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May 7, 2025

VIA U.S. POSTAGE to:

Lawrence County Register of Deeds
Attn: Davida Hansen
90 Sherman Street
Deadwood, South Dakota 57732

Re: Amended Covenants for Apple Springs Subdivision

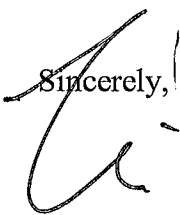
Dear Ms. Hansen:

Enclosed for filing and recording is a certain Amended and Restated Declaration of Restrictions Easements and Covenants to Run with the Land ("Amended Covenants") pertaining to real property located in the County and legally described as:

TOWNSHIP 5 NORTH, RANGE 4 EAST OF THE BLACK HILLS

MERIDIAN: Apple Springs Tract in Section 11 and 14. To include platted lots in Apple Springs Subdivision (see attached Exhibit A)

Included for filing and recording are the signatures of owners approving the Amended Covenants, representing the required majority of owners of the respective property. Also included is a check in the amount of \$30.00 for filing fees. If you have any questions, please let me know. Many thanks.

Sincerely,

Mike Loos

LEGAL DESCRIPTION

Lots 4A, 4B, 5A, 5B, 6A, 6B, 7A, 7B, 8A, 8B, 9A, 9B, 10A, 10B, 11A, 11B, 12A, 12B, of Block 1, of Apple Springs Subdivision and Dedicated Public Right-of-Way located in Apple Springs Tract NE1/4NW1/4, unplatted balance of W1/2NE1/4, and the unplatted balance of SE1/4NW1/4 of Section 14, T5N, R4E, BHM, Lawrence County, South Dakota according to Plat recorded as Document 2006-3136;

Lot 3 of Block 12 of Apple Springs Subdivision and Dedicated Right-of-Way located in Apple Springs Tract N1/2SW1/4, SW1/4NW1/4 of Section 11, T5N, R4E, BHM, Lawrence County, South Dakota, as shown by the Plat recorded as Document #2007-6274;

Lots 9, 10, 12, 13, 14, 15, 16, 17, 18, 19, and 20 of Block 11; Lot 8 of Block 12 of Apple Springs Subdivision, located in Apple Springs Tract in SE1/4SW1/4, NE1/4SW1/4, NW1/4SW1/4 of Section 11, T5N, R4E, BHM, Lawrence County, South Dakota, according to Plat Document No. 2008-6621

Lot 6 of Block 13 of Apple Springs Subdivision, located in Apple Springs Tract in NW1/4SW1/4 of Section 11, T5N, R4E, BHM, Lawrence County, South Dakota, according to Plat Document No. 2009-253.

Lots 14, 15, 16, and 22 of Block 15 of Apple Springs Subdivision, and Well Lot 1 of Apple Springs Subdivision, and Lots 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, and 18 of Block 16 and Tank Lot 1 of Apple Springs Subdivision located in Apple Springs Tract; of the SE1/4SW1/4 and NE1/4SW1/4 of Section 11, T5N, R4E, BHM, Lawrence County, South Dakota as shown by the Plat recorded 2009-6142

Lots 8A, 8B, 9A, 9B, 10A, 10B, 11A and 11B of Block 7 of Apple Springs Subdivision, located in Apple Springs Tract in the SE1/4 of SW1/4 of Section 11 T5N, R4E, BHM and in the NE1/4 of NW1/4 Section 14, T5N, R4E, BHM, Lawrence County, South Dakota, according to Plat Document No. 2011-696



R4E, BHM, Lawrence County, South Dakota, according to Plat Document No. 2008-4104;

Lots 8, 9, 10, 11, 12 and 13 of Block 3, and Lots 2, 3, 4, 5, 6, 7 and 8 in Block 14 of Apple Springs Subdivision, of Apple Springs Tract; of the NW1/4NE1/4 of Section 14, T5N, R4E, BHM, Lawrence County, South Dakota according to Plat recorded as Document #2008-546

