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JULIE M. HAGGERTY RECORDER
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Preparer Information:

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Type of Document:

Amendment to Declaration of Covenants, Conditions and Restrictions for Lots 1-37, Inclusive, in Green Meadows Plat 5

Legal Description:

See Page 1

Book & Page Reference: Book 8942, Page 775

WHEN RECORDED RETURN TO:
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AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS
FOR LOTS 1 THROUGH 37, INCLUSIVE, IN GREEN MEADOWS NORTH PLAT 5,
JOHNSTON, POLK COUNTY, IOWA

WHEREAS, the Declaration of Covenants, Conditions, and Restrictions for Lots 1 through 37, Inclusive, in Green Meadows North Plat 5, Johnston, Polk County, Iowa was filed August 10, 2001, in Book 8942, Page 775 of the Polk County records ("the Declaration).

WHEREAS, the undersigned area the owners of certain property in the County of Polk, State of Iowa, which is more particularly described as:

Lots 1 through 37, inclusive, in Green Meadows North Plat 5,
an Official Plat, now included in and forming a part of the City
of Johnston, Polk County, Iowa.

WHEREAS, the undersigned desires to amend the Declaration as set forth below.

1. Article I, Section B is hereby amended by deleting the current section and inserting in lieu thereof the following:

B. PLAYHOUSE AND SHED RULES, GUIDELINES & REGULATIONS

STORAGE SHED DEFINITION, PERMITS, LOCATES & APPROVAL

- (i) A "storage shed" is prefabricated or onsite constructed enclosure that is less than fifteen (15) feet high, and less than two hundred fifty-six (256) square feet in area based on lot size (refer to section Size & Height) and is used for the storage of lawn tractors, garden implements, bicycles, and other common area household commodities.
- (ii). All storage sheds are considered "accessory buildings" under the Johnston City Ordinance and are regulated by, and shall be erected in conformance with, Section 166.23 of the Johnston Code of Ordinances. Under the Johnston Code of Ordinance, all "accessory buildings" are required to apply for a permit through the City of Johnston before erection. The zoning of Green Meadows North is "PUD", but for the purposes of this ordinance development, the zoning is considered R-1 (60).
- (iii) A site plan showing location of the house, decks, all accessory buildings, easements, and measurements from the purposed accessory building to the primary residence, to rear, and to side lot lines is required by the City of Johnston. In addition, construction drawings or a brochure of the manufacturer of the proposed accessory building is required. The Green Meadows North Homeowners Association Board of Directors requires review of the same documentation and planning by submission of an Architectural Variance Form to the Association Manager.

- (iv). If the requirements as set forth in this Amended Declaration and those of the City of Johnston conflict, the City's requirements govern.
- (v) No more than one storage shed can be placed within a single lot of Green Meadows North Plat 5, Lots 1 through 37.
- (vi) Storage sheds shall never be placed within the front yard of any Lot.
- (viii) If digging is required for installation of the storage shed foundation or installation, Owners shall be responsible for contacting local utility companies to locate underground telephone lines, cable television lines, high pressure gas lines, and high voltage electrical lines. The Owner shall be responsible for any and all damage caused to utilities in the phase of construction, including but not limited to all expenses associated with replacing or repairing such damage, subject to the final approval of the appropriate governing agencies and/or utilities.

UTILITIES

- (i) Any utilities servicing the shed must be underground.
- (ii) All utilities must be checked by said providers and marked prior to any approval and placement of sheds.
- (iii) Exterior lighting (if installed) shall not exceed one (1) seventy-five (75) watt light bulb or equivalent, enclosed in a permanent fixture attached to the storage shed, broadcasting the light directly down.
- (iv) Efforts must be taken to shield neighbors from light overrun.

