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Fee Amt: $52.00 Page 1 of 10
Johnson County Iowa
Kim Painter County Recorder
BK5712 PG903-912

-2930

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 11 day of October, 2017 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, it recently has become apparent that four (4) small utility/storage rooms that were constructed are not reflected on the Building Plans or noted in the existing Engineer's Certificates; and

WHEREAS, the Declarant wishes to amend the Condominium Declaration for Cardinal Condominiums at this time to clarify the location, purpose and ownership of said spaces.

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 supplemented and amended in the following respects.

1. There is a storage room located at the top of the stairs located along and running parallel to Grid Line 'J" and located above Unit 119B. This storage room houses heating and cooling equipment and other utilities apparatus and is part of the General Common Elements of the Regime.

2. There is a storage room or office located in the northwest corner of Unit 119B which is a component part of Unit 119B.

3. There is a utility room constructed in Units 119B and 119C constructed adjacent to the stairs and the exterior wall. This utility room is part of the General Common Elements of the Regime.

4. There is a storage room constructed at the top of the Stairs located along, and running parallel to, Grid Line "J" and above Unit 101B. This storage room houses heating and cooling equipment and other utility apparatus and is part of the General Common Elements of the Regime.

5. There is a utility room constructed in Units 101B and 101C constructed adjacent to the stairs and the exterior wall. This utility room is part of the General Common Elements of the Regime.

6. Attached hereto as Exhibit D is a copy of the Building Plans with the above-described storage and utility rooms shown thereon. This Exhibit D supplements the prior exhibits previously incorporated into the Declaration.

7. Attached hereto as Exhibit E is an Engineer's Certificate which supplements the prior Engineer's Certificates previously incorporated to the Declaration.

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

DATED this 11 day of October, 2017.

CARDINAL INVESTMENTS, L.C.

Gary W. Werle

BY: Gary W. Werle, Manager

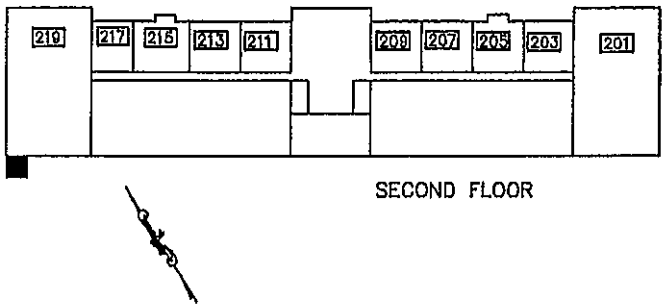
STATE OF IOWA)
) SS:
JOHNSON COUNTY)

On this 11 day of October, 2017, 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.