Lot 1R of Block 3 (formerly Lot 1 of Block 3) of Apple Springs Subdivision, located in Apple Springs Tract, NW1/4NE1/4 Section 14, T5N, R4E, BHM, Lawrence County, South Dakota, according to plat Document No. 2006-3135;

Lot 2R of Block 3 (Formerly Lot 2 of Block 3) of Apple Springs Subdivision and the unplatted part of the Apple Springs Tract, located in Apple Springs Tract NW1/4NE1/4 Section 14, T5N, R4E, BHM, Lawrence County, South Dakota according to Plat recorded as Document No. 2007-2730

Lots 8A, 8B, 9A, 9B, 10A, 10B, 11A and 11B of Block 7 of Apple Springs Subdivision, located in Apple Springs Tract in the SE1/4 of SW1/4 of Section 11 T5N, R4E BHM and in the NE1/4 of NW1/4 Section 14, T5N, R4E, BHM, Lawrence County, South Dakota, according to Plat Document No. 2011-696

Lots 13, 14, and 15, of Block 4 and Lot 9 of Block 14 and dedicated Right of way of Apple Springs Subdivision, located in Apple Springs Tract in the NW1/4NE1/4 Section 14, T5N, R4E, BHM, Lawrence County, South Dakota, according to Plat recorded as Document No. 2011-995

Lots 1, 2, 3, 4, 5, and 6 of Block 7 of Apple Springs Subdivision and dedicated public right of way, located in Apple Springs Tract in the SE1/4SW1/4 of Section 11 and the unplatted balance of the NE1/4NW1/4, NW1/4NE1/4 of Section 14, T5N, R4E, BHM, Lawrence County, South Dakota, according to Plat Document No. 2006-5698

Lots 1, 2, 3, 4, 5, 6, and 7 of Block 8; Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11 of Block 9; Lots 1, 2, 3, 4, 5, 6, 7, 8 and 9 of Block 10 of Apple Springs Subdivision and dedicated public right-of-way, located in Apple Springs Tract in the SE1/4 of Section 11 and the NE1/4NW1/4 of Section 14, T5N, R4E, BHM, Lawrence County, South Dakota, according to Plat Document No. 2007-823.

Lots 1, 2, 3, 4, 5, 6, 7 and 8 of Block 11 of Apple Springs Subdivision and dedicated public right of way located in Apple Springs Tract in NE1/4SW1/4 of Section 11, T5N, R4E, BHM, Lawrence County, South Dakota, according to Plat Document No. 2007-4640

Lots 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, and 20 of Block 11; Lot 8 of Block 12; and Lots 1, 2, 3, and 4 of Block 15; of Apple Springs Subdivision, located in Apple Springs Tract in SE1/4SW1/4, NE1/4SW1/4, NW1/4SW1/4 of Section 11 T5N, R4E, BHM, Lawrence County, South Dakota, according to Plat Document No. 2008-6621

Lots 1, 2, 3, 4, 5, and 6 of Block 12, and Lots 1, 2, 3, 4 and 5 of Block 13 of Apple Springs Subdivision and dedicated public right of way located in Apple Springs Tract in N1/2SW1/4, SW1/4NW1/4 of Section 11, T5N, R4E, BHM, Lawrence County, South Dakota, according to Plat Document No. 2007-6274

Lot 7 of Block 12 and Lot 8 of Block 13 of Apple Springs Subdivision, located in Apple Springs Tract in N1/2SW1/4 of Section 11, T5N, R4E, BHM, Lawrence County, South Dakota, according to Plat Document No. 2008-545.

Lot 6 and 7 of Block 13 of Apple Springs Subdivision, located in Apple Springs Tract in NW1/4SW1/4 of Section 11, T5N, R4E, BHM, Lawrence County, South Dakota, according to Plat Document No. 2009-253

Lot 5 of Block 15 of Apple Springs Subdivision located in Apple Springs Tract NE1/4NW1/4 of Section 11, T5N, R4E, BHM, Lawrence County, South Dakota, according to Plat Document No. 2009-3035.

