POTTAWATTAMIE SO.

INST # RECORDING FEE **AUDITOR FEE**

2006 NOV 20 AM 8: 39 JOHN SCIORTING

Prepared by

And Return to:

Deborah L. Petersen, P.L.C.

215 South Main St., P.O. Box 893

Council Bluffs, IA 51502-0893

Phone

Individual's Name

Street Address

City, State Zip Code

DEBORAH L. PETERSEN #8314

SPACE ABOVE THIS LINE FOR RECORDER

AMENDMENT TO DECLARATION OF RESTRICTIONS AND COVENANTS FOR FOX RUN LANDING

This Amendment is made this 20th day of October, 2006, by Western Iowa Land Development, L.L.C., the successor to GOLF, L.L.C., as the Developer of Fox Run Landing, a subdivision in Council Bluffs, Pottawattamie County, Iowa.

The Developer, by virtue of the power reserved to it in Article VII, Paragraph 6 of the DECLARATION OF RESTRICTIONS AND COVENANTS FOR FOX RUN LANDING, dated October 12, 2000, and recorded on October 16, 2000, in Book 101, Page 17717 of the records of Pottawattamie County, Iowa, makes the following amendments thereto.

- These provisions shall apply to all Lots located in Fox Run Landing and in The Seven at Fox A. Run Landing, effective upon the recording of this document.
- ARTICLE VI, Paragraph 4 (d) is amended to read as follows: B.
 - The regular annual assessments provided for herein shall be assessed equally (d) against all Lots, improved or not, effective January 1, 2007. The first regular annual assessment shall be adjusted according to the number of months remaining in the calendar year. The Board of Directors shall fix the amount of the annual assessment against each Lot by November 30 of each year. Immediately following the determination, written notice of the annual assessment shall be sent to every owner subject thereto. The due date of the assessment shall be March 1 of each year. The Association shall, upon demand, and for a reasonable charge, furnish a certification signed by an officer of the Association setting forth whether the assessment on a specified Lot has been paid.

C. ARTICLE VI, Paragraph 7 is amended by adding the following thereto:

The Association shall maintain the Lakes located within Fox Run Landing Subdivision and The Seven at Fox Run Landing Subdivision, even though such Lakes are not owned by the Association. The Association may enter into such agreements as it desires to seek contribution from the owner of Fox Run Golf Course for the lake maintenance.

	WESTER	N IOWA LAND DE	VELOPMENT, L.L.C.
	By Roll	-pMath	porgs
	ROBERT	P. MCCARTHY	(PRINT NAME)
	Its <u>ma</u>	nager	
STATE OF IOWA)	· •		
)	ss.		
COUNTY OF POTTAWATTAMIE))		
On this 20^{*} day of 20^{*}	- 7) , / / /) ,		y Public in and for said ersonally known, who
county, personally appeared <u>Koly/1</u> being by me duly sworn did-say	that had is a	Member of WEST	FRN IOWA I AND
DEVELOPMENT, L.L.C., that no sea	l has been procus	red by the said I imit	ed Liability Company
and that said instrument was signed or	n habalf of the sa	id Limited Liability	Company by authority
of its managers and the said mana		acknowledged	the execution of said
instrument to be the voluntary act and	d deed of said Li	mited Liability Com	nany by it voluntarily
executed.	d deed of said Ei	inited Endonity Con	pully by it volumently
executed.			
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	NOTARY	PUBLIC \	