

**Recorder's Cover Sheet**

**Preparer Information:**

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**Declarant:**

**Woodland West B&C Condominium Association**

**Legal Description:**

**See Exhibit A**

**Document or instrument number if applicable:**

**Book 12066 Page 780**

**Book 12073 Page 545**

**Book 12314 Page 922**

**Book 13193 Page 734**

**Book 13767 Page 140**

**FIRST AMENDMENT TO BYLAWS  
OF WOODLAND WEST  
B&C CONDOMINIUM ASSOCIATION**

The Bylaws of Woodland West B&C Condominium Association (the “By-Laws”) adopted February 8, 2011 and recorded on February 8, 2011, in Book 13767 Page 140 in the Office of the Recorder of Polk County, Iowa, are hereby amended effective as of the 1<sup>st</sup> day of September, 2012, as follows:

1. Any reference to the “Declaration” as set forth in the By-Laws shall be as the same are amended from time to time, including, without limitation, that certain First Amendment to Amended and Restated Declaration of Horizontal Property Regime dated as of August \_\_\_\_, 2012. All defined terms set forth in this First Amendment shall have the meaning as set forth in the By-Laws or, if not so defined, as set forth in the Declaration. “Owner” shall have the same meaning as the term Owner or Unit Owner, as defined in the Declaration.
2. Section 5.2(d) is hereby deleted in its entirety and replaced with the following:

“(d) as more fully provided in the Declaration to:

  - (i) fix the amount of the annual assessment against each Unit at least thirty (30) days in advance of each annual assessment period in accordance with the Declaration;
  - (ii) send written notice of each assessment to every Owner subject thereto at least thirty (30) days in advance of each annual assessment period;
  - (iii) charge and enforce a \$30 late fee against all B&C Condominium Association Members whose annual assessment and/or fees for any improvements found herein are over thirty (30) days delinquent;
  - (iv) charge and enforce a \$60 late fee against all B&C Condominium Association Members whose annual assessment and/or fees for any improvements found herein are over sixty (60) days delinquent;
  - (v) turn over to a collection agency, to be chosen by the Property Manager, any B&C Condominium Association Members whose annual assessment and/or fees for any improvements found herein are over ninety (90) day delinquent; and
  - (vi) at the sole discretion of the Property Manager and without waiving any of the rights of the B&C Condominium Association, foreclose the lien against the property for which assessments and/or fees for any improvements found herein are not paid within thirty (30) days after the due date, or to bring an action at law against the Owner personally obligated to pay the same;”
3. The Rules and Regulations as adopted by the Board of Directors of the B&C Condominium Association shall apply equal to all Owners. The first violation of the

Rules and Regulations shall be punishable by a \$25 fine assessed against the Unit Owner. The second violation of the Rules and Regulations shall be punishable by a \$25 fine assessed against the Unit Owner along with a required meeting between the Unit Owner and the Board of Directors of the B&C Condominium Association. A third violation of the Rules and Regulations by a Unit Owner shall be punishable by the filing of a harassment complaint with the City of West Des Moines Police Department by the Board of Directors of the B&C Condominium Association against the Unit Owner. Any violation of the Rules and Regulations related to parking on the Common Elements Condominium Property shall be punishable by a \$25 fine per occurrence against the Unit Owner along with the costs of towing the illegally parked vehicle from the Common Elements Condominium Property, which costs of towing shall belong solely to the Unit Owner.

4. The Rules and Regulations as adopted by the Board of Directors of the B&C Condominium Association shall include the following language: If the Property Manager needs access to any Unit in order to enforce any of the Rules and Regulations, including but not limited to the Rules and Regulations related to a pest inspection or pest treatment, they shall be granted access to such Unit after giving the Unit Owner reasonable notice that such access is required. If access to the Unit is not given by the Unit Owner it shall be considered a violation of the Rules and Regulations. The first violation of the Rules and Regulations related to failure to give necessary access to a Unit shall be punishable by a \$25 fine assessed against the Unit Owner. The second violation of the Rules and Regulations related to failure to give necessary access to a Unit shall be punishable by a \$50 fine assessed against the Unit Owner. A third violation of the Rules and Regulations related to failure to give necessary access to a Unit by a Unit Owner shall result in an emergency entry of the Unit by the Property Manager and its agents, invitees and assigns.

5. The Rules and Regulations as adopted by the Board of Directors of the B&C Condominium Association shall include the following language:

“The only item of personal property of any Unit Owner that shall be allowed in the hallway of the Common Elements B&C shall be a door mat. No shoes, boots, toys, etc. . . shall be permitted to be stored in the Common Elements B&C. A violation of this rule shall be punishable as required herein.”

~~5.6.~~ Except as herein expressly amended and modified, all of the terms and provisions of the By-Laws shall remain in full force and effect. The individuals executing this First Amendment hereby certify that they have the full right and authorization to execute this First Amendment on behalf of the respective parties as set forth below and that all required approvals have been obtained.

IN WITNESS WHEREOF, the parties have executed this First Amendment as of the \_\_\_\_\_ day of December, 2012.

DECLARANT:

ASSOCIATION

**NEWBURY MANAGEMENT COMPANY**

**WOODLAND WEST B&C  
CONDOMINIUM ASSOCIATION**

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Its: \_\_\_\_\_

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Its: \_\_\_\_\_

STATE OF \_\_\_\_\_ )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of December, 2012, by \_\_\_\_\_, the \_\_\_\_\_ of Newbury Management Company, an Iowa corporation in its capacity as Declaration under the Declaration and on behalf of the Association.

\_\_\_\_\_  
Notary Public

THIS INSTRUMENT WAS DRAFTED BY:  
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