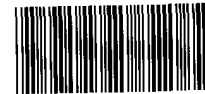


Transaction#: 151396

RECORDING FEE

\$46 00

721373



Recorded on: 5/1/2013 02:57PM

By KSS, Deputy

Return to:
MOORHEAD CITY
PO BOX 779
MOORHEAD, MN 56560

J. Bonnie Rehder, Recorder
CLAY County, MN

**AMENDMENT TO THE DECLARATION
OF
COVENANTS, RESTRICTIONS, AND EASEMENTS
OF
STONEMILL ESTATES FIRST ADDITION
TO THE CITY OF MOORHEAD, CLAY COUNTY, MINNESOTA**

This Amendment made effective this 17th day of April, 2013, by the owners of Stonemill Estates First Addition to the City of Moorhead, Clay County, Minnesota (“the Owners”).

Whereas, the Owners each own one or more lots in Stonemill Estates First Addition to the City of Moorhead, Clay County, Minnesota (“Stonemill”), subject to that Declaration of Covenants, Restrictions, and Easements recorded in the office of the County Recorder for Clay County, Minnesota on October 24, 2007, as Document No. 648599 (the “Declaration”).

Whereas the Owners have reviewed the Declaration and have determined the Declaration as presently drafted, is incompatible with the future developments of Stonemill.

Whereas, at a duly constituted meeting of the Owners on April 17th, 2013, the following Amendment to the Declaration of Covenants, Restriction, and Easements of Stonemill Estates First Addition to the City of Moorhead, Clay County, Minnesota, was approved by at least seventy-five percent (75%) of the Owners and Eligible Holders (as defined in the Declaration):

NOW, THEREFORE, the Declaration is hereby amended to read:

1. Cancellation of Declaration. Except where expressly stated herein to the contrary, the Declaration is hereby in all respects cancelled and abolished and all provisions of the Declaration are hereby deleted unless expressly stated otherwise herein.
2. Lots Subject to Covenants. This Amendment to the Declaration of Covenants, Restrictions, and Easements of Stonemill Estates First Addition to the City of Moorhead, Clay County, Minnesota (the “Amendment”) shall apply to restrict the use and development of the following property:

Stonemill Estates First Addition to the City of Moorhead, Clay County, Minnesota

AND

That part of the Southeast Quarter (SE $\frac{1}{4}$) of Section 29, Township 139 North, Range 48 West of the Fifth Principal Meridian, Clay County, Minnesota, lying Easterly of the U.S. Highway No. 75 right-of-way and Northerly and Westerly of the following described line: Commencing at the Northwest corner of the Southeast Quarter(SE $\frac{1}{4}$) of said Section 29, as located and described in Document No. 610772, on file at the Clay County Recorder's Office, thence North 89°44'11" East (assumed bearing), along the Northerly line of the Southeast Quarter (SE $\frac{1}{4}$) of said Section 29, for a distance of 75.00 feet to the Easterly right-of-way line of said U.S. Highway No. 75; thence South 00°23'05" East, along the Easterly right-of-way line of said U.S. Highway No. 75, for a distance of 26.00 feet to the true point of beginning of the line to be described; thence North 89°44'11" East, parallel with the Northerly line of the Southeast Quarter (SE $\frac{1}{4}$) of said Section 29, for a distance of 217.00 feet; more or less, to a point of intersection with the Easterly line of a tract of land described in Document No. 432753, on file at said Recorder's Office; thence North 00°19'50" West, along the Easterly line of a tract of land described in said Document No. 432753, for a distance of 26.00 feet to a point of intersection with the Northerly line of the Southeast Quarter (SE $\frac{1}{4}$) of said Section 29, and there terminating said line.

Together with

Any and all interest in that part of the Northeast Quarter (NE $\frac{1}{4}$) of said Section 29, Township 139 North, Range 48 West of the Fifth Principal Meridian, Clay County, Minnesota, lying Easterly of the U.S. Highway No. 75 right-of-way and Northerly of, and contiguous with, the above described tract.

Less: Lots 1-5, Block 1; Lots 1-3, Block 2; Lots 7-8 Block 3; and Lots 1, Block 11 of Stonemill Estates First Addition to the City of Moorhead, Clay County, Minnesota.

