

JPM Enterprises  
2950 E Post Rd  
Marion, IA 52302  
RD. \$77.00 pd CK #7106

  
Doc ID: 007283300014 Type: GEN  
Recorded: 05/20/2005 at 01:32:28 PM  
Fee Amt: \$77.00 Page 1 of 14  
Instr# 200500084963  
Linn County Iowa  
JOAN MCCALMANT RECORDER  
BK **5993** PG **150-163**

THIS INSTRUMENT PREPARED BY: STEPHEN C. NELSON  
Moyer & Bergman, PLC, 2720 1st Ave. NE, PO Box 1943, Cedar Rapids, IA 52406-1943, (319) 366-7331

TENTH AMENDMENT TO DECLARATION OF SUBMISSION OF PROPERTY  
TO HORIZONTAL PROPERTY REGIME  
FOR  
PINE RIDGE, A CONDOMINIUM

JPM Enterprises, Inc., an Iowa corporation (the "Developer") executes this Tenth Amendment to the Declaration of Submission of Property to Horizontal Property Regime for Pine Ridge, a Condominium (the "Declaration"), all pursuant to Chapter 499B, Code of Iowa, entitled Horizontal Property Regime Act (Condominiums), which Declaration was filed in the office of the Recorder of Linn County, Iowa on October 31, 2003 in Book 5462 beginning at Page 104. This Tenth Amendment shall take effect when filed for record in the office of the Recorder of Linn County, Iowa.

Pursuant to paragraph 3 of Article XIII of the Declaration, Developer amends the Declaration by adding Building 3685 37<sup>th</sup> Avenue SW containing Units A, B, C and D and Building 3665 37th Avenue SW containing Units A, B and C as follows:

thereof: 1. Paragraph 2 of Article II is deleted and the following substituted in lieu

2. Building Site Plan and Site Survey. Attached as Exhibit A-6 is the Revised Site Plan which shows the location of the 24 Buildings and the proposed locations of future Buildings that the Developer may construct on the Land. Attached as Exhibits B-1, B-2, B-3, B-4, B-5, B-6, B-7, B-8, B-9, B-10, B-11, B-12, B-13, B-14, B-15A, B-16, B-17, B-18, B-19, B-20, B-21, B-22, B-23 and B-24 are Site Surveys which show the location and dimensions of the 24 Buildings and the Units in each Building.

thereof: 3. Paragraph 4 of Article II is deleted and the following substituted in lieu

4. Particulars of Units. Exhibit D shows a complete set of plans for the 20 Units which were initially included in the Regime. The four Units in each Building have two stories and an attached 1-car or 2-car garage which is located on the first floor and is accessible directly from the Unit. Each Unit includes an unfinished basement. Exhibit D-1 is a complete set of plans for Building 3945 37<sup>th</sup> Ave. SW containing Units A, B, C and D in Cedar Rapids, Iowa. Units A and D are one story and Units B and C are two stories. Exhibit D-2 is a complete set of plans for Building 3920 37<sup>th</sup> Avenue SW containing Units A, B and C and are one story Units. The complete set of

plans for Building 3925 37th Avenue SW containing Units A, B and C are identical to the plans filed with the Third Amendment to Declaration for Building 3920 37th Avenue SW containing Units A, B and C and are one story Units. The complete set of plans for Building 3905 37th Avenue SW containing Units A, B, C and D and Building 4021 37th Avenue SW containing Units A, B, C and D are identical to the plans filed with the original Declaration for Building 3940 37th Avenue SW containing Units A, B, C and D and are two story Units. The complete set of plans for Amendment to Declaration for Building 3925 37th Avenue SW containing Units A, B and C and are one story Units. The complete set of plans for Building 3820 37th Avenue SW containing Units A, B, C and D which are all two bedroom townhome units with 1 stall garages are attached as Exhibit D-5. The complete set of plans for Building 3840 37th Avenue SW containing Units A, B, C, D, E and F are identical to the plans filed with the original Declaration for Building 4010 37th Avenue SW. The complete set of plans for Building 3860 37th Avenue SW containing Units A, B, C, D, E and F are identical to the plans filed with the original Declaration for Building 4010 37th Avenue SW. The complete set of plans for Building 3845 37th Avenue SW containing Units A, B, C and D which are three bedroom townhomes with 2 stall garages are attached as Exhibit D-6. The complete set of plans for Building 3865 37th Avenue SW containing Units A, B, C and D are identical to the plans filed with the Fourth Amendment to Declaration for Building 3905 37th Avenue SW. The complete set of plans for Buildings 3765 37th Avenue SW and 3705 37th Avenue SW each containing Units A, B and C are identical to the plans filed with the Fifth Amendment to Declaration for Building 3900 37th Avenue SW. The complete set of plans for Building 3740 37th Avenue SW containing Units A, B, C, D, E and F are identical to the plans filed with the Sixth Amendment to Declaration for Building 3840 37th Avenue SW. The complete set of plans for Building 3720 37th Avenue SW and 3725 37th Avenue SW containing Units A, B, C and D are identical to the plans filed with the Sixth Amendment to Declaration for Building 3820 37th Avenue SW. The complete set of plans for Building 3745 37th Avenue SW containing Units A and B which are two bedroom ranches with 2 stall garages are attached as Exhibit D-7. The complete set of plans for Building 3685 37th Avenue SW containing Units A, B, C and D are identical to the plans filed with the Sixth Amendment to Declaration for Building 3845 37th Avenue SW. The complete set of plans for Building 3665 37th Avenue SW containing Units A, B and C which are two bedroom ranches with 2 stall garages are attached as Exhibit D-8. The approximate area of each Unit is set forth on Exhibit G-9.

thereof:

4. Paragraph 3 of Article III is deleted and the following substituted in lieu

3. Identification of Units by Letter. Each Unit is identified by a Unit letter and Building number as set forth on Exhibits B-1, B-2, revised B-3, revised B-4, revised B-5, revised B-6, revised B-7, B-8, B-9, B-10, B-11, B-12, B-13, B-14, B-15A, B-16, B-17, B-18, B-19, B-20, B-21, B-22, B-

23 and B-24. In addition, the Unit letter of each Unit and its approximate area is set forth on Exhibit G-9. Exhibit G-9 also sets forth the fractional interest of the undivided ownership in the Land and other common elements in the regime for each Unit.

