



Book 2006 Page 1340

Document 2006 1340 Type 06 001 Pages 10

Date 6/07/2006 Time 9:06 AM

Rec Amt \$52.00

ENTR ✓

COMP ✓

INDX ✓

SCAN ✓

Cheryl A. Piatt, Recorder  
Appanoose Co. IOWA

pd 52.00  
mwl

Fourth Amendment to The Coves of Sundown Lake Owners' Association Declaration,  
By-Laws & Provisions

This document drafted by and return to James W. Smith c/o Secluded Land Company, LLC, P.O. Box 10, DeSoto, WI 54624 (608) 648-2301

**WHEREAS**, Secluded Land Company, LLC was the original Declarant of The Coves of Sundown Lake Owners' Association Declaration, By-Laws & Provisions dated July 12, 2005 and recorded July 14, 2005 at the Office of the Appanoose County Recorders in Book 2005, Page 1526 as Document No. 2005-1526.

**WHEREAS**, Secluded Land Company, LLC was the Declarant of the First Amendment to The Coves of Sundown Lake Owners' Association Declaration, By-Laws & Provisions dated July 26, 2005 and recorded July 28, 2005 at the Office of the Appanoose County Recorders in Book 2005, Page 1657 as Document No. 2005-1657.

**WHEREAS**, Secluded Land Company, LLC was the Declarant of a Scrivener's Affidavit dated July 26, 2005 and recorded July 28, 2005 at the Office of the Appanoose County Recorders in Book 2005, Page 1656 as Document No. 2005-1656.

**WHEREAS**, Secluded Land Company, LLC was the Declarant of the Second Amendment to The Coves of Sundown Lake Owners' Association Declaration, By-Laws & Provisions dated October

4, 2005 and recorded October 21, 2005 at the Office of the Appanoose County Recorders in Book 2005, Page 2426 as Document No. 2005-2426.

**WHEREAS**, Secluded Land Company, LLC was the Declarant of the Third Amendment to The Coves of Sundown Lake Owners' Association Declaration, By-Laws & Provisions dated October 26, 2005 and recorded October 31, 2005 at the Office of the Appanoose County Recorders in Book 2005, Page 2522 as Document No. 2005-2522.

**WHEREAS**, paragraph Eleven (11) subparagraph (d) of said original Declaration states:

"Notwithstanding the foregoing paragraphs 11(a), 11(b) and 11(c), Declarant does hereby reserve the right, in its sole discretion to amend this Declaration for a period of ten years from the date of this Declaration."

**NOW, THEREFORE**, Secluded Land Company, LLC hereby amends said Declaration as follows:

- I. Exhibit A-1 of said Third Amendment is hereby deleted in its entirety and replaced with the following:

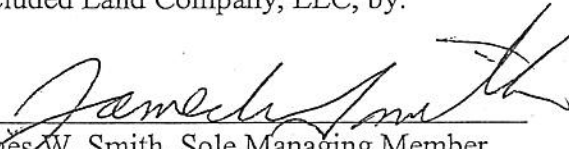
See attached Exhibit A-2.

- II. The Private ingress-egress and utility easements located on the Property as identified in Section 1. PURPOSE AND MEMBERSHIP of the said Original Declaration, as amended, is hereby enlarged to include the following described additional ingress-egress and utility easement areas:

See attached Exhibits B-1, B-2, B-3, B-4, B-5 and B-6.

All other terms of said original Declaration of The Coves of Sundown Lake Owners' Association Declaration, By-Laws & Provisions, as amended, remain in full force and effect.

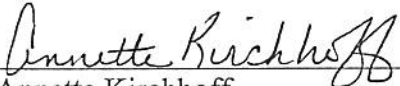
Secluded Land Company, LLC, by:

  
James W. Smith, Sole Managing Member

### ACKNOWLEDGMENT

State of Wisconsin    )  
  ) ss  
County of Vernon    )

Personally came before me this 2<sup>nd</sup> day of  
June, 2006 the above-named  
James W. Smith, sole managing member to me  
known to be the person who executed the  
foregoing instrument and acknowledge the same.

  
Annette Kirchhoff  
Notary Public – Crawford County, Wisconsin  
My commission expires: December 20, 2009



## LEGAL DESCRIPTION

Lots 1-22 of the Plat of The Coves of Sundown Lake Phase I recorded at the Office of the Appanoose County Recorders on July 14, 2005 in Book 2005, Page 1526 as Document No. 1526. Said plat being located in the SW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  and the SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  and the NE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  and the SW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  and the SE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  and the NW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  and the SW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$ , Section 19, and in the NW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  and the SW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  and the NE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  and the NW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  and the SW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  and the SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$ , Section 30, Township 70 North, Range 16 West of the Fifth Principal Meridian, Township of Union and in the NE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  and the NW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  and the NE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$ , Section 30, Township 70 North, Range 16 West of the Fifth Principal Meridian, Township of Udell, and in the NE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$ , Section 25, Township 70 North, Range 17 West of the Fifth principal Meridian, Township of Taylor, Appanoose County, Iowa.