(the "Property").

3. Zoning Ordinance and Regulation. The Property shall be subject to all applicable Zoning Ordinances, Building Regulations, and other Ordinances of the City of Moorhead, Clay County, Minnesota.

4. Land Use and Building Type:
 - a. The Property may only be used for residential purposes, except for in-home occupations as defined and permitted by the City of Moorhead in the subject zoning district.
 - b. All improved lots must contain a hard surface driveway running from the garage door to a public right of way or alley connecting to a public street.
 - c. No front or side yard curb cuts will be permitted on lots that abut an alley.
 - d. The Property shall not be used for the purpose of mining, quarrying, drilling, boring or other exploring for or removal of oil, gas or other hydrocarbons, minerals of any kind, rocks, stones, sand, gravel, aggregate or earth.
 - e. The Property shall not be used or maintained as a junkyard, dumping ground or for storage, temporary or otherwise, of inoperable, junked or disabled automobiles, boats, storage tanks, equipment, used lumber or other building materials.

5. Dwelling Requirements.
 - a. A front porch is a required architectural feature for the front all dwellings constructed upon the Property. At a minimum, such front porch shall be 20 square feet in size and include a concrete slab with full or partial roof coverage.
 - b. Any dwelling structure plus any attached garage constructed upon the Property shall have a minimum structural area of 900 square feet (excluding porches, decks, and detached garages).
 - c. All dwelling structures constructed on lots shall be new construction framed completely on site and no dwelling structure, mobile home, manufactured home, or modular home shall be moved from any other location onto any lot.
 - d. In order to ensure compliance with the requirements contained herein, all plans and specifications for the erection or alteration of each dwelling

structure shall be submitted to the City of Moorhead's Planning and Zoning Division prior to the commencement of construction activities. No Owner may commence any construction activities until written approval of such plans and specifications is received from the City of Moorhead's Planning and Zoning Division.

6. Term. These covenants are to run with the land and shall be binding on all the parties and all persons claiming under them for a period of twenty-five (25) years from the date this Amendment is recorded, after which time, the covenants shall be automatically extended for successive periods of ten (10) years unless an instrument signed by a majority of the owners of the Lots has been recorded agreeing to change the covenants in all or in part or agreeing to cancel said covenants in their entirety.

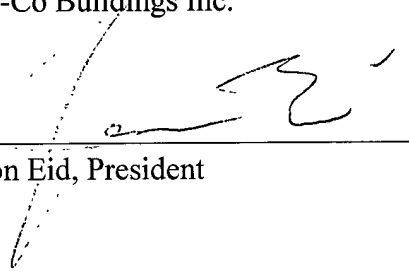
7. Remedies for Violations and Enforcement. The covenants and restrictions set forth herein shall run with the land and bind the present owners and the present owners' heirs, successors and assigns to conform to and observe said restrictions as to the use of the Property. No covenants or restrictions shall be personally binding on any person except in respect to breaches committed during their ownership of the particular lot or lots upon which such violations occurred. Enforcement shall be by proceedings at law or equity against any person or persons violating or attempting to violate any of the restrictions set forth herein, either to restrain violation or to recover damages. Any owner of any lot or lots has the right to proceed at law or equity to restrain violation and obtain an injunction prohibiting the violation of any covenants or restrictions under the terms of this Amendment, in addition to a legal action for damages.

8. Severability. Invalidation of any one of these covenants by judgment or by court order shall not affect any of the other provisions which shall remain in full force and effect.

(Signatures appear on following pages.)

Owner of:
Lots 25 – 30 and Lot 33, Block 4
Lots 5, 7 and 8, Block 6

Eid-Co Buildings Inc.

By: 
Jason Eid, President

STATE OF MN)
) ss.
COUNTY OF Clay)

On this 17 day of April, 2013, before me personally appeared Jason Eid, to me known to be the President of Eid-Co Buildings, Inc., and that they executed the foregoing instrument, and acknowledged to me that they executed the same on behalf of Eid-Co Buildings, Inc.



