

SUPPLEMENTARY DECLARATION OF COVENANTS CONDITIONS
AND RESTRICTIONS

SOMMERSET FOURTH 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 Sommerset Fourth Addition, a platted subdivision situated in West Fargo, Cass County, State of North Dakota. (Hereinafter referred to as the FOURTH ADDITION)

WHEREAS, DECLARANT intends that the FOURTH 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 Sommerset Second Addition, a platted subdivision situated in West Fargo, Cass County, North Dakota. DECLARANT also intends that the FOURTH 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 FOURTH ADDITION as hereinafter set forth;

NOW, THEREFORE, DECLARANT hereby declares that the FOURTH 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 4. Annexation. of said DECLARATION. The DECLARANT hereby states and certifies that the FOURTH ADDITION is a part of the property described on Exhibit A attached to the DECLARATION and as referenced in Article VIII, Section 4(a) of the DECLARATION.

By this supplementary declaration the FOURTH 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. FOURTH ADDITION is also subject to the DECLARATION's condition regarding mandatory membership in the Association known as Sommerset Association created pursuant to Articles of Incorporation of Sommerset 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). Sommerset Association is a/k/a/ and referred

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

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

EE. Block 1, Lot 1 -- South boundary split rail fence only.

FF. Block 1, Lot 2 -- South boundary split rail fence only.

GG. Block 1, Lot 3 -- South boundary split rail fence only.

HH. Block 1, Lot 4 -- South boundary split rail fence only.

II. Block 1, Lot 5 -- South boundary split rail fence only.

JJ. Block 1, Lot 6 -- South boundary split rail fence only.

KK. Block 1, Lot 7 -- South boundary split rail fence only.

LL. Block 1, Lot 8 -- South boundary split rail fence only.

MM. Block 1, Lot 9 -- South boundary split rail fence only.

NN. Block 1, Lot 10 -- South boundary split rail fence only.

OO. Block 1, Lot 11⁷ -- South boundary split rail fence only.

PP. Block 1, Lot 12 -- South boundary split rail fence only.

QQ. Block 1, Lot 13 -- 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

