

**COMMON INTEREST COMMUNITY NUMBER 41  
PLANNED COMMUNITY  
CEDAR CREEK SOUTH SIXTH ADDITION  
FIRST AMENDMENT TO DECLARATION**

THIS FIRST AMENDMENT is made this 5<sup>th</sup> day of December, 2001, by Kenco Enterprises, Inc. and Pilot Land Development Company, Minnesota corporations (hereinafter referred to as the "Declarant"), pursuant to the provisions of the Minnesota Common Interest Ownership Act, Minnesota Statutes Sections 515B.1-101 to 515B.4-118 (hereinafter referred to as the "Act"), as amended.

WHEREAS, on the 6<sup>th</sup> day of December, 2000, Declarant made and executed that certain Declaration (hereinafter referred to as the "Declaration"), whereby Declarant submitted certain real estate situated in Wright County, Minnesota (hereinafter referred to as the "Real Estate") pursuant to the provisions of the Act, which Declaration was filed for record on May 30, 2001, as Document No. 743182 in the Office of the County Recorder for Wright County, Minnesota; and

WHEREAS, the Plat of Cedar Creek South Sixth Addition was filed for record as Document No. 726628 in the Office of the County Recorder in and for Wright County, Minnesota (hereinafter the "Plat"); and

WHEREAS, Section 25 of the Declaration reserves to Declarant the option to add to the CIC any one or more of certain parcels of land described in said Section 25 and referred to in the Declaration as "Additional Real Estate"; and

WHEREAS, Declarant intends by this Amendment to add to the CIC the following described property located in the City of Albertville, County of Wright, State of Minnesota:

Lots 1 through 25 and Outlot A, Block 1 Cedar Creek South Seventh Addition  
(hereinafter "Lot" whether singular or plural).

WHEREAS, Declarant also desires by this Amendment to amend the Declaration and Plat attached thereto to alter the building style of the building to be constructed by the Additional Real Estate added by this Amendment.

NOW, THEREFORE, in order to add said portion of the Additional Real Estate to the CIC, and amend the style and location of the buildings to be constructed on the Additional Real Estate. Declarant hereby declares that the Lot, as above described, is subject to the covenants, restrictions, terms and conditions set forth in the Declaration, which shall constitute covenants running with said Lot of the Additional Real Estate and shall be binding upon Declarant, its successors and assigns, and on all subsequent holders of any right, title or interest in or to all or any part of said Lot of the Additional Real Estate, their grantees, successors, heirs, personal representatives, devisees and assigns:

1. Units. There are twenty-five (25) units located on twenty-five (25) lots. The boundaries of each Unit hereby added to the Declaration shall be redesigned as shown on the Amended Plat subject to this First Amendment but shall not include the common area. The Supplemental CIC Plat required by the Act shall be the Plat or any portion thereof. Unit identifiers shall be the lot and block numbers of the Plat.

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Pilot Land Development Company  
13736 Johnson Street NE  
Ham Lake, MN 55304

**769758**

2. Reallocation of Common Expense Liabilities/Votes in the Association. The Declaration is hereby amended to provide that each of the Units established by the Declaration, this First Amendment is allocated an equal 1/45 share of the Common Expenses and one vote in the Association.

3. Common Elements/Limited Common Elements. All portions of said Lot other than the Units are Common Elements. In addition, the Common Elements include the Common Elements established in the Declaration. Certain portions of the Common Elements designed to serve one or more, but fewer than all of the Units, are by operation of Section 515B.2-102(d) and (f) of the Act designated as Limited Common Elements. The Common Elements are owned by the Association for the Benefit of the Owners.

4. Applicability of Provisions of Declaration. All of the terms, covenants, restrictions and conditions created in the Declaration as applicable to the Real Estate are hereby extended to and shall be deemed to apply to said Lot of the Additional Real Estate, including, but not limited to, all restrictions contained in the Declaration affecting the use, occupancy and alienation of the Units.

5. Definition of Terms. As used in this First Amendment, any words or terms defined in the Act shall have the meaning there ascribed to them, and any words or terms defined in the Declaration, to the extent not defined in the Act, shall have the meaning ascribed in the Declaration.

6. IN WITNESS WHEREOF, Declarant has caused this First Amendment to Declaration to be executed the date and year first above written.

KENCO ENTERPRISES, INC.