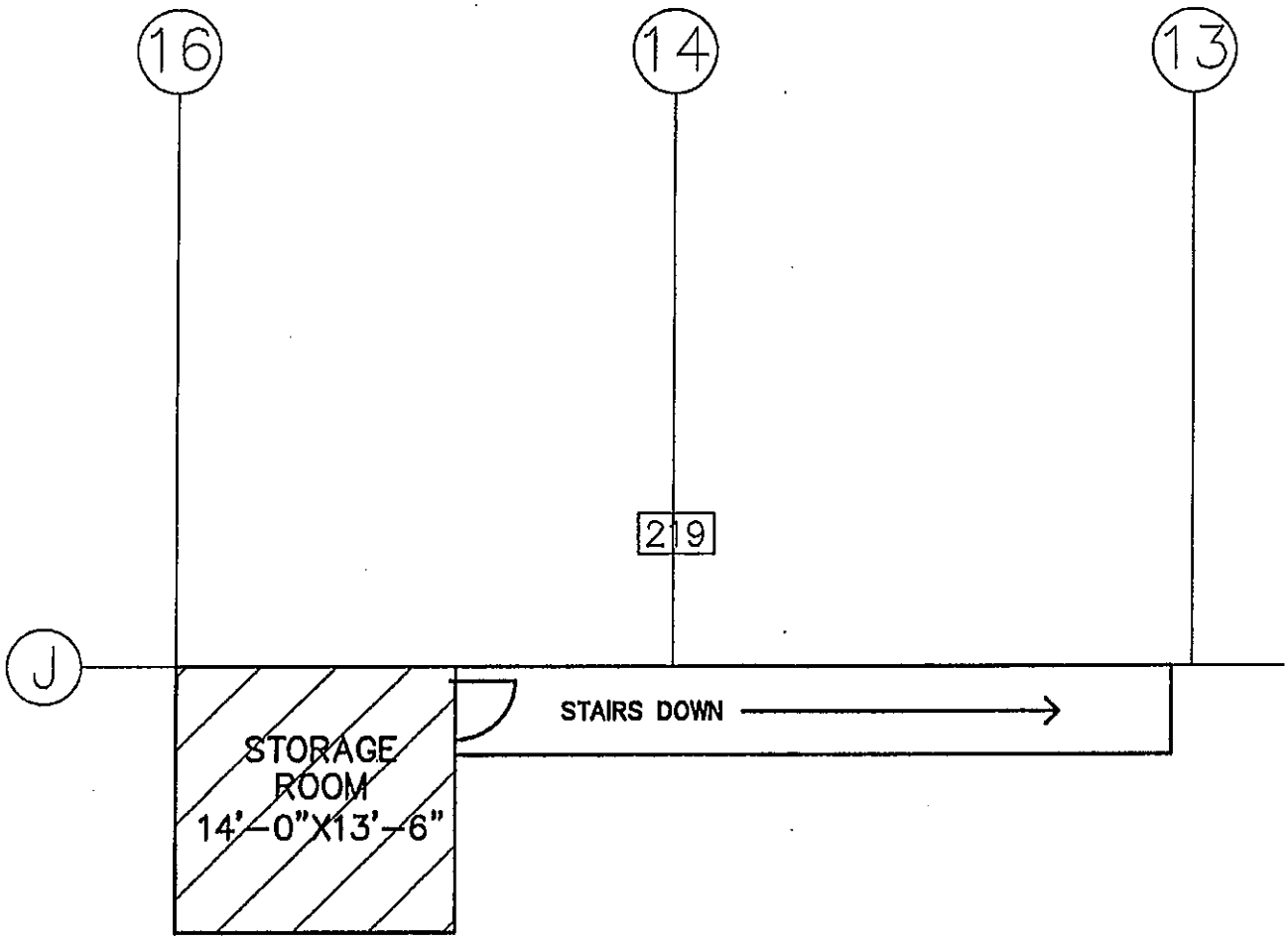
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Commission Number 010213
My Commission Expires
April 7, 2020

