

RAH6/mh10.2490
RAH6/mh10.3190

CONFIDENTIAL

STATE OF IOWA, Polk/Warrick County
Filed for record the 9 day of Nov
19 90 at 9 o'clock AM and recorded
in Book 97 page 1046
John Sciorino
Recorder
By *George D. Jones*

Fee 20.00 ✓
5116

FIRST AMENDMENT TO DECLARATION OF SUBMISSION
OF PROPERTY TO
HORIZONTAL PROPERTY REGIME
FOR ARBOR RIDGE
CONDOMINIUMS PHASE II, COUNCIL BLUFFS, IOWA

The undersigned, TNML Development Company, Inc., a corporation hereinafter referred to as "Developer" under the provisions of Article III (3), does hereby amend the Declaration of Submission of Property to Horizontal Property Regime for Arbor Ridge Condominiums Phase II, Council Bluffs, Iowa as follows, to-wit:

ARTICLE I

Attached hereto and marked Exhibit "A" is a copy of a revised floor plan and foundation plan showing the location, design, and size of the condominium units to be built and numbered units 29, 30, 31, and 32. The attachment shows there are no changes in the size and location of the parking areas made necessary as a result of the change in the location, design and size of the proposed condominium units and also shows the change of the interior design and arrangement of the apartments.

ARTICLE II

This amendment is made at a time when the Developer owns the proposed apartments and condominium units so altered as provided by Article III (3) of the original Declaration referred to above.

ARTICLE III

This amendment does not change the percentage of ownership of the common elements which are allocated to the altered apartments.

ARTICLE IV

The invalidity of any part or portion hereof shall not affect the validity of the remaining portion.

ARTICLE V

Except as modified hereby, all terms and conditions of the original Declaration of Submission of Property to Horizontal Property Regime for Arbor Ridge Condominiums Phase II, Council Bluffs, Iowa, and the Bylaws of the Council of Co-Owners of the Horizontal Property Regime (Condominium)

COMPARED

known as Arbor Ridge Condominiums Phase II shall remain in full force and effect.

DATED this 29th day of October, 1990.

TNML DEVELOPMENT COMPANY, INC.

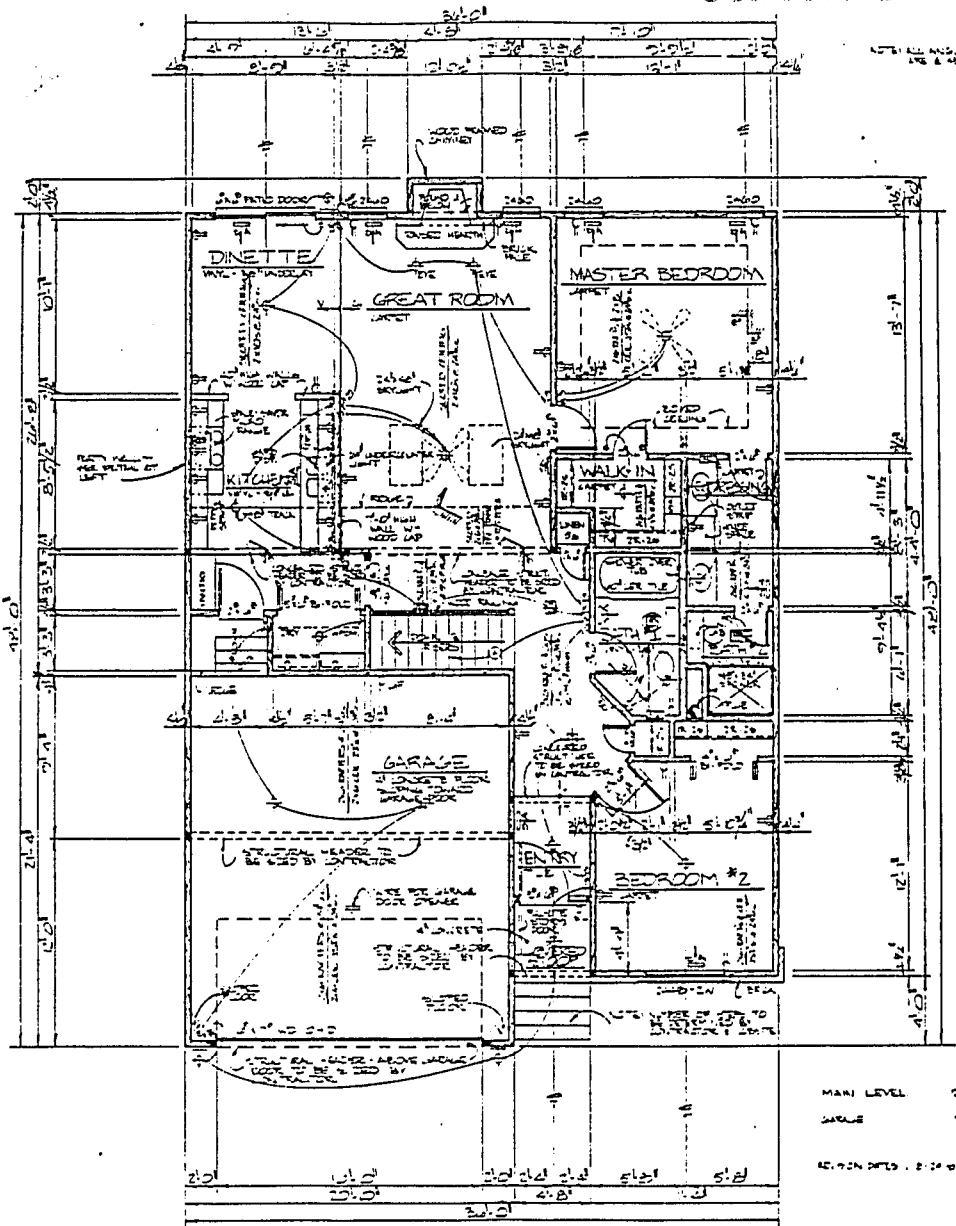
BY: H. Gene McKeown
H. GENE MCKEOWN, President