By: \_\_\_\_\_  
Its: \_\_\_\_\_

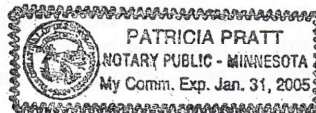
*[Signature]*

PILOT LAND DEVELOPMENT  
COMPANY

By: \_\_\_\_\_  
Its: \_\_\_\_\_

*[Signature]*

STATE OF MINNESOTA )  
 )ss.  
COUNTY OF Anoka )



The foregoing instrument was acknowledged before me this 15<sup>th</sup> day of November, 2001, by Kent Raessler, the Vice President of Kenco Enterprises, Inc., a Minnesota corporation, on behalf of said corporation.

Notary Public

769758

JASON COURT



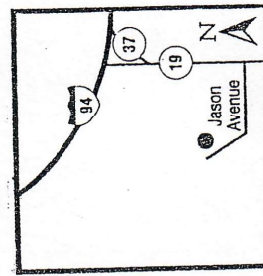
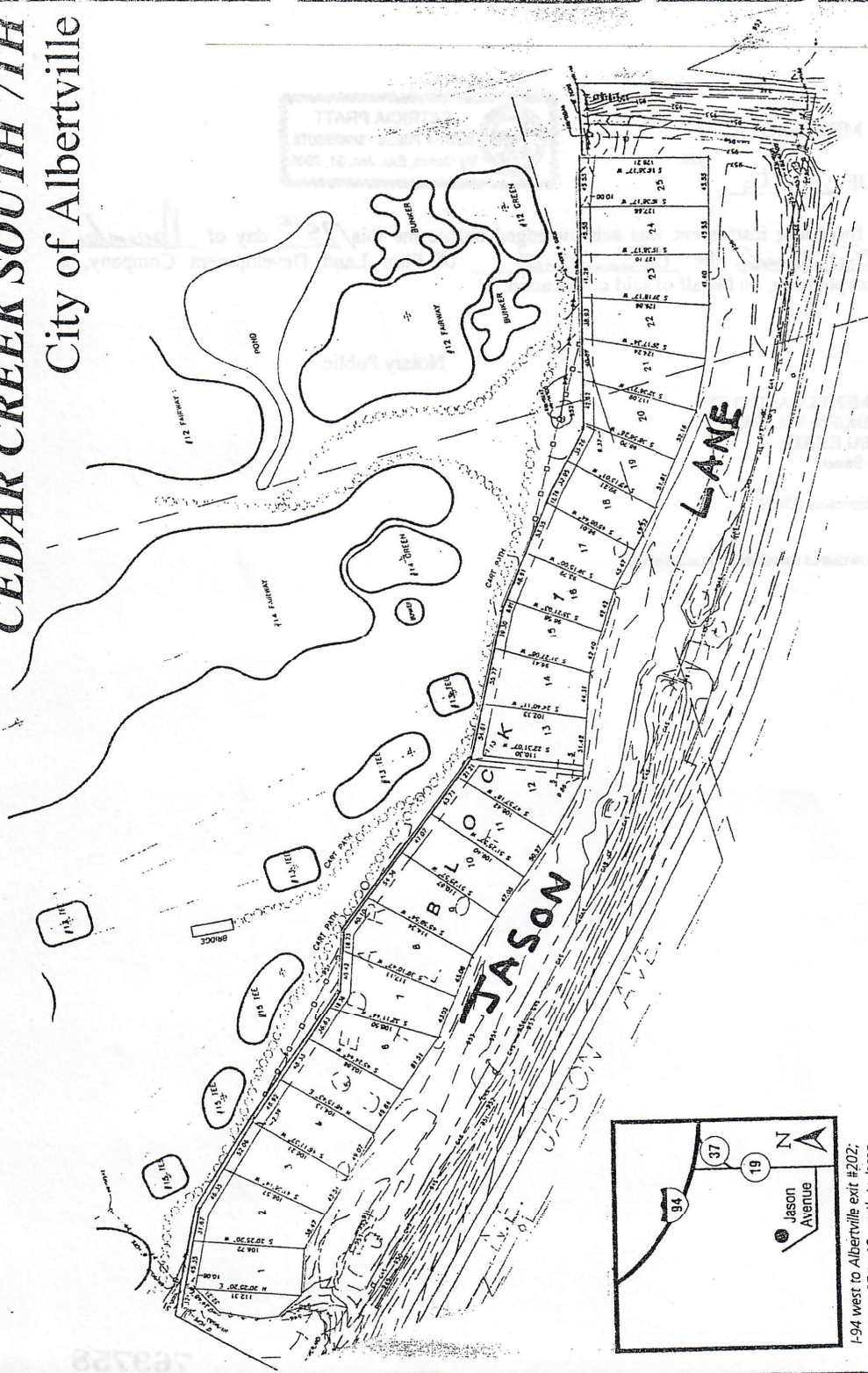
GRAPHIC SCALE IN FEET