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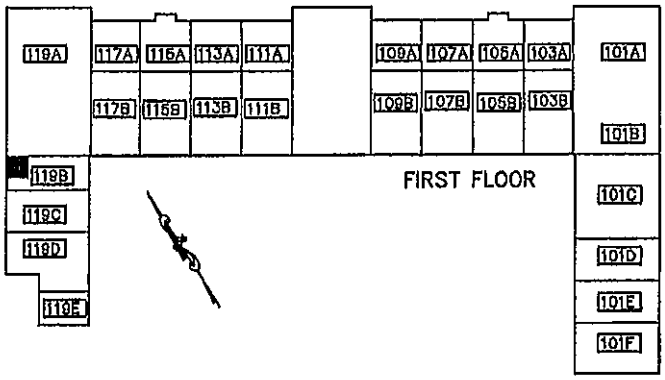
Notary Public in and for the
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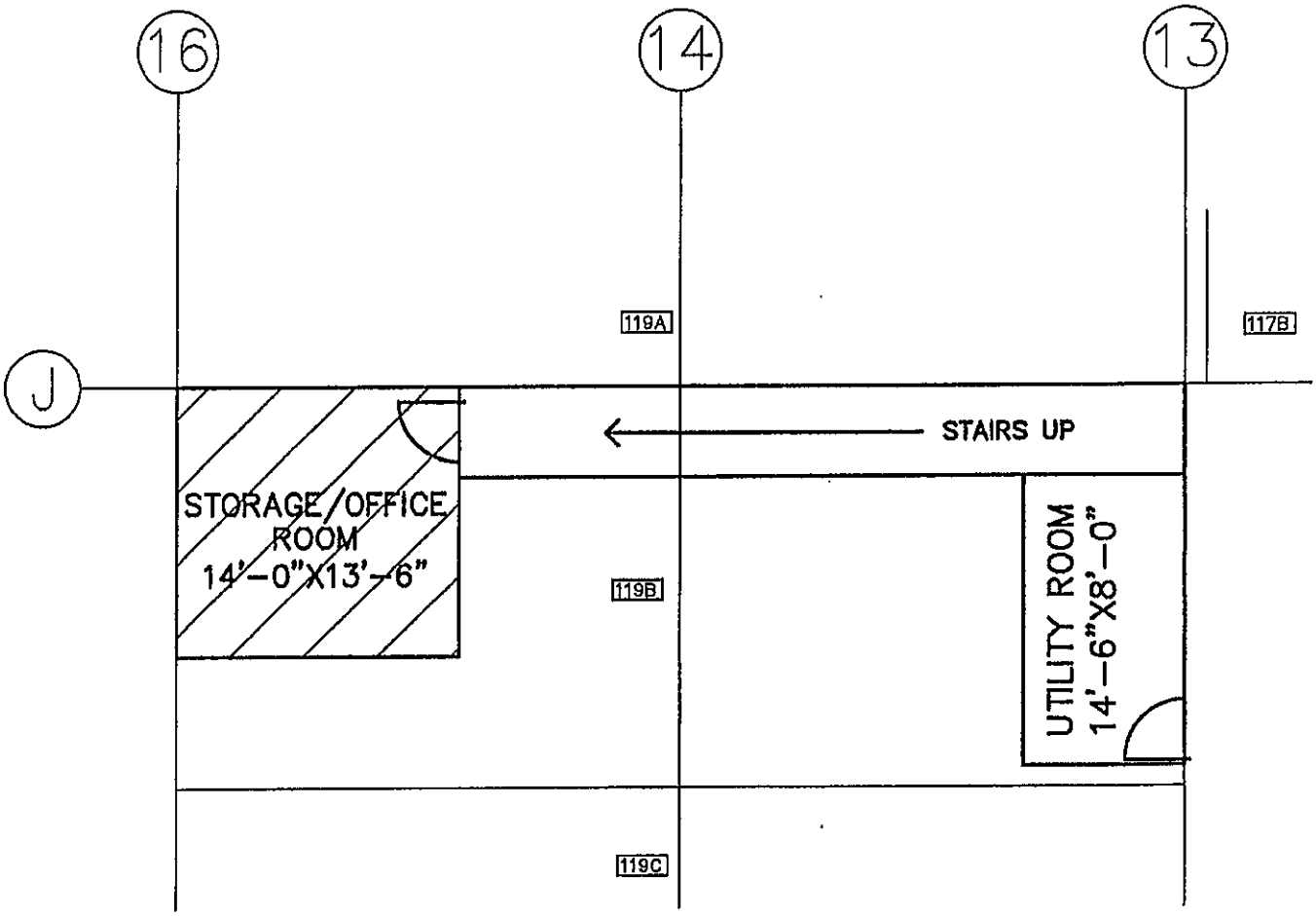


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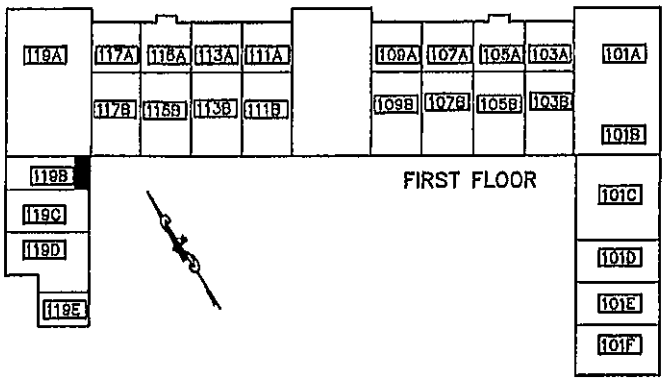