Lots 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21 and 22 of Block 15 of Apple Springs Subdivision, and Well Lot 1 of Apple Springs Subdivision, and Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, and 18 of Block 16, and Tank Lot 1 of Apple Springs Subdivision located in Apple Springs Tract; of the SE1/4SW1/4 and NE1/4SW1/4 of Section 11, T5N, R4E, BHM, Lawrence County, South Dakota as shown by the Plat recorded 2009-6142.

Prepared by:
Michael C. Loos
Clayborne, Loos & Sabers, LLP
PO Box 9129
Rapid City, South Dakota 57709
605-721-1517

**AMENDED AND RESTATED DECLARATION
OF RESTRICTIONS EASEMENTS AND COVENANTS
TO RUN WITH THE LAND**

WITNESSETH:

WHEREAS, the real property subject to and affected by this Amended Declaration of Restrictions Easements and Covenants to Run with the Land, in Lawrence County, South Dakota is described as:

TOWNSHIP 5 NORTH, RANGE 4 EAST OF THE BLACK HILLS
MERIDIAN: Apple Springs Tract in Section 11 and 14. To include platted lots in Apple Springs Subdivision (see attached Exhibit A)

(hereinafter, "Property").

WEHREAS, the Original Declarant, established and recorded upon the Property certain Declaration of Restrictions Easements and Covenants to Run with the Land recorded at the Lawrence County Register of Deeds on August 24, 2006, as Document number 2006-05246, and re-recorded the same to correct the legal description on September 12, 2006, as Document Number 2006-05669, hereinafter referred to as the "Original Declaration."

WHEREAS the Original Declaration had the intended purpose of providing for a uniform scheme of development for the preservation and enhancement of the Property.

WHEREAS, Pursuant to the Original Declaration, Owners of lots within the Property waived certain claims and rights as provided therein and undertook affirmative covenants to maintain their property and conform to certain leasing requirements and procedures as set forth in the Original Declaration, by virtue of purchasing any Lot.

WHEREAS the Original Declarant assigned all interests in and to the Original Declaration to 4 Bears in the Hills, LLC, which said assignment of rights was filed and recorded with the Lawrence County Register of Deeds on October 16, 2013 as Document Number 2013-05230.

WHEREAS it has been determined that certain amendments to the Original Declaration are necessary to better align with the current needs and circumstances of the Property and Owners.

WHEREAS these amendments aim to ensure that the Property continues to be governed by well-defined and enforceable restrictions that contribute to its long-term sustainability and

desirability.

WHEREAS the Original Declaration anticipated the possibility for amendments and pursuant to Section 10.4 therein provided that said Original Declaration may be amended by an instrument signed by a majority of the Owners of any Lot subject to the Declaration, as those terms are defined in the Original Declaration.—Each Lot shall be entitled to one (1) vote.

WHEREAS, notwithstanding the above, the Declarant was given the status of a preferred member in the Original Covenants which pursuant to Article 10.1.i provides that the Declarant is entitled to the voting rights of one hundred fifty (150) members regardless of the number of Lots owned.

OTHER THAN THE AMENDED PROVISIONS SPECIFICALLY SET FORTH HEREIN, ALL OTHER PROVISIONS OF THE ORIGINAL DECLARATION SHALL REMAIN IN FULL FORCE AND LEGAL EFFECT.

WHEREFORE by their signatures below, the persons and entities constituting the required majority of Owners of any Lot subject to the Original Declaration, hereby affirm, approve and adopt these Amendments to the Original Declaration, with the intent that the same shall be recorded in the Office of the Lawrence County Register of Deeds, and that thereafter the Property shall be held, sold and conveyed subject to the Original Declaration, as amended as set forth herein, , all of which shall run with the land and Property and be binding on all Parties having any right, title, interest or claim in, to or relating to the Property, their heirs, successors, personal representatives and assigns, and shall inure to the benefit of each Owner thereof.