0 DIRECTED FROM MICHIGAN POLICE  
 PROVIDED FROM MICHIGAN DET. A.L.S. AND P.A.S.

THE ORIGINATOR OF THE MICHIGAN SYSTEM  
 FOR THIS PLAN IS BASED ON THE PLAN OF  
 CROWN CREEK SOUTH, GREENE COUNTY,  
 MISSISSIPPI.

# CEDAR CREEK SOUTH 7TH

## City of Albertville



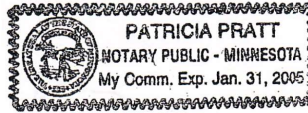
I-94 west to Albertville exit #202;  
west on 37 to 19; south to Jason  
Avenue; west to home.

**Pilot Land**  
13736 Johnson Street NE \* Ham Lake, MN 55304

Agent's Initials \_\_\_\_\_ Buyer's Initials \_\_\_\_\_

/20

STATE OF MINNESOTA    )  
  )SS.  
COUNTY OF Anoka    )



The foregoing instrument was acknowledged before me this 15<sup>th</sup> day of November, 2001, by Kent Laisle, the President of Pilot Land Development Company, a Minnesota corporation, on behalf of said corporation.

Notary Public

THIS INSTRUMENT DRAFTED BY:  
LEONARD, O'BRIEN, WILFORD,  
SPENCER & GALE, LTD.  
100 South Fifth Street  
Suite 1200  
Minneapolis, Minnesota 55402

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RECEIVED BY COUNTY CLERK  
COUNTY OF WRIGHT  
STATE OF MINNESOTA

01 DEC 20 PM 2:00

\$35.00 ck #29535 NS/CWI/BG

**CITY OF ALBERTVILLE DEVELOPER'S AGREEMENT  
Cedar Creek South Seventh Addition**

THIS AGREEMENT, entered into this 12<sup>th</sup> day of November, 2001 by and between Pilot Land Development Company, Inc., referred to herein as "Developer"; and the CITY OF ALBERTVILLE, County of Wright, State of Minnesota, hereinafter referred to as "City";

**WITNESSETH:**

**WHEREAS**, Developer is the fee owner and developer of a parcel or parcels of land described in Exhibit A, attached hereto and incorporated herein by reference, which parcel(s) of land are proposed to be subdivided and platted for development, and which subdivision, which is the subject of this Agreement, is intended to bear the name "Cedar Creek South Seventh Addition" and may sometimes hereinafter be referred to as the "Subject Property" or "Said Plat"; and

**WHEREAS**, the City has given preliminary approval of Developer's Development Stage plan of Cedar Creek South Seventh Addition contingent upon compliance with certain City requirements including, but not limited to, matters set forth herein; and

**WHEREAS**, the City requires that certain public improvements including, but not limited to, grading, sanitary sewer, municipal water, storm sewer (hereafter "Municipal Improvements") be installed to serve the Subject Property and, further, to be financed by Developer;

**WHEREAS**, the City further requires that certain on- and off-site improvements be installed by the Developer within the Subject Property, which improvements consist of paved streets, boulevards, top soil and sod, grading control per lot, bituminous or concrete

1

Return to:  
Pilot Land Development Company  
13736 Johnson Street NE  
Ham Lake, MN 55304

Transfer Entered this 19<sup>th</sup> day of  
December year 2001  
Douglas M. Huber  
County Auditor

769758

OFFICE OF COUNTY RECORDER  
WRIGHT COUNTY, MINNESOTA  
CERTIFIED TO BE FILED  
AND/OR RECORDED

01 DEC 20 PM 2:00

\$30.00 ck #29535 NS/CWI/BG