

JPM Enterprises  
2950 East Post Rd  
Marion 52302  
TS B76 Pd  
CK 7021



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Fee Amt: \$76.00 Page 1 of 13  
Instr# 200400081827  
Linn County Iowa  
JOAN MCCALMANT RECORDER

BK **5656** PG **318-330**

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

**FOURTH 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 Fourth 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 Fourth 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 3925 37<sup>th</sup> Avenue SW containing Units A, B, and C, Building 3905 37<sup>th</sup> Avenue SW containing Units A, B, C and D, Building 4021 37<sup>th</sup> Avenue SW containing Units A, B, C and D and Building 4050 37<sup>th</sup> Avenue SW containing Units A, B, C, D, E and F, all in Cedar Rapids, Iowa, and to correct the Declaration as follows:

1. The following is added at the end of paragraph 2 of Article II:

2. Building Site Plan and Site Survey.

Attached as Exhibits B-7, B-8, B-9 and B-10 are the Site Surveys which show the location and dimensions of Building 3925 37<sup>th</sup> Avenue SW containing Units A, B and C, Building 3905 37<sup>th</sup> Avenue SW containing Units A, B, C and D, Building 4021 37<sup>th</sup> Avenue SW containing Units A, B, C and D and Building 4050 37<sup>th</sup> Avenue SW containing Units A, B, C, D, E and F, all in Cedar Rapids, Iowa.

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

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 Building 4050 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 containing Units A, B, C, D, E and F and are two story Units. The approximate area of each Unit is set forth on Exhibit G-3.

4. Attached to this Fourth Amendment are revised Exhibit B-3, revised Exhibit B-4, revised Exhibit B-5 and revised Exhibit B-6 and Exhibits B-7, B-8, B-9, B-10, E-3 and G-3. All references in the body of this Declaration to Exhibit G shall now be replaced and referred to as Exhibit G-3. All references in the body of the Declaration to Exhibits B-1, B-2, B-3, B-4, B-5, B-6, and E shall now also include revised Exhibit B-3, revised Exhibit B-4, revised Exhibit B-5 and revised Exhibit B-6, Exhibits B-7, B-8, B-9, B-10, and E-3, respectively.

5. Except for the terms and provisions of the Declaration (including all of the exhibits) which have been modified and amended by this Fourth 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 13<sup>th</sup> day of May, 2004.

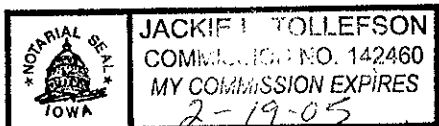
JPM-ENTERPRISES, INC.

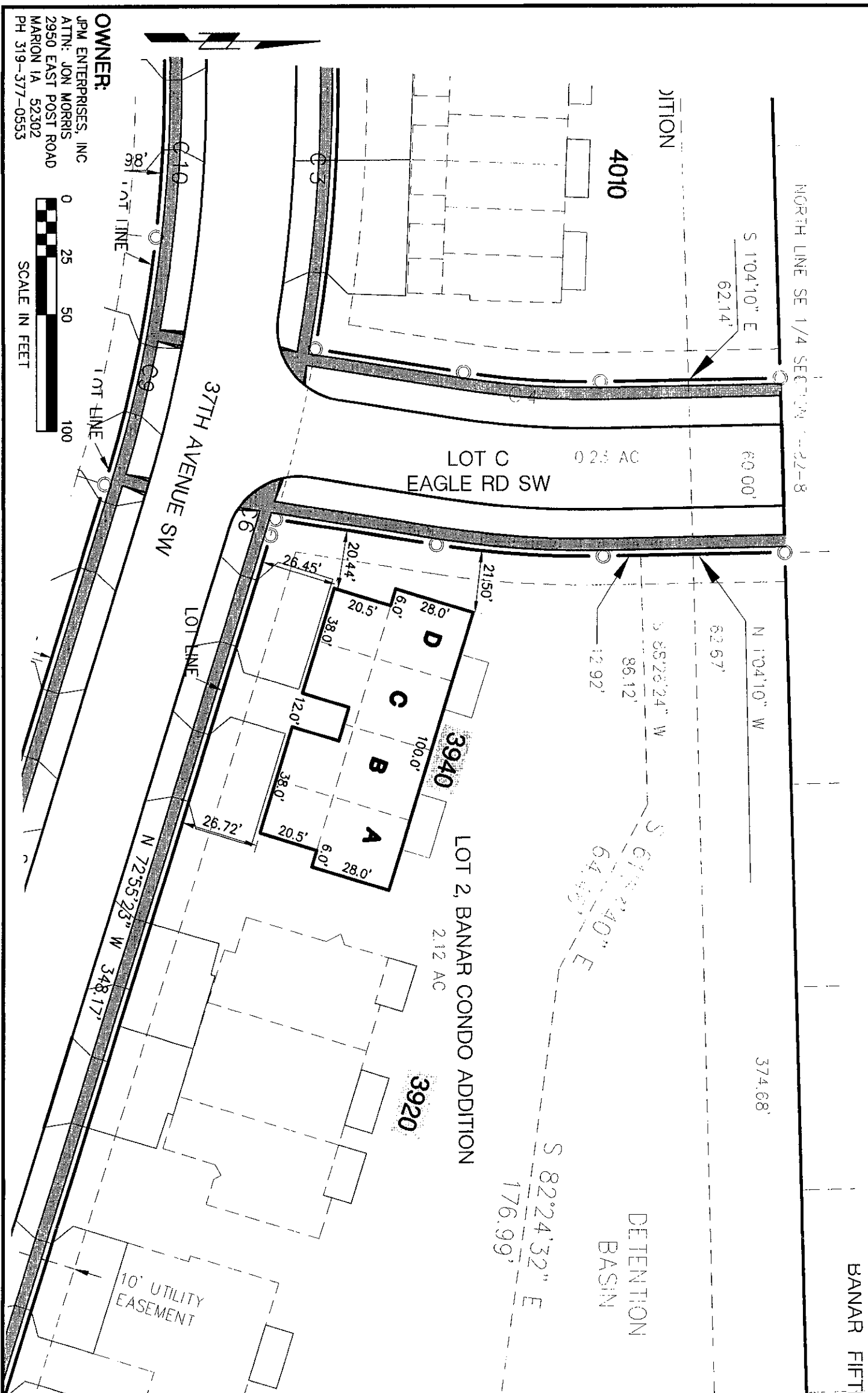
By: Peg Morris  
Peg Morris, Vice President

