

LOPAU SECOND ADDITION TO THE CITY OF LUVERNE, ROCK COUNTY, MINNESOTA

FIRST AMENDMENT TO PROTECTIVE COVENANTS

THIS FIRST AMENDMENT to the Protective Covenants of Lopau Second Addition to the City of Luverne, Rock County, Minnesota, recorded as Document No. 205289 at the Rock County Land Records Office, is made on this ____ day of ____, 2026, by the Luverne Economic Development Authority (the “Declarant”).

RECITALS

WHEREAS Declarant is currently the sole owner of real property located in Rock County, Minnesota consisting of all the lots as shown on the Plat of Lopau Second Addition to the City of Luverne, Rock County, Minnesota.

WHEREAS Declarant wishes to amend the Protective Covenants mentioned above, as follows:

1. Section 101. The following lots shall be used exclusively for private residential purposes: Block 1, Lots 1-5; Block 2, Lots 1-12; and Block 3, Lots 1-7. No dwelling erected or maintained within these lots shall be used or occupied for any purpose other than for single-family dwelling EXCEPT that Block 1, Lots 1-5 will be allowed to have twinhomes located on them if each unit meets all sections of these Covenants. Allowed uses are indicated in the table below:

LOTS	BLOCK	ALLOWED USE
1-5	1	Single-Family or Twinhome
1-12	2	Single-Family
1-7	3	Single-Family

In the event that Lots 1-5, Block 1, are purchased for the purpose of building twinhomes, then upon the platting of said twinhomes, and the recording of said plat(s) with the Rock County Land Records Office, these Protective Covenants shall no longer apply to said replatted Lots.

2. Section 123. No dwelling, including individual units of a twinhome, shall be erected which, exclusive of basements, porches, patios, decks, and other storage areas, has gross livable floor areas of less than 1100 square feet with a minimum dimension from front to back of twenty-eight (28) feet and a minimum dimension of thirty-six (36) feet from side

to side.

3. Section 201. The Luverne Economic Development Authority is hereby designated the Approving Authority with power to delegate or assign its authority to another entity by written instructions signed, acknowledged, and filed for record with the Rock County Records Office. For purposes of these Covenants, the Approving Authority shall consist of a committee of three individuals. The initial committee shall be composed of the Building & Zoning Official for the City of Luverne, the Economic Development Director for the Luverne Economic Authority, and the President of the Luverne Economic Development Authority. Once all of the lots are sold to persons or entities other than the Luverne Economic Development Authority, the original committee shall dissolve.

Thereafter, the committee shall be elected by a majority vote of the property owners, with each lot being entitled to one vote. The committee shall be elected, by written ballot, within thirty (30) days of the sale of all of the lots by the Luverne Economic Development Authority. The first committee elected after all of the lots are sold shall consist of one member elected to serve a three year term, one member elected to serve a two year term, and one member elected to serve a one year term. Thereafter, a committee member shall be elected each January and each such member shall be elected for a three year term.

The approving Authority may establish procedures governing requests that are submitted to it under these Restrictive Covenants. The criteria for the approval of any such requests shall be include, at a minimum, (a) consideration of compatibility of design in relation to existing improvement and topography, (b) comparable or better quality of materials as used in existing improvements, and (c) compliance with governmental laws, rules, codes and regulations.

LUVERNE ECONOMIC DEVELOPMENT AUTHORITY

By: Patrick T. Baustian
Its: President

STATE OF MINNESOTA)
)ss.
COUNTY OF ROCK)

The foregoing instrument was acknowledged before me this ____ day of _____, 2026, by Patrick T. Baustian, President of the Luverne Economic Development Authority, Declarant.

Notary Public

LUVERNE ECONOMIC DEVELOPMENT AUTHORITY

By: Jill Wolf

Its: Secretary

STATE OF MINNESOTA)
)ss.
COUNTY OF ROCK)

The foregoing instrument was acknowledged before me this ____ day of _____,
2026, by Jill Wolf, Secretary of the Luverne Economic Development Authority, Declarant.

Notary Public