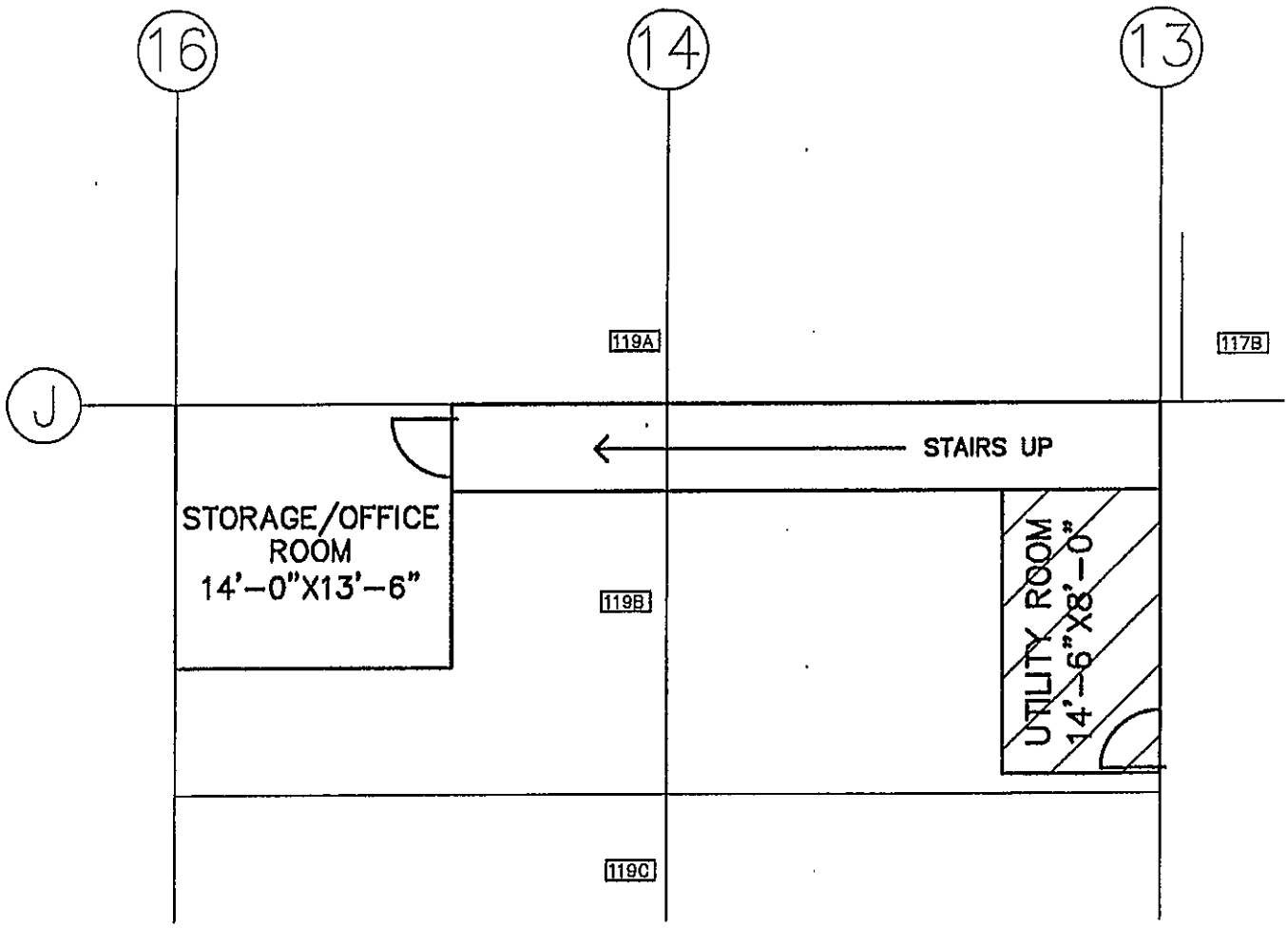
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Drawn by: JEB	Date: 10/09/17	CARDINAL CONDOMINIUMS	IOWA CITY, IOWA 52240	
Checked by: JDM	Project No: IC 10385001	EXHIBIT "E" - ROOM LAYOUT SCHEMATIC CORALVILLE JOHNSON, IOWA	(319) 351-8282 www.mmsconsultants.net	Sheet No: 1 of 5