STATE OF IOWA     )  
                                  ) ss:  
COUNTY OF LINN    )

This instrument was acknowledged before me this 13<sup>th</sup> day of May 2004, by Peg Morris, Vice President of JPM Enterprises, Inc., an Iowa corporation.

Jackie L. Tollefson  
Notary Public - State of Iowa





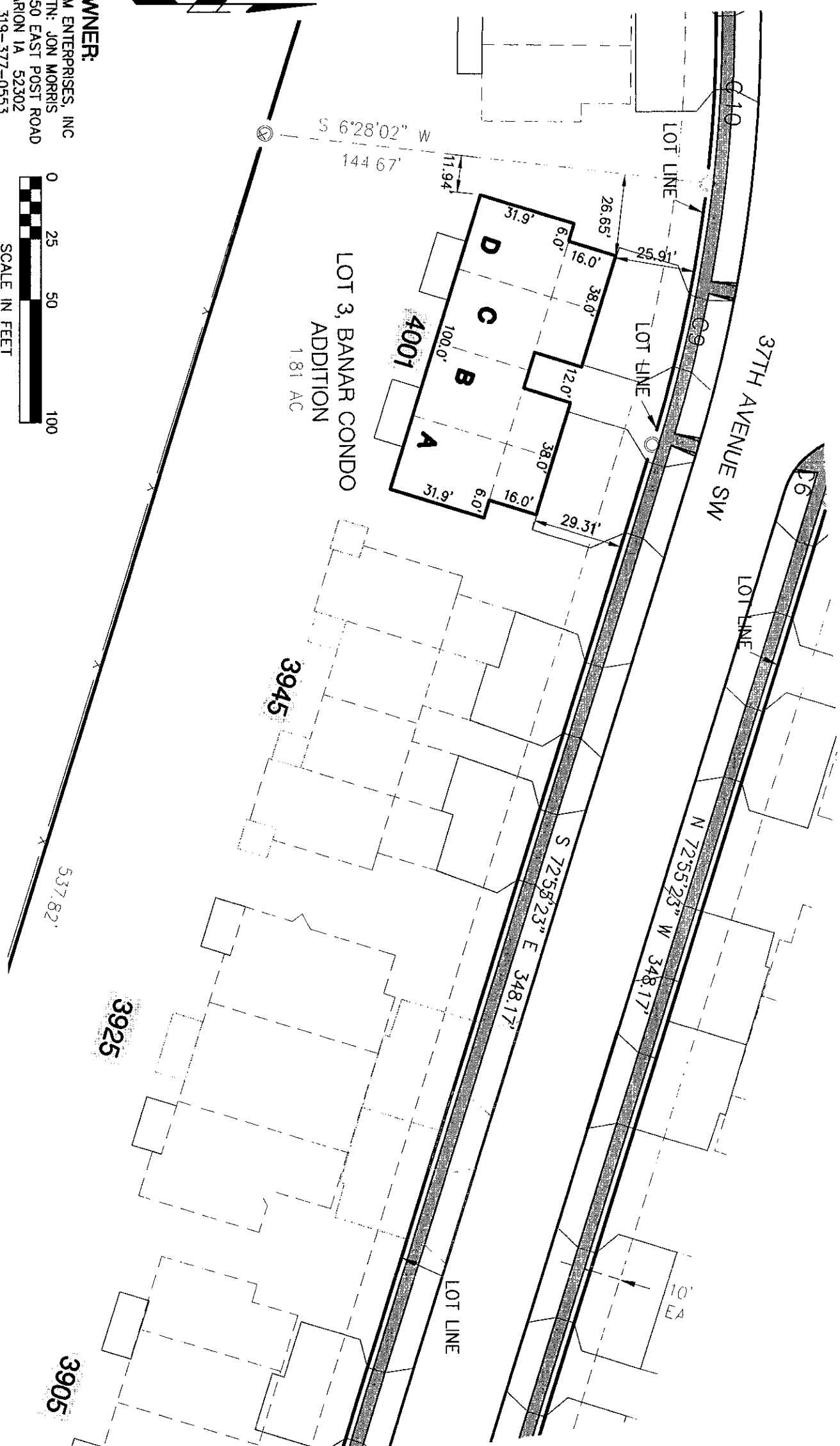
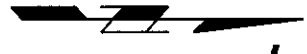
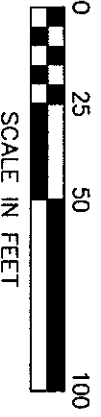
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<b>EXHIBIT B-3</b>			
BUILDING 3940			
DATE	10-24-03	SCALE	1"=50'
DRAWN	LPB	FIELD BOOK	
APPROVED		REVISION	