Article 1 Construction

Section 1.2 **Completion.** Construction work shall commence and continue diligently and without interruption until completion. The construction of any dwelling or structure on the property shall be substantially completed no later than twenty-four (24) months after construction is commenced and the exterior of all dwellings and structures shall be completed within eighteen (18) months after the commencement of construction, except in the case of impossibility or significant hardship. No dwelling shall be occupied until the county has issued the certificate of occupancy. Failure to comply with the deadline set forth herein shall result in the imposition of liquidated damages of five thousand dollars (\$5000.00) per month the structure remains unfinished unless an exception in writing is granted. Owners agree that this amount is fair and reasonable, is a reasonable approximation of the damages incurred for lack of compliance and that actual damages are incapable or difficult to estimate.

Section 1.2.1 **Landscaping.** A landscape plan must be approved by the Architectural Review Committee (ARC) prior to the commencement of construction. A minimum of 50% green space is required in the front and side yards viewable from roadways for lots under one (1) acre. Larger lots or those with steep and/or rocky topography shall submit a plan with requested variance for ARC review, with the intention being to maximize to the greenspace to extent practical, while also preserving the natural integrity of the lot. Plants for suggested turf include Kentucky blue grass, the native, more drought-tolerant buffalo grass, or micro clover. Other varieties of grasses and wildflowers are allowed,

including artificial turf. Slopes must provide erosion control and proper drainage. Backyard gardens are allowed but must be preapproved in writing by the ARC. The landscaping completion of any dwelling or structure on the property shall be substantially completed within twelve months of certification of occupancy. Dead trees, shrubs and larger vegetation shall be promptly removed and disposed of by the Owner.

Section 1.5 **Signs.** No signs of any kind shall be displayed to the public view on any Lot, provided, however, that it shall be permissible to display on any Lot:

- (1) Standard professional real-estate signs are allowed on homes for sale
- (2) All undeveloped lots shall have an approved sign provided by the Apple Springs Declarant.
- (3) Owners and/or agents must provide upper and lower riders on the approved real-estate signs provided.
- (4) Owner and/or agents are financially responsible for returning the provided frame and sign in excellent condition. Failure to do so will result in a replacement charge of one hundred and fifty dollars (\$150.00).

Section 1.8 **No Fire Pits.** Self-contained wood or gas fire pits shall be permitted.

Section 1.9 **Fences.** The construction of any fence must have prior written approval of the Declarant or the Architecture Review Committee. Recommended fence locations are areas out of sight of roadways.

Section 1.12.1 **Architectural Review Committee ("ARC"):** Initially, the Declarant may appoint Lot Owners or others to the ARC. Upon transfer of authority from the Declarant to the Homeowner's Association, and the election of its Board of Directors, the Board shall select the members of the ARC as set forth in Article 5. All actions taken by the ARC shall require the affirmative vote of a majority of its members present at a meeting of the ARC.

All plans and specifications for new construction or exterior remodeling/additions must be submitted in writing for written approval to the Declarant and/or the ARC. Prior to obtaining any building permits, blueprints and designs, along with exterior color and material selections, must be submitted to the Declarant or the ARC and receive written approval prior to an owner commencing construction. The Declarant and ARC will periodically update the "Apple Springs Builder Guidelines and Checklist" to be distributed to Owners and builders. Failure to fully comply with the Guidelines or not adhering to the plans submitted to and approved by the ARC may result in water services not being provided, work stoppage and penalties outlined in the current Building Guidelines.

Section 1.13 **Post-Construction Cleanup:** All post-construction cleanup and/or reclamation of ground disturbed by construction must be completed within thirty (30) days following the completion of construction of the dwelling, weather permitting. Failure to do so could result in the forfeiture of the Builder's Deposit.

