

INSTR.NO. 04 04674

BK _____ PAGE _____

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JAN BORTSCHELLER
RECORDER
DICKINSON COUNTY, IOWA
FEE \$ 37.00

Preparer

Information David J. Stein, Sr., Stein Law Office, L.L.P., 926 Okoboji Av., P.O. Box 537, Milford, IA 51351, (712) 338-2431

Individual's Name	Street Address	City	Phone
David J. Stein, Sr.	ISBA # 00005281		

AFFIDAVIT RE VILLAS OF WEST OKOBOJI MEADOWS CONDOMINIUMS, A HORIZONTAL PROPERTY REGIME LOCATED ON LOTS 22, 23, 24, AND 25, IN THE PLAT OF WEST OKOBOJI MEADOWS, IN THE CITY OF OKOBOJI, DICKINSON COUNTY, IOWA SUPPLEMENTING THE AFFIDAVIT DATED JUNE 1, 2004 AND FILED JUNE 7, 2004 IN BOOK 25, PAGE 49 AS INSTRUMENT NO. 04 03835 OF THE DICKINSON COUNTY RECORDER'S OFFICE

STATE OF IOWA, COUNTY OF DICKINSON, ss:

I, the undersigned, being first duly sworn upon oath, state of my own personal knowledge:

- I am a licensed attorney in the State of Iowa;
- Pursuant to Exhibits A and B attached to above described June 1, 2004 Affidavit, all mortgagees (including the mortgagee of Unit 1203-4) with mortgages encumbering the Units in the Villas of West Okoboji Meadows have executed and consented to said Second Amendment.
- Corporate counsel for mortgagee, Aegis Funding Corporation, which has a mortgage on Unit 1203-4 had advised that it assigned its mortgage dated February 23, 2004 recorded February 25, 2004 in the records of the Office of the Recorder of the County of Dickinson, State of Iowa, in Book 260, Page 293 to Ocwen Federal Bank FSB. Said Second Amendment was forwarded to said Ocwen Federal Bank FSB for their review and signature. The Ocwen Federal Bank FSB, attorney in fact for Wachovia Bank, N.A., has now executed a partial release of said Lot 21 and has consented to said Second Amendment. Said original executed and duly notarized partial release and consent is attached hereto as Exhibit 1.
- Also attached hereto as Exhibit 2 is the original executed Villas of West Okoboji Meadows Owners Association, Inc.'s Resolution Approving and Ratifying the Second Amendment to and Ratification of Submission of Property to Horizontal Property Regime for Villas of West Okoboji Meadows Condominiums with attached copy of the Notice of Meeting thereof provided to our office by Warren Melles, President of Villas of West Okoboji Meadows Owners Association.

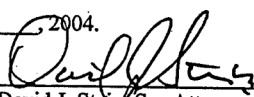
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Extension of Entry #87

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July 9, 04

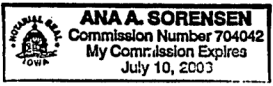
5. Also attached hereto as Exhibit 3 is the original executed Special Board Meeting Minutes provided to our office by Warren Melles, President of Villas of West Okoboji Meadows Owners Association. Said Exhibit 3 shows among other things, that Board member Jerry Houck attended the meeting, that the agenda for said meeting was to consider and ratify the Amendment and Association Quit Claim Deed to Dennis A. LeVett and that after discussion, the agenda item was approved and signed.

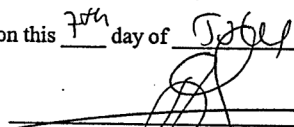
All as I verily believe.

Dated this 7th day of July, 2004.


David J. Stein, Sr., Attorney

Subscribed and sworn to before me on this 7th day of July, 2004.





NOTARY PUBLIC - STATE OF IOWA

The Unit 1203-4 Owner(s)/Titleholder(s) and Mortgagee (if applicable) waive notice of meeting and consent to the Second Amendment to Declaration of Horizontal Property Regime of Villas of West Okoboji Meadows Condominiums.

CLAY L. COOK (Signature) DATE

THERESA COOK (Signature) DATE

On this _____ day of _____, 2004, before me, the undersigned, a Notary Public in and for said State, personally appeared CLAY L. COOK AND THERESA COOK, HUSBAND AND WIFE, to me known to be the identical person(s) named in and who executed the foregoing instrument and acknowledged that he/she/they executed the same as their voluntary act and deed.

