by the Owners".
- E. The Association hereby waives its right to have an Association Monument Sign located at the corner of SW Oralabor Road and SW State Street. The Association assigns all rights of such Association Monument Sign to The Iowa Clinic Holding Company, LLC, as Owner of Lot 1, Tradition Plat 1, Ankeny, Polk County, Iowa, for its use in connection with the ownership of said Lot 1.
- F. The Iowa Clinic Holding Company, LLC, as Owner of Lot 1, Tradition Plat 1, Ankeny, Polk County, Iowa, subject to the Monument Sign Easement, filed December 11, 2006 in Book 11987, Page 217-221 of the records of the Polk County, Iowa, Recorder ("Monument Sign Easement"), hereby accepts such assignment and agrees to assume all responsibilities of the Association for the maintenance of said sign as required under Article III, Section 1 of the Declaration. The Monument Sign Easement is hereby amended by deleting the second legal description on Exhibit "B" thereof, describing a portion of Lot 1, Tradition Plat 1, Ankeny, Polk County, Iowa.
- G. The undersigned owners execute this instrument for the purpose of amending the Declaration to omit and delete from Article III, Section 1: "... (i) the corner of SW Oralabor Road and SW State Street;"

Each person executing this instrument warrants and represents that he or she is duly authorized and empowered to execute and deliver this instrument and is doing so in full and complete compliance with all legal and organizational requirements of the party that he or she represents. This instrument may be executed in counterparts.

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STATE OF IOWA  ) SS:  COUNTY OF JOHNSON  This instrument was acknowledged before me this 24 day of 244, 2013 by 2011 Bradford thousas of Campus Town, LLC.  ALDUANA SUBASIC  ALDUANA SUBASIC  ALDUANA SUBASIC  Omnossion Process  Dec. 21, 2015	Dated: 7/24/(3 , 2013.  CAMPUS TOWN, LLC  BY:
STATE OF IOWA )  SS:  COUNTY OF POLK )  This instrument was acknowledged before me this 20th day of July ,  2013 by Colonia Brown as as of The Iowa Clinic Holding Company, LLC a/k/a The Iowa Clinic Holding Co, LLC.	Dated: July 30 , 2013.  THE IOWA CLINIC HOLDING COMPANY, LLC a/k/a THE IOWA CLINIC HOLDING CO, LLC  BY: July 30 , 2013.  Owner of Lot 1, Tradition Plat 1, Ankeny, Polk County, Iowa
Motary Public	ERICA M. WHITE Commission Number 716306 My Commission Expires

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## Exhibit "A"

LOTS 1-6 IN TRADITION PLAT 1, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF ANKENY, POLK COUNTY, IOWA.

AND

LOTS 1-6 IN TRADITION PLAT 2, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF ANKENY, POLK COUNTY, IOWA.

**AND** 

LOT 2 IN HIGHPOINTE NORTH PLAT 1, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF ANKENY, POLK COUNTY, IOWA.

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