Section 1.14 **Lot Size:** No lot within the Development shall be further subdivided except by the Declarant or with the approval of the Declarant, and subject to county zoning regulations and approval.

Two or more adjacent lots may be combined into one lot. In addition, a one-year assessment will need to be paid in advance for the second lot. Then, in the future, a single yearly assessment will apply to the one (combined) lot. As an example: if a lot owner combines two (2) or more lots into one (1) lot, the owner shall still be obligated to pay the one-time tap fees for both lots, along with one full year's general and special assessment charges on the second lot. Thereafter, general and special assessment charges will be at the regular rate for one lot.

Section 1.15 Lot Requirements: No more than one (1) single-family dwelling may be constructed on any lot or combination thereof. The hours of construction are limited to 7:00am through 7:00 pm, Monday through Saturday. The plot plan for the construction of each dwelling must be approved in writing by the Declarant or the ARC prior to applying for a building permit.

Article 2 **Use/Restrictions**

Section 2.1 Use.

- a. Rubbish, Garbage and Trash: No garbage or trash shall be maintained or kept on any Lot to be visible from another Lot or the roadway, except for the day of pickup. All garbage and trash will be placed in tight and secure garbage containers with closed lids, the type offered by the service provider, and shall be disposed of at least once every seven (7) days. No refuse piles, garbage, or unsightly objects are allowed on any Lot. The Declarant shall have the option to select the garbage service provider for the Development. At the time, all residences within the Development shall contract with the garbage/trash service collector that provides such service to the Development.

Section 2.5 No Noxious Activities/Weeds. No noxious or offensive activities may be carried out on any Lot. Each Lot shall be maintained in such a condition that it is free of noxious weeds whether or not it is occupied. Lot Owners are responsible for maintaining noxious weed control and a well-kept and mowed lawn. If the Declarant or ARC view the condition of a Lot as not complying with these requirements, they will have the authority to contract the work to be completed and assess the expense against the Owner.

Section 2.6 Parking. There shall be no on-street overnight parking in the Development without prior approval.

Section 2.13 Rental/Lease Restrictions Applicable to All Lots.

a. Recitals. The property encompasses a residential mountain resort community. Some homes will be "second homes" and/or vacation homes for their Owners. That said, permanent or regular residents will own and occupy many properties. Short-term rentals of properties in the development can be an important opportunity to some and a burden to others. A balance of these potentially competing interests needs to be struck.

b. Restrictions. Owners may use any method, platform or property management company of their choosing to rent their property. The Declarant may establish rules including maximum

occupancy limits. Owners are responsible for ensuring that renters have notice of the rules and adhere to the established rules and occupancy limits. No activity shall be conducted on any lot that constitutes a nuisance or annoyance to the surrounding property owners. Specifically, renters must adhere to noise control measures to prevent disturbances to neighboring properties. The Declarant retains the right to monitor and enforce the rules regarding short-term rentals and shall have the authority to assess fines and other restrictions or penalties for illegal or disruptive behavior. The Declarant shall conduct regular reviews of short-term rental policies and rules and make amendments as necessary.

c. Management. (Deleted)

d. Remedies for Violations. Violations of this section 2.13 may be remedied by the power of eviction of any tenant, invitee or holdover tenant, vested in and specifically reserved by Declarant. The prevailing party in any collection or eviction proceedings arising under this section 2.13 shall also be entitled to an award of reasonable attorney fees, costs and sales tax as part of the party's remedies.