Mary R. Schmitt
Notary Public, Clay County, Minnesota
My Commission Expires: 1/31/14

(SEAL)

PARCEL	Legal Description
587671910	STONEMILL ESTATES 1ST ADD Lot-006 Block-011
587671920	STONEMILL ESTATES 1ST ADD Lot-007 Block-011
587671930	STONEMILL ESTATES 1ST ADD Lot-008 Block-011
587671940	STONEMILL ESTATES 1ST ADD Lot-009 Block-011
587671950	STONEMILL ESTATES 1ST ADD Lot-001 Block-012
587671960	STONEMILL ESTATES 1ST ADD Lot-002 Block-012
587671970	STONEMILL ESTATES 1ST ADD Lot-003 Block-012
587671980	STONEMILL ESTATES 1ST ADD Lot-004 Block-012
587671990	STONEMILL ESTATES 1ST ADD Lot-005 Block-012
587672000	STONEMILL ESTATES 1ST ADD Lot-006 Block-012
587672010	STONEMILL ESTATES 1ST ADD Lot-007 Block-012
587672020	STONEMILL ESTATES 1ST ADD Lot-008 Block-012
587672030	STONEMILL ESTATES 1ST ADD Lot-009 Block-012
587672040	STONEMILL ESTATES 1ST ADD Lot-010 Block-012
587672050	STONEMILL ESTATES 1ST ADD Lot-011 Block-012
587672060	STONEMILL ESTATES 1ST ADD Lot-012 Block-012
587672070	STONEMILL ESTATES 1ST ADD Lot-013 Block-012
587672080	STONEMILL ESTATES 1ST ADD Lot-014 Block-012
587672090	STONEMILL ESTATES 1ST ADD Lot-015 Block-012
587672100	STONEMILL ESTATES 1ST ADD Lot-016 Block-012
587671900	STONEMILL ESTATES 1ST ADD Lot-005 Block-011
587672110	STONEMILL ESTATES 1ST ADD Lot-017 Block-012
587672120	STONEMILL ESTATES 1ST ADD Lot-018 Block-012
587671890	STONEMILL ESTATES 1ST ADD Lot-004 Block-011
587671880	STONEMILL ESTATES 1ST ADD Lot-003 Block-011
587671870	STONEMILL ESTATES 1ST ADD Lot-002 Block-011
587671420	STONEMILL ESTATES 1ST ADD Lot-019 Block-008
587671410	STONEMILL ESTATES 1ST ADD Lot-018 Block-008
587671060	STONEMILL ESTATES 1ST ADD Lot-019 Block-007
587671050	STONEMILL ESTATES 1ST ADD Lot-018 Block-007
587671430	STONEMILL ESTATES 1ST ADD Lot-020 Block-008
587671400	STONEMILL ESTATES 1ST ADD Lot-017 Block-008
587671070	STONEMILL ESTATES 1ST ADD Lot-020 Block-007
587671040	STONEMILL ESTATES 1ST ADD Lot-017 Block-007
587671810	STONEMILL ESTATES 1ST ADD Lot-006 Block-010
587671700	STONEMILL ESTATES 1ST ADD Lot-013 Block-009
587671690	STONEMILL ESTATES 1ST ADD Lot-012 Block-009
587671440	STONEMILL ESTATES 1ST ADD Lot-021 Block-008
587671390	STONEMILL ESTATES 1ST ADD Lot-016 Block-008
587671080	STONEMILL ESTATES 1ST ADD Lot-021 Block-007
587671030	STONEMILL ESTATES 1ST ADD Lot-016 Block-007
587671820	STONEMILL ESTATES 1ST ADD Lot-007 Block-010
587671830	STONEMILL ESTATES 1ST ADD Lot-008 Block-010
587671680	STONEMILL ESTATES 1ST ADD Lot-011 Block-009
587671450	STONEMILL ESTATES 1ST ADD Lot-022 Block-008
587671380	STONEMILL ESTATES 1ST ADD Lot-015 Block-008

