

**AMENDMENT TO  
DECLARATION OF USE RESTRICTIONS, COVENANTS  
AND BUILDING SPECIFICATIONS**

**PREPARER**

**INFORMATION:** B. McMurray  
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515-276-3456

**RETURN TO:**

~~Vista Real Estate and Investment Corporation  
2400 86<sup>th</sup> Street, Suite 24, Urbandale, IA 50322  
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**RETURN TO  
CITY OF CLIVE, IOWA  
1900 NW 114TH STREET  
CLIVE, IA 50325-7077**

**GRANTORS:** Shadow Creek IX, LLC

**LEGAL**

**DESCRIPTION:** Shadow Creek Plats 9 and 10, Clive, Dallas County, Iowa.

**Dallas County Iowa Recorder**

**FIRST AMENDMENT TO  
DECLARATION OF USE RESTRICTIONS, COVENANTS AND  
BUILDING SPECIFICATIONS APPLICABLE TO SHADOW CREEK PLAT 9,  
CLIVE, DALLAS COUNTY, IOWA**

**AN AMENDMENT** to Declaration of Use Restrictions, Covenants and Building Specifications Applicable to Shadow Creek Plat 9, Clive, Dallas County, Iowa, as filed on November 19, 2021 in Book 2021, Page 34022 in the Office of the Dallas County Recorder, (hereinafter referred to as the "Declaration").

**WHEREAS**, the Declarant is desirous of amending said Declaration pursuant to provisions of **Section A. Duration** and **Section D. Additional Property** of **Article V. Term of Covenants; Severability** of said Declaration.

**NOW THEREFORE**, the Declarant hereby amends the Declaration as follows:

1. The Declaration shall hereafter be identified as the Declaration of Use Restrictions, Covenants and Building Specifications Applicable to Shadow Creek Plats 9 and 10, Clive, Dallas County, Iowa.
2. "Lots" (individually "Lot") shall mean Lots 1-46 in Shadow Creek Plat 9 and Lots 1-15 in Shadow Creek Plat 10, Official Plats, now included in and forming a part of the City of Clive, Dallas County, Iowa.
3. Article I, Definitions, Section D. definition of "Property," is hereby amended to read in its entirety as follows:

D. "Property" shall mean Shadow Creek Plat 9 and Shadow Creek Plat 10, Official Plats, now included in and forming a part of the City of Clive, Dallas County, Iowa.
4. Article II, General Use Restrictions and Building Specifications, Section B. Architectural Standards, Design and Construction, Item 8. Minimum House Sizes is hereby amended to include the following minimum home size requirements applicable to Lots 1-15 in Shadow Creek Plat 10 only:

**Minimum Home Size Requirements for Shadow Creek Plat 10.**

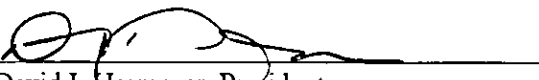
**Lots 1 through 15:**

- a. One-story dwellings must have a finished floor area of at least one thousand one hundred fifty (1,150) square feet above grade.
- b. All multilevel dwellings, including but not limited to split-levels, one and one-half story dwellings, two-story dwellings, and dwellings having more than two stories must have a combined finished floor area of at least one thousand four hundred (1,400) square feet above grade.

*[signature page attached]*

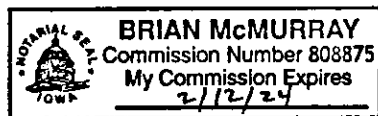
IN WITNESS WHEREOF, the Declarant has caused this First Amendment to the Declaration to be executed as of this 19<sup>th</sup> day of September, 2022.


Shadow Creek IX, LLC, an Iowa limited liability company  
By Vista Real Estate and Investment Corporation, Its Manager

By:   
David J. Harmeyer, President

STATE OF IOWA  
COUNTY OF POLK

This record was acknowledged before me this 19<sup>th</sup> day of September, 2022, by David J. Harmeyer in his capacity as President of Vista Real Estate and Investment Corporation, as Manager of Shadow Creek IX, LLC.



  
Signature of Notary Public