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Johnson County Iowa
Kim Painter County Recorder
BK5412 PG947-953

AMENDMENT TO THE DECLARATION OF SUBMISSION OF PROPERTY TO HORIZONTAL REGIME ESTABLISHING A PLAN FOR CONDOMINIUM OWNERSHIP OF PREMISES

Recorder's Cover Sheet

Preparer's Information:;
Kirsten H. Frey, 920 S. Dubuque Street, Iowa City, (319) 351-8181

Taxpayer Information:
Cardinal Investments, L.L.C.
c/o Kirsten Frey
920 S. Dubuque Street
P.O. Box 2000
Iowa City, IA 52244

Return Address
Kirsten H. Frey
920 S. Dubuque Street
P.O. Box 2000
Iowa City, IA 52244

Grantors:
Cardinal Investments, L.L.C.

Grantees:
N/A

Document or instrument number if applicable:

AMENDMENT TO THE DECLARATION OF SUBMISSION OF PROPERTY TO HORIZONTAL REGIME ESTABLISHING A PLAN FOR CONDOMINIUM OWNERSHIP OF PREMISES

This Amendment to the Declaration of Submission of Property to Horizontal Property Regime Established by Chapter 499B for Cardinal Condominiums is made and executed in Iowa City, Johnson County, Iowa on this 18 day of August 2015 by Cardinal Investments, L.L.C., an Iowa limited liability company, hereinafter the "Declarant".

WITNESSETH:

WHEREAS, Declarant filed a certain Declaration of Submission of Property to Horizontal Property Regime Established by Chapter 499B of the Code of Iowa on the 7th day of October, 2003 for Cardinal Condominiums as recorded in Book 3652, Page 223 of the records of the Johnson County Recorder; and

WHEREAS, since the recording of that Declaration, a demising wall has been constructed between Unit 115A and 113A that was not constructed at the time of the recording of the Declaration or its prior amendments; and

WHEREAS, following the construction of said demising wall, the square footage contained in Units 115A and 113A varies slightly from the square footage previously contained in the Condominium Declaration for Cardinal Condominiums; and

WHEREAS, as a result, the Declarant wishes to amend the Condominium Declaration for Cardinal Condominiums at this time to conform to the as-built size of the respective units.

NOW THEREFORE, the Declaration of Submission of Property to Horizontal Property Regime Establishing a Plan for Condominium Ownership of Premises for Cardinal Condominiums is hereby amended in the following respects.

1. Exhibit A attached to the original Condominium Declaration is hereby deleted and replaced with Exhibit A-3 attached hereto.

2. Exhibit E, a copy of which is attached hereto and which has previously been recorded on July 17, 2015 in Book 5396, Page 825, B-1, contains the as built certificate of said units and describes any and all material deviations from the building plans contained within the Condominium Declaration, as previously amended.

In all other respects the original Condominium Declaration, as amended, remains in full force and effect as if this Amendment did not exist.

DATED this 18 day of August, 2015.

CARDINAL INVESTMENTS, L.C.

BY: Gary W. Werle, Manager

STATE OF IOWA)
) SS:
JOHNSON COUNTY)

On this 18 day of August 2015, before me, a Notary Public in and for said county, personally appeared Gary W. Werle, to me personally known, who being by me duly sworn did say that that person is the Manager 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 said limited liability company by authority of its Manager and the said Gary W. Werle acknowledged the execution of said instrument to be the voluntary act and deed of said limited liability company by it voluntarily executed.

Notary Public in and for the
State of Iowa.

KIRSTEN H. FREY
Commission Number 180259
My Commission Expires
July 12, 2016

EXHIBIT "A-3"
DESCRIPTION OF LAND, UNITS AND OWNERSHIP INTERESTS IN COMMON ELEMENTS

1. **Description of Land.** The real estate submitted to the Horizontal Property Regime is described as follows:

Lots 3 and 4, Coralville Industrial Park No. 2, Fourth Addition, Coralville, Iowa, according to the plat thereof recorded in Book 39, Page 4, Plat Records of Johnson County, Iowa.

2. **Description of Units and Ownership Interests.** The ownership interests in the Common Elements, voting rights and unit designation of each unit in the Regime is set forth below.