587671090	STONEMILL ESTATES 1ST ADD Lot-022 Block-007
587671020	STONEMILL ESTATES 1ST ADD Lot-015 Block-007
587671840	STONEMILL ESTATES 1ST ADD Lot-009 Block-010
587671800	STONEMILL ESTATES 1ST ADD Lot-005 Block-010
587671710	STONEMILL ESTATES 1ST ADD Lot-014 Block-009
587671460	STONEMILL ESTATES 1ST ADD Lot-023 Block-008
587671370	STONEMILL ESTATES 1ST ADD Lot-014 Block-008
587671100	STONEMILL ESTATES 1ST ADD Lot-023 Block-007
587671010	STONEMILL ESTATES 1ST ADD Lot-014 Block-007
587671790	STONEMILL ESTATES 1ST ADD Lot-004 Block-010
587671850	STONEMILL ESTATES 1ST ADD Lot-010 Block-010
587671670	STONEMILL ESTATES 1ST ADD Lot-010 Block-009
587671780	STONEMILL ESTATES 1ST ADD Lot-003 Block-010
587671470	STONEMILL ESTATES 1ST ADD Lot-024 Block-008
587671360	STONEMILL ESTATES 1ST ADD Lot-013 Block-008
587671110	STONEMILL ESTATES 1ST ADD Lot-024 Block-007
587671000	STONEMILL ESTATES 1ST ADD Lot-013 Block-007
587671770	STONEMILL ESTATES 1ST ADD Lot-002 Block-010
587671720	STONEMILL ESTATES 1ST ADD Lot-015 Block-009
587671660	STONEMILL ESTATES 1ST ADD Lot-009 Block-009
587671480	STONEMILL ESTATES 1ST ADD Lot-025 Block-008
587671350	STONEMILL ESTATES 1ST ADD Lot-012 Block-008
587671120	STONEMILL ESTATES 1ST ADD Lot-025 Block-007
587670990	STONEMILL ESTATES 1ST ADD Lot-012 Block-007
587671760	STONEMILL ESTATES 1ST ADD Lot-001 Block-010
587671730	STONEMILL ESTATES 1ST ADD Lot-016 Block-009
587671490	STONEMILL ESTATES 1ST ADD Lot-026 Block-008
587671340	STONEMILL ESTATES 1ST ADD Lot-011 Block-008
587671130	STONEMILL ESTATES 1ST ADD Lot-026 Block-007
587670980	STONEMILL ESTATES 1ST ADD Lot-011 Block-007
587671740	STONEMILL ESTATES 1ST ADD Lot-017 Block-009
587671500	STONEMILL ESTATES 1ST ADD Lot-027 Block-008
587671330	STONEMILL ESTATES 1ST ADD Lot-010 Block-008
587671140	STONEMILL ESTATES 1ST ADD Lot-027 Block-007
587670970	STONEMILL ESTATES 1ST ADD Lot-010 Block-007
587671750	STONEMILL ESTATES 1ST ADD Lot-018 Block-009
587671510	STONEMILL ESTATES 1ST ADD Lot-028 Block-008
587671320	STONEMILL ESTATES 1ST ADD Lot-009 Block-008
587671150	STONEMILL ESTATES 1ST ADD Lot-028 Block-007
587670960	STONEMILL ESTATES 1ST ADD Lot-009 Block-007
587671520	STONEMILL ESTATES 1ST ADD Lot-029 Block-008
587671310	STONEMILL ESTATES 1ST ADD Lot-008 Block-008
587671160	STONEMILL ESTATES 1ST ADD Lot-029 Block-007
587670950	STONEMILL ESTATES 1ST ADD Lot-008 Block-007
587671640	STONEMILL ESTATES 1ST ADD Lot-007 Block-009
587671530	STONEMILL ESTATES 1ST ADD Lot-030 Block-008
587671300	STONEMILL ESTATES 1ST ADD Lot-007 Block-008

