

SUPPLEMENTARY DECLARATION OF COVENANTS CONDITIONS
AND RESTRICTIONS

SOMMERSET THIRD ADDITION

THIS SUPPLEMENTARY DECLARATION, made this 11TH day of February, 1992, by Pierce, Inc., hereinafter called DECLARANT.

WITNESSETH;

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

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

WHEREAS, DECLARANT intends that the THIRD 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 THIRD ADDITION be subject to all of the provision of the DECLARATION except that certain provisions regarding common areas and fences are to be added to the

DECLARATION as a result of the addition of the THIRD ADDITION as hereinafter set forth;

NOW, THEREFORE, DECLARANT hereby declares that the THIRD 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 THIRD 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 THIRD 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. THIRD 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 THIRD ADDITION is to add a common area and to add specific provisions regarding fences in the THIRD ADDITION which modifications are as follows:

The following language shall be added to Article I, Section 4. of the DECLARATION:

Lot 1, Block 1, Sommerset Third Addition

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

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

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

U. Block 1, Lot 2 -- North and West boundary split rail fence only.

V. Block 1, Lot 3 -- North boundary split rail fence only.

W. Block 1, Lot 4 -- North boundary split rail fence only.

X. Block 1, Lot 5 -- North boundary split rail fence only.

Y. Block 1, Lot 6 -- North boundary split rail fence only.

Z. Block 1, Lot 7 -- North and East boundary split rail fence only.

AA. Block 1, Lot 8 -- West boundary split rail fence only.

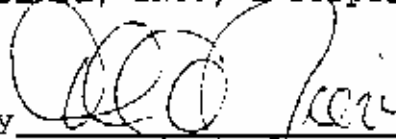
BB. Block 1, Lot 9 -- West boundary split rail fence only.

CC. Block 1, Lot 10 -- West boundary split

rail fence only.

IN WITNESS WHEREOF, the undersigned, being the DECLARANT herein, has hereunto set its hand and seal this 11TH day of February 1992.

PIERCE, INC., a corporation

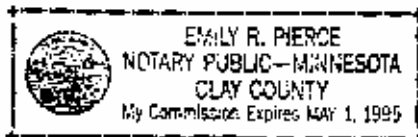
By 
Its President

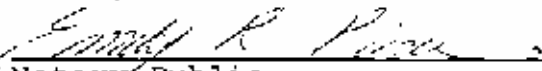
STATE OF MINNESOTA

ss

COUNTY OF CLAY

On this 11TH day of February 1992, 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