Notary Public in and for said State

MORTGAGEE OF Unit 1203-4:

Print Name of Bank/Financial Institution: WACHOVIA BANK, N.A. AS TRUSTEE *
The undersigned(s), the present owner(s) of the mortgage hereinafter described, for valuable consideration, receipt of which is hereby acknowledged, hereby consent to the Second Amendment to Declaration of Horizontal Property Regime of Villas of West Okoboji Meadows Condominiums and do hereby acknowledge that the following described real estate situated in Dickinson County, Iowa, to wit: Lot 21 in the Plat of West Okoboji Meadows, in the City of Okoboji, Dickinson County, Iowa is hereby released from the lien of the real estate mortgage, executed by CLAY L. COOK AND THERESA COOK, HUSBAND AND WIFE, dated February 23, 2004 recorded February 25, 2004 in the records of the Office of the Recorder of the County of Dickinson, State of Iowa, in Book 260, Page 293 specifically reserving and retaining the mortgage lien and all mortgage rights against all of the remaining property embraced in the mortgage above described.

Date: JUNE 23, 2004 * BY ITS ATTORNEY IN FACT OWEN FEDERAL BANK FSB

By (Signature of Corporate Officer) By (Signature of Corporate Officer)

PRINT NAME & TITLE OF OFFICER PAUL NEFF, SERVICING OFFICER

STATE OF FLORIDA, COUNTY OF PALM BEACH, ss:
On this 23RD day of JUNE, 2004, before me, the undersigned, a Notary Public in and for said State, personally appeared PAUL NEFF and _____ to me personally known, who, being by me duly sworn, did say that he/she/they is/are the SERVICING OFFICER and _____ of said corporation and that said instrument was signed on behalf of said corporation by authority of its Board of Directors and he/she/they acknowledged the execution of said instrument to be the voluntary act and deed of the corporation by it and by him/her/them voluntarily executed.

Kevin Magyar My Commission DD197667 Expires March 27 2007

Notary Public in and for said State



**VILLAS OF WEST OKOBOJI MEADOWS OWNERS ASSOCIATION, INC.
RESOLUTION NO. _____**

**RESOLUTION APPROVING AND RATIFYING THE SECOND
AMENDMENT TO AND RATIFICATION OF SUBMISSION OF PROPERTY TO
HORIZONTAL PROPERTY REGIME FOR
VILLAS OF WEST OKOBOJI MEADOWS CONDOMINIUMS**

WHEREAS, the Declaration of the Establishment of Villas of West Okoboji Meadows Condominiums as a Horizontal Property Regime (Condominium) filed in the Dickinson County Recorder's Office on July 5, 2000, in Book 15, Page 87 as Instrument No. 003408 (hereinafter the "Declaration") established and set forth Articles of Incorporation of Villas of West Okoboji Meadows Owners Association, Inc. ("Owners Association") and Bylaws of said Owners Association;

WHEREAS, pursuant to Article IV of said Bylaws, the Owners Association has all the powers and duties including the power to amend provisions of the Horizontal Property Act, the Articles of Incorporation, and the Declaration;

WHEREAS, the Developer filed the First Amendment to and Ratification of Submission of Property to Horizontal Property Regime for Villas of West Okoboji Meadows Condominiums, in the Dickinson County Recorder's Office on August 1, 2000 in Book 15, Page 211 as Instrument No. 004000 (hereinafter the "First Amendment") which corrected among other things, the legal description of said property submitted to the Horizontal Property Regime for Villas of West Okoboji Meadows Condominiums to Lots 21, 22, 23, 24 and 25 in West Okoboji Meadows, an Official Plat, now included in and forming a part of the City of Okoboji, Dickinson County, Iowa;

WHEREAS, all the record titleholders in the Villas of West Okoboji Meadows Condominiums, with the exception of the titleholder for Unit 1201-1, Mr. Jerry Houck, have executed the Second Amendment to and Ratification of Submission of Property to Horizontal Property Regime for Villas of West Okoboji Meadows Condominiums filed May 21, 2004 in Book 21, Page 677 as Instrument No. 04 03334 of the Dickinson County Recorder's Office ("Second Amendment"), waived notice of meeting thereof, and consented to said Second Amendment;

