

SUPPLEMENTARY DECLARATION OF COVENANTS CONDITIONS
AND RESTRICTIONS

SOMMERSET FIFTH ADDITION

THIS SUPPLEMENTARY DECLARATION, made this 16th day of
April, 1993, by Pierce, Inc., hereinafter called DECLARANT.

WITNESSETH;

WHEREAS, DECLARANT is Owner of the following described real
property; to wit:

All of Somerset Fifth Addition, a platted subdivision
situated in West Fargo, Cass County, State of North
Dakota. (Hereinafter referred to as the FIFTH ADDITION)

WHEREAS, DECLARANT intends that the FIFTH ADDITION become
subject to that certain DECLARATION OF COVENANTS, CONDITIONS AND
RESTRICTIONS dated April 27, 1989 and recorded in the office of the
Register of Deed, Cass County, North Dakota on May 24, 1989 at 2:10
P.M. as Document # 702960 (hereinafter DECLARATION) which
DECLARATION originally described all of Somerset Second Addition,
a platted subdivision situated in West Fargo, Cass County, North
Dakota. DECLARANT also intends that the FIFTH ADDITION be subject
to all of the provision of the DECLARATION except that certain
provisions regarding fences are to be added to the DECLARATION as

a result of the addition of the FIFTH ADDITION as hereinafter set forth;

NOW, THEREFORE, DECLARANT hereby declares that the FIFTH ADDITION shall be held, transferred, sold, conveyed, and occupied subject to the covenants, restrictions, easements, charges and liens set forth in the DECLARATION (that certain DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS dated April 27, 1989 and recorded in the office of the Register of Deed, Cass County, North Dakota on May 24, 1989 at 2:10 P.M. as Document # 702960). This declaration is made specifically pursuant to Article VIII, Section 3. Annexation. of said DECLARATION. The DECLARANT hereby states and certifies that the FIFTH ADDITION is a part of the property described on Exhibit A attached to the DECLARATION and as referenced on Article VIII, Section 4(a) of the DECLARATION.

By this supplementary declaration the FIFTH ADDITION is subject to all of the provisions of the DECLARATION including, but not limited to, the provisions regarding restrictive covenants, easements, membership and voting rights, provisions regarding Common Area, provisions regarding maintenance assessments, architectural control. FIFTH ADDITION is also subject to the DECLARATION's condition regarding mandatory membership in the Association known as Somerset Association created pursuant to Articles of Incorporation of Somerset Association dated April 27, 1989 (recorded May 24, 1989 at 2:11 P.M. as Document # 702961) with bylaws dated April 27, 1989 (recorded May 24, 1989 at 2:12 P.M. as Document # 7021962). Somerset Association is a/k/a and referred

in the DECLARATION as Sommerset Second Addition Association.
The only modifications to the DECLARATION resulting from the
addition of the FIFTH ADDITION is to add specific provisions
regarding fences in the FIFTH ADDITION which modifications are as
follows:

The following language shall be added to Article VII, Section 8 of
the DECLARATION:

In addition certain fence restrictions exist in the
Sommerset Fifth Addition. These restrictions are as
follows:

RR. No wire mesh, chain link or similar fence
is allowed on any of the Sommerset Fifth
Addition lots.

SS. Block 2, Lot 9 -- South boundary split
rail fence only.

TT. Block 2, Lot 10 -- South boundary split
rail fence only.

UU. Block 2, Lot 11 -- South boundary split
rail fence only.


VV. Block 2, Lot 12 -- South boundary split
rail fence only.

WW. Block 2, Lot 13 -- South boundary split
rail fence only.

XX. Block 2, Lot 14 -- South boundary split
rail fence only.

IN WITNESS WHEREOF, the undersigned, being the DECLARANT
herein, has hereunto set its hand and seal this 16th day of
April 1993.

PIERCE, INC., a corporation

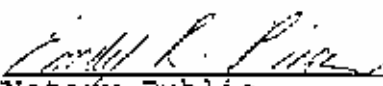
By 
Its President

STATE OF MINNESOTA

ss

COUNTY OF CLAY

On this 16th day of April 1993, before me personally appeared CARL A. PIERCE, known to me to be the President of the corporation that is described in and that executed the within instrument, and acknowledged to me that such corporation executed the same.


Notary Public