Lots 1-55 of the Plat of The Coves of Sundown Lake Phase II recorded at the Office of the Appanoose County Recorders on October 19, 2005 in Book 2005, Page 2406 as Document Number 20052406. Said Plat located in the SW  $\frac{1}{4}$  - SW  $\frac{1}{4}$  and the SE  $\frac{1}{4}$  - SW  $\frac{1}{4}$  and the SW  $\frac{1}{4}$  - SE  $\frac{1}{4}$ , Section 29, and in the NE  $\frac{1}{4}$  - SE  $\frac{1}{4}$  and the SW  $\frac{1}{4}$  - SE  $\frac{1}{4}$  and the SE  $\frac{1}{4}$  - SE  $\frac{1}{4}$ , Section 30, and in the NE  $\frac{1}{4}$  - NE  $\frac{1}{4}$  and the SE  $\frac{1}{4}$  - NE  $\frac{1}{4}$  and the NE  $\frac{1}{4}$  - SE  $\frac{1}{4}$ , Section 31, and in the NW  $\frac{1}{4}$  - NE  $\frac{1}{4}$  and the NE  $\frac{1}{4}$  - NW  $\frac{1}{4}$  and the NW  $\frac{1}{4}$  - NW  $\frac{1}{4}$  and the SW  $\frac{1}{4}$  - NW  $\frac{1}{4}$  and the SE  $\frac{1}{4}$  - NW  $\frac{1}{4}$  and the NW  $\frac{1}{4}$  - SW  $\frac{1}{4}$  and the SW  $\frac{1}{4}$  - SW  $\frac{1}{4}$ , Section 32, Township 70 North, Range 16 West of the Fifth Principal Meridian, Township of Udell, Appanoose County, Iowa.

Lots 4 of 110, 5 of 110, 6 of 110, 7 of 110, 8 of 110 and 9 of 110 of the Appanoose County Plat of Survey recorded at the Office of the Appanoose County Recorders on October 17, 2005 in Book 2005, Page 2365 as Document No. 20052365. Said Plat of Survey being located in the NW  $\frac{1}{4}$  - SE  $\frac{1}{4}$  and the NE  $\frac{1}{4}$  - SW  $\frac{1}{4}$ , and in Lot 110, Section 29, Township 70 North, Range 16 West of the Fifth Principal Meridian, Township of Udell, Appanoose County, Iowa.

Lots 24 of 110, 25 of 110, 26 of 110, 27 of 110, 28 of 110, 29 of 110, 30 of 110 and 31 of 110 of the Appanoose County Plat of Survey recorded at the Office of the Appanoose County Recorders on October 17, 2005 in Book 2005, Page 2366 as Document No. 20052366. Said Plat of Survey being located in the NW  $\frac{1}{4}$  - SE  $\frac{1}{4}$  and the NE  $\frac{1}{4}$  - SW  $\frac{1}{4}$ , and in Lot 110, Section 29, Township 70 North, Range 16 West of the Fifth Principal Meridian, Township of Udell, Appanoose County, Iowa.

Lots 1 through 43 and Outlot 1 of the Plat of The Coves of Sundown Lake Phase III recorded at the Office of the Appanoose County Recorders on May 15, 2006 in Book 2006, Page 1080 as Document Number 20061080. Said Plat located in the SW  $\frac{1}{4}$ -SE  $\frac{1}{4}$  and the SE  $\frac{1}{4}$ -SE  $\frac{1}{4}$ , Section 30, and in the NE  $\frac{1}{4}$ -NE  $\frac{1}{4}$  and the NW  $\frac{1}{4}$ -NE  $\frac{1}{4}$  and the SW  $\frac{1}{4}$ -NE  $\frac{1}{4}$  and the SE  $\frac{1}{4}$ -NE  $\frac{1}{4}$  and the SE  $\frac{1}{4}$ -NW  $\frac{1}{4}$  and the NE  $\frac{1}{4}$ -SW  $\frac{1}{4}$  and the SE  $\frac{1}{4}$ -SW  $\frac{1}{4}$  and the NE  $\frac{1}{4}$ -SE  $\frac{1}{4}$  and the NW  $\frac{1}{4}$ -SE  $\frac{1}{4}$  and the SW  $\frac{1}{4}$ -SE  $\frac{1}{4}$  and the SE  $\frac{1}{4}$ -SE  $\frac{1}{4}$ , Section 31, and in the NW  $\frac{1}{4}$ -NW  $\frac{1}{4}$  and the SW  $\frac{1}{4}$ -NW  $\frac{1}{4}$  and the SE  $\frac{1}{4}$ -NW  $\frac{1}{4}$  and the NE  $\frac{1}{4}$ -SW  $\frac{1}{4}$  and the NW  $\frac{1}{4}$ -SW  $\frac{1}{4}$  and the SW  $\frac{1}{4}$ -SW  $\frac{1}{4}$  and the SE  $\frac{1}{4}$ -SW  $\frac{1}{4}$ , Section 32, ALL in Township 70 North, Range 16 West of the Fifth Principal Meridian, Township of Udell, Appanoose County, Iowa.