PROJECT NO.  
203327-0

SHEET NO.  
**B-3**

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

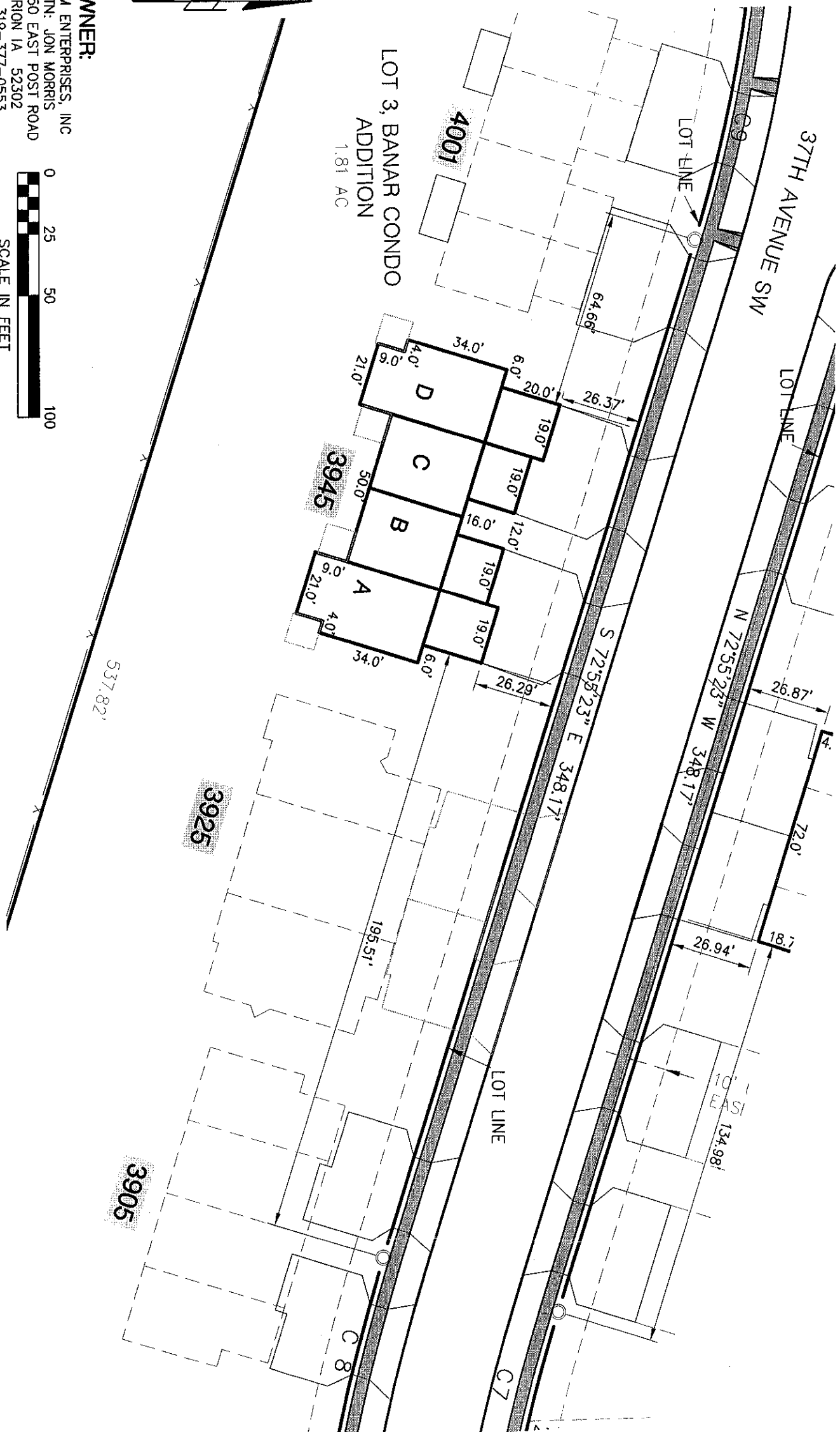
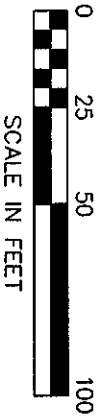


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<b>EXHIBIT B-4</b>		PROJECT NO. 203327-0	
BUILDING 4001			
DATE	10-24-03	SCALE	1"=50'
DRAWN	LPB	FIELD BOOK	
APPROVED		REVISION	