Section 2.14 Exclusive Lawncare and Snow Removal Authority. (Deleted)

Article 3 **Enforcement**

Section 3.1 Enforcement. The provisions of this Declaration may be enforced by any proceeding at law or in equity, including but not limited to injunctive relief, all restrictions, conditions, covenants, reservations, liens and charges now or hereafter imposed by the provisions of this Declaration. Failure by any person to enforce any covenant or restriction herein contained shall in no event be deemed a waiver or the right to do so thereafter. Any matter relating to this Declaration shall be exclusively venued in the Fourth Judicial Circuit Court of the County of Lawrence, South Dakota and South Dakota law shall apply to interpreting and enforcing this Declaration. Each owner hereby makes himself, herself or itself available to the jurisdiction of said Court to enforce this Declaration and consents to personal jurisdiction in said Court. All parties bound hereby waive any right to a jury trial. A prevailing party proceeding pursuant to this section 3.1 shall also be entitled to an award of reasonable attorney fees, costs and sales tax as part of the party's remedies.

Section 3.5 Time Limitations. The conditions, covenants and restrictions of this Declaration shall run with and bind the property and shall inure to the benefit of and be enforceable by the owner of any Lot subject to this Declaration, their respective legal representatives, heirs, successors and assigns for a term of twenty (20) years from the date this Declaration is recorded, after which time said covenants shall be automatically extended for successive periods of ten (10) years. The Declarant shall have the power to renew or restate this Declaration prior to or after this Declaration's expiration. The time limitations for the Amendments set forth herein shall be the same as the Original Declaration.

Article 4 **Homeowner's Association**

Section 4.1 Membership and Formation. Once the Declarant owns the lesser of 10 unsold Lots or 10 undeveloped acres in the Development, the Declarant shall transfer enforcement and other authority to the Homeowner's Association as referenced in Articles 3.2 and 3.3. At this time the Declarant shall cause a Homeowners Association to be formed, and a Board of Directors shall be elected by the property Owners in the Development to run such Association. Each owner of a Lot shall be a member in the Homeowner's

Association. Except as otherwise provided herein, membership voting rights shall be determined by the Articles and By-Laws of the Homeowner's Association, which will be completed prior to the transition.

Section 4.3 Fees. The Declarant will determine an annual fee to support the annual budget. The annual budget will be distributed to all property owners by December of the prior year. The budget will include any special assessment for capital improvements deemed beneficial to the residents and property owners. Annual fees are assessed on the first (1st) day of January of each calendar year. The fee shall be due on the fifteenth (15th) day of January. A late fee of thirty-five dollars (\$35) shall be assessed each month after that if a fee is received after the thirty-first (31st) day of January. After twelve months, any unpaid annual fees, plus late fees and collection costs including reasonable attorneys' fees incurred in collecting delinquent fees, shall be a continuing lien on the owner's Lot and the personal obligation of the Lot's owner at the time the fee became delinquent. The Declarant shall at all times be exempt from the obligation or duty to pay or be liable for any annual fees or late fees.

Section 4.4 Authority for Special Assessments and Annual Fee Increases. The Declarant, or the Homeowner's Association, once formed, shall have sole authority to make special assessments and adjust annual fees from time to time. Absent exceptional circumstances, increases in annual fees shall not exceed ten percent (10%) of the previous years, annual fee without an owner vote.

Section 4.5 Use of Fees. The annual fees and late fees shall be utilized to promote public welfare and safety, as well as to safeguard the investment of the Owners and residents of the Development. Such items include, but are not limited to, enforcing and implementing this Declaration, maintaining and improving roads on the property, conducting snow removal and grading for roads, maintaining and enhancing any common areas, and performing tasks authorized by the Articles and Bylaws of the Homeowner's Association once formed. This encompasses expenses relating to the maintenance and upkeep throughout the Development, including landscaping and common utilities.

Article 5

Architectural Committee

Section 5.1 Committee Composition. The Declarant shall be the sole member of the ARC until such time as it relinquishes that role in a signed writing. The Declarant may appoint the members of the ARC. Once the Homeowner's Association is formed, the powers, composition of, and membership in the ARC shall be outlined in the By-laws and/or Articles of the Association.

