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Kind: RESTRICTIVE COVENANT  
Recorded: 02/01/2013 at 10:01:12 AM  
Fee Amt: \$17.00 Page 1 of 3  
Polk County Iowa  
JULIE M. HAGGERTY RECORDER  
File# 2013-00069784

BK 14640 PG 615-617

RETURN TO: THIS DOCUMENT PREPARED BY AND WHEN RECORDED RETURN TO:  
James M. Gocke, 210 N.E. Delaware Avenue, Suite 200, Ankeny, Iowa 50021; (515) 964-8777

**SECOND AMENDMENT TO  
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS  
OF BRIDGE CREEK PLAT 1,  
A SUBDIVISION IN GRIMES, POLK COUNTY, IOWA**

THIS AMENDMENT TO DECLARATION, made this 2nd day of  
January, 2013.

**PRELIMINARY STATEMENT**

**WHEREAS**, The Declarant, Bridge Creek, L.L.C., was the Developer of property known  
as:

Lots 1 through 28 Bridge Creek Plat 1, an Official Plat, now  
included in and forming a part of the City of Grimes, Polk County,  
Iowa.

**WHEREAS**, Lots 1 through 28 Bridge Creek Plat 1, an Official Plat, now included in  
and forming a part of the City of Grimes, Polk County, Iowa, was subjected to the Declaration of  
Covenants, Conditions and Restrictions of Bridge Creek Plat 1, a Subdivision of Grimes, Polk  
County, Iowa, an instrument dated May 28, 2008 and filed August 27, 2008, in Book 12760, at  
Pages 635-653 in the records of the Recorder of Polk County, Iowa.

**WHEREAS**, Article XIV(A) allows for additional land to be subjected to the above  
Declaration by filing an Amendment to the Declaration with the Recorder of Polk County, Iowa.  
No approval of the property owners or any other person shall be necessary.

**WHEREAS**, said Declaration has been amended previously by First Amendment to  
Declaration of Covenants, Conditions and Restrictions of Bridge Creek Plat 1, a Subdivision of  
Grimes, Polk County, Iowa, dated January 18, 2011, and filed January 21, 2011, in Book 13746,  
at Pages 645-647, in the records of the Recorder of Polk County, Iowa.

**WHEREAS**, the Declarant is desirous of subjecting additional land to the Declaration  
and Covenants and Restrictions therein, the Declarant has caused this Second Amendment to

Declaration of Covenants, Conditions and Restrictions of Bridge Creek Plat 1, a Subdivision in Grimes, Polk County, Iowa, to be filed.

**NOW, THEREFORE,** the Declarant hereby declares that Lot 1 in Bridge Creek Plat 4, an Official Plat, now included in and forming a part of the City of Grimes, Polk County, Iowa, shall be held, sold, and conveyed subject to the restrictions, covenants, conditions and easements, all of which are for the purpose of enhancing and protecting the value, desirability and attractiveness of the Lots, and the enjoyment of the residents of the Lots. All pursuant to the Declaration of Bridge Creek Plat 1, as amended, referenced above. These restrictions, covenants, conditions and easements shall run with such Lot(s) and shall be binding upon all parties having or acquiring any right, title or interest in each Lot, or any part thereof, as is more fully described therein.

In all other respects, the Declaration of Covenants for Bridge Creek Plat 1, as amended, not affected by this Amendment shall remain in full force and effect.

**IN WITNESS WHEREOF,** Bridge Creek, L.L.C., as Declarant, has caused this Second Amendment to Declaration of Covenants, Conditions and Restrictions of Bridge Creek Plat 1, a Subdivision in Grimes, Polk County, Iowa, to be executed by its duly authorized officers this 22nd day of January, 2013.

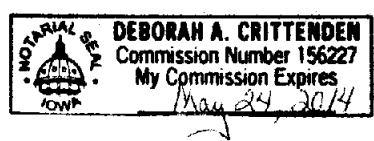
BRIDGE CREEK, L.L.C.

By [Signature]  
Brad Baumlter, Manager

By [Signature]  
Toby Torstenson, Manager

STATE OF IOWA    )  
                                  ) ss:  
COUNTY OF POLK )

On this 22nd day of January, 2013, before me, a Notary Public in and for the State of Iowa, personally appeared, Brad Baumlter and Toby Torstenson, to me personally known, who being by me duly sworn, did say that they are the Managers of said limited liability company, that no seal has been procured by the said limited liability company and that said instrument was signed on behalf of the said limited liability company by authority of its members and the said Managers acknowledged the execution of said instrument to be the voluntary act and deed of said limited liability company, by it voluntarily executed.



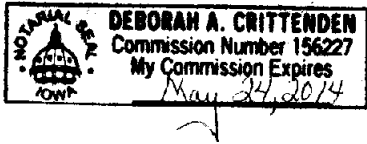
[Signature]  
Notary Public in and for the State of Iowa

Consented to by Valley Bank

By: *Dennis H. Hanson*  
Dennis H. Hanson, Regional President

STATE OF IOWA    )  
                          ) ss:  
COUNTY OF POLK )

This instrument was acknowledged before me on this 17<sup>th</sup> day of January, 2013, by Dennis H. Hanson, as Regional President of Valley Bank.



*Deborah A. Crittenden*  
Notary Public in and for the State of Iowa

29444.09-Amendment to Covenants