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By: LMF, Deputy

Office of the County Recorder
Dakota County, Minnesota

Amy A. Koethe, County Recorder

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COMMON INTEREST COMMUNITY NUMBER 651

TIMBERSHORE HOME OWNERS' ASSOCIATION

THIRD AMENDMENT TO DECLARATION

THIS THIRD AMENDMENT TO THE AMENDED AND RESTATED DECLARATION OF TIMBERSHORE HOME OWNERS' ASSOCIATION (the "Association") is made effective upon its recording, having received the requisite approval of the membership of the Association, a Minnesota nonprofit corporation, pursuant to Minnesota Statutes Sections 515B.1-101 to 515B.4-118, commonly known as the Minnesota Common Interest Ownership Act and laws amendatory thereof and supplemental thereto (hereinafter the "Act"), all members of whom are Owners of Units in Timbershore, a planned common interest community.

RECITALS

WHEREAS, there is filed of record in the office of the Dakota County Recorder the Declaration of Covenants, Restrictions and Easements of Timbershore dated June 29, 1971, and filed as Document No. 401215 on July 6, 1972 in the Office of the County Recorder of Dakota County; and

WHEREAS, thereafter there was filed of record in the office of the Dakota County Recorder a Declaration of Supplementary Restrictive Covenant to the Declaration dated October 20, 1983 and filed as Document No. 644751 on January 13, 1984 in the Office of the County Recorder of Dakota County; and

WHEREAS, thereafter there was filed of record in the office of the Dakota County Recorder a Declaration of Supplementary Restrictive Covenant to the Declaration dated September 9, 1987, filed as Document No. 805458 on September 11, 1987 in the Office of the County Recorder of Dakota County (these three documents being collectively referred to as the "Original Declaration"); and

WHEREAS, by requisite consent of its membership, the Original Declaration was amended and restated by the Amended and Restated Declaration, recorded April 9, 2019 as Document No. 3299808 in the Office of the County Recorder of Dakota County (the "Declaration"); and

WHEREAS, by requisite consent of its membership, the Declaration was further amended by the First Amendment to Amended and Restated Declaration, recorded September 13, 2022 as Document No. 3557788 in the Office of the County Recorder of Dakota County; and

WHEREAS, by requisite consent of its membership, the Declaration was further amended by the Second Amendment to Amended and Restated Declaration, recorded November 23, 2023, as Document No. 3608604 in the Office of the County Recorder of Dakota County; and

NOW THEREFORE, with the requisite consent of the Owners as required by the Declaration, the Association hereby again amends the Declaration as follows:

1. Section 9.2, subsection (m) of the Declaration is hereby amended to read as follows, with the newly added language in the body of the section being shown below in underlined font:

- m. Maintain, repair, and replace any mechanical, heating, electrical, and air conditioning and plumbing systems, including air conditioning equipment (interior and exterior), and including the duty to replace any existing aluminum electrical wiring with copper electrical wiring.

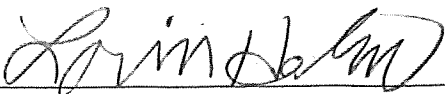
2. Section 9.3 of the Declaration is hereby amended to now read as stated below, with the newly added language in the body of the section being shown below in underlined font:

9.3 Owner Maintenance Done by Association. The Association may require that any exterior maintenance or replacement of existing aluminum electrical wiring with copper wiring to be performed by the Owner be accomplished pursuant to specific uniform criteria and timeframe established by the Association. Should the Owner fail to do so, then, after demand and failure to respond/perform (unless an emergency exists), the Association may also undertake any exterior maintenance or the replacement of the aluminum electrical wiring which the responsible Owner fails to perform or improperly performs and assess the Unit and the Owner for the cost thereof which amounts shall be treated as assessments pursuant to Section 6, above. Any attorneys' fees and costs incurred by the Association to enforce the terms and conditions of the Declaration shall be assessed to the Unit and Owner.

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

IN WITNESS WHEREOF, the Association has executed this Third Amendment to the Declaration the day and year signed below.

TIMBERSHORE HOME OWNERS' ASSOCIATION

By: 
Lori Halverson
Its: President

STATE OF MINNESOTA)
)ss.
COUNTY OF DAKOTA)

The foregoing instrument was acknowledged before me this 6th day of January, 2025 by Lori Halverson, the President of Timbershore Home Owners' Association, a Minnesota nonprofit corporation, on behalf of the corporation.


Notary Public