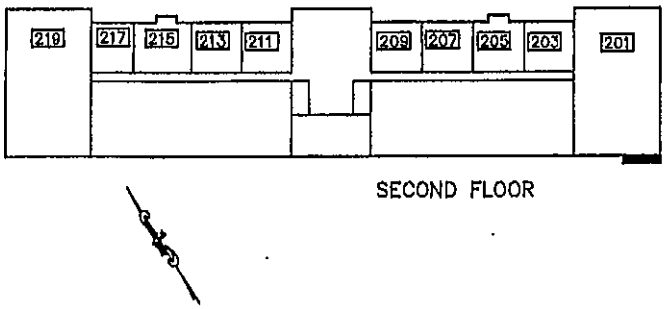


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Checked by: JDM	Project No: IC 10385001	EXHIBIT "E" - ROOM LAYOUT SCHEMATIC	(319) 351-8282
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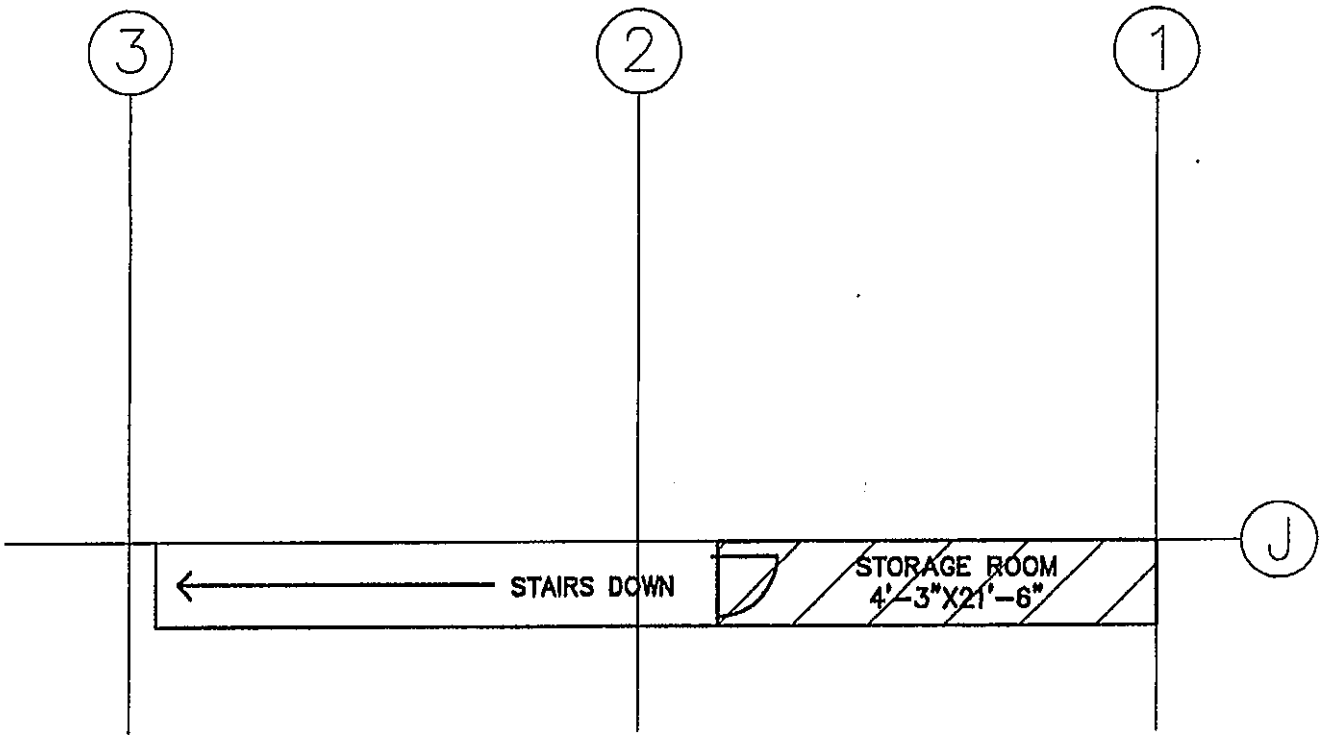