587671170	STONEMILL ESTATES 1ST ADD Lot-030 Block-007
587670940	STONEMILL ESTATES 1ST ADD Lot-007 Block-007
587671540	STONEMILL ESTATES 1ST ADD Lot-031 Block-008
587671290	STONEMILL ESTATES 1ST ADD Lot-006 Block-008
587671180	STONEMILL ESTATES 1ST ADD Lot-031 Block-007
587670930	STONEMILL ESTATES 1ST ADD Lot-006 Block-007
587671550	STONEMILL ESTATES 1ST ADD Lot-032 Block-008
587671280	STONEMILL ESTATES 1ST ADD Lot-005 Block-008
587671190	STONEMILL ESTATES 1ST ADD Lot-032 Block-007
587670920	STONEMILL ESTATES 1ST ADD Lot-005 Block-007
587671630	STONEMILL ESTATES 1ST ADD Lot-006 Block-009
587671270	STONEMILL ESTATES 1ST ADD Lot-004 Block-008
587671200	STONEMILL ESTATES 1ST ADD Lot-033 Block-007
587670910	STONEMILL ESTATES 1ST ADD Lot-004 Block-007
587671620	STONEMILL ESTATES 1ST ADD Lot-005 Block-009
587671610	STONEMILL ESTATES 1ST ADD Lot-004 Block-009
587671260	STONEMILL ESTATES 1ST ADD Lot-003 Block-008
587671210	STONEMILL ESTATES 1ST ADD Lot-034 Block-007
587670900	STONEMILL ESTATES 1ST ADD Lot-003 Block-007
587671560	STONEMILL ESTATES 1ST ADD Lot-033 Block-008
587671600	STONEMILL ESTATES 1ST ADD Lot-003 Block-009
587671250	STONEMILL ESTATES 1ST ADD Lot-002 Block-008
587671220	STONEMILL ESTATES 1ST ADD Lot-035 Block-007
587670890	STONEMILL ESTATES 1ST ADD Lot-002 Block-007
587671590	STONEMILL ESTATES 1ST ADD Lot-002 Block-009
587671570	STONEMILL ESTATES 1ST ADD Lot-034 Block-008
587671240	STONEMILL ESTATES 1ST ADD Lot-001 Block-008
587671230	STONEMILL ESTATES 1ST ADD Lot-036 Block-007
587670880	STONEMILL ESTATES 1ST ADD Lot-001 Block-007
587671580	STONEMILL ESTATES 1ST ADD Lot-001 Block-009
587670710	STONEMILL ESTATES 1ST ADD Lot-022 Block-005
587670700	STONEMILL ESTATES 1ST ADD Lot-021 Block-005
587670570	STONEMILL ESTATES 1ST ADD Lot-008 Block-005
587670800	STONEMILL ESTATES 1ST ADD Lot-009 Block-006
587670790	STONEMILL ESTATES 1ST ADD Lot-008 Block-006
587670130	STONEMILL ESTATES 1ST ADD Lot-005 Block-003
587670690	STONEMILL ESTATES 1ST ADD Lot-020 Block-005
587670560	STONEMILL ESTATES 1ST ADD Lot-007 Block-005
587670810	STONEMILL ESTATES 1ST ADD Lot-010 Block-006
587670780	STONEMILL ESTATES 1ST ADD Lot-007 Block-006
587670120	STONEMILL ESTATES 1ST ADD Lot-004 Block-003
587670680	STONEMILL ESTATES 1ST ADD Lot-019 Block-005
587670110	STONEMILL ESTATES 1ST ADD Lot-003 Block-003
587670550	STONEMILL ESTATES 1ST ADD Lot-006 Block-005
587670770	STONEMILL ESTATES 1ST ADD Lot-006 Block-006
587670820	STONEMILL ESTATES 1ST ADD Lot-011 Block-006 & S2.5' OF LOT 12 BLK 6
587670100	STONEMILL ESTATES 1ST ADD Lot-002 Block-003

