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BK 5127 PG 899-901

# FOURTH AMENDMENT TO DECLARATION OF SUBMISSION OF PROPERTY TO HORIZONTAL PROPERTY REGIME PURSUANT TO CHAPTER 499B OF THE CODE OF IOWA FOR GATEWAY COMMERCIAL CONDOMINIUMS JOHNSON COUNTY, IOWA

## Preparer Information:

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Timothy S. Grady 222 S. Linn Street P.O.Box 2447 Iowa City, Iowa 52244-2447 Telephone: (319)338-7551

### Taxpayer Information:

Gateway Commercial Condominiums Owners Association

#### Return Document To:

Timothy S. Grady 222 S. Linn Street. P.O.Box 2447 Iowa City, IA 52244-2447

#### Grantor:

Gateway Commercial Condominiums Owners Association

#### Grantee:

Gateway Commercial Condominiums Owners Association

Legal Description: Lot 2, Gateway First Addition, Johnson County, Iowa, recorded in Plat Book 37, Page 326, Plat Records of Johnson County, Iowa.

# FOURTH AMENDMENT TO DECLARATION OF SUBMISSION OF PROPERTY TO HORIZONTAL PROPERTY REGIME PURSUANT TO CHAPTER 499B OF THE CODE OF IOWA FOR

#### GATEWAY COMMERCIAL CONDOMINIUMS

1. The condominium regime known as Gateway Commercial Condominiums is located on the following described real estate situated in Johnson County, Iowa, to-wit:

Lot 2 of Gateway First Addition, Johnson County, Iowa as recorded in Plat Book 37, Page 326, Plat Records of Johnson County, Iowa.

2. Article VII, paragraph 3, <u>Powers of Association</u> of the Declaration of Gateway Commercial Condominiums as previously amended is hereby further amended by adding the following additional provision thereto:

In addition, the Association may foreclose the lien for unpaid assessments in the manner and with the consequences provided in Section 499B.17 of the Code of Iowa, as amended. Furthermore, the Association may sue for money judgment for unpaid assessments and interest or sums without foreclosing or waiving any lien which it In the event the Association forecloses on its lien and/or sues for money judgment for forth above. unpaid assessments as set Association shall be entitled to recover all expenses, including reasonable attorney's fees and legal expenses, incurred by the Association in seeking to collect any unpaid assessments through suit for money judgment а foreclosure of its lien.

3. Article VI, paragraph 6 of the Gateway Commercial Condominiums Owners Association Bylaws is hereby amended by adding the following provision at the end thereof:

In the event the Association forecloses on its lien and/or sues for money judgment for unpaid assessments as set forth above, the Association shall be entitled to recover all expenses, including reasonable attorney's fees and legal expenses, incurred by the Association in seeking to collect any unpaid assessments through a suit for money judgment and/or foreclosure of its lien.

- 4. The above-referenced Amendments to the Declaration were adopted, pursuant to Article XII of the Declaration, as previously amended, by an affirmative vote of at least 50% of all owners entitled to vote.
- 5. The above-referenced Amendments to the Bylaws were adopted, pursuant to Article VII of the Bylaws, as previously amended, upon the affirmative vote of at least 50% of the members of Gateway Commercial Condominiums Owners Association.

DATED this 5th day of July, 2013.

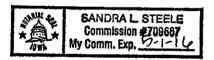
GATEWAY COMMERCIAL CONDOMINIUMS OWNERS ASSOCIATION

By: William E. Staib. President

STATE OF IOWA )

SS.
COUNTY OF JOHNSON )

This instrument was acknowledged before me on the \_\_\_\_\_ day of July, 2013, by William E. Staib as President of Gateway Commercial Condominiums Owners Association.



Notary Public, State of Iowa

ram/TSG/Condos/GatewayCommclCondos 0713 4thAmendDec

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