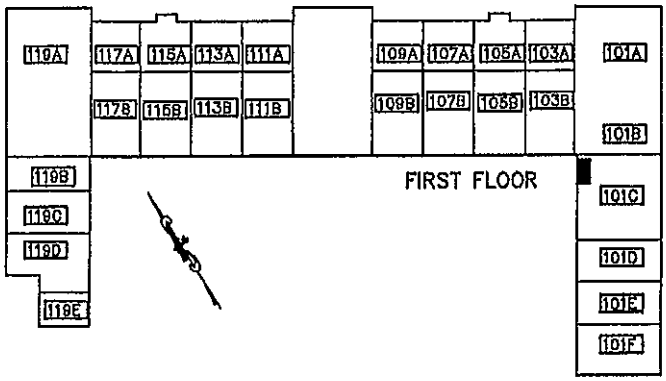
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Drawn by: JEB	Date: 10/09/17	CARDINAL CONDOMINIUMS	IOWA CITY, IOWA 52240
Checked by: JDM	Project No: IC 10385001	EXHIBIT "E" - ROOM LAYOUT SCHEMATIC	(319) 351-8282
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		JOHNSON, IOWA	

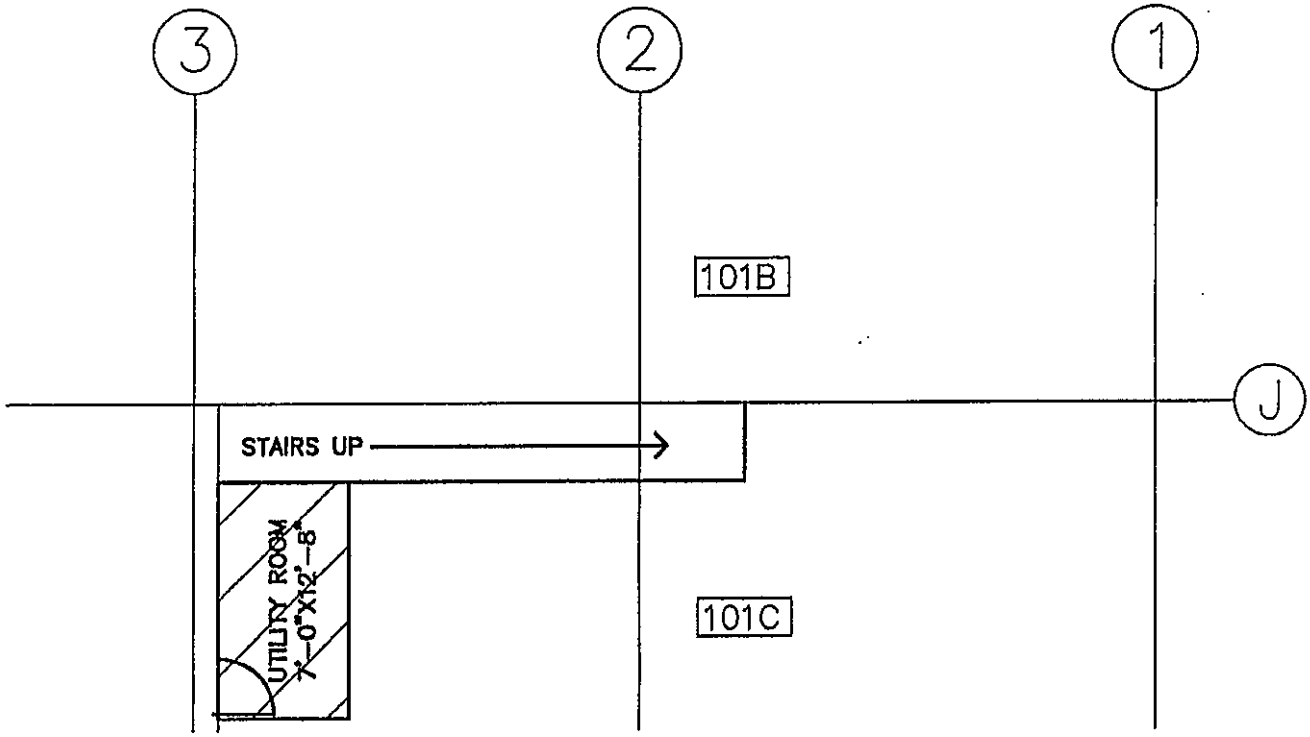


SECOND FLOOR



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Drawn by: JEB	Date: 10/09/17	CARDINAL CONDOMINIUMS	IOWA CITY, IOWA 52240
Checked by: JDM	Project No: IC 10385001	EXHIBIT "E" - ROOM LAYOUT SCHEMATIC	(319) 351-8282
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Designed by:	Scale: NTS	EXHIBIT SCHEMATIC 3.e	MMS CONSULTANTS, INC.	
Drawn by: JEB	Date: 10/09/17	CARDINAL CONDOMINIUMS	IOWA CITY, IOWA 52240	
Checked by: JDM	Project No: IC 10385001	EXHIBIT "E" - ROOM LAYOUT SCHEMATIC	(319) 351-8282	
		CORALVILLE	www.mmsconsultants.net	
		JOHNSON, IOWA		Sheet No: 5 of 5

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 101B, 101C, 119B, 119C, 201, and 219

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; to the First Amendment to Said Declaration recorded in Book 3669, Page 240; to the Second Amendment to said Declaration in Book 3819, Page 677 and following; and to the Second Amendment to said Declaration in Book 5239, Page 293 and following, 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 101B, 101C, 119B, 119C, 201 and 219 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. A Storage