SHEET NO.  
**B-4**

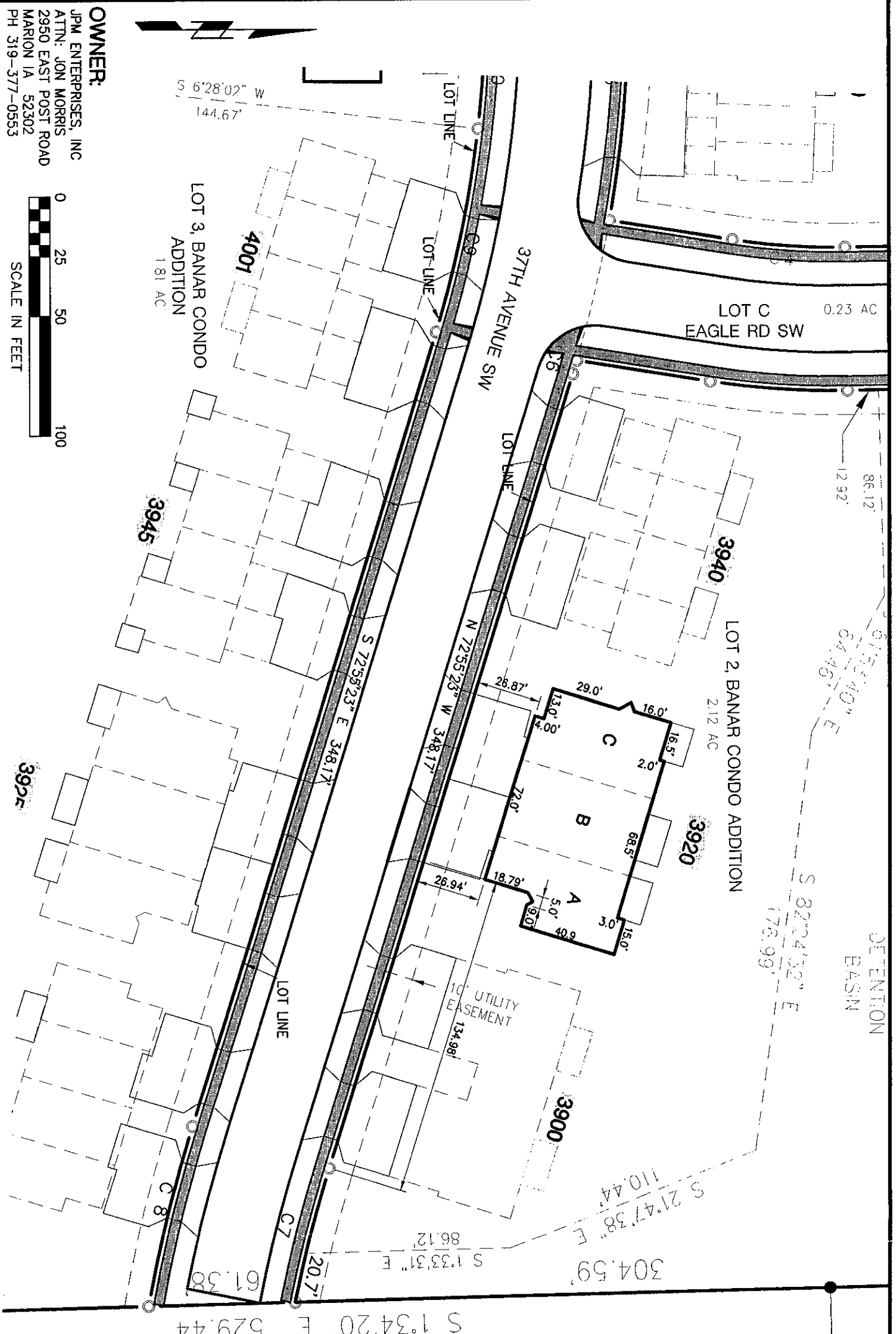
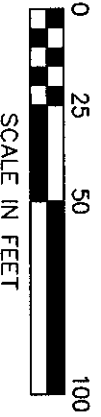
**OWNER:**  
 JPM ENTERPRISES, INC  
 ATTN: JON MORRIS  
 2950 EAST POST ROAD  
 MARION IA 52302  
 PH 319-377-0553



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<b>EXHIBIT B-5</b>		PROJECT NO. 203327-0	
BUILDING 3945			
DATE	11-1-03	SCALE	1"=50'
DRAWN	LPB	FIELD BOOK	
APPROVED		REVISION	
		SHEET NO. <b>B-5</b>	

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



S 6°28'02" W  
144.67'

LOT 3, BANAR CONDO  
ADDITION  
1.81 AC  
4001

LOT C  
EAGLE RD SW  
0.23 AC

3945

3940

LOT 2, BANAR CONDO ADDITION  
2.12 AC  
3920

3995

3990

S 82°24'32" E  
176.99'

10' UTILITY  
EASEMENT  
134.98'

DETENTION  
BASIN

S 21°47'38" E  
110.44'

S 1°34'20" E 529.44'