Section 5.2 Authority. The Architectural Committee may be vested with the authority regarding:

- a. Collection of builder's refundable deposit
- b. In conjunction with the Declarant, adopt Building Guidelines for construction in the Development
- c. Enforcement of Building Guidelines including Builders maintaining a clean work site
- d. Penalties related to failure to comply.
- e. Acceptability of the proposed structure design and the exterior color and material palette.
- f. Acceptability of construction plans and specifications as to workmanship, materials, harmony with existing structures, location of buildings on Lots, size, and height of walls and fences

- g. Acceptability of trees and hedges as to location, size, height and variety of species, including fire protection issues
- h. Acceptability of lot signs provided to realtors
- i. *Reserved*

In all other respects, however, the Architectural Committee shall lack the authority or power to independently modify, enlarge, or amend this Declaration. Approval from the Architectural Committee as to any matter within the authority of said committee shall not be unreasonably withheld. The Architectural Committee shall not have any power to disapprove of landscape, design or other elements within their authority once it has granted an approval with regard to any particular Lot or owner regarding the same.

Section 5.3 Deleted

Article 8
Water, Septic and Roads

Section 8.4 Speed Limits. The posted speed limit throughout the Development shall be 20 miles per hour.

Article 9
Zone-Specific Provisions

The Declarant reserves the right to determine zone-specific provisions on future phases and neighborhoods within Apple Springs. Future CCR's for future areas may be added as needed.

Appearance. Homes in the Development must have design elements that are harmonious with a mountain resort setting. Some of the design considerations will include steep pitch and elaborate rooflines, covered porches, exterior finishes of log, timber, stone, brick, & earthtone siding.

Setback. All lots will have standard minimum setbacks as determined Lawrence County.

Minimum Square Footage. No more than one (1) dwelling shall be erected or maintained on any single Lot. No dwelling shall be erected which has a gross livable floor area of less than thousand five hundred (1,500) square feet if a single-story dwelling or less than one thousand nine hundred fifty (1,950) square feet if a multi-level dwelling. Number of dwellings per lot and square foot limitations do not apply to Declarant land.

Fences. Fences are generally discouraged to preserve a more natural appearance for the lot. Any requests for fences must receive prior approval from the Architecture Review Committee and will be assessed for purposes such as pools, pets, or visual screening. Factors like design elements, scope, and material usage will be evaluated when considering a fence application.

Section 9.1 Townhome Zone. (Deleted)

Section 9.2. Golf Mountain Home Zone. (Deleted)

Section 9.3. Executive Home Zone. (Deleted).

Section 9.9 Lodge Zone. (Deleted)

Section 9.10 Condo Zone. Condos may be allowed to have their own HOA and with different membership fees.

Section 9.11 Tiny homes, Cottages, or Villas.

Section 9.12 Multi-family dwelling.

Section 10.10 Dark Skys

Exterior Lighting Guidelines – The Declarant intends to protect the Dark Skys of the Development by reducing light pollution. Too often, outdoor lighting installations at night are over lit, left on when not needed, and harmful to the environment. Light pollution negatively affects our environment and impacts our quality of life. Therefore, exterior lighting guidelines in the Development will be governed by five core principles:

- Useful – Use light only if it is needed. All light should have a clear purpose. Consider how the use of light will impact the area, including wildlife and their habitats.
- Targeted – Direct light so it falls only where it is needed. Use shielding and careful aiming to target the direction of the light beam so that it points downward and does not spill beyond where it is needed.
- Low Level – Light should be no brighter than necessary. Use the lowest light level required. Be mindful of surface conditions, as some surfaces may reflect more light into the night sky than intended.
- Controlled – Use light only when it is needed. Use controls such as timers or motion detectors to ensure that light is available when it is needed, dimmed when possible, and turned off when needed.
- Warm-colored – Use warmer lights where possible. Limit the amount of shorter wavelength (blue-violet) light to the least amount needed.

These guidelines are adopted to protect our night skies and ensure that all residents can enjoy our beautiful Black Hills nighttime skies.

[