5. Attached to this Tenth Amendment are Exhibits B-23, B-24, D-8, E-9 and G-9. All references in the body of this Declaration to Exhibit G shall now be replaced and referred to as Exhibit G-9. All references in the body of the Declaration to Exhibits B-1, B-2, B-3, B-4, B-5, B-6, B-7, B-8, B-9, B-10, B-11, B-12, B-13, B-14, B-15, B-15A, B-16, B-17, B-18, B-19, B-20, B-21, B-22, revised Exhibit B-3, revised Exhibit B-4, revised Exhibit B-5 and revised Exhibit B-6, shall now also include Exhibits B-23 and B-24. All references in the body of the Declaration to Exhibits D-1, D-1, D-3, D-4, D-5, D-6, and D-7 shall now also include Exhibit D-8. All references in the body of the Declaration to Exhibits E, E-1, E-2, E-3, E-4, E-5, E-6, E-7 shall now include E-9.

6. Except for the terms and provisions of the Declaration (including all of the exhibits) which have been modified and amended by this Tenth Amendment to Declaration, all remaining terms and provisions of the Declaration as amended (including all exhibits) shall remain in full force and effect.

Executed this 20 day of May, 2005.

JPM ENTERPRISES, INC.

By: Peg Morris  
Peg Morris, Vice President

STATE OF IOWA     )  
                              ) ss:  
COUNTY OF LINN    )

This instrument was acknowledged before me this 20 day of May 2005, by Peg Morris, Vice President of JPM Enterprises, Inc., an Iowa corporation.

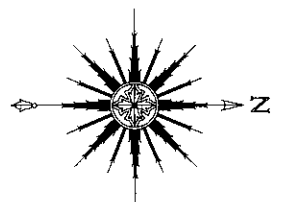
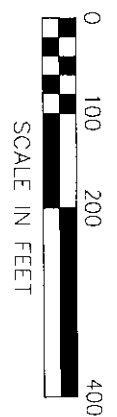
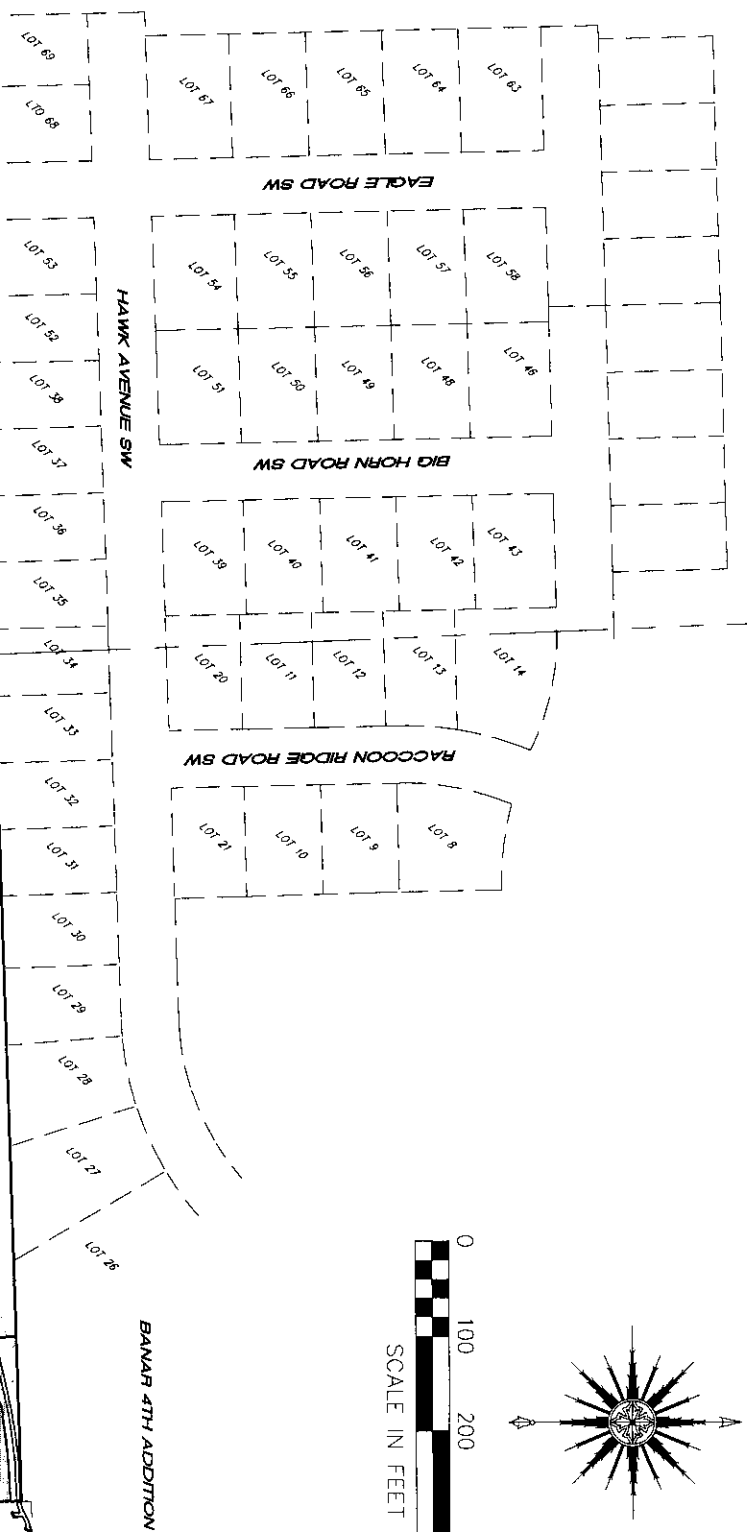
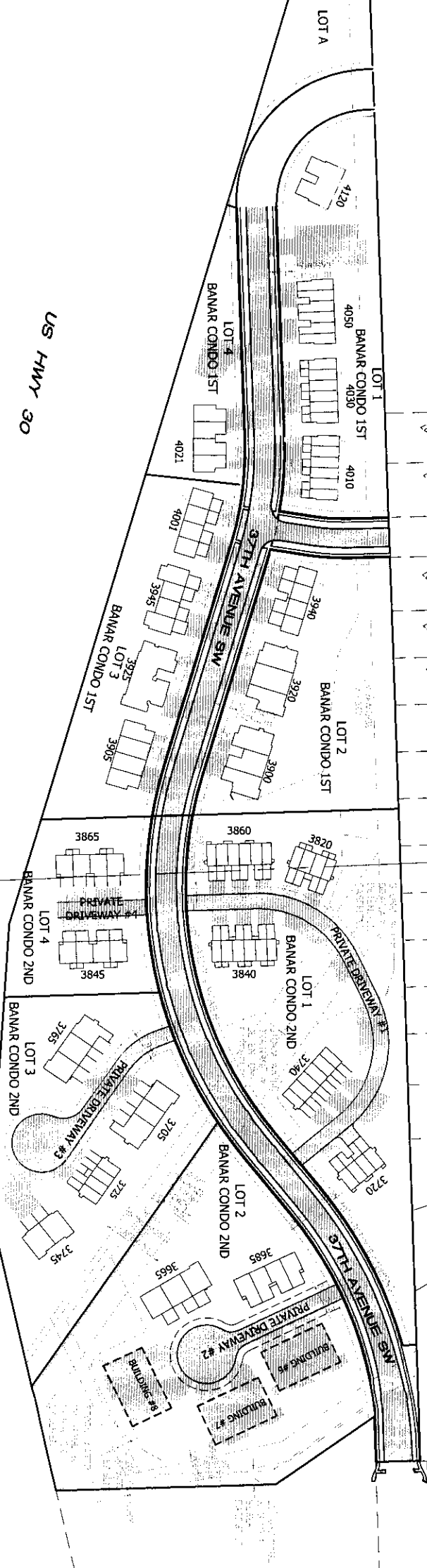
Dana S. Daves  
Notary Public - State of Iowa



