

**FIRST AMENDMENT
TO
AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS AND
RESTRICTIONS**

KINGSWOOD FARM

HENNEPIN COUNTY, MINNESOTA

William E. Schroeder, the President of Kingswood Farm Homeowners Association, Inc., a Minnesota non-profit corporation ("Association"), do hereby certify that:

1. The Association was created to administer property that is subject to the Amended and Restated Declaration of Covenants, Conditions and Restrictions for Kingswood Farm, dated September 4, 2014, and recorded in the Office of the Recorder in and for Hennepin County, Minnesota, as Document No. A10239074 ("Declaration").

2. The real property which is held, transferred, sold, conveyed and secured subject to the Declaration is located in the County of Hennepin, State of Minnesota, and is legally described on Exhibit A, which is attached hereto and made a part hereof.

3. Article 13 of the Declaration provides that the Declaration may be amended "by the consent of (i) Owners of Lots to which are allocated at least sixty-seven percent (67%) of the votes in the Association, (ii) the percentage of holders of first mortgages (based upon one vote per first mortgage owned) required by Article 11 as to matters prescribed by said Article. Consent of the Owners may be obtained in writing or at a meeting of the Association duly held in accordance with the Bylaws. Consents of Mortgagees shall be in writing. "

4. Article 11, Section 11.6 of the Declaration provides, in pertinent part, " Unless at least sixty-seven percent (67%) of the holders of first mortgages (based upon one vote for each first mortgage owned) and sixty-seven percent (67%) of the Owners have given their prior written approval, the Association shall not be entitled to: . . . [b]y act or omission change, waive or abandon any scheme of regulations, or enforcement thereof, pertaining to the architectural



LAND TYPE Abstract (A)

DOC NUM 10910502

Certified, filed and/or recorded on
Feb 3, 2021 8:00 AM

Office of the County Recorder
Hennepin County, Minnesota
Martin McCormick, County Recorder
Mark Chapin, County Auditor and Treasurer

Deputy 26	Pkg ID 2165196E
Document Recording Fee	\$46.00
Document Total	\$46.00

design or the exterior appearance of Dwelling Units, the exterior maintenance of Dwelling Units, the maintenance of the common property, party walks or common fences and driveways, or the upkeep of lawns and

5. Owners of at least sixty-seven percent (67%) of the Units in the Association have consented to the amendment of the Declaration as set forth herein, either by affirmative vote or by operation of Section 515B.2-118(a)(7) of Minnesota Statutes Chapter 515B, commonly known as the Minnesota Common Interest Ownership Act (MCIOA), notwithstanding the fact that the Association is not otherwise governed by MCIOA.

6. At least 67% of holders of first mortgages have consented to the amendment of the Declaration as set forth herein, either by written consent or by operation of Section 515B.2-118(a)(7) of Minnesota Statutes Chapter 515B, commonly known as the Minnesota Common Interest Ownership Act (MCIOA), notwithstanding the fact that the Association is not otherwise governed by MCIOA.

The Declaration is therefore amended as follows:

A. Article 7, Section 7.4b) is hereby deleted in its entirety, and the following inserted in its stead:

b) Sealcoating of driveways

B. Article 7, Section 7.5 is hereby amended to add a new subsection t, which shall read as follows:

t) Driveways, to the extent not maintained by the Association as described in Section 7.4, above.

Except as specifically amended herein, the Declaration is hereby ratified and shall remain in full force and effect.

[Remainder of page is intentionally blank. Signature page follows.]

EXHIBIT A

TO

FIRST AMENDMENT TO THE
AMENDED AND RESTATED
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS

FOR KINGSWOOD FARM

LEGAL DESCRIPTION OF PROPERTY

LOTS:

Lots 1 through 36, both inclusive, Block 1;
Lots 1 through 7, both inclusive, Block 2;
Lots 1 through 15, both inclusive, Block 3;
Lots 1 through 15, both inclusive, Block 4;
Lots 1 through 24, both inclusive, Block 5;
Lots 1 through 15, both inclusive, Block 6;

all in Kingswood Farm, Hennepin County, Minnesota, according to the recorded plat thereof.

COMMON AREA:

Outlot A, Kingswood Farm, Hennepin County, Minnesota

AND

that part of vacated 1st Avenue North between County Road No. 101 and Kimberly Lane North, City of Plymouth, Hennepin County, Minnesota, located within the plat of Kingswood Farm, Hennepin County, Minnesota.

AFFIDAVIT OF SECRETARY

STATE OF MINNESOTA)
) ss.
COUNTY OF HENNEPIN)

The undersigned, Secretary of Kingswood Farm Homeowners Association, Inc., a Minnesota nonprofit corporation, being first duly sworn and upon oath, hereby swears and certifies, pursuant to the applicable provisions of the Declaration of Covenants, Conditions and Restrictions for Kingswood Farm ("Declaration"), that the First Amendment to the Declaration, has been duly approved by a vote of the Board of Directors of the Association, and by the requisite number and percentage of Owners and first mortgagees, in compliance with the requirements of Minnesota law and the Declaration.

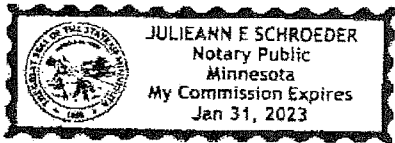
Kingswood Farm Homeowners
Association, Inc.

By: *David Vickerman*
DAVID VICKERMAN
[print name]

Its: Secretary

STATE OF MINNESOTA)
) ss
COUNTY OF HENNEPIN)

Signed and sworn to before me this 1st day of February, 2021 by David Vickerman, Secretary of Kingswood Farm Homeowners Association, Inc., a Minnesota nonprofit corporation.



Julieann E Schroeder
Notary Public

This instrument drafted by:

HELLMUTH & JOHNSON
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Edina, MN 55439
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