587670670	STONEMILL ESTATES 1ST ADD Lot-018 Block-005
587670540	STONEMILL ESTATES 1ST ADD Lot-005 Block-005
587670830	STONEMILL ESTATES 1ST ADD Lot-012 Block-006 LESS S2.5'
587670760	STONEMILL ESTATES 1ST ADD Lot-005 Block-006
587670090	STONEMILL ESTATES 1ST ADD Lot-001 Block-003
587670660	STONEMILL ESTATES 1ST ADD Lot-017 Block-005
587670230	STONEMILL ESTATES 1ST ADD Lot-007 Block-004
587670530	STONEMILL ESTATES 1ST ADD Lot-004 Block-005
587670840	STONEMILL ESTATES 1ST ADD Lot-013 Block-006
587670750	STONEMILL ESTATES 1ST ADD Lot-004 Block-006
587670650	STONEMILL ESTATES 1ST ADD Lot-016 Block-005
587670220	STONEMILL ESTATES 1ST ADD Lot-006 Block-004
587670520	STONEMILL ESTATES 1ST ADD Lot-003 Block-005
587670850	STONEMILL ESTATES 1ST ADD Lot-014 Block-006
587670740	STONEMILL ESTATES 1ST ADD Lot-003 Block-006
587670210	STONEMILL ESTATES 1ST ADD Lot-005 Block-004
587670860	STONEMILL ESTATES 1ST ADD Lot-015 Block-006
587670200	STONEMILL ESTATES 1ST ADD Lot-004 Block-004
587670240	STONEMILL ESTATES 1ST ADD Lot-008 Block-004
587670640	STONEMILL ESTATES 1ST ADD Lot-015 Block-005
587670250	STONEMILL ESTATES 1ST ADD Lot-009 Block-004
587670630	STONEMILL ESTATES 1ST ADD Lot-014 Block-005
587670620	STONEMILL ESTATES 1ST ADD Lot-013 Block-005
587670610	STONEMILL ESTATES 1ST ADD Lot-012 Block-005
587670600	STONEMILL ESTATES 1ST ADD Lot-011 Block-005
587670590	STONEMILL ESTATES 1ST ADD Lot-010 Block-005
587670500	STONEMILL ESTATES 1ST ADD Lot-001 Block-005 & LOT 2
587670870	STONEMILL ESTATES 1ST ADD Lot-016 Block-006
587670720	STONEMILL ESTATES 1ST ADD Lot-001 Block-006 & LOT 2 BLK 6
587670260	STONEMILL ESTATES 1ST ADD Lot-010 Block-004
587670190	STONEMILL ESTATES 1ST ADD Lot-003 Block-004
587670270	STONEMILL ESTATES 1ST ADD Lot-011 Block-004
587670180	STONEMILL ESTATES 1ST ADD Lot-002 Block-004
587670170	STONEMILL ESTATES 1ST ADD Lot-001 Block-004
587670280	STONEMILL ESTATES 1ST ADD Lot-012 Block-004
587670290	STONEMILL ESTATES 1ST ADD Lot-013 Block-004
587670300	STONEMILL ESTATES 1ST ADD Lot-014 Block-004
587670310	STONEMILL ESTATES 1ST ADD Lot-015 Block-004
587670320	STONEMILL ESTATES 1ST ADD Lot-016 Block-004
587670330	STONEMILL ESTATES 1ST ADD Lot-017 Block-004
587670340	STONEMILL ESTATES 1ST ADD Lot-018 Block-004
587670350	STONEMILL ESTATES 1ST ADD Lot-019 Block-004
587670360	STONEMILL ESTATES 1ST ADD Lot-020 Block-004
587670370	STONEMILL ESTATES 1ST ADD Lot-021 Block-004
587670380	STONEMILL ESTATES 1ST ADD Lot-022 Block-004
587670390	STONEMILL ESTATES 1ST ADD Lot-023 Block-004
587670400	STONEMILL ESTATES 1ST ADD Lot-024 Block-004

587670410	STONEMILL ESTATES 1ST ADD Lot-025 Block-004
587670420	STONEMILL ESTATES 1ST ADD Lot-026 Block-004
587670430	STONEMILL ESTATES 1ST ADD Lot-027 Block-004
587670440	STONEMILL ESTATES 1ST ADD Lot-028 Block-004
587670450	STONEMILL ESTATES 1ST ADD Lot-029 Block-004
587670460	STONEMILL ESTATES 1ST ADD Lot-030 Block-004
587670470	STONEMILL ESTATES 1ST ADD Lot-031 Block-004
587670480	STONEMILL ESTATES 1ST ADD Lot-032 Block-004
587670490	STONEMILL ESTATES 1ST ADD Lot-033 Block-004