

SECOND AMENDMENT TO
DECLARATION OF
COVENANTS, CONDITIONS, EASEMENTS AND
RESTRICTIONS
FOR SOUTHERN LAKES

THIS SECOND AMENDMENT TO DECLARATION ("Declaration") is made as of the 1st day of June 1998 by Lyman Development Co., a Minnesota Corporation (the "Declarant")

RECITALS

WHEREAS, the Declaration for Southern Lakes, (the "Declaration") dated September 19, 1997 was filed in the office of the Dakota County Recorder/Registrar of Deeds on October 9, 1997 as Document No. 361509, and

WHEREAS, the Declaration was amended by that certain "First Amendment to Declaration" dated January 19, 1998 filed in the office of the Dakota County Recorder/Registrar of Deeds on February 6, 1998 as Document No. 367628, and

WHEREAS, the Declaration provides for the addition of certain Additional Property as defined in the Declaration, and grants to Declarant the authority to add said property, and,

WHEREAS, Declarant desires to add and incorporate into the Homeowners Association the Additional Property legally described as follows (the "Second Additional Property");

Lots 1 through 11, Block 1, Southern Lakes 3rd Addition.
Lots 1 through 15, Block 2, Southern Lakes 3rd Addition.
Lots 1 through 9, Block 3, Southern Lakes 3rd Addition.

Which Second Additional Property includes thirty five additional residential lots as described herein, and,

WHEREAS, the Declarant desires to subject those portions of the "Second Additional Property" as legally described in Exhibit C, attached

hereto, to the Conservation Easement set forth in Article VIII of the Declaration.

NOW, THEREFORE, the undersigned hereby enacts the following Second Amendment to the Declaration, in accordance with the requirements of the Declaration, for the purpose of subjecting the Second Additional Property described above to the Declaration and, hereby declaring that said Second Additional Property shall be held, sold, conveyed and occupied subject to the covenants, restrictions, easements, charges and liens provided for in the Declaration and this Second Amendment, and to the Conservation Easement described in Section VIII of the Declaration as to those portions of the Second Additional Property described in attached Exhibit C, all of which shall be binding upon all persons having or hereafter acquiring any right, title or interest therein, including their heirs, personal representatives, grantees, successors and assigns.

REALLOCATION OF VOTING RIGHTS & ASSESSMENT OBLIGATIONS

Voting rights and Assessment obligations shall be reallocated among all lots created by the Declaration and this and any prior or future Amendments thereto in accordance with the formulas set forth in Section 3.2 of the Declaration.

LEGAL DESCRIPTIONS

Exhibit A to the Declaration containing the legal description of the Property shall be amended and replaced by Exhibit A attached hereto. All references to Exhibit A in the Declaration, as amended, shall henceforth mean and refer to Exhibit A attached hereto.

Exhibit B to the Declaration containing the legal description of the remaining Additional Property shall be amended and replaced by Exhibit B attached hereto. All references to Exhibit B in the Declaration, as amended, shall henceforth mean and refer to Exhibit B attached hereto.

Exhibit C to the Declaration and Exhibit C to any prior amendment thereto shall remain in full force and effect, and the legal description contained in Exhibit C hereto shall supplement and be in

**EXHIBIT A TO SECOND AMENDMENT TO
DECLARATION**

LEGAL DESCRIPTION OF PROPERTY

Lots 1 through 22, inclusive, Block 1 Southern Lakes;
Lots 1 through 5, inclusive, Block 2 Southern Lakes;
Lots 1 through 10, inclusive, Block 3 Southern Lakes;
Lots 1 through 15, inclusive, Block 4 Southern Lakes;
Lots 1 through 25, inclusive, Block 5 Southern Lakes;
Lots 1 through 4, inclusive, Block 1, Southern Lakes 2nd Addition;
Lots 1 through 11, inclusive, Block 1, Southern Lakes 3rd Addition;
Lots 1 through 15, inclusive, Block 2, Southern Lakes 3rd Addition;
Lots 1 through 9, inclusive, Block 3, Southern Lakes 3rd Addition;

according to the recorded plat thereof on file and of record in the offices of the County Registrar of Titles, Dakota County, Minnesota.

**EXHIBIT B TO SECOND AMENDMENT TO
DECLARATION**

LEGAL DESCRIPTION OF THE ADDITIONAL
PROPERTY

Outlot A, Southern Lakes 3rd Addition, according to the recorded plat thereof on file and of record in the offices of the County Registrar of Titles, Dakota County, Minnesota.