## EXHIBIT A-2

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# **Plat of Survey**

## **ADDITIONAL PRIVATE ROAD EASEMENT**

Additional Private Road Easement located in the SW1/4 of the SE1/4, Section 29, Township 70 North, Range 16 West of the Fifth Principal Meridian, and in Lot 55, The Coves Of Sundown Lake Phase II, Township of Udell, Appanoose County, Iowa, containing 0.04± Acres and more particularly described by metes and bounds as follows:

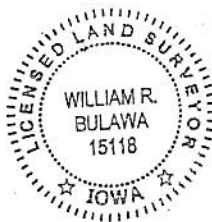
Commencing at the Northeast corner of Lot 55, The Coves Of Sundown Lake Phase II; thence S90°00'00"W, 337.65 feet along the north line of said Lot 55, and the beginning of a curve, said point being the Point of Beginning of this description; Thence Southwesterly, 98.86 feet along the arc of the curve to the right, radius 82.00 feet, central angle of 69°04'46", (the chord which bears S42°46'54"W, 92.98 Feet) to the end of said curve, and the beginning of a curve; Thence Northeasterly, 30.18 feet along the arc of the curve to the left, radius 133.00 feet, central angle of 13°00'00", (the chord which bears N35°30'00"W, 30.11 Feet) to an existing 1/2" iron re-bar and cap number 15118 and the end of said curve; thence N29°00'00"E, 50.00 feet to an existing 1/2" iron re-bar and cap number 15118 and the north line of said Lot 55; thence N90°00'00"E, 21.43 feet to the Point of Beginning.

Said above described Additional Private Road Easement contains 0.04± Acres.

I hereby certify that this Land Surveying document and related survey work was done by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Iowa.

Dated this 10<sup>th</sup> day of March 2006.

William R. Bulawa  
William R. Bulawa  
License No. 15118  
My renewal date is: December 31, 2007  
Sheet 2 of 2 is covered by this seal.



The attached Plat represents a *Plat of Survey* of an Additional Private Road Easement located in the SW1/4 of the SE1/4, Section 29, Township 70 North, Range 16 West of the Fifth Principal Meridian, and in Lot 55, The Coves Of Sundown Lake Phase II, Township of Udell, Appanoose County, Iowa. Said easement contains a total of 0.04± Acres.

I, James W. Smith, of Secluded Land Company, of Vernon County, State of Wisconsin, do hereby certify that the above survey, as shown by the attached Plat, is made with our free consent, and in accordance with our desire.

James W. Smith Date  
James W. Smith  
Secluded Land Company LLC

State of Wisconsin)  
Vernon County )

Personally came before me this 5<sup>th</sup> day of April, 2006, of the above named, James W. Smith, to me known to be the persons who executed the foregoing instrument, and acknowledged the same.

Annette Kirchhoff  
Notary Public, Crawford County, Wisconsin  
My commission expires 12/20/09

ANNETTE KIRCHHOFF  
NOTARY PUBLIC  
STATE OF WISCONSIN





# Plat of Survey

## ADDITIONAL PRIVATE ROAD EASEMENT

Additional Private Road Easement located in the SW1/4 of the SE1/4, Section 29, Township 70 North, Range 16 West of the Fifth Principal Meridian, and in Lot 2, The Coves Of Sundown Lake Phase II, Township of Udell, Appanoose County, Iowa, containing 0.06± Acres and more particularly described by metes and bounds as follows:

