



Book 2008 Page 2286

Document 2008 2286 Type 06 001 Pages 7
Date 10/17/2008 Time 3:35 PM
Rec Amt \$37.00

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Teddy Walker, Recorder
Appanoose Co. IOWA

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

Prepared by and Return to: Secluded Land Company, LLC, P.O. Box 10, De Soto, WI 54624

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, Secluded Land Company, LLC was the Declarant of the Fourth Amendment to The Coves of Sundown Lake Owners' Association Declaration, By-Laws & Provisions dated June 2, 2006 and recorded June 7, 2006 at the Office of the Appanoose County Recorders in Book 2006, Page 1340 as Document No. 2006-1340.

WHEREAS, Secluded Land Company, LLC was the Declarant of the Fifth Amendment to The Coves of Sundown Lake Owners' Association Declaration, By-Laws & Provisions dated November 16, 2006 and recorded November 20, 2006 at the Office of the Appanoose County Recorders in Book 2006, Page 2857 as Document No. 2006-2857.

WHEREAS, Secluded Land Company, LLC was the Declarant of the Sixth Amendment to The Coves of Sundown Lake Owners' Association Declaration, By-Laws & Provisions dated July 18, 2007 and recorded July 19, 2007 at the Office of the Appanoose County Recorders in Book 2007, Page 1685, as Document No. 2007-1685.

WHEREAS, Secluded Land Company, LLC was the Declarant of the Seventh Amendment to The Coves of Sundown Lake Owners' Association Declaration, By-Laws & Provisions dated December 19, 2007 and recorded December 26, 2007 at the Office of the Appanoose County Recorders in Book 2007, Page 2976, as Document No. 2007-2976.

WHEREAS, Secluded Land Company, LLC was the Declarant of the Eighth Amendment to The Coves of Sundown Lake Owners' Association Declaration, By-Laws & Provisions dated May 13, 2008 and recorded June 27, 2008, at the Office of the Appanoose County Recorders in Book 2008, Page 1378, as Document No. 2008-1378.

WHEREAS, paragraph Eleven (11) subparagraph (d) of said original Declaration, as amended, 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."

WHEREAS; the undersigned Kenneth Martin and Rita Martin, husband and wife, (hereinafter "Martin"), own real estate described on attached Exhibit A.

WHEREAS, the undersigned Walter E. Paris and Ferne E. Paris, husband and wife (hereinafter "Paris"), own real estate described on attached Exhibit B.

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

Secluded Land Company, LLC and Martin hereby agree:

1. That the real estate described on attached Exhibit A be added to the real estate described on Addenda A-1 and A-2 of the above-referenced Sixth Amendment; and
2. That the Protective Covenants detailed on Addenda B-1 and B-2 of the above-referenced Sixth Amendment, as amended, shall apply to the real estate described on attached Exhibit A; and
3. The current owners of the real estate described on attached Exhibit A, their successors and assigns shall have rights of ingress and egress on all Association roadway easements. Said owners, their successors and assigns shall also be responsible for annual Association dues as provided in the above-referenced Association Declaration, By-Laws & Provisions, as amended. So long as all of the real estate described on attached Exhibit A is simultaneously owned by the same parties, said real estate shall constitute a single lot for purposes of voting in the Association and Association dues. In the event all or a part of the real estate described on attached Exhibit A is sold to a separate party or group of parties who separately hold title to less than all of the real estate described on attached Exhibit A, then each separate party or group of parties with an ownership interest in part of the real estate described on Exhibit A shall each become members of the Association; however each such separate party or group of parties shall be entitled to one and only one vote in the Association. Likewise, each party or group of parties with an ownership interest in part of the real estate described on Exhibit A shall each be responsible for an annual Association fee.

Secluded Land Company, LLC and Paris hereby agree

1. That the real estate described on attached Exhibit B be added to the real estate described on Addenda A-1 and A-2 of the above-referenced Sixth Amendment; and
2. That the Protective Covenants detailed on Addenda B-1 and B-2 of the above-referenced Sixth Amendment, as amended, shall apply to the real estate described on attached Exhibit B.
3. The current owners of the real estate described on attached Exhibit B, their successors and assigns shall have rights of ingress and egress on all Association roadway easements. Said owners, their successors and assigns shall also be responsible for annual Association dues as provided in the above-referenced Association Declaration, By-Laws & Provisions, as amended

Dated this 17th day of Oct, 2008.