EVERLOU HEIGHTS FOURTH ADDITION



### EXHIBIT B-6 BUILDING 3920

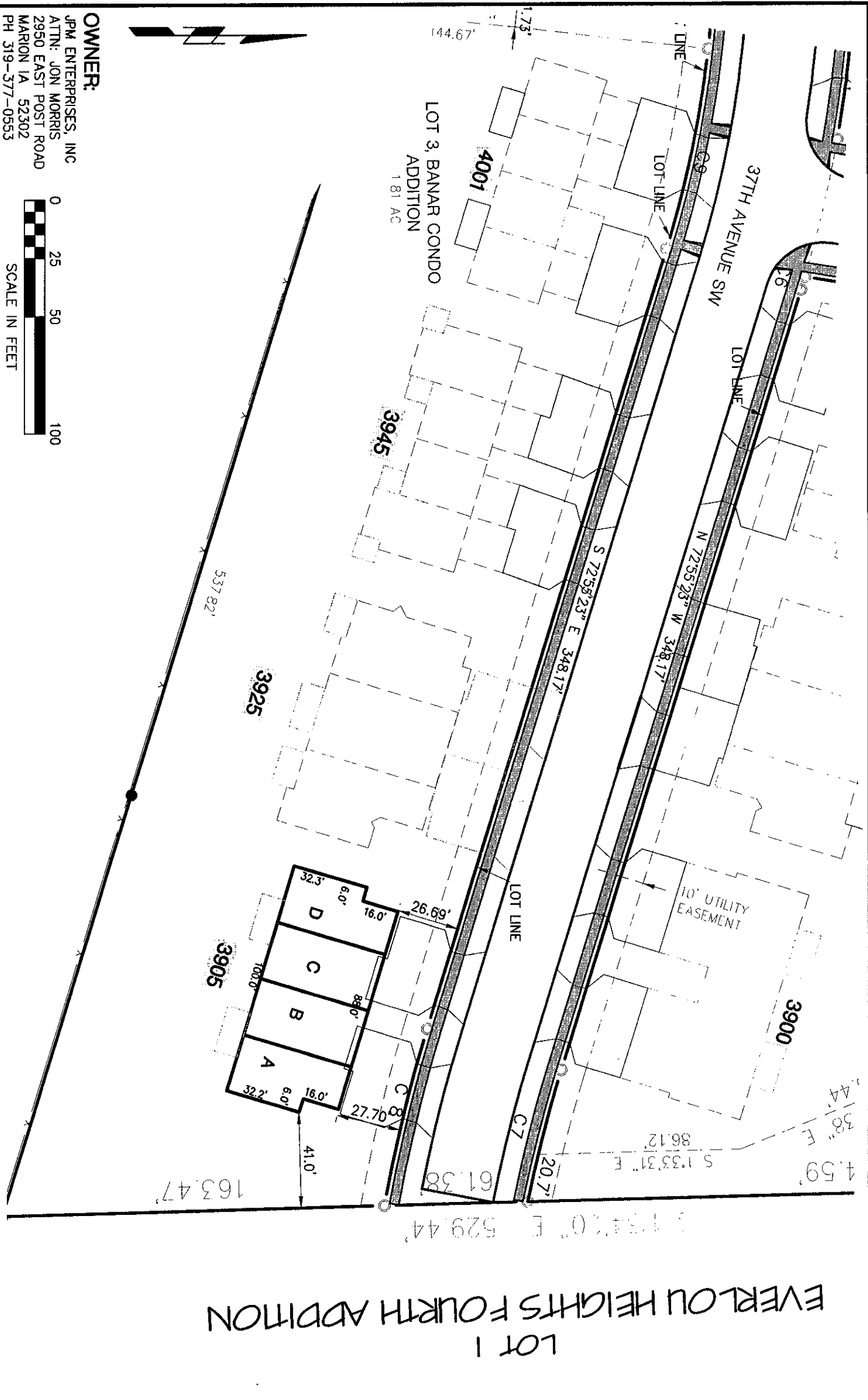
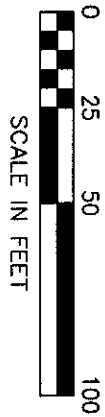
PROJECT NO.  
203327-0

DATE	11-1-03
DRAWN	LPB
APPROVED	

SCALE	1"=50'
FIELD BOOK	
REVISION	

SHEET NO.  
**B-6**

**OWNER:**  
 JPM ENTERPRISES, INC  
 ATTN: JON MORRIS  
 2850 EAST POST ROAD  
 MARION IA 52302  
 PH 319-377-0553



LOT 1  
 EVERLOU HEIGHTS FOURTH ADDITION



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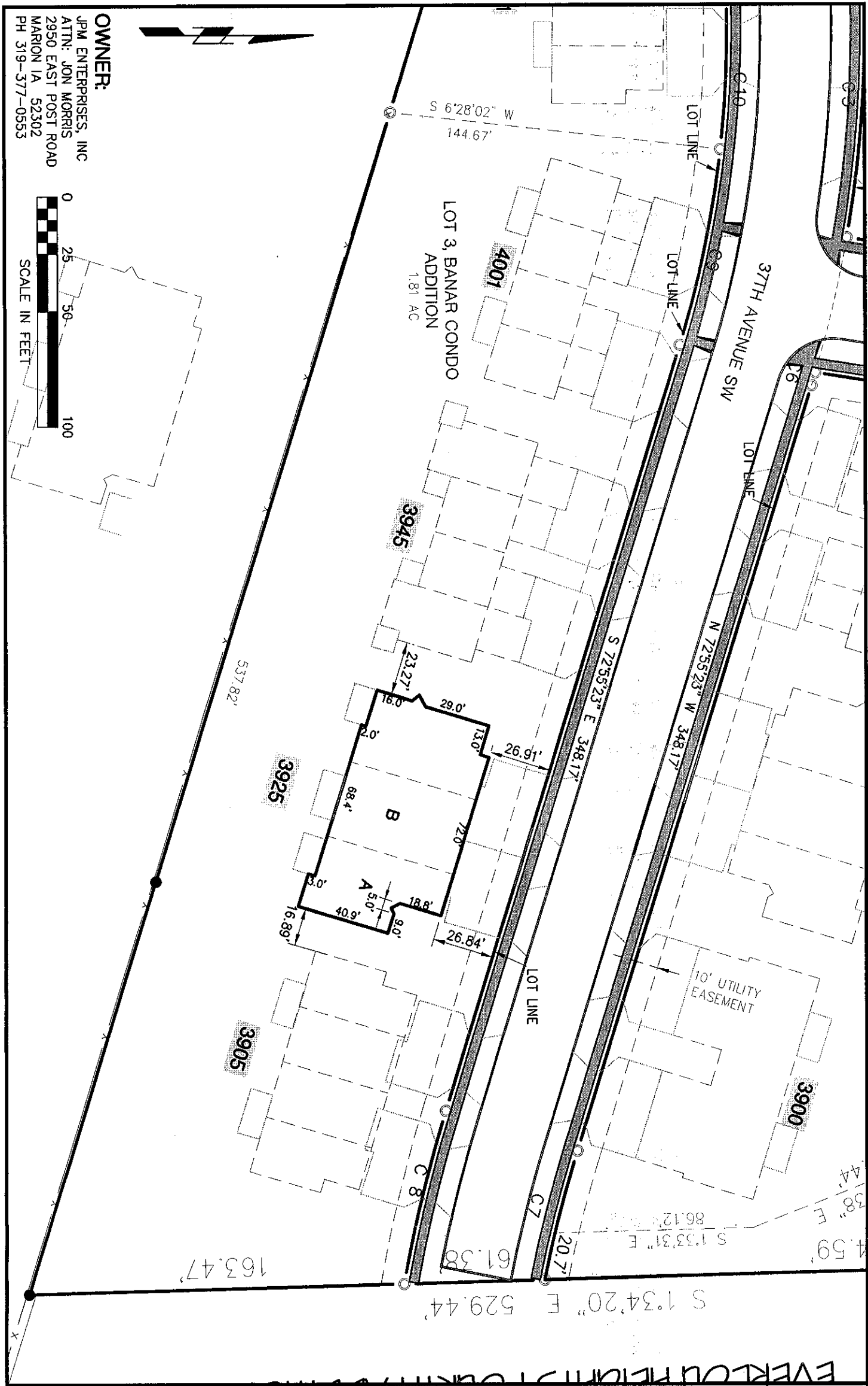
**EXHIBIT B-7**  
 BUILDING 3905