Commencing at the southeast corner of Lot 1, The Coves Of Sundown Lake Phase II; thence S90°00'00"W, 359.08 feet along the south line of said Lot 1 to an existing ½" iron re-bar and cap number 15118; thence N61°00'00"W, 66.00 feet to an existing ½" iron re-bar and cap number 15118, said point being the Point of Beginning of this description; thence S29°00'00"W, 50.00 feet to an existing ½" iron re-bar and cap number 15118 and the beginning of a curve; Thence Southwesterly, 25.73 feet along the arc of the curve to the right, radius 67.00 feet, central angle of 22°00'00", (the chord which bears S40°00'00"W, 25.57 Feet) to the end of said curve, and the beginning of a curve; Thence Northerly, 106.09 feet along the arc of the curve to the right, radius 70.00 feet, central angle of 86°50'16", (the chord which bears N13°27'40"E, 96.23 Feet) to the end of said curve and easterly line of said Lot 2; thence S31°07'34"E, 35.35 feet to the Point of Beginning.

Said above described Additional Private Road Easement contains 0.06± Acres.

I hereby certify that this Land Surveying document and related survey work was done by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Iowa.

Dated this 8<sup>th</sup> day of March 2006.

William R. Bulawa  
William R. Bulawa  
License No. 15118  
My renewal date is: December 31, 2007  
Sheet 2 of 2 is covered by this seal.



The attached Plat represents a Plat of Survey of an Additional Private Road Easement located in the SW1/4 of the SE1/4, Section 29, Township 70 North, Range 16 West of the Fifth Principal Meridian, and in Lot 2, The Coves Of Sundown Lake Phase II, Township of Udell, Appanoose County, Iowa. Said easement contains a total of 0.06± Acres.

I, James W. Smith, of Secluded Land Company, of Vernon County, State of Wisconsin, do hereby certify that the above survey, as shown by the attached Plat, is made with our free consent, and in accordance with our desire.

James W. Smith 4/5/06  
James W. Smith Date  
Secluded Land Company LLC

State of Wisconsin)  
Vernon County )

Personally came before me this 5<sup>th</sup> day of April, 2006, of the above named, James W. Smith, to me known to be the persons who executed the foregoing instrument, and acknowledged the same.

Annette Kirchhoff  
Notary Public, Crawford County, Wisconsin

ANNETTE KIRCHHOFF  
NOTARY PUBLIC  
STATE OF WISCONSIN

My commission expires 12/20/09





Book 2006 Page 720

Document 2006 720 Type 06 023 Pages 2

Date 4/10/2006 Time 10:32 AM

Rec Amt \$12.00

COMPUTED

Cheryl A. Piatt, Recorder  
Appanoose Co. IOWA

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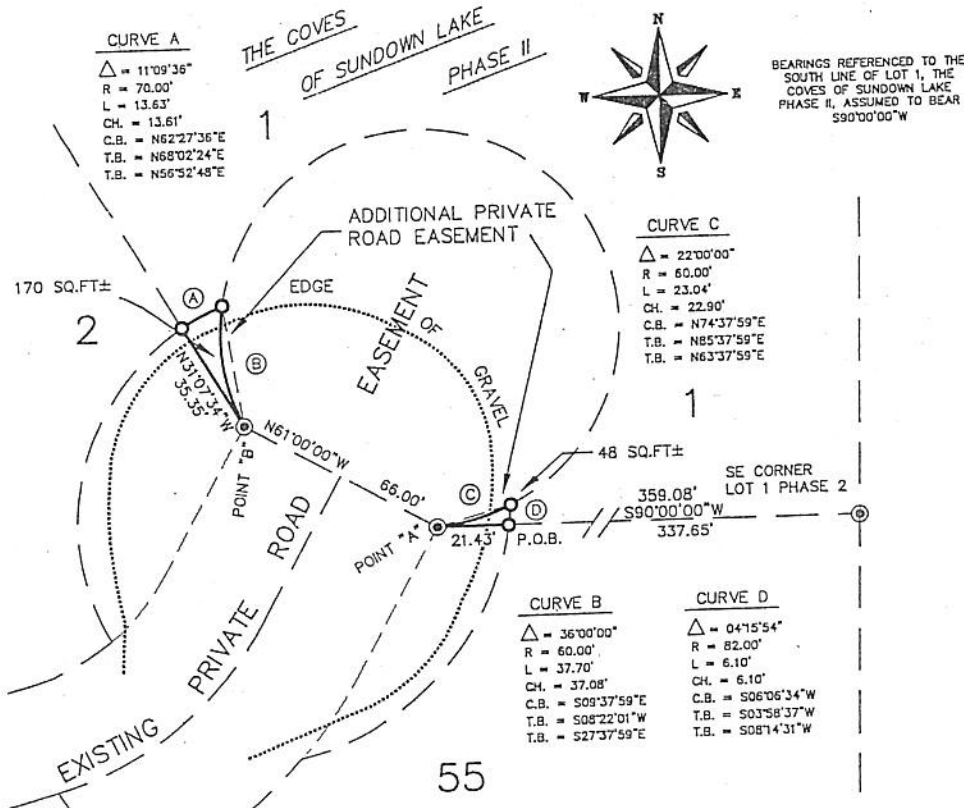


**VIERBICHER**  
ASSOCIATES  
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231 E. BLACKHAWK AVE. - P.O. BOX 542 - PRAIRIE DU CHIEN, WI 53121 - 608-326-1051

# **PLAT OF SURVEY**

LOCATED IN THE SW1/4-SE1/4, SECTION 29, TOWNSHIP 70 NORTH, RANGE 16 WEST OF THE FIFTH PRINCIPAL MERIDIAN, AND IN LOT 1, THE COVES OF SUNDOWN LAKE PHASE II, TOWNSHIP OF UDELL, APPANOOSE COUNTY, IOWA.



THIS INSTRUMENT DRAFTED BY WILLIAM R. BULAWA

EXHIBIT B-5

# Plat of Survey

## ADDITIONAL PRIVATE ROAD EASEMENT

Additional Private Road Easement located in the SW1/4 of the SE1/4, Section 29, Township 70 North, Range 16 West of the Fifth Principal Meridian, and in Lot 1, The Coves Of Sundown Lake Phase II, Township of Udell, Appanoose County, Iowa, containing 218 square feet and more particularly described by metes and bounds as follows:

Commencing at the southeast corner of Lot 1, The Coves Of Sundown Lake Phase II; thence S90°00'00"W, 337.65 feet along the south line of said Lot 1 to the Point of Beginning of this description; thence S90°00'00"W, 21.43 feet along the south line of said Lot 1 to an existing 1/2" iron re-bar and cap number 15118, said point being called point A; thence N61°00'00"W, 66.00 feet to an existing 1/2" iron re-bar and cap number 15118, said point being called point B; thence N31°07'34"W, 35.35 feet and the beginning of a curve; Thence Northeasterly, 13.63 feet along the arc of the curve to the right, radius 70.00 feet, central angle of 11°09'36", (the chord which bears N62°27'36"E, 13.61 Feet) to the end of said curve, and the beginning of a curve; Thence Southerly, 37.70 feet along the arc of the curve to the left, radius 60.00 feet, central angle of 36°00'00", (the chord which bears S09°37'59"E, 37.08 Feet) to the end of said curve and point B; thence S61°00'00"E, 66.00 feet to point A and the beginning of a curve; Thence Northeasterly, 23.04 feet along the arc of the curve to the left, radius 60.00 feet, central angle of 22°00'00", (the chord which bears N74°37'59"E, 22.90 Feet) to the end of said curve, and the beginning of a curve; Thence Southerly, 6.10 feet along the arc of the curve to the right, radius 82.00 feet, central angle of 04°15'54", (the chord which bears S06°06'34"W, 6.10 Feet) to the Point of Beginning.

Said above described Additional Private Road Easement contains 218 Square Feet.

I hereby certify that this Land Surveying document and related survey work was done by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Iowa.

Dated this 10<sup>th</sup> day of March 2006.

William R. Bulawa  
William R. Bulawa  
License No. 15118  
My renewal date is: December 31, 2007  
Sheet 2 of 2 is covered by this seal.



The attached Plat represents a *Plat of Survey* of an Additional Private Road Easement located in the SW1/4 of the SE1/4, Section 29, Township 70 North, Range 16 West of the Fifth Principal Meridian, and in Lot 1, The Coves Of Sundown Lake Phase II, Township of Udell, Appanoose County, Iowa. Said easement contains a total of 218 Square Feet.

I, James W. Smith, of Secluded Land Company, of Vernon County, State of Wisconsin, do hereby certify that the above survey, as shown by the attached Plat, is made with our free consent, and in accordance with our desire.

James W. Smith Date 4/5/06  
Secluded Land Company LLC

State of Wisconsin)  
Vernon County )

Personally came before me this 5<sup>th</sup> day of April, 2006, of the above named, James W. Smith, to me known to be the persons who executed the foregoing instrument, and acknowledged the same.

Annette Kirchhoff  
Notary Public, Crawford County, Wisconsin

ANNETTE KIRCHHOFF  
NOTARY PUBLIC  
STATE OF WISCONSIN

My commission expires 12/30/09