**EXHIBIT C TO SECOND AMENDMENT TO
DECLARATION**

LEGAL DESCRIPTION OF THE CONSERVATION
EASEMENT ENCUMBERING THE SECOND
ADDITIONAL PROPERTY

A permanent easement for conservation purposes over, under and across the following described properties:

[3rd Addition, Block 1]

[10739 Alison Way]

All that part of Lot 1, Block 1, lying southwesterly of a line that is 110 feet southwesterly of and parallel with the front lot line of said lot 1, and;

[10735 Alison Way]

All that part of Lot 2, Block 1, lying southwesterly of a line that is 110 feet southwesterly of and parallel with the front lot line of said lot 2, and;

[10731 Alison Way]

All that part of Lot 3, Block 1, lying southwesterly of a line that is 110 feet southwesterly of and parallel with the front lot line of said lot 3, and;

[10727 Alison Way]

All that part of Lot 4, Block 1, lying southwesterly of a line that is 110 feet southwesterly of and parallel with the front lot line of said lot 4, and;

[10723 Alison Way]

All that part of Lot 5, Block 1, lying westerly of a line that is 110 feet westerly of and parallel with the front lot line of said lot 5, and;

[10719 Alison Way]

All that part of Lot 6, Block 1, lying westerly of a line that is 110 feet westerly of and parallel with the front lot line of said lot 6, and;

[10715 Alison Way]

All that part of Lot 7, Block 1, lying northwesterly of a line that is 110 feet northwesterly of and parallel with the front lot line of said lot 7, and;

[10693 Alicia Circle]

[Lot 8, Block 1 - No conservation easement]

[10689 Alicia Circle]

[Lot 9, Block 1 - No conservation easement]

[10673 Alicia Circle]

All that part of Lot 10, Block 1, lying southerly of a line that is 110 feet southerly of and parallel with the front lot line of said lot 10, and;

[10665 Alicia Circle]

All that part of Lot 11, Block 1, lying southerly of a line that is 110 feet southerly of and parallel with the front lot line of said lot 11, and;

[3rd Addition, Block 2]

[10664 Alicia Circle]

[Lot 1, Block 2 - No conservation easement]

[10672 Alicia Circle]

[Lot 2, Block 2 - No conservation easement]

[10678 Alicia Circle]

[Lot 3, Block 2 - No conservation easement]

[10680 Alicia Circle]

[Lot 4, Block 2 - No conservation easement]

[10684 Alicia Circle]

[Lot 5, Block 2 - No conservation easement]

[10688 Alicia Circle]

[Lot 6, Block 2 - No conservation easement]

[10707 Alison Way]

[Lot 7, Block 2 - No conservation easement]

[10703 Alison Way]

[Lot 8, Block 2 - No conservation easement]

[10669 Alton Court]

[Lot 9, Block 2 - No conservation easement]

[10663 Alton Court]

[Lot 10, Block 2 - No conservation easement]

[10655 Alton Court]

[Lot 11, Block 2 - No conservation easement]

[10652 Alton Court]

[Lot 12, Block 2 - No conservation easement]

[10660 Alton Court]
[Lot 13, Block 2 - No conservation easement]

[10664 Alton Court]
[Lot 14, Block 2 - No conservation easement]

[10668 Alton Court]
[Lot 15, Block 2 - No conservation easement]

[3rd Addition, Block 3]

[10692 Alison Way]
All that part of Lot 1, Block 3, lying southerly of a line that is 110 feet southerly of and parallel with the front lot line of said lot 1, and;

[10696 Alison Way]
All that part of Lot 2, Block 3, lying southerly of a line that is 110 feet southerly of and parallel with the front lot line of said lot 2, and;

[10700 Alison Way]
All that part of Lot 3, Block 3, lying southerly of a line that is 110 feet southerly of and parallel with the front lot line of said lot 3, and;

[10704 Alison Way]
All that part of Lot 4, Block 3, lying southerly of a line that is 110 feet southerly of and parallel with the front lot line of said lot 4, and;

[10708 Alison Way]
All that part of Lot 5, Block 3, lying southerly of a line that is 110 feet southerly of and parallel with the front lot line of said lot 5, and;

[10712 Alison Way]
All that part of Lot 6, Block 3, lying southerly of a line that is 110 feet southerly of and parallel with the front lot line of said lot 6, and;

[10720 Alison Way]
[Lot 7, Block 3 - No conservation easement]

[10734 Alison Way]
All that part of Lot 8, Block 3, lying northeasterly of a line that is 110 feet northeasterly of and parallel with the front lot line of said lot 8, and;

[10738 Alison Way]

All that part of Lot 9, Block 3, lying northeasterly of a line that is 110 feet northeasterly of and parallel with the front lot line of said lot 9,

Southern Lakes 3rd Addition, according to the recorded plat thereof on file and of record in the offices of the County Registrar of Titles, Dakota County, Minnesota.