

Document No.

A302709

OFFICE OF THE
COUNTY RECORDER
CARVER COUNTY, MINNESOTA



Filing Fee \$ 20.00 Check# 2803

Certified filed and recorded on 12-11-2001 at 04.00 AM PM

12-11-01



Carl W. Hanson, Jr.
County Recorder

**FIFTH SUPPLEMENTAL DECLARATION
OF COVENANTS, CONDITIONS, RESTRICTIONS AND
EASEMENTS FOR
CARVER BLUFFS HOMEOWNERS ASSOCIATION, INC.**

This Fifth Supplemental Declaration, dated this 7 day of November, 2001, is made by Carver Bluffs LLC, A Minnesota limited liability company (hereinafter referred to as "Declarant" or "Developer")

WHEREAS, Declarant made and executed a "Declaration of Covenants, Conditions, Restrictions and Easements for Carver Bluffs Homeowners Association, formerly known as Kensington Knolls, which is dated January 2, 1997 and filed in the office of the County Recorder in and for Carver County, Minnesota, on March 25, 1997, as Document No. 208585, and is hereinafter referred to as the "Declaration"; and

WHEREAS, Declarant is the owner of the following described real estate, which constitutes a replat of a portion of the Future Development Area described in said Declaration and which Declarant now desires to submit, annex and add to the Active Development Area described in said Declaration:

Lots 1 through 19, both inclusive, Block 1, Carver Bluffs Sixth Addition

Lots 1 through 16, both inclusive, Block 2, Carver Bluffs Sixth Addition

Lots 1 through 2, both inclusive, Block 3, Carver Bluffs Sixth Addition

WHEREAS, Article X, Section 7 of said Declaration provides in relevant part as follows: "Additional lots and outlots within the Future Development Area may be (but need not be) annexed into the Active Development Area at any time and from time to time before the fifth anniversary date of this Declaration is recorded."; and,

WHEREAS, the time limitation (5 years from the date of recording of the Declaration) as set forth in the Declaration has not been exceeded by this Fifth Supplemental Declaration; and,

WHEREAS, as stated in Article IV, Section 3 (c) of the Declaration, Developer reserves the right to establish different standards for houses and other structures in areas annexed into the Active Development. The City of Carver, in their final approval of Carver Bluffs Sixth Addition, required that the front of all homes in Carver Bluffs Sixth Addition contain full brick fronts.

NOW, THEREFORE, IT IS HEREBY AGREED:

1. The following real property is submitted, annexed and added to the Active Development Area as Lots and shall be transferred, held, sold, conveyed and developed subject to all easements, covenants, restrictions, conditions and other terms and provisions of said Declaration to the same extent as though originally submitted

Lots 1 through 19, both inclusive, Block 1, Carver Bluffs Sixth Addition

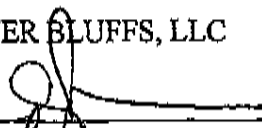
Lots 1 through 16, both inclusive, Block 2, Carver Bluffs Sixth Addition

Lots 1 through 2, both inclusive, Block 3, Carver Bluffs Sixth Addition

2. The Developer hereby establishes the standard that all houses in Carver Bluffs Sixth Addition shall contain full brick fronts. The standards required in this paragraph shall not be amended or deleted without the Association's approval and a City of Carver Resolution approving such change.

IN WITNESS WHEREOF, the above-named corporation has caused this Fifth Supplemental Declaration to be executed the day and year first above written.

CARVER BLUFFS, LLC

By 
Its Chief Manager

STATE OF MINNESOTA)
)SS
COUNTY OF Anoka)

The foregoing instrument was acknowledged before me this 7th day of November, 2001,
by Anthony J. Emerich, the Chief Manager of Carver
Bluffs LLC, a Minnesota limited liability company, on behalf of the company.

Rebecca Baune
Notary Public

This instrument was drafted by:
Hans Hagen Homes, Inc.
941 NE Hillwind Road #300
Fridley, MN 55432