WEST LINE SE 1/4 SECTION 1-82-8

US HWY 30

UNPLATTED  
BANAR INVESTMENTS, LLC



1 OF 1

**EXHIBIT A-6**  
**BANAR CONDO ADDITION**  
**CEDAR RAPIDS, IOWA**

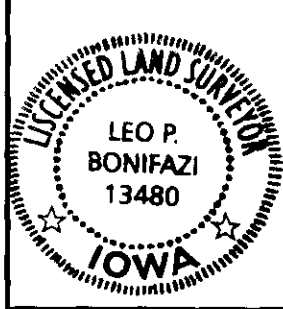
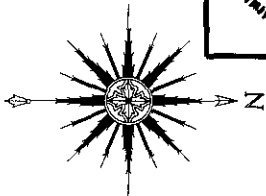
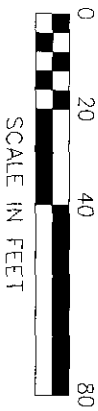
DRAWN: SKF  
 APPROVED: LPB  
 ISSUED FOR: REVIEW  
 DATE: 05/04/05  
 PROJECT NO.: 0401

SCHNOOR-BONIFAZI  
 ENGINEERING & SURVEYING, LC  
 320 11TH AVENUE SE, STE. 223  
 CEDAR RAPIDS, IA 52401  
 (319) 298-8888 (PHONE)  
 (319) 298-8889 (FAX)  
 s-b-engineering.com





