

**FIRST AMENDMENT OF DECLARATION OF  
OF COVENANTS, CONDITIONS, EASEMENTS AND ESTRICIONS  
FOR THE BENEFIT OF MAYO WOODLANDS THIRD  
AND SECRETARY'S CERTIFICATE**

THIS FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR THE BENEFIT OF MAYO WOODLANDS THIRD is effective as of this 9<sup>th</sup> day of December, 2021 pursuant to Article VI Section 4 of said Declaration.

WHEREAS, The Declaration of Covenants, Conditions, Easements and Restrictions for the Benefit of Mayo Woodlands Third (the "Declaration") was recorded on November 23, 2021 as Document No. A1553031 in the office of the County Recorder of Olmsted County, Minnesota;

WHEREAS, The Declaration affects the following described real estate in Olmsted County, Minnesota:

All the Lots, Blocks and Outlots located in Mayo Woodlands Third, Olmsted County, Minnesota

WHEREAS, Article XII Section 4 of the Declaration provides that the Declaration may be amended with the approval of Owners of at least sixty-seven percent (67%) of the Lots;

WHEREAS, more than sixty-seven percent (67%) of the Owners of Lots have approved the Amendment to the Declaration more particularly set forth below, as certified to by the Secretary's Certificate attached hereto.

NOW THEREFORE, the Declaration is hereby amended as follows:

1. The numbering of the last Article of the Declaration on Page 20 of the Declaration is

corrected to read:

“ARTICLE XII  
GENERAL PROVISIONS”

instead of:

“ARTICLE VI  
GENERAL PROVISIONS”

2. Article VIII Section 4 of the Declaration is restated in its entirety as follows:

“4. Maximum Annual Assessments. Unless increased as hereinafter provided, the maximum assessment for any one calendar year shall be limited to One Thousand Two Hundred and No/100 Dollars (\$1,200.00) per Lot.

- a. Purchasers of Lots after January 1 of each calendar year shall pay a pro rata share of the annual assessment to the Association.
  - b. The annual assessment shall not be increased more than ten (10%) percent above the maximum assessment for the previous year, and in no event above One Thousand Five Hundred and No/100 Dollars (\$1,500.00) a year per Lot, without a vote of the membership.
  - c. The Board, in its absolute discretion, may fix the annual assessment at an amount not in excess of the maximum as above limited.
  - d. The maximum annual assessment may be increased above ten (10%) percent by a vote of two-thirds (2/3) of each class of Members who are voting in person or by proxy, at a meeting to be called for that purpose.”
3. Except as amended hereby, the remaining terms and conditions of the Declaration remains unchanged and in full force and effect.

IN WITNESS WHEREOF, this First Amendment of Declaration has been executed on the date first above written.

MAYO WOODLANDS THIRD ASSOCIATION, INC.

By:   
Edward D, Clark  
Its: President

State of Minnesota, County of Olmsted.

This instrument was acknowledged before me on September 9, 2021 by Edward D. Clark, as President of Mayo Woodlands Third Association, Inc.

(Stamp)



Kolette D Schuchard  
(signature of notarial officer)

Title (and Rank): \_\_\_\_\_

My commission expires: 1/31/2025  
(month/day/year)

Drafted by:

Frank J. McAnulty  
1801 Greenview Dr. SW Suite 102  
Rochester, MN 55902

SECRETARY'S CERTIFICATE

State of Minnesota, County of Olmsted.

The undersigned, being the duly elected and acting Secretary of Mayo Woodlands Third Association, Inc. (the "Association"), a non-profit corporation under the laws of the State of Minnesota hereby certifies that the owners of the Lots in Mayo Woodlands Third at a duly held special meeting of said owners, unanimously approved the foregoing First Amendment to Declaration in accordance with the Declaration and that the President of the Association has been authorized to execute the same and to cause the original thereof, along with this Secretary's Certificate to be recorded in the office of the Olmsted County Recorder, Minnesota.

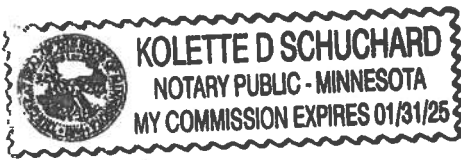
Dated: December 9, 2021.

Lindsay Johnson  
Lindsay Johnson, Secretary

State of Minnesota, County of Olmsted.

This instrument was acknowledged before me on December 9, 2021 by Lindsay Johnson as Secretary of Mayo Woodlands Third Association, Inc

(Stamp)



Kolette D Schuchard  
(signature of notarial officer)

Title (and Rank): \_\_\_\_\_

My commission expires: 1/31/2025  
(month/day/year)

Drafted by:

Frank J. McAnulty  
1801 Greenview Dr. SW Suite 102  
Rochester, MN 55902