

**2019-12880**  
**RECORDED: 10/16/2019 09:45:49 AM**  
**RECORDING FEE: 17.00**  
**IOWA E-FILING FEE: 3.00**  
**TOTAL FEE: 20.00**  
**TRANSFER TAX: 0.00**  
**MARK BRANDENBURG, RECORDER**  
**POTTAWATTAMIE COUNTY, IOWA**

**SECOND AMENDED  
BYLAWS OF THE COUNCIL OF CO-OWNERS OF  
THE HORIZONTAL PROPERTY REGIME (CONDOMINIUM), KNOWN AS  
ARBOR RIDGE CONDOMINIUMS PHASE II  
ADOPTED JULY 27, 2019  
Recorder's Cover Sheet**

**Preparer Information:**

Kale B. Rogers, 233 Pearl Street, Council Bluffs, (712) 328-3157

**Taxpayer Information:**

N/A

**Return Address**

Kale B. Rogers  
233 Pearl Street  
P.O. Box 1078  
Council Bluffs, IA 51502-1078

**Legal Description:**

Units 1 through 32, both inclusive, of Arbor Ridge Condominiums Phase II, Council Bluffs, Iowa, together with all interests in and to the common area, together with limited common elements, all as described in the Declaration of Submission of Property to Horizontal Property Regime for Arbor Ridge Condominiums Phase II, recorded on November 18, 1987 in Book 87 at page 11240 of the records in the office of the Pottawattamie County Recorder, and as Amended, recorded on June 25, 2009 in Book 2009, Page 9018 of the records in the office of the Pottawattamie County Recorder.

SECOND AMENDED  
BYLAWS OF THE COUNCIL OF CO-OWNERS OF  
THE HORIZONTAL PROPERTY REGIME (CONDOMINIUM), KNOWN AS  
ARBOR RIDGE CONDOMINIUMS PHASE II

The Second Amended Bylaws of the Council of Co-Owners of the Horizontal Property Regime (Condominium), known as Arbor Ridge Condominiums Phase II amend Article X, Section 1 of the Amended Bylaws of the Council of Co-Owners of the Horizontal Property Regime (Condominium), known as Arbor Ridge Condominiums Phase II located in Council Bluffs, Iowa. The original bylaws were adopted on November 16, 1987 and were recorded November 18, 1987 as part of the Declaration of Submission of Property to Horizontal Property Regime for Arbor Ridge Condominiums Phase II (hereinafter the "Declaration", which was recorded in Book 87, Page 11240 of the records in the Pottawattamie County Recorder's office. Amended Bylaws of the Council of Co-Owners of the Horizontal Property Regime (Condominium), known as Arbor Ridge Condominiums Phase II were recorded on June 25, 2009 in Book 2009, Page 9018 of the records of the Pottawattamie County Recorder's office.

These Second Amended Bylaws were adopted at a meeting of the Council of Co-Owners on July 27, 2019 by a vote of 20 to 4 representing 62.5 percent of the Co-Owners (by percentage of total Co-Owners) ( $20/32 = 62.5\%$ ) voting in favor of adoption.

Article X, Section 1, "Assessments", of the Bylaws now reads as follows:


SECTION 1. ASSESSMENTS. All owners are obligated to pay monthly assessments imposed by the Board or the Council to meet all common area expenses, including liability insurance premiums and insurance premiums for casualty losses. Effective July 1, 2020, the assessments shall be made on a pro rata basis according to the number of units owned by each co-owner compared to the total number of all units then currently owned by all co-owners.

Such assessments may include monthly payments to a general operating reserve fund, part of which may be allocated to a reserve fund for contingencies. Each owner will voluntarily pay said monthly assessment to the Treasurer and upon failure to do so, shall be subject to the provisions of Section 2 of this Article. In addition to the assessed amount, a late penalty equal to a maximum of the greater of \$25.00 or one percent (1%) provisions of the delinquent assessment, shall be assessed monthly and shall be subject to the provisions of Section 2 of this Article. The Board of Directors shall have the discretion to waive the collection of the late penalty for cause. All owners shall pay before they become delinquent the real property taxes and special assessments which will be levied on their respective apartments under the provisions of Section 499B.11 of the Code of Iowa. All utilities used in each apartment shall be metered separately and the expense of said utilities shall be paid by the owner of the apartment directly to the supplier or suppliers thereof.

All other Articles and Sections of the Amended Bylaws remain in full force and effect.

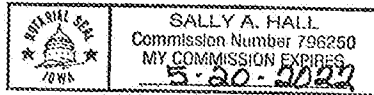
Adopted on July 27, 2019 by vote of the Council of Co-Owners.

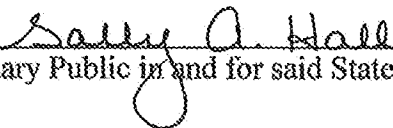
By:   
Larry D. Rockwell, President

By:   
Anneta L. Silvius, Vice President

STATE OF IOWA )  
 )ss.  
COUNTY OF POTTAWATTAMIE )

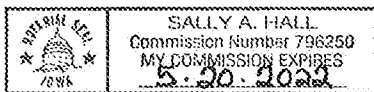
This record was acknowledged before me on the 14 day of October, 2019, by Larry D. Rockwell the President of Council of Co-Owners of the Horizontal Property Regime (Condominium), known as Arbor Ridge Condominiums Phase II located in Council Bluffs, Iowa.

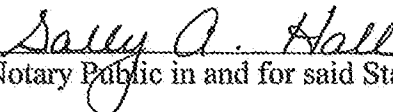


  
Notary Public in and for said State

STATE OF IOWA )  
 )ss.  
COUNTY OF POTTAWATTAMIE )

This record was acknowledged before me on the 14 day of October, 2019, by Anneta L. Silvius as the Vice-President of Council of Co-Owners of the Horizontal Property Regime (Condominium), known as Arbor Ridge Condominiums Phase II located in Council Bluffs, Iowa.



  
Notary Public in and for said State