WHEREAS, all the record titleholders in the Villas of West Okoboji Meadows Condominiums, with the exception of the titleholder for Unit 1201-1, Mr. Jerry Houck, have executed a Quit Claim Deed to Dennis A. LeVett of Lot 21 in the Plat of West Okoboji Meadows, in the City of Okoboji, Dickinson County, Iowa. Said Quit Claim Deed was filed May 21, 2004 in Book 165, Page 459 of the Dickinson County Recorder's Office ("Quit Claim Deed");

WHEREAS, President of the Owners Association, Warren Melles was appointed Chairman of the meeting;



WHEREAS, the Chairman then called for a roll call of all the members present;

WHEREAS, the Chairman then called for certification of all the proxies and was presented with the attached duly executed proxies;

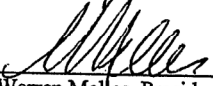
WHEREAS, the Chairman, in accordance with the Notice setting hearing hereof and in accordance with the Articles and Bylaws of said Owners Association, has notified members, Chris Hinkeldey, Debbie Kress and Jerry Houck, of said meeting by mailing via U.S. mail or delivering the same not less than ten (10) days and not more than thirty (30) days prior to the date of meeting. All other titleholders with the exception of member Jerry Houck had previously waived notice of meeting and consented to said Second Amendment. A copy of said Notice is hereto attached;

WHEREAS, the Chairman called for the members' vote relative to ratification of said Amendment and Quit Claim Deed;

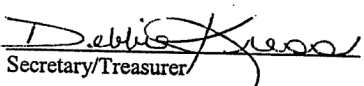
WHEREAS, the Chairman upon counting said votes and including the votes by proxy, states that the members/owners have voted on said ratification of the Second Amendment and have casted in excess of 67% of the votes in favor of approval of said ratification of the Second Amendment and the Quit Claim Deed.

NOW, THEREFORE, BE IT RESOLVED that the said proposed ratification of the Second Amendment and Quit Claim Deed is hereby passed and approved. The Owners Association President, Warren Melles, is hereby authorized and directed to take such actions as may be necessary in this regard.

Passed and approved this 1st of JULY, 2004.


 Warren Melles, President
 Villas of West Okoboji Meadows Owners
 Association

ATTEST:


 Secretary/Treasurer

E:\DJS-SR\REALESTATE\Oaks Dev. Co-Amend to Villas W Okob Meadows (7104)\Resolution appr
 ratification.doc

West Okoboji
MEADOWS

P.O. Box 574
Okoboji, IA 51355

06/16/2004

BOARD MEMBERS

To: Chris Hinkeldey
1207 Eloise Street - 5
Okoboji, IA 51355

Debbie Kress
1207 Eloise Street - 1
Okoboji, IA 51355

Special Invitee: Jerry Houck
P.O. Box 772
Okoboji, IA 51355

All other unit owners have previously waived notice of
this meeting.

Re: Special Owners Association Meeting
To consider and ratify the Amendment and Association Quit Claim Deed
to Dennis A. LeVett.

& Other items that may properly come before the Board

When: Thursday, July 1, 2004
Where: Melles unit 1207 - 4
Time: 5:00 P.M.

Board members: Please notify me in advance of other Agenda items.

Sincerely,



Warren Melles
President
West Okoboji Meadows, HOA

West Okoboji
MEADOWS

P.O. Box 574
 Okoboji, IA 51355

Special Board Meeting
 West Okoboji Meadows, HOA
 July 1, 2004

A special Board meeting was called to order by Warren Melles, President of the West Okoboji Meadows, HOA on July 1, 2004.

Attendees were Board members: Warren Melles
 Chris Hinkeldey
 Debbie Kress

Invited Guest: Jerry Houck
 Unit Owner of 1201-1 Eloise Street

Special note: All other unit owners previously waived notice of the meeting.

The sole agenda item was:

...To consider and ratify the Amendment and Association Quit Claim Deed to Dennis A. LeVett.

After discussion the agenda item above was approved and signed.

Warren Melles Warren Melles
Chris Hinkeldey Chris Hinkeldey
Debbie Kress Debbie Kress
7-1-04 Date