DATE	04/23/04	SCALE	1"=50'
DRAWN	SKJ	FIELD BOOK	
APPROVED	JSB	REVISION	

PROJECT NO.  
203327-0

SHEET NO.  
**B-7**

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



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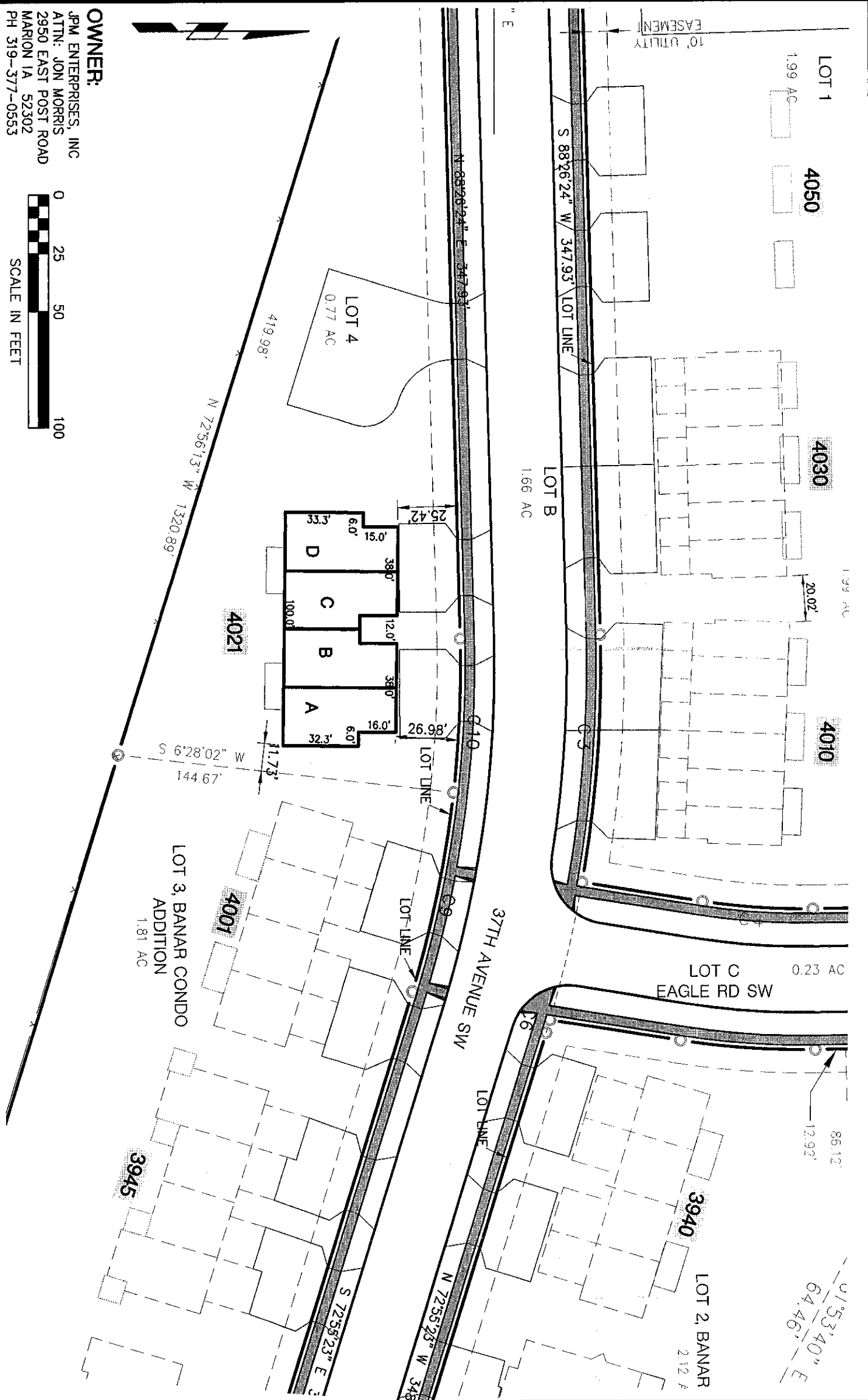
## EXHIBIT B-8 BUILDING 3925