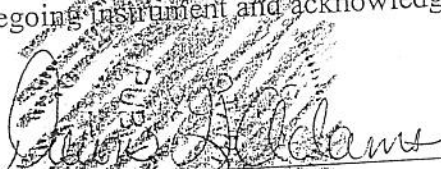
Secluded Land Company, LLC, by:


James W. Smith, Sole Managing Member

ACKNOWLEDGMENT

State of Wisconsin)
) ss
County of Vernon)

Personally came before me this 16th day of
October, 2008 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.


*Dawn Adams
Notary Public - Crawford County, Wisconsin
My commission expires: 1/17/10

Kenneth Martin AKA Kenneth D. Martin
Kenneth Martin

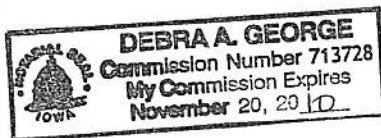
Rita Martin aka Rita J. Martin
Rita Martin

ACKNOWLEDGMENT

State of Iowa)
County of Appanoose) ss

Personally came before me this 17th day of October, 2008
the above-named Kenneth Martin and Rita Martin to me known to be the person
who executed the foregoing instrument and acknowledge the same.

Debra A. George
*Notary Public - Appanoose County, Iowa
My Commission expires:



Walter E. Paris
Walter E. Paris

Ferne E. Paris
Ferne E. Paris

ACKNOWLEDGMENT

State of Iowa)
)
County of Appanoose)

Personally came before me this 17th day of October, 2008, the above named Walter E. Paris and Ferne E. Paris to me known to be the persons who executed the foregoing instrument and acknowledged the same.

Debra A. George
Notary Public, Appanoose County, Iowa

My commission expires:

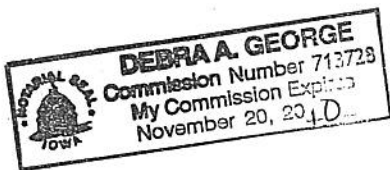


Exhibit A

Lot 16, Lake Tubaugh Subdivision, located in the SW1/4 of the NW1/4, Section 29, Township 70 North, Range 16 West of the Fifth Principal Meridian, Township 70 North, Range 16 West of the Fifth Principal Meridian, Township of Union, Appanoose County, Iowa, described as follows:

Beginning at the northeast corner of Section 30, Township 70 North, Range 16 West; thence N89°54'28"W, 1303.36 feet to the northwest corner of the NE1/4 of the NE1/4, Section 30; thence S00°30'34"E, 1291.69 feet to the northwest corner of the SE1/4 of the NE1/4, Section 30; thence S00°07'49"E, 790.30 feet along the west line of the SE1/4 of the NE1/4, Section 30; thence N89°45'27"E, 1308.00 feet to a 1/2" diameter iron rod with cap no. 17342; thence S00°07'49"E, 196.00 feet to a 1/2" diameter iron rod with cap no. 15118 and the Point of Beginning; thence N89°45'27"E, 75.00 feet to a 1/2" diameter iron rod with cap no. 15118; thence S00°07'49"E, 133.30 feet to a 1/2" diameter iron rod with cap no. 15118; thence S87°17'07"W, 75.08 feet to a 1/2" diameter iron rod with cap no. 15118; thence N00°07'49"W, 136.54 feet to the Point of Beginning. Containing 0.23 Acres, more or less.

Lot 1 of 239, Lake Tubaugh Subdivision, located in the SW1/4 of the NW1/4, Section 29, Township 70 North, Range 16 West of the Fifth Principal Meridian, Township 70 North, Range 16 West of the Fifth Principal Meridian, Township of Union, Appanoose County, Iowa, described as follows:

Beginning at the northeast corner of Section 30, Township 70 North, Range 16 West; thence N89°54'28"W, 1303.36 feet to the northwest corner of the NE1/4 of the NE1/4, Section 30; thence S00°30'34"E, 1291.69 feet to the northwest corner of the SE1/4 of the NE1/4, Section 30; thence S00°07'49"E, 790.30 feet along the west line of the SE1/4 of the NE1/4, Section 30; thence N89°45'27"E, 1308.00 feet to a 1/2" diameter iron rod with cap no. 17342 and the Point of Beginning; thence N00°07'49"W, 24.52 feet to a 1/2" diameter iron rod with cap no. 15118; thence N83°00'00"E, 39.44 feet to a 1/2" diameter iron rod at the beginning of a non tangent curve to the left having a radius of 60.00 feet and a central angle of 40°02'00"; thence southeasterly, 41.92 feet along the arc of said curve, the long chord of which bears S60°54'00"E, 41.08 feet to a 1/2" diameter iron rod with cap no. 15118 at the end of said curve; thence S00°07'49"E, 9.03 feet to a 1/2" diameter iron rod with cap no. 17342; thence S89°45'27"W, 75.00 feet to the Point of Beginning. Containing 0.04 Acres, more or less.