**OWNER:**  
 JPM ENTERPRISES, INC  
 ATTN: JON MORRIS  
 2950 EAST POST ROAD  
 MARION IA 52302  
 PH 319-377-0553

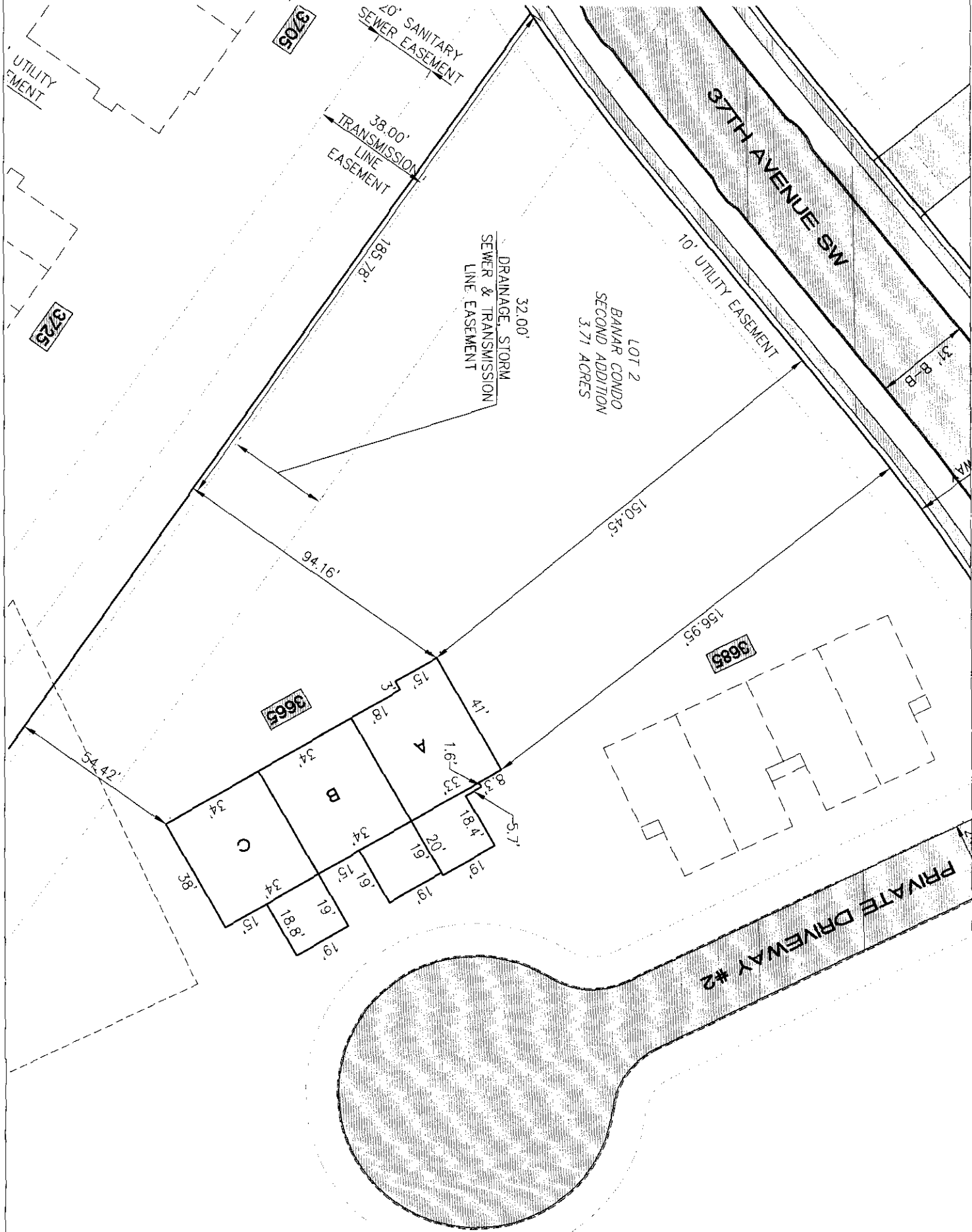


I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED AND THE RELATED SURVEY WORK WAS PERFORMED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

SIGNATURE: *Leo P. Bonifazi*  
 LEO P. BONIFAZI  
 LICENSE NO. 13480  
 SHEETS COVERED BY THIS SEAL: *this sheet only*