SIZE & HEIGHT

- (i) Small Lots - Under ten thousand (10,000) square feet - One hundred (100) square feet maximum.
- (ii) Medium Lots - Ten thousand (10,000) to fourteen thousand nine hundred ninety-nine (14,999) square feet - One hundred forty-four (144) square feet maximum.
- (iii) Medium to Large Lots - Fifteen thousand (15,000) to Twenty thousand (20,000) square feet - One hundred ninety-six (196) square feet maximum.
- (iv) Large Lots - Over twenty thousand (20,000) square feet - Two hundred fifty-six (256) square feet maximum.
- (v) Maximum Height for all sheds per Johnston City requirement is fifteen (15) feet at the central/highest point.

PLACEMENT

- (i) Rear yard setback - Seven (7) feet
- (ii) Side yard setback - Seven (7) feet on side and eight (8) feet on the other.
- (iii) No storage shed can be located between the front lot line (both lot lines on a corner lot) and the front line for the house. A detached structure of less than one hundred twenty (120) square feet in floor area shall have a minimum set back of three (3) feet from the property line of located in the side or rear yard.
- (iv) The storage shed must be placed on a solid structure floor, such as concrete slab or a concrete paver pad.
- (v) The area around the foundation must be backfilled; no exposed space under the shed shall be permitted.
- (vi) No dirt or gravel floors shall be permitted.
- (vii) Storage sheds cannot impede drainage ways, flowage or utility easements or be placed in public easements.

- (viii) Before Owner does any digging on any property, Owners must contact the local utility companies to locate any underground telephone lines, cable television lines, high pressure gas lines, and/or high voltage electric cable. If any public improvements or utilities are damaged or destroyed during any phase of construction to which these approved plans apply, the Owner will be responsible for all repair/replacement fees.

MATERIALS/COLORS

- (i) The storage shed shall be constructed of either resin or wood material and be of a similar color palette and appearance as the primary residential dwelling on the same lot and constructed in an attractive and workmanlike manner.
- (ii) Roof shingles, if required, shall match as close as possible to those on the primary residential dwelling in both style and color.
- (iii) No metal storage sheds shall be allowed.
- (iv) All storage sheds must have a door or doors that latch.
- (v) Owners are responsible for all materials required to erect the storage shed.

MAINTENANCE

- (i) Property Owners are responsible for the maintenance of all storage sheds on their property including the storage shed and landscaping included, and approved, in the initial Board approved Architectural Variance.
- (ii) No items may be stored outside of or attached to the outside of the storage shed.
- (iii) Storage shed doors should be kept closed and latched when not in use.
- (iv) Homeowners in violation of the rule and regulations set forth in these rules, guidelines and regulations may be subject to a fine by the Green Meadows North Homeowners Association.

PLAT VOTING

- (i) Once a vote is executed by a plat within Green Meadows North, if a YES/approval has not been obtained, a one (1) year waiting period, from the close of the most recent vote, must be recognized before executing a revote.
- (ii) If a plat amendment is passed, a revote cannot be done to reverse the ruling against Owners who choose to move forward with erecting an approved storage shed on their property.

PLAYHOUSES

A child's playhouse may be permitted if the floor area does not exceed sixty-four (64) square feet and if the exterior and the roof are constructed of the same material and have the same color and appearance as the residential dwelling on the same Lot and if it is constructed in an attractive and workmanlike manner. The playhouse structure shall be at least twenty (20) feet away from any Lot line.

This amendment was consented to and approved by two-thirds (2/3) of the Lot Owners within the Property (excluding common areas).

IN WITNESS WHEREOF, the undersigned have caused this amendment to be executed this 15 day of MARCH 2022.

GREEN MEADOW NORTH HOMEOWNERS' ASSOCIATION

By: Dustin Dwayne Creech
President

STATE OF IOWA, POLK COUNTY, ss:

On this 15th day of March, 2022, before me the undersigned, a Notary of Public in and for said State, personally appeared Dustin Creech, President, to me known to be the person named in and who executed the foregoing instrument to which is attached; and acknowledged that they executed the instrument as their voluntary act and deed.

Lisa Ann Logsdon
Notary Public in and for the State of Iowa