Building	Unit	Square Footage	Percentage Interest Ownership in Common Elements	Pro Rata Share of Expenses	Votes in Association	Use
1	101A	4655	5.38	5.38	1	Warehouse
1	101C	2257	2.61	2.61	1	Warehouse
1	101D	1250	1.44	1.44	1	Warehouse
1	101E	1250	1.44	1.44	1	Warehouse
1	101F	1500	1.73	1.73	1	Warehouse
1	103A	690	1.81	1.81	1	Office
1	103B	1500	1.73	1.73	1	Warehouse
1	105A	565	1.48	1.48	1	Office
1	105B	1500	1.73	1.73	1	Warehouse
1	107A	690	1.81	1.81	1	Office
1	107B	1500	1.73	1.73	1	Warehouse
1	109A	690	1.81	1.81	1	Office
1	109B	1500	1.73	1.73	1	Warehouse
1	111A	900	2.37	2.37	1	Office
1	111B	1500	1.73	1.73	1	Warehouse
1	113A	844	0.97	0.97	1	Warehouse
1	113B	1500	1.73	1.73	1	Warehouse
1	115A	683	0.79	0.79	1	Warehouse
1	115B	1500	1.74	1.74	1	Warehouse
1	117A	900	2.37	2.37	1	Office
1	117B	1500	1.74	1.74	1	Warehouse
1	119A	4400	11.55	11.55	1	Office
1	119B	1000	1.16	1.16	1	Warehouse
1	119C	1250	1.44	1.44	1	Warehouse
1	119D	1525	1.76	1.76	1	Warehouse
1	119E	625	0.73	0.73	1	Warehouse

	Unit	Square Footage	Percentage Interest Ownership in Common Elements	Pro Rata Share of Expenses	Votes in Association	Use
1	201	4469	11.72	11.72	1	Office
1	203,	1050	2.76	2.76	1	Office
1	205	1015	2.67	2.67	1	Office
1	207	1050	2.76	2.76	1	Office
1	209	1050	2.76	2.76	1	Office
1	211	900	2.37	2.37	1	Office
1	213	900	2.37	2.37	1	Office
1	215	750	1.97	1.97	1	Office
1	217	1080	2.84	2.84	1	Office
1	219	4299	11.27	11.27	1	Office
TOTAL			100.00	100.00		

3. **Formula for Computing Percentage Interest Ownership in Common Elements.** For purposes of computing the percentage interest ownership in common elements for each condominium unit, separate computations are used for units used as warehouse space and units used as office space. The total square footage of the regime used for warehouse space is 28,839 square feet. The total square footage of the regime used for office space is 25,398 square feet. To compute the percentage interest in the common elements for warehouse space units, the following formula is used:

$$\frac{\text{Square footage in a particular warehouse unit}}{28{,}839} \times 33.333\% = \text{Percentage Interest Ownership in Common Elements}$$

To compute the percentage interest in the common elements for office space units, the following formula is used:

$$\frac{\text{Square footage in a particular office unit}}{25{,}398} \times 66.666\% = \text{Percentage Interest Ownership in Common Elements}$$

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Johnson County Iowa
Kim Painter County Recorder
BK5396 PG825-826

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Prepared by:	Kelly J. Beckler MMS Consultants, Inc.	1917 S. Gilbert Street Iowa City, Iowa 52240	319-351-8282 319-351-8476 facsimile
After recording return to:	Kirsten H. Frey Kennedy, Cruise, Frey & Gelner, LLP	920 S. Dubuque Street Iowa City, Iowa 52244	319-351-8181 319-351-0605 facsimile

EXHIBIT "E"

ENGINEER'S AFFIDAVIT
CARDINAL CONDOMINIUMS
Units 113A and 115A

STATE OF IOWA)
) ss:
JOHNSON COUNTY)

I, Kelly J. Beckler, being duly sworn on oath do depose and state the following:

1. That I am a Professional Engineer authorized and licensed to practice my profession in the State of Iowa.

2. That I have examined the building plans labeled as Exhibit "D", to the Declaration of Condominium for Cardinal Condominiums, as recorded in Book 3652, Page 223 and following, and Book 3819, Page 694, both of the records of the Recorder of Johnson County, Iowa.

3. I hereby certify that I have verified by non-destructive field observations that the above referenced building plans diagrammatically represent Units 113A and 115A of Cardinal Condominiums, located therein, and the common elements that the Declarant has now constructed on the land shown on the Site Plan, attached as Exhibit "C" to the said Declaration, insofar as is reasonably possible due to expected carpentry tolerances, except for the following:

    a. The common wall separating Unit 113A and Unit 115A has been constructed along the dashed grid line "11", to a distance measuring 14'-9" from the inside of the exterior wall, then 4'-0" parallel to the exterior wall into Unit 113A, then the remaining distance to the common wall separating Unit 113A and Unit 113B.

Kelly J. Beckler
Iowa License Number 14624
My biennial license renewal date is December 31, 2016.

Subscribed and sworn to before me by said Kelly J. Beckler this 15th day of July, 2015.

Notary Public in and for the State of Iowa.

NOTARIAL SEAL IOWA
LORI K YODER
Commission Number 759128
My Commission Expires
July 13, 2018

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