

**BK: 2021 PG: 12061**  
**Recorded: 4/26/2021 at 8:05:07.0 AM**  
**County Recording Fee: \$22.00**  
**Iowa E-Filing Fee: \$3.00**  
**Combined Fee: \$25.00**  
**Revenue Tax:**  
**Chad C. Airhart Recorder**  
**Dallas County, Iowa**

**FOURTH AMENDMENT TO DECLARATION OF COVENANTS,  
CONDITIONS AND RESTRICTIONS FOR HIGHLAND MEADOWS**

**Preparer Information:**

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**Taxpayer Information:**

N/A

**Return Document To:**

Wilson & Egge, P.C.  
222 N.W. Sunrise Drive  
Waukee, Iowa 50263

**Grantor:**

Bill Kimberley, LC

**Grantee:**

N/A

**Legal Description:**

See Exhibit "A".

**Document or instrument number of previously recorded documents:**

Book 2014, Page 5591/ Book 2016, Page 11402/Book 2016, Page 11459/Book 2016, Page 11528/  
Book 2017, Page 15535/Book 2018, Page 4816/Book 2018, Page 4832/Book 2020, Page 13752/ Book  
2020, Page 13760/ Book 2018, Page 5300/Book 2021, Page 8701

**FOURTH AMENDMENT TO DECLARATION OF  
COVENANTS, CONDITIONS AND RESTRICTIONS  
FOR HIGHLAND MEADOWS**

**THIS FOURTH AMENDMENT TO DECLARATION** is made this 23 day of April, 2021.

**WHEREAS**, a Declaration of Covenants, Conditions and Restrictions for Highland Meadows was executed on April 29, 2014, by Matrixx Management, LLC, an Arizona limited liability company, and filed of record in Dallas County, Iowa, on May 12, 2014, in Book 2014, Page 5591, as amended by a First Supplemental Declaration filed July 7, 2016 in Book 2016, Page 11459, an Amendment to Declaration filed July 7, 2016 in Book 2016, Page 11528, a Corrected Amendment to Declaration filed August 9, 2017 in Book 2017, Page 15535, a Second Amendment to Declaration filed March 29, 2018 in Book 2018, Page 4816, a Second Supplemental Declaration filed April 5, 2018 in Book 2018, Page 5300, and a Third Amendment to Declaration filed March 25, 2021 in Book 2021, Page 8701 (hereinafter "Declaration"); and

**WHEREAS**, Declarant rights were assigned to HM Development Co., LLC, an Arizona limited liability company on April 18, 2016 and filed of record in Dallas County, Iowa on July 6, 2016 in Book 2016, Page 11402, further assigned to East Urban Investments, LLC, an Arizona limited liability company on March 27, 2018 and filed of record in Dallas County, Iowa on March 29, 2018 in Book 2018, Page 4832, and further assigned to Bill Kimberley, LC, an Iowa limited liability company (hereafter "Declarant") on June 9, 2020 and filed of record in Dallas County, Iowa on June 16, 2020 in Book 2020, Pages 13752 and 13760.

**WHEREAS**, the undersigned Declarant, pursuant to rights granted under Section 15.2 of the Declaration as filed, being the owner of at least one Lot in Highland Meadows, has elected to amend the Declaration as filed in accordance with the terms hereafter.

**NOW, THEREFORE**, the undersigned Declarant does hereby modify the Declaration as follows:

1. Section 4.37 of the Declaration is hereby deleted in its entirety and replaced as follows:

**4.37 Tennis Courts, Swimming Pools, Outbuildings.** Tennis courts or swimming pools shall be located only in rear yards and shall be at least ten (10) feet from Lot lines. Outbuildings such as pool houses, kitchens and detached garages consistent with the architecture of the residential home on the Lot may be permitted but only as a case-by-case basis subject to the Declarant's or Architectural Committee's discretion as part of the architectural review requirements of these Covenants. Only below-ground swimming pools shall be permitted on a Lot, which shall be located in the rear yard and shall be enclosed by a fence (if required by the City and approved by the Committee) or hedges. No above-ground swimming pools are allowed.

2. In all other respects, the Declaration shall remain unaffected and be enforceable as filed.

The undersigned represents and warrants as the Declarant that it is the fee titleholder of at least one Lot in Highland Meadows at this time.

Dated on this day and year first written above.

**BILL KIMBERLEY, LC,**  
An Iowa limited liability company,

By: Jenna Kimberley  
Jenna Kimberley, Manager

STATE OF IOWA            )  
                                  ) SS  
COUNTY OF Dallas    )

This instrument was acknowledged before me on this 23 day of April, 2021, by Jenna Kimberley, Manager of Bill Kimberley, LC.

Lisa R. Wilson  
Notary Public in and for said State  
My commission expires: \_\_\_\_\_



**EXHIBIT "A"**

Lots 1 through 19, inclusive, in Highland Meadows Plat 1, an Official Plat, now included in and forming a part of the City of Urbandale, Dallas County, Iowa (formerly known as Parcel "CC").

AND

Lots 1 through 46, inclusive, in Highland Meadows Plat 2, an Official Plat, now included in and forming a part of the City of Urbandale, Dallas County, Iowa (formerly known as Parcel "BB" and Parcel "17-283").

AND

Lots 1 through 15, inclusive, in Highland Meadows Plat 4, an Official Plat, now included in and forming a part of the City of Urbandale, Dallas County, Iowa (formerly known as Parcel "17-284").