Room is constructed at the top of the Stairs located along, and running parallel to, Grid Line "J" and above Unit 119B. The Storage Room measures 14'-0"x13'-6" with a 3'-0" door to access the room from the top of the Stairs.
    b. A Storage Room/Office is constructed in the corner of Unit 119B, measuring 14'-0"x13'-6", with a 3'-0" door to access the room from Unit 119B, and located directly below the Storage Room described in Section (3.a) above.

c. A 14'-6"x8'-0" Utility Room is constructed in Unit 119B and 119C, located immediately adjacent to the Stairs and the Exterior wall. The Utility Room is accessed from the outside of the Building via a 3'-0" door.
d. A Storage Room is constructed at the top of the Stairs located along, and running parallel to, Grid Line "J" and above Unit 101B. The Storage Room measures 4'-3"x21'-10" with a 3'-0" door to access the room from the top of the Stairs.
e. A 12'-8"x7'-0" Utility Room is constructed in Unit 101B and 101C, located immediately adjacent to the Stairs and the Exterior wall. The Utility Room is accessed from the outside of the Building via a 3'-0" door.

Kelly J. Beckler
Iowa License Number 14624
My biennial license renewal date is December 31, 2018.

Subscribed and sworn to before me by said Kelly J. Beckler this 11th day of October, 2017.

Notary Public in and for the State of Iowa.

NOTARIAL SEAL IOWA
GINA LE LANDAU
Commission Number 790231
My Commission Expires
May 29, 2018

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