DATE	11-1-03	SCALE	1"=50'
DRAWN	SKJ	FIELD BOOK	
APPROVED	JSB	REVISION	

PROJECT NO.  
203327-0

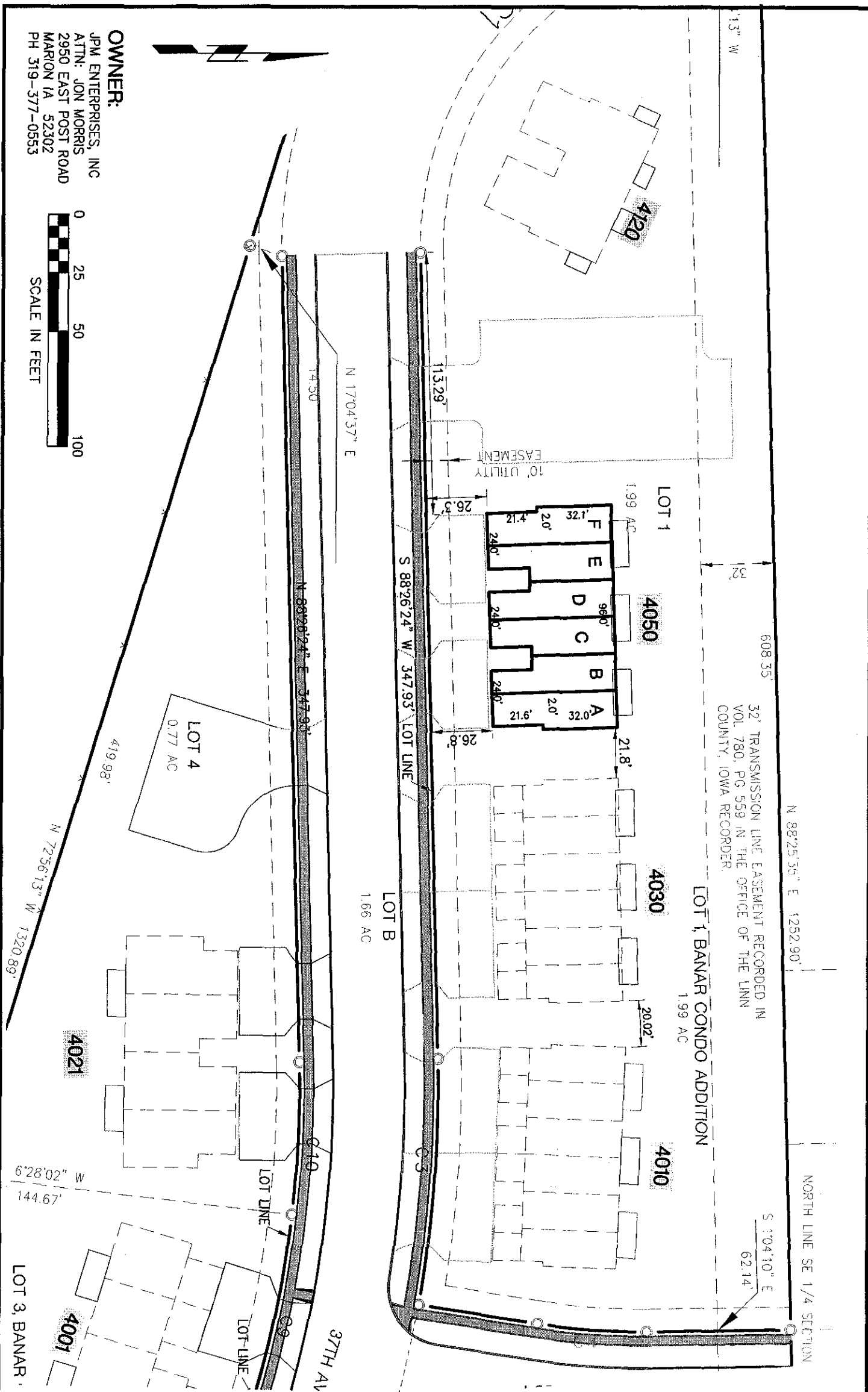
SHEET NO.  
**B-8**





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<b>EXHIBIT B-9</b> BUILDING 4021		PROJECT NO.	203327-0
		SHEET NO.	<b>B-9</b>
DATE	04/23/04	SCALE	1"=50'
DRAWN	SKJ	FIELD BOOK	
APPROVED	JSB	REVISION	



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<b>EXHIBIT B-10</b>		PROJECT NO. 203327-0		
BUILDING 4050				
DATE	04/23/04	SCALE	1"=50'	SHEET NO. <b>B-10</b>
DRAWN	SKJ	FIELD BOOK		
APPROVED	JSB	REVISION		

**SURVEYOR'S CERTIFICATE**

I hereby certify that the revised Site Plan, identified as Exhibit A, and the Site Surveys, identified as Exhibit B-7, B-8, B-9 & B 10, which are attached to this Declaration of Submission of Property to Horizontal Property Regime for Pine Ridge, a Condominium, relating to four Buildings: Building 3905 containing Units A, B, C and D, Building 3925 containing Units A, B, C and D, Building 4021 containing Units A, B, C and D, and Building 4050 containing Units A, B, C and D located on 37<sup>th</sup> Avenue SW in Cedar Rapids, Iowa, depict and describe the location and 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 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.

