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**Prepared by:** Timothy C. Hogan, Hogan Law Office, 1717 Ingersoll Ave, Ste 200, Des Moines, IA 50309 (515) 279-9059

**Return to:** Hamilton Ridge Maintenance Association, Inc., 9550 Hickman Road, Ste 100, Clive, IA 50325 (515) 986-5994

**Legal Description:** Lots 1-29 in Hamilton Ridge Plat 1, Lots 1-21 in Hamilton Ridge Plat 2, Lots 1-20 in Hamilton Ridge Plat 3, Lots 1-15 in Hamilton Ridge Plat 4, Lots 1-14 in Hamilton Ridge Plat 7, and Lots 1-17 Hamilton Ridge Plat 5

**Previously Recorded Documents:** Declaration of Residential Covenants and Association Book 2021, Page 28568; Amendment Book 2021, Page 31349; Amendment Book 2021, Page 28579; Amendment Book 2021, Page 31364; Amendment Book 2022, Page 301

**AMENDMENT TO DECLARATION OF RESIDENTIAL  
COVENANTS, CONDITIONS, RESTRICTIONS AND MAINTENANCE ASSOCIATION  
FOR HAMILTON RIDGE**

**THIS AMENDMENT** is made by **HAMILTON RIDGE, LLC**, an Iowa limited liability company, owner of the Additional Land hereinafter described on Page 2, and “Declarant” of the Declaration of Residential Covenants, Conditions, Restrictions and Maintenance Association for Hamilton Ridge recorded September 28, 2021 in **Book 2021 at Page 28568** as amended from time to time in the records of the Recorder for Dallas County, Iowa (collectively the "Declaration").

**WHEREAS**, pursuant to the Declaration, Declarant has established and placed certain covenants, conditions, restrictions, reservations and easements on the following described real estate:

Lots 1-29 in Hamilton Ridge Plat 1, Lots 1-21 in Hamilton Ridge Plat 2, Lots 1-20 in Hamilton Ridge Plat 3, Lots 1-15 in Hamilton Ridge Plat 4, and Lots 1-14 in Hamilton Ridge Plat 7, all Official Plats in Waukee, Dallas County, Iowa, all Official Plats in Waukee, Dallas County, Iowa.

**WHEREAS**, the Declaration established the **Hamilton Ridge Maintenance Association, Inc.**, an Iowa non-profit corporation (the “Association”), for the sole purpose of owning and maintaining certain common amenities with authority to levy assessments necessary for the maintenance of such common amenities.

**WHEREAS**, the Declaration grants to Declarant the right to amend the Declaration and the right to subject additional land to the terms of the Declaration without approval or consent of any other party.

**WHEREAS**, Declarant desires to amend the Declaration to subject the following described real estate (the "Additional Land") to the terms of the Declaration upon the filing of this Amendment:

Lots 1-17 in Hamilton Ridge Plat 5, an Official Plat in Waukee, Dallas County, Iowa.

**NOW, THEREFORE**, pursuant to the authority described in the Declaration, Declarant hereby amends the Declaration as follows:

1. **Additional Land.** The Additional Land is hereby annexed and submitted to the Declaration, which real property shall be held, sold and conveyed subject to the same covenants, conditions, restrictions, reservations and easements of the Declaration, and the Owners of Lots within the Additional Land shall automatically become Members of the Association in the same manner as described in the Declaration and are hereby subjected to the terms, conditions, duties and assessments as described in the Declaration.

2. **Building Area Design and Construction.** Section IV of the Declaration relating to building area design and construction is amended to include the following:

V. For Lots 1-13 in Hamilton Ridge Plat 5 the following requirements shall apply:

- (1) One and one-half story, two story, split-level, and split foyer dwellings must have a finished area of not less than 1,400 square feet; ranch or one-story dwellings must have a finished area of not less than 1,100 square feet.
- (2) Dwellings must be constructed using vinyl siding of 4-inch traditional profile, trim elements to be at least 3.5 inches wide with decorative materials into the facade, hardboard siding by LP SmartSide or cement board siding by James Hardie or other brands approved by Declarant as being acceptable exterior siding. All vinyl siding shall be .42 thickness at a minimum.
- (3) Dwellings must be constructed using a minimum of fifteen percent (15%) brick, stone or stucco on the front elevation of the dwelling.
- (4) Fences shall be either wood, black vinyl coated chain link or PVC vinyl, or other material approved by Declarant as being acceptable fencing.

W. For Lots 14-17 in Hamilton Ridge Plat 5 the following requirements shall apply:

- (1) One and one-half story, two story, split-level, and split foyer dwellings must have a finished area of not less than 1,500 square feet; ranch or one-story dwellings must have a finished area of not less than 1,300 square feet.
- (2) Dwellings must be constructed using hardboard siding by LP SmartSide or cement board siding by James Hardie or other brands approved in writing by

Declarant as being acceptable exterior siding. No vinyl siding shall be permitted.

- (3) Dwellings must be constructed using a minimum of twenty-five percent (25%) brick, stone or stucco on the front elevation of the dwelling.
- (4) Fences shall be either black vinyl coated chain link or PVC vinyl or other material approved by Declarant as being acceptable fencing.

3. **Ratification.** Except as expressly amended hereby, all of the terms and conditions of the Declaration shall continue in full force and effect and are hereby ratified and confirmed.


Dated 9/19, 2022.

**HAMILTON RIDGE, LLC**,  
an Iowa limited liability company

By:   
William B. Spencer, Manager

STATE OF IOWA, COUNTY OF POLK:

This record was acknowledged before me on September 19, 2022, by William B. Spencer, as Manager of Hamilton Ridge, LLC.

By:   
Notary Public