Lot 2 of 672, Lake Tubaugh Subdivision, located in the SW1/4 of the NW1/4, Section 29, Township 70 North, Range 16 West of the Fifth Principal Meridian, Township 70 North, Range 16 West of the Fifth Principal Meridian, Township of Union, Appanoose County, Iowa, described as follows:

Beginning at the northeast corner of Section 30, Township 70 North, Range 16 West; thence N89°54'28"W, 1303.36 feet to the northwest corner of the NE1/4 of the NE1/4, Section 30; thence S00°30'34"E, 1291.69 feet to the northwest corner of the SE1/4 of the NE1/4, Section 30; thence S00°07'49"E, 790.30 feet along the west line of the SE1/4 of the NE1/4, Section 30; thence N89°45'27"E, 1308.00 feet to a 1/2" diameter iron rod with cap no. 17342; thence S00°07'49"E, 130.00 feet to a 1/2" diameter iron rod with cap no. 17342; thence N89°45'27"E, 75.00 feet to a 1/2" diameter iron rod with cap no. 17342; thence S00°07'49"E, 66.00 feet to a 1/2" diameter iron rod with cap no. 15118; thence S89°45'27"W, 75.00 feet to a 1/2" diameter iron rod with cap no. 15118; thence N00°07'49"W, 66.00 feet to the Point of Beginning. Containing 0.11 Acres, more or less.

Lot 32 of 110, Lake Tubaugh Subdivision, located in the SW1/4 of the NW1/4, Section 29, Township 70 North, Range 16 West of the Fifth Principal Meridian, Township 70 North, Range 16 West of the Fifth Principal Meridian, Township of Union, Appanoose County, and in the NW1/4 of the SW1/4, Section 29, Township 70 North, Range 16 West of the Fifth Principal Meridian, Township of Union, Appanoose County, Iowa, described as follows:

Beginning at the northeast corner of Section 30, Township 70 North, Range 16 West; thence N89°54'28"W, 1303.36 feet to the northwest corner of the NE1/4 of the NE1/4, Section 30; thence S00°30'34"E, 1291.69 feet to the northwest corner of the SE1/4 of the NE1/4, Section 30; thence S00°07'49"E, 790.30 feet along the west line of the SE1/4 of the NE1/4, Section 30; thence N89°45'27"E, 1308.00 feet; to a 1/2" diameter iron rod with cap no. 17342; thence S00°07'49"E, 332.54 feet to a 1/2" diameter iron rod with cap no. 15118; thence N87°17'07"E, 75.08 feet to a 1/2" diameter iron rod with cap no. 15118 and the Point of Beginning; thence N89°45'27"E, 75.00 feet to a 1/2" diameter iron rod with cap no. 15118; thence S00°07'49"E, 576.69 feet to the north line of Lot 31 of 110; thence N90°00'00"W, 75.00 feet along the north line of said Lot 31 of 110; thence N00°07'49"W, 573.13 feet to the Point of Beginning. Containing 0.99 Acres, more or less.

Lot 236, Lake Tubaugh Subdivision, located in the SW1/4 of the NW1/4, Section 29, Township 70 North, Range 16 West of the Fifth Principal Meridian, Township 70 North, Range 16 West of the Fifth Principal Meridian, Township of Union, Appanoose County, Iowa, described as follows:

Beginning at the northeast corner of Section 30, Township 70 North, Range 16 West; thence N89°54'28"W, 1303.36 feet to the northwest corner of the NE1/4 of the NE1/4, Section 30; thence S00°30'34"E, 1291.69 feet to the northwest corner of the SE1/4 of the NE1/4, Section 30; thence S00°07'49"E, 790.30 feet along the west line of the SE1/4 of the NE1/4, Section 30; thence N89°45'27"E, 1308.00 feet; to a 1/2" diameter iron rod with cap no. 17342 and the Point of Beginning; thence N89°45'27"E, 75.00 feet to a 1/2" diameter iron rod with cap no. 17342; thence S00°07'49"E, 130.00 feet to a 1/2" diameter iron rod with cap no. 17342; thence S89°45'27"W, 75.00 feet to a 1/2" diameter iron rod with cap no. 17342; thence N00°07'49"W, 130.00 feet to the Point of Beginning. Containing 0.22 Acres, more or less.