Dated this 20 day of April, 2004.

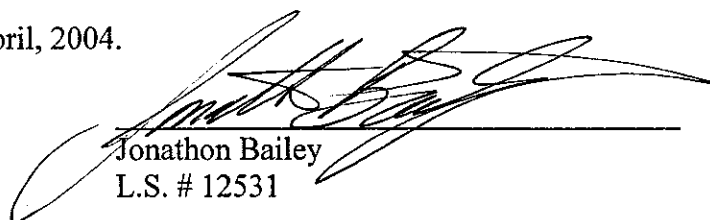
  
Jonathon Bailey  
L.S. # 12531

EXHIBIT E-3

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	1/44	1,024 sq. ft.
4010 37 <sup>th</sup> Ave. SW	Unit B	1/44	1,048 sq. ft.
4010 37 <sup>th</sup> Ave. SW	Unit C	1/44	1,040 sq. ft.
4010 37 <sup>th</sup> Ave. SW	Unit D	1/44	1,040 sq. ft.
4010 37 <sup>th</sup> Ave. SW	Unit E	1/44	1,048 sq. ft.
4010 37 <sup>th</sup> Ave. SW	Unit F	1/44	1,024 sq. ft.
3940 37 <sup>th</sup> Ave. SW	Unit A	1/44	1,760 sq. ft.
3940 37 <sup>th</sup> Ave. SW	Unit B	1/44	1,400 sq. ft.
3940 37 <sup>th</sup> Ave. SW	Unit C	1/44	1,400 sq. ft.
3940 37 <sup>th</sup> Ave. SW	Unit D	1/44	1,760 sq. ft.
4030 37 <sup>th</sup> Ave. SW	Unit A	1/44	1,024 sq. ft.
4030 37 <sup>th</sup> Ave. SW	Unit B	1/44	1,048 sq. ft.
4030 37 <sup>th</sup> Ave. SW	Unit C	1/44	1,040 sq. ft.
4030 37 <sup>th</sup> Ave. SW	Unit D	1/44	1,040 sq. ft.
4030 37 <sup>th</sup> Ave. SW	Unit E	1/44	1,048 sq. ft.
4030 37 <sup>th</sup> Ave. SW	Unit F	1/44	1,024 sq. ft.
4001 37 <sup>th</sup> Ave. SW	Unit A	1/44	1,720 sq. ft.
4001 37 <sup>th</sup> Ave. SW	Unit B	1/44	1,360 sq. ft.
4001 37 <sup>th</sup> Ave. SW	Unit C	1/44	1,360 sq. ft.
4001 37 <sup>th</sup> Ave. SW	Unit D	1/44	1,720 sq. ft.
3945 37 <sup>th</sup> Ave. SW	Unit A	1/44	1,039 sq. ft.
3945 37 <sup>th</sup> Ave. SW	Unit B	1/44	1,760 sq. ft.
3945 37 <sup>th</sup> Ave. SW	Unit C	1/44	1,720 sq. ft.
3945 37 <sup>th</sup> Ave. SW	Unit D	1/44	1,039 sq. ft.
3920 37 <sup>th</sup> Ave. SW	Unit A	1/44	1,240 sq. ft.
3920 37 <sup>th</sup> Ave. SW	Unit B	1/44	1,193 sq. ft.
3920 37 <sup>th</sup> Ave. SW	Unit C	1/44	1,447 sq. ft.
3925 37 <sup>th</sup> Ave. SW	Unit A	1/44	1,240 sq. ft.
3925 37 <sup>th</sup> Ave. SW	Unit B	1/44	1,193 sq. ft.
3925 37 <sup>th</sup> Ave. SW	Unit C	1/44	1,447 sq. ft.
3905 37 <sup>th</sup> Ave. SW	Unit A	1/44	1,720 sq. ft.
3905 37 <sup>th</sup> Ave. SW	Unit B	1/44	1,360 sq. ft.
3905 37 <sup>th</sup> Ave. SW	Unit C	1/44	1,360 sq. ft.
3905 37 <sup>th</sup> Ave. SW	Unit D	1/44	1,760 sq. ft.

4021 37th Ave. SW	Unit A	1/44	1,720 sq. ft.
4021 37th Ave. SW	Unit B	1/44	1,360 sq. ft.
4021 37th Ave. SW	Unit C	1/44	1,360 sq. ft.
4021 37th Ave. SW	Unit D	1/44	1,720 sq. ft.
4050 37th Ave. SW	Unit A	1/44	1,024 sq. ft.
4050 37th Ave. SW	Unit B	1/44	1,048 sq. ft.
4050 37th Ave. SW	Unit C	1/44	1,040 sq. ft.
4050 37th Ave. SW	Unit D	1/44	1,040 sq. ft.
4050 37th Ave. SW	Unit E	1/44	1,048 sq. ft.
4050 37th Ave. SW	Unit F	1/44	1,024 sq. ft.

### EXHIBIT G-3

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