

SUPPLEMENTARY DECLARATION OF COVENANTS CONDITIONS
AND RESTRICTIONS

SOMMERSET SIXTH ADDITION

THIS SUPPLEMENTARY DECLARATION, made this 28th day of June, 1994, by Pierce, Inc., hereinafter called DECLARANT.

WITNESSETH;

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

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

WHEREAS, DECLARANT intends that the SIXTH 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 SIXTH 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 SIXTH ADDITION as hereinafter set forth;

NOW, THEREFORE, DECLARANT hereby declares that the SIXTH 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 SIXTH 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 SIXTH 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. SIXTH 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 SIXTH ADDITION is to add specific provisions regarding fences in the SIXTH 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 Sixth Addition. These restrictions are as follows:

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

ZZ. Block 3, Lot 5 -- South boundary split rail fence only.

AAA. Block 3, Lot 6 -- South boundary split rail fence only.

BBB. Block 3, Lot 7 -- South boundary split rail fence only.

CCC. Block 3, Lot 8 -- South boundary split rail fence only.

DDD. Block 3, Lot 9 -- South boundary split rail fence only.

EEE. Block 3, Lot 10 -- South boundary split rail fence only.

FFF. Block 3, Lot 11 -- South boundary split rail fence only.

GGG. Block 3, Lot 12 -- South boundary split rail fence only.

HHH. Block 3, Lot 13 -- South boundary split rail fence only.

III. Block 3, Lot 14 -- South boundary split rail fence only.

JJJ. Block 3, Lot 19 -- South boundary split rail fence only.

IN WITNESS WHEREOF, the undersigned, being the DECLARANT herein, has hereunto set its hand and seal this 28th day of June 1994.

PIERCE, INC., a corporation

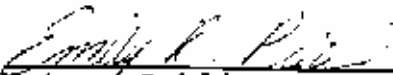
By 
Its President

STATE OF MINNESOTA

SS

COUNTY OF CLAY

On this 28th day of June 1994, 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

