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AMD

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**Office of the County Recorder**  
**Scott County, Minnesota**  
*James L. Hentges, County Recorder*

**FIRST AMENDMENT TO AMENDED AND RESTATED DECLARATION  
OF  
DAKOTA CROSSING HOMEOWNERS ASSOCIATION**

This First Amendment to the Amended and Restated Declaration of Easements, Covenants, Conditions and Restrictions ("Amended and Restated Declaration"), made effective upon recording, is made by Dakota Crossing Homeowners Association ("Association") and approved by at least 67% of the Owners of the Lots in the Association pursuant to Article XVI, Section 3 of the Amended and Restated Declaration.

**WHEREAS**, the Amended and Restated Declaration was filed in the Office of the Scott County Recorder on May 1, 2015 a Document No. A978319;

**WHEREAS**, the Amended and Restated Declaration provides for amendment of the Declaration by at least sixty-seven percent (67%) of the Owners in the Association;

**WHEREAS**, the property subject to the Amended and Restated Declaration is described on the attached **Exhibit A**; and

**WHEREAS**, the necessary percentage of votes of the Owners in the Association approved the amendment to the Amended and Restated Declaration as set forth in the attached **Exhibit B**.

**NOW, THEREFORE**, the Association makes this Amendment declaring that the Amended and Restated Declaration shall be amended as set forth herein, and that the covenants and restrictions hereafter set forth shall be binding upon all persons having any right, title or interest in the Property, including their heirs, personal representatives, grantees, successors and assigns, effective as of the date of the filing of this Amendment.

1. Each of the above recitals is true and correct and is hereby incorporated by this reference.

2. **Article XII, Section 7 of the Amended and Restated Declaration shall be amended, modified and restated as follows:**

Section 7. Tower Structures. Only flag poles, posts, towers, antenna or satellite dishes approved in accordance with Article X by the Architectural Control Committee may be installed on the Lot or Living Unit. The Architectural Control Committee may, but is not required to publish a list of exterior alterations that will be acceptable without going through the approval process, which list may change from time to time.

All other terms, covenants, conditions and restrictions contained in the Amended and Restated Declaration and prior amendments thereto, shall remain in full force and effect, except as otherwise specifically amended or modified hereby.

IN WITNESS WHEREOF, the undersigned has executed this instrument the 12 day of May, 2017.

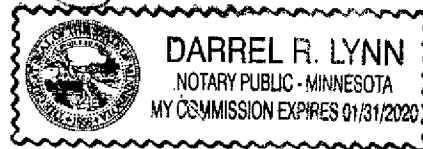
Dakota Crossing Homeowners Association

By [Signature] Joshua Mundahl  
President

STATE OF MINNESOTA)  
) ss  
COUNTY OF Hennepin)

The foregoing First Amendment to Amended and Restated Declaration was acknowledged before me this 12<sup>th</sup> day of May, 2017, by Josh Mundahl, the President of Dakota Crossing Homeowners Association, a Minnesota corporation, on behalf of the corporation.

[Signature]  
Notary Public



This instrument was drafted by  
Gretchen S. Schellhas, Esq. (#195595)  
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Minneapolis, MN 55401-2048  
(612) 339-7300

**DAKOTA CROSSING HOMEOWNERS ASSOCIATION**

**EXHIBIT A**

**TO**

**AMENDMENT TO AMENDED AND RESTATED DECLARATION**

**PROPERTY LEGAL DESCRIPTION**

**Lots 1 through 3, inclusive, Block 1;  
Lots 1 through 20, inclusive, Block 2;  
Lots 1 through 24, inclusive, Block 3; and  
Lots 1 through 19, inclusive, Block 4,**

**All in Dakota Crossing, Scott County, Minnesota**

DAKOTA CROSSING HOMEOWNERS ASSOCIATION

EXHIBIT B

TO

AMENDMENT TO AMENDED AND RESTATED DECLARATION

AFFIDAVIT OF SECRETARY

The undersigned, Andrew L. Marble as Secretary of Dakota Crossing Homeowners Association, being first duly sworn on oath, hereby swears and certifies, pursuant to the applicable provisions of the Amended and Restated Declaration, that this instrument has been duly approved by the Association by obtaining the approval of sixty-seven percent (67%) of the Owners votes in the Association, in satisfaction of the requirements of the Amended and Restated Declaration.

Andrew L. Marble  
Secretary

STATE OF MINNESOTA )  
 ) ss.  
COUNTY OF Hennepin )

The foregoing instrument was acknowledged before me this 11 day of May 2017 by Andrew Marble the Treasurer of Dakota Crossing Homeowners Association, a Minnesota nonprofit corporation, on behalf of the non-profit corporation.

[Signature]

Notary Public