STATE OF IOWA)
COUNTY OF POTTAWATTAMIE) ss.

On this 29th day of October, 1990, before me, the undersigned, a Notary Public in and for said State, personally appeared H. Gene McKeown, to me personally known, who being by me duly sworn, did say that he is the President of said corporation executing the within and foregoing instrument; that no seal has been procured by the corporation; that said instrument was signed on behalf of said corporation by authority of its (Board of Directors or Trustees); and that the said President as such officer acknowledged the execution of said instrument to be the voluntary act and deed of said corporation by it and by him voluntarily executed.

Gia D. Dornley
NOTARY PUBLIC IN AND FOR SAID STATE



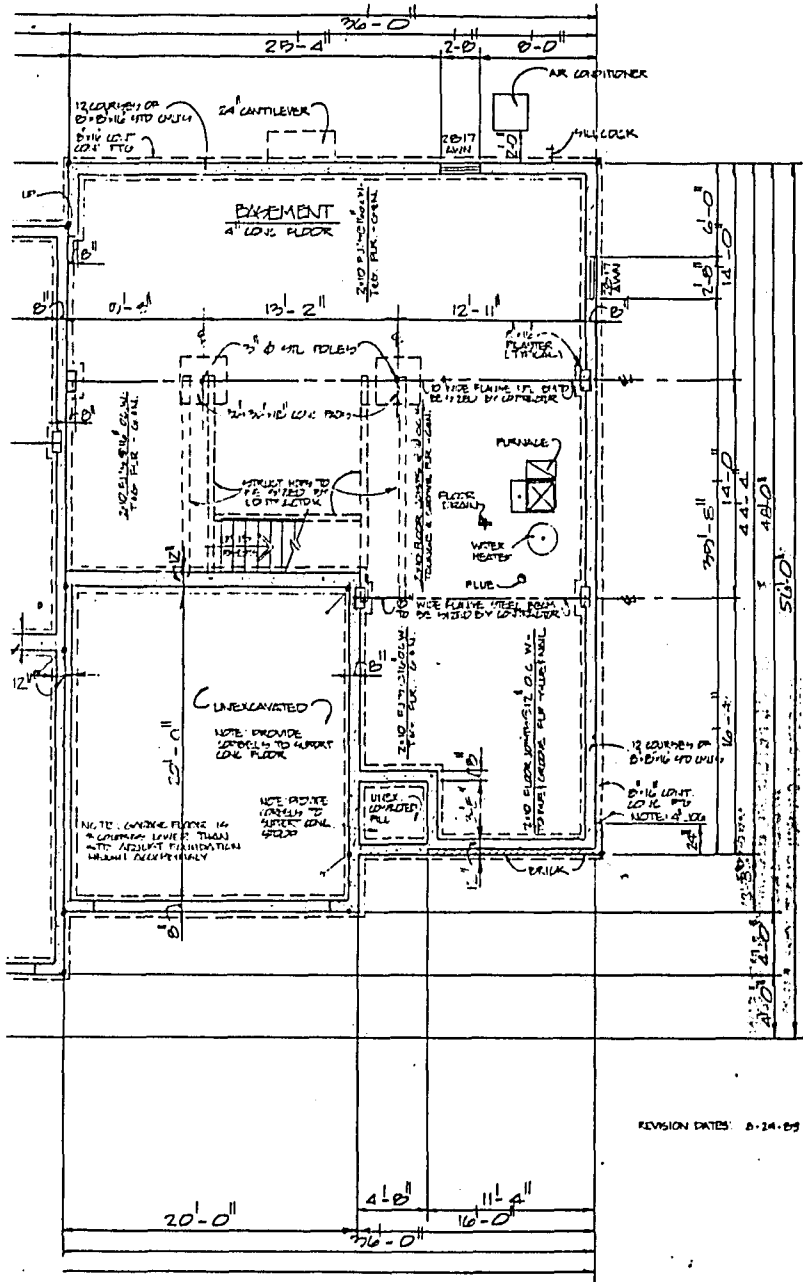


MAIN LEVEL FLOOR PLAN

EXHIBIT "A"

91 10418

FOOR COPY



FOUNDATION PLAN