DATE: 5/12/05

MY LICENSE RENEWAL DATE IS DECEMBER 31, 2005

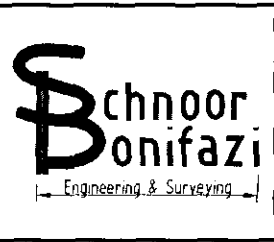


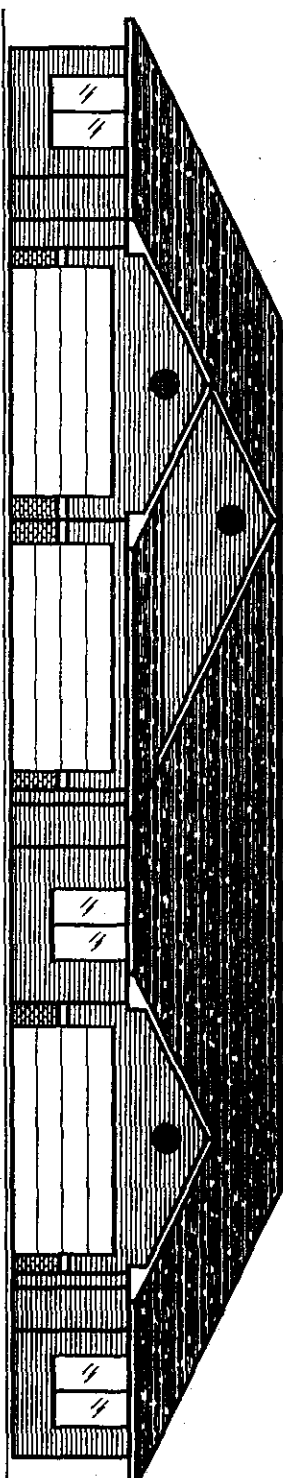
1 OF 1

**EXHIBIT B-24**  
**BUILDING NO. 3665**  
 BANAR CONDO SECOND ADDITION  
 CEDAR RAPIDS, IOWA

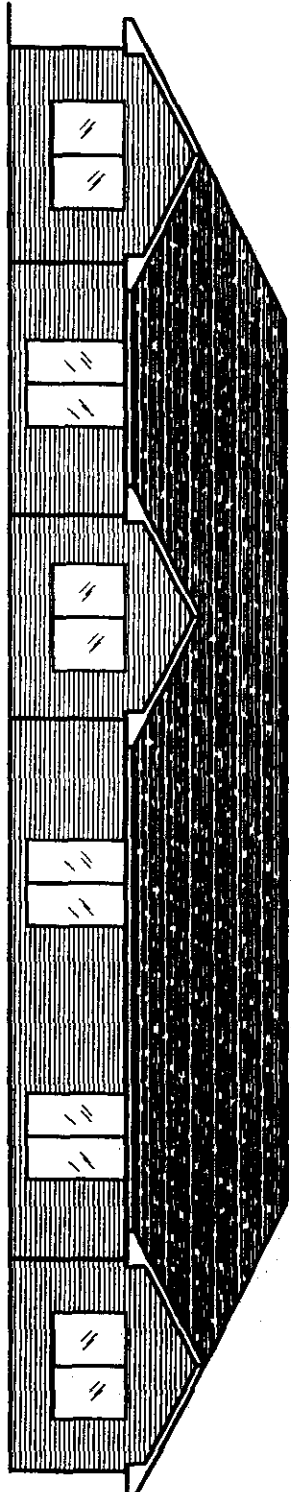
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 APPROVED: LPB  
 ISSUED FOR: REVIEW  
 DATE: 05/04/05  
 PROJECT NO.: 0401

SCHNOOR-BONIFAZI  
 ENGINEERING & SURVEYING, LC  
 320 11TH AVENUE SE, STE. 223  
 CEDAR RAPIDS, IA 52401  
 (319) 298-8888 (PHONE)  
 (319) 298-8889 (FAX)  
 s-b-engineering.com





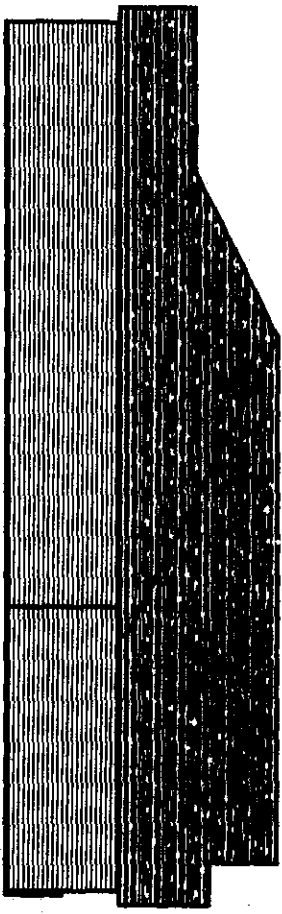
FRONT ELEVATION



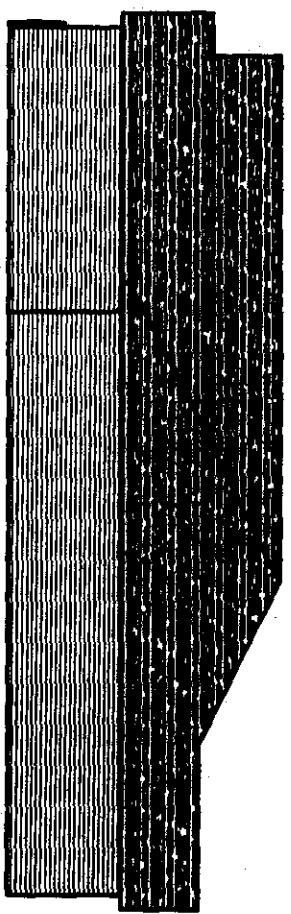
REAR ELEVATION

tabbles  
**EXHIBIT**  
*D-8*  
*1994*

PAPERNOE 3 UNIT RANCH &  
ELEVATIONS  
1994



LEFT ELEVATION

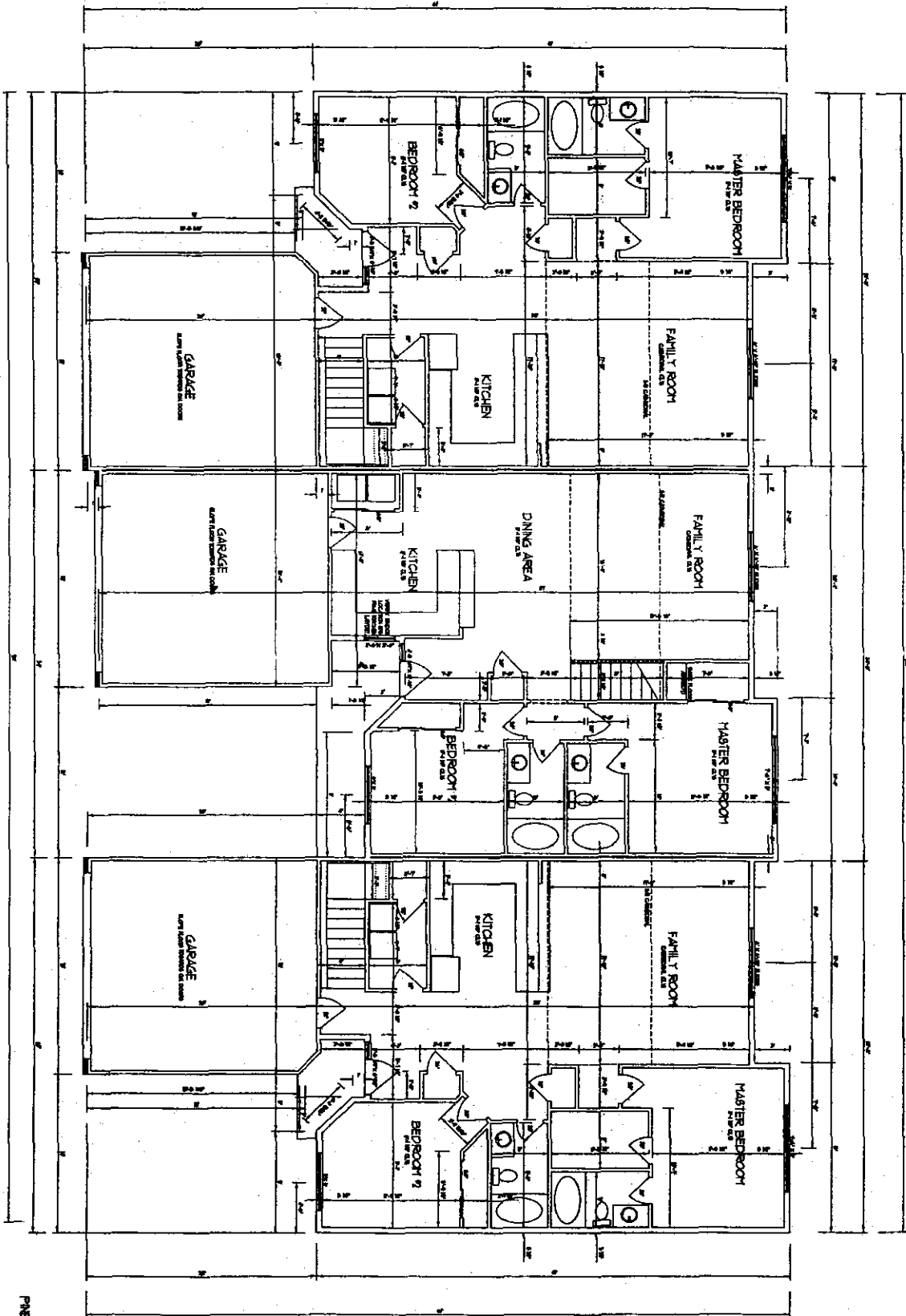


RIGHT ELEVATION

PENROBE 3 UNIT RANCH 2  
ELEVATIONS  
SCALE 1/4" = 1'  
MAY 1974

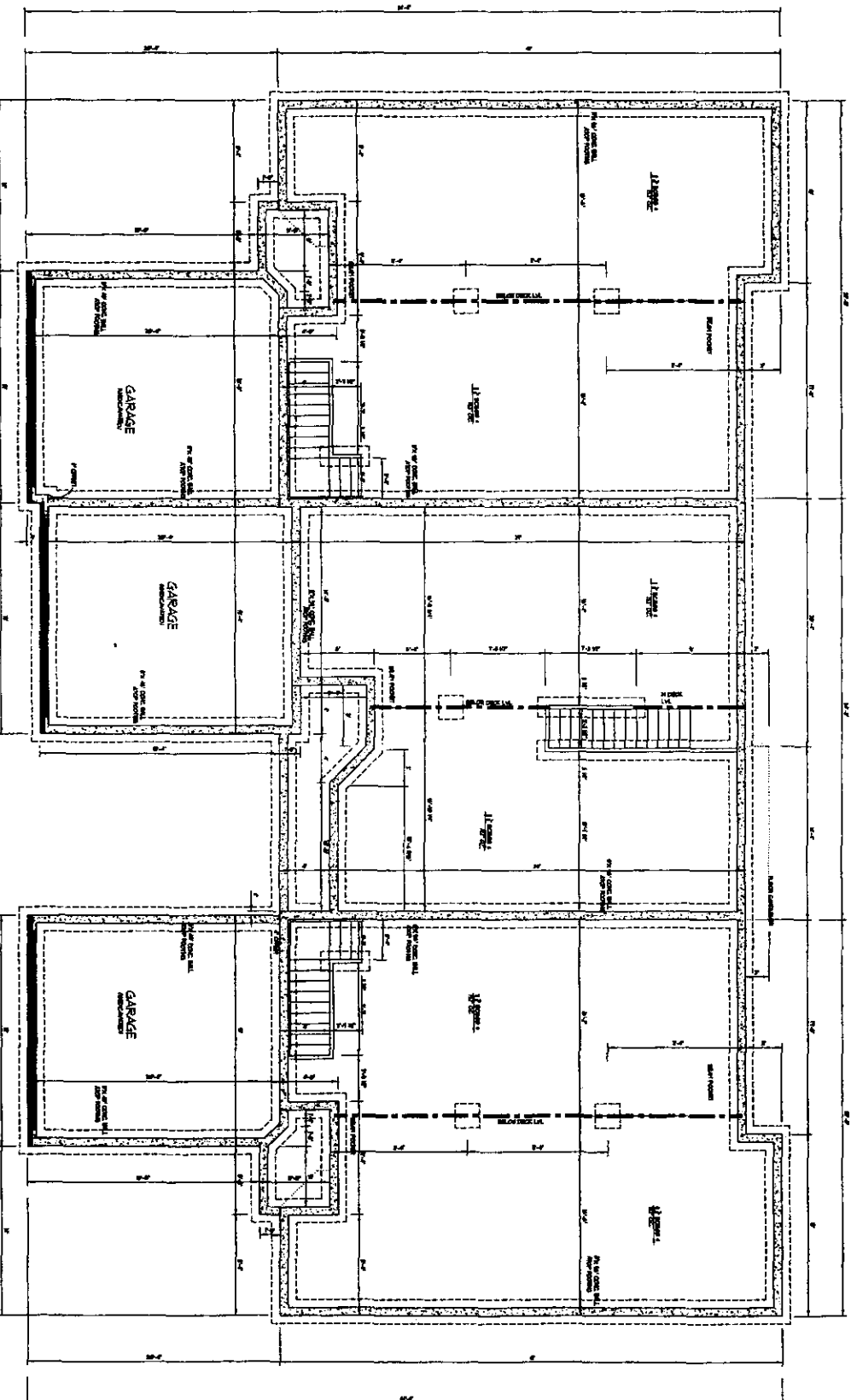
tabbles  
**EXHIBIT**  
D-8  
PH 4





PERIODIC 3 UNIT RANCH 2  
 FLOOR PLAN  
 SCALE: 1/8" = 1'-0"  
 10/15/74

tabbles®  
**EXHIBIT**  
 D-8  
 3074



tabbles  
**EXHIBIT**  
*D-8*  
*4/17/74*

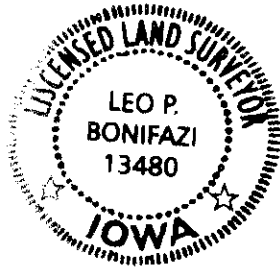
PERIODIC 3 UNIT RANCH 2  
 FOUNDATION PLAN  
 SCALE: 1/8" = 1'-0"  
 DATE: 1/1/74

**SURVEYOR'S CERTIFICATE**

I hereby certify that the revised Site Plan, identified as Exhibit A-6, and the Site Surveys, identified as Exhibits B-23 and B-24, which are attached to this Tenth Amendment to the Declaration of Submission of Property to Horizontal Property Regime for Pine Ridge, a Condominium, relating to Building 3685 containing Units A, B, C and D and Building 3665 containing Units A, B and C, depict and describe the location of the Buildings, the common area to which each Unit has access and the location of all common elements that afford access to each Unit, all as they now exist as of this date.

I hereby certify that Exhibits B-23 and B-24 were prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed surveyor under the laws of the State of Iowa.

Dated this 12<sup>th</sup> day of May, 2005.



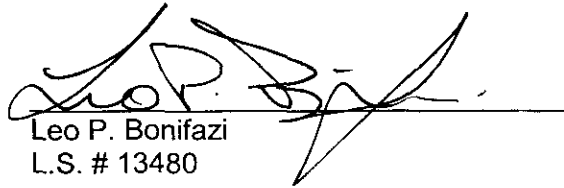
  
Leo P. Bonifazi  
L.S. # 13480

EXHIBIT E-9

PINE RIDGE, A CONDOMINIUM

<u>Address of Unit</u>	<u>Unit Type</u>	<u>Fractional Interest</u>	<u>Approximate Area</u>
4010 37 <sup>th</sup> Ave. SW	Unit A	1/100	1,024 sq. ft.
4010 37 <sup>th</sup> Ave. SW	Unit B	1/100	1,048 sq. ft.
4010 37 <sup>th</sup> Ave. SW	Unit C	1/100	1,040 sq. ft.
4010 37 <sup>th</sup> Ave. SW	Unit D	1/100	1,040 sq. ft.
4010 37 <sup>th</sup> Ave. SW	Unit E	1/100	1,048 sq. ft.
4010 37 <sup>th</sup> Ave. SW	Unit F	1/100	1,024 sq. ft.
3940 37 <sup>th</sup> Ave. SW	Unit A	1/100	1,760 sq. ft.
3940 37 <sup>th</sup> Ave. SW	Unit B	1/100	1,400 sq. ft.
3940 37 <sup>th</sup> Ave. SW	Unit C	1/100	1,400 sq. ft.
3940 37 <sup>th</sup> Ave. SW	Unit D	1/100	1,760 sq. ft.
4030 37 <sup>th</sup> Ave. SW	Unit A	1/100	1,024 sq. ft.
4030 37 <sup>th</sup> Ave. SW	Unit B	1/100	1,048 sq. ft.
4030 37 <sup>th</sup> Ave. SW	Unit C	1/100	1,040 sq. ft.
4030 37 <sup>th</sup> Ave. SW	Unit D	1/100	1,040 sq. ft.
4030 37 <sup>th</sup> Ave. SW	Unit E	1/100	1,048 sq. ft.
4030 37 <sup>th</sup> Ave. SW	Unit F	1/100	1,024 sq. ft.
4001 37 <sup>th</sup> Ave. SW	Unit A	1/100	1,720 sq. ft.
4001 37 <sup>th</sup> Ave. SW	Unit B	1/100	1,360 sq. ft.
4001 37 <sup>th</sup> Ave. SW	Unit C	1/100	1,360 sq. ft.
4001 37 <sup>th</sup> Ave. SW	Unit D	1/100	1,720 sq. ft.
3945 37 <sup>th</sup> Ave. SW	Unit A	1/100	1,039 sq. ft.
3945 37 <sup>th</sup> Ave. SW	Unit B	1/100	1,760 sq. ft.
3945 37 <sup>th</sup> Ave. SW	Unit C	1/100	1,720 sq. ft.
3945 37 <sup>th</sup> Ave. SW	Unit D	1/100	1,039 sq. ft.
3920 37 <sup>th</sup> Ave. SW	Unit A	1/100	1,240 sq. ft.
3920 37 <sup>th</sup> Ave. SW	Unit B	1/100	1,193 sq. ft.
3920 37 <sup>th</sup> Ave. SW	Unit C	1/100	1,447 sq. ft.
3925 37 <sup>th</sup> Ave. SW	Unit A	1/100	1,240 sq. ft.
3925 37 <sup>th</sup> Ave. SW	Unit B	1/100	1,193 sq. ft.
3925 37 <sup>th</sup> Ave. SW	Unit C	1/100	1,447 sq. ft.
3905 37 <sup>th</sup> Ave. SW	Unit A	1/100	1,760 sq. ft.
3905 37 <sup>th</sup> Ave. SW	Unit B	1/100	1,360 sq. ft.
3905 37 <sup>th</sup> Ave. SW	Unit C	1/100	1,360 sq. ft.
3905 37 <sup>th</sup> Ave. SW	Unit D	1/100	1,720 sq. ft.

4021 37th Ave. SW	Unit A	1/100	1,720 sq. ft.
4021 37th Ave. SW	Unit B	1/100	1,360 sq. ft.
4021 37th Ave. SW	Unit C	1/100	1,360 sq. ft.
4021 37th Ave. SW	Unit D	1/100	1,720 sq. ft.
4050 37th Ave. SW	Unit A	1/100	1,024 sq. ft.
4050 37th Ave. SW	Unit B	1/100	1,048 sq. ft.
4050 37th Ave. SW	Unit C	1/100	1,040 sq. ft.
4050 37th Ave. SW	Unit D	1/100	1,040 sq. ft.
4050 37th Ave. SW	Unit E	1/100	1,048 sq. ft.
4050 37th Ave. SW	Unit F	1/100	1,024 sq. ft.
3900 37th Ave. SW	Unit A	1/100	1,240 sq. ft.
3900 37th Ave. SW	Unit B	1/100	1,193 sq. ft.
3900 37th Ave. SW	Unit C	1/100	1,447 sq. ft.
3820 37th Ave. SW	Unit A	1/100	1,024 sq. ft.
3820 37th Ave. SW	Unit B	1/100	1,048 sq. ft.
3820 37th Ave. SW	Unit C	1/100	1,048 sq. ft.
3820 37th Ave. SW	Unit D	1/100	1,024 sq. ft.
3840 37th Ave. SW	Unit A	1/100	1,024 sq. ft.
3840 37th Ave. SW	Unit B	1/100	1,048 sq. ft.
3840 37th Ave. SW	Unit C	1/100	1,040 sq. ft.
3840 37th Ave. SW	Unit D	1/100	1,040 sq. ft.
3840 37th Ave. SW	Unit E	1/100	1,048 sq. ft.
3840 37th Ave. SW	Unit F	1/100	1,024 sq. ft.
3860 37th Ave. SW	Unit A	1/100	1,024 sq. ft.
3860 37th Ave. SW	Unit B	1/100	1,048 sq. ft.
3860 37th Ave. SW	Unit C	1/100	1,040 sq. ft.
3860 37th Ave. SW	Unit D	1/100	1,040 sq. ft.
3860 37th Ave. SW	Unit E	1/100	1,048 sq. ft.
3860 37th Ave. SW	Unit F	1/100	1,024 sq. ft.
3845 37th Ave. SW	Unit A	1/100	1,760 sq. ft.
3845 37th Ave. SW	Unit B	1/100	1,760 sq. ft.
3845 37th Ave. SW	Unit C	1/100	1,760 sq. ft.
3845 37th Ave. SW	Unit D	1/100	1,760 sq. ft.
3865 37th Ave. SW	Unit A	1/100	1,720 sq. ft.
3865 37th Ave. SW	Unit B	1/100	1,360 sq. ft.
3865 37th Ave. SW	Unit C	1/100	1,360 sq. ft.
3865 37th Ave. SW	Unit D	1/100	1,720 sq. ft.
3765 37th Ave. SW	Unit A	1/100	1,447 sq. ft.
3765 37th Ave. SW	Unit B	1/100	1,193 sq. ft.
3765 37th Ave. SW	Unit C	1/100	1,240 sq. ft.

3705 37th Ave. SW	Unit A	1/100	1,240 sq. ft.
3705 37th Ave. SW	Unit B	1/100	1,193 sq. ft.
3705 37th Ave. SW	Unit C	1/100	1,447 sq. ft.
3740 37th Ave. SW	Unit A	1/100	1,024 sq. ft.
3740 37th Ave. SW	Unit B	1/100	1,048 sq. ft.
3740 37th Ave. SW	Unit C	1/100	1,040 sq. ft.
3740 37th Ave. SW	Unit D	1/100	1,040 sq. ft.
3740 37th Ave. SW	Unit E	1/100	1,048 sq. ft.
3740 37th Ave. SW	Unit F	1/100	1,024 sq. ft.
3720 37th Ave. SW	Unit A	1/100	1,024 sq. ft.
3720 37th Ave. SW	Unit B	1/100	1,048 sq. ft.
3720 37th Ave. SW	Unit C	1/100	1,048 sq. ft.
3720 37th Ave. SW	Unit D	1/100	1,024 sq. ft.
3725 37th Ave. SW	Unit A	1/100	1,024 sq. ft.
3725 37th Ave. SW	Unit B	1/100	1,048 sq. ft.
3725 37th Ave. SW	Unit C	1/100	1,048 sq. ft.
3725 37th Ave. SW	Unit D	1/100	1,024 sq. ft.
3745 37th Ave. SW	Unit A	1/100	1,240 sq. ft.
3745 37th Ave. SW	Unit B	1/100	1,240 sq. ft.
3685 37th Ave. SW	Unit A	1/100	1,760 sq. ft.
3685 37th Ave. SW	Unit B	1/100	1,760 sq. ft.
3685 37th Ave. SW	Unit C	1/100	1,760 sq. ft.
3685 37th Ave. SW	Unit D	1/100	1,760 sq. ft.
3665 37th Ave. SW	Unit A	1/100	1,240 sq. ft.
3665 37th Ave. SW	Unit B	1/100	1,193 sq. ft.
3665 37th Ave. SW	Unit C	1/100	1,240 sq. ft.

EXHIBIT G-9