

KANABEC COUNTY RECORDER
Filed 7-11-05 at 9:15A M
Rhonda A. Olson County Recorder
By H. Holmbeck Deputy

ADDENDUM TO DECLARATION # 207772 filed 7-23-04
ESTABLISHING PROTECTIVE COVENANTS
FOR THE PLAT OF BEAVER LODGE ESTATES

THIS DECLARATION is made by DANIEL L. and BARBARA J. STEVENS, husband and wife, hereinafter referred to as the Declarant, owners of the following described property situated in the County of Kanabec, State of Minnesota:

That part of the Northeast Quarter of the Southwest Quarter of Section 3, Township 39, Range 24, Kanabec County, Minnesota, described as follows:

Beginning at the Northwest corner of said Northeast Quarter of the Southwest Quarter; thence on an assumed bearing of North 89 degrees 56 minutes 56 seconds East along the north line of said Northeast Quarter of the Southwest Quarter 1323.96 feet to the monumented west line of DALBEY'S SUNRISE ADDITION, according to the recorded plat thereof on file and of record in the office of the County Recorder, Kanabec County, Minnesota; thence South 00 degrees 48 minutes 24 seconds West along said monumented west line 911.96 feet; thence North 89 degrees 11 minutes 36 seconds West 540.00 feet; thence northwesterly 180 feet along a tangential curve concave to the northeast having a radius of 246.00 feet and a central angle of 41 degrees 55 minutes 25 seconds; thence South 42 degrees 43 minutes 50 seconds West, not tangent to said curve, a distance of 29.50 feet; thence North 89 degrees 11 minutes 36 seconds West 601.98 feet to the west line of said Northeast Quarter of the Southwest Quarter; thence North 00 degrees 57 minutes 26 seconds East along said west line 851.13 feet to the point of the beginning.

AND

That part of the Northeast Quarter of the Southwest Quarter and that part of the North 330 feet of the Southeast Quarter of the Southwest Quarter all in Section 3, Township 39, Range 24, Kanabec County, Minnesota, described as follows:

Commencing at the Northwest corner of said Northeast Quarter of the Southwest Quarter; thence on an assumed bearing of 89 degrees 56 minutes 56 seconds East along the north line of said Northeast Quarter of the Southwest Quarter 1323.96 feet to the monumented west line of DABEY'S SUNRISE ADDITION, according to the recorded plat thereof on file and on record in the office of the County Recorder, Kanabec County, Minnesota; thence South 00 degrees 48 minutes 24 seconds West along said monumented west line 911.96 feet to the point of beginning of the property to be described; thence North 89 degrees 11 minutes 36 seconds West 420.00 feet; thence South 00 degrees 48 minutes 24 seconds West 583 feet, more or less, to the center line of Alcohol Creek; thence northeasterly along said centerline 469 feet, more or less, to the monumented west line of said DALBEY'S SUNRISE ADDITION; thence North 00 degrees 48 minutes 24 seconds East along said monumented west line 407 feet, more or less, to the point of beginning.

The Declarant, for the benefit of the above described land and its present and future owners, hereby imposes upon the land above described the following conditions, restrictions, covenants and charges which shall run with the land and be binding upon and inure to the benefit of the owners thereof, their heirs, successors, administrators, grantees and assigns until January 1, 2025.

- (1) The above described land shall be used for residence purposes only. No structure shall be erected, altered, placed or permitted to remain on each lot except one single-family dwelling, one garage, either attached or detached, and one outbuilding. The outbuilding may not exceed the combined square footage of the main floor of the single-family dwelling and garage, and the architecture of which shall be compatible with the dwelling. No structure may exceed 30 feet in height. This provision shall not prevent the use of a room of the premises for an office or studio by the occupant of the dwelling. No residence shall be constructed of less than one thousand four hundred square feet of floor space on its main floor, garage excluded. Each residence shall have a minimum width of twenty-four feet and must have a basement or permanent frost free exterior foundation. All structures shall be completely finished on the exterior within one year after commencement of the excavation of construction thereof. Houses of modular construction may not be moved onto the property unless they are new construction with a minimum of 6" sidewalls and placed permanently upon a basement or frost free exterior foundation.

- (2) No trailer, basement, tent, shack, garage or outbuilding shall be used as a residence temporarily or permanently, nor shall any structure of a temporary character, Quonset building or coach be erected or located on any premise. Pole type buildings are specifically prohibited.
- (3) No illegal, noxious or offensive activity shall be carried on or upon the above described premises, nor shall anything be done thereon which may become public nuisance to the neighborhood.
- (4) No cows, horses, goats, sheep, poultry or fowl may be kept on the premises. Dogs, cats, and birds may be kept only as domestic pets. Any commercial pet business is prohibited. Any structure built to house permitted animals or pets must be of sound design and must be properly maintained. A maximum of two adult dogs are allowed, but they must be restricted and not allowed to run at large.
- (5) All structures, including garages and porches forming a part of the residence, shall conform to all Arthur Township zoning ordinances for set backs from roads and property lines.
- (6) Fences may not exceed six feet in height and may be erected only along the rear and side line of the property. Such fences shall not be closer to the front line of said property than the distance between the front line thereof and the rear foundation of the dwelling constructed thereon.
- (7) If any party violates, or attempts to violate, any of the covenants, conditions or restrictions herein provided, it shall be lawful for any party or parties in interest in the above described lands to institute and prosecute proceedings at law or in equity against the parties violating, or attempting to violate, either to prevent said violation or to recover damages.
- (8) No on-site, un-housed storage will be allowed for excess material and unlicensed vehicles.
- (9) All terms, regulations and conditions of any applicable township, county and state zoning or subdivision ordinances, statute or regulation shall be and remain in full force and effect.
- (10) All buildings must have a masonry exterior for a minimum of 25% of the square footage on the building's frontage. This is commonly known as quarter-brick in the building trade.

