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2018-02998

RECORDER MARK BRANDENBURG

POTTAWATTAMIE COUNTY, IA

FILE TIME: 03/16/2018 01:16:36 PM

RECORDING FEE	10.00
RMA FEE	1.00
ECM FEE	1.00

R FEE \$ 10⁰⁰ RMA \$ 1⁰⁰
 A FEE \$ _____ ECOM \$ 1⁰⁰
 T TAX \$ _____

Prepared by and when recorded return to: John Q. Bachman, Pansing Hogan Ernst & Bachman LLP, 10250 Regency Circle, Suite 300, Omaha, NE 68114; Telephone: (402) 397-5500

**FIRST AMENDMENT TO
DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS
AND EASEMENTS OF WHISPERING OAKS,
A SUBDIVISION IN POTTAWATTAMIE COUNTY, IOWA**

(Lots 1 through 150, inclusive, and Outlot A, Whispering Oaks)

This FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS ("First Amendment") is made the 12th day of March, 2018, by TS DEVELOPMENT, LLC, an Iowa limited liability company, hereinafter referred to as the "Declarant."

PRELIMINARY STATEMENT

By Declaration of Covenants, Conditions, Restrictions and Easements of Whispering Oaks, a subdivision in Pottawattamie County, Iowa, dated December 7, 2017 (the "Declaration"), the Declarant imposed covenants, conditions and restrictions on Lots 1 through 150, inclusive, and Outlot A in Whispering Oaks, a subdivision, as surveyed, platted and recorded in Pottawattamie County, Iowa pursuant to the Final Plat for Whispering Oaks filed December 11, 2017, as Instrument No. 2017-16378, and the Final Plat for Whispering Oaks Phase II filed December 7, 2017, as Instrument No. 2017-16263, in the records of the Pottawattamie County Recorder.

Declarant has considered amendment of the Declaration for purposes of the addition of a Section 23 to Article I of the Declaration. Article V, Section 2 of the Declaration allows the Declarant to amend the Declaration in any manner which it may determine in its full and absolute discretion for a period of five (5) years from the date of the Declaration.