Note: The north line of the Northeast Quarter of the Northeast Quarter, Section 30, Township 70 North, Range 16 West of the Fifth Principal Meridian is assumed to bear N89°54'28"W.

Exhibit B

Lot 1 of 238, Lake Tubaugh Subdivision, located in the SW1/4 of the NW1/4, Section 29, Township 70 North, Range 16 West of the Fifth Principal Meridian, Township of Union, Appanoose County, Iowa, described as follows:

Beginning at the northeast corner of Section 30, Township 70 North, Range 16 West; thence N89°54'28"W, 1303.36 feet to the northwest corner of the NE1/4 of the NE1/4, Section 30; thence S00°30'34"E, 1291.69 feet to the northwest corner of the SE1/4 of the NE1/4, Section 30; thence N89°45'27"E, 1308.00 feet to a 1/2" diameter iron rod with cap no. 17342; thence N89°45'27"E, 75.00 feet to a 1/2" diameter iron rod with cap no. 15118 at the beginning of a non tangent curve to the left having a radius of 60.00 feet and a central angle of 86°09'20"; thence northeasterly, 90.22 feet along the arc of said curve, the long chord of which bears N56°00'20"E, 81.96 feet to a 1/2" diameter iron rod with cap no. 15118 at the end of said curve; thence N83°00'00"E, 18.45 feet to a 1/2" diameter iron rod with cap no. 15118; thence S07°00'00"E, 57.13 feet to a 1/2" diameter iron rod with cap no. 17342; thence S89°45'27"W, 93.21 feet to the Point of Beginning. Containing 0.06 Acres, more or less.

Lot 1 of 672, Lake Tubaugh Subdivision, located in the SW1/4 of the NW1/4, Section 29, Township 70 North, Range 16 West of the Fifth Principal Meridian, Township of Union, Appanoose County, Iowa, described as follows:

Beginning at the northeast corner of Section 30, Township 70 North, Range 16 West; thence N89°54'28"W, 1303.36 feet to the northwest corner of the NE1/4 of the NE1/4, Section 30; thence S00°30'34"E, 1291.69 feet to the northwest corner of the SE1/4 of the NE1/4, Section 30; thence N89°45'27"E, 1308.00 feet to a 1/2" diameter iron rod with cap no. 17342; thence S00°07'49"E, 130.00 feet to a 1/2" diameter iron rod with cap no. 17342; thence N89°45'27"E, 75.00 feet to a 1/2" diameter iron rod with cap no. 17342 and the Point of Beginning; thence N89°45'27"E, 84.44 feet to a 1/2" diameter iron rod with cap no. 17342; thence S03°43'37"W, 66.16 feet to a 1/2" diameter iron rod with cap no. 15118; thence S89°45'27"W, 79.99 feet to a 1/2" diameter iron rod with cap no. 15118; thence N00°07'49"W, 66.00 feet to the Point of Beginning. Containing 0.12 Acres, more or less.

Lot 237, Lake Tubaugh Subdivision, located in the SW1/4 of the NW1/4, Section 29, Township 70 North, Range 16 West of the Fifth Principal Meridian, Township of Union, Appanoose County, Iowa, described as follows:

Beginning at the northeast corner of Section 30, Township 70 North, Range 16 West; thence N89°54'28"W, 1303.36 feet to the northwest corner of the NE1/4 of the NE1/4, Section 30; thence S00°30'34"E, 1291.69 feet to the northwest corner of the SE1/4 of the NE1/4, Section 30; thence N89°45'27"E, 1383.00 feet; to a 1/2" diameter iron rod with cap no. 17342 and the Point of Beginning; thence N89°45'27"E, 93.21 feet to a 1/2" diameter iron rod with cap no. 17342; thence S03°43'37"W, 130.31 feet to a 1/2" diameter iron rod with cap no. 17342; thence S89°45'27"W, 84.44 feet to a 1/2" diameter iron rod with cap no. 17342; thence N00°07'49"W, 130.00 feet to the Point of Beginning. Containing 0.26 Acres, more or less.

Note: The north line of the Northeast Quarter of the Northeast Quarter, Section 30, Township 70 North, Range 16 West of the Fifth Principal Meridian is assumed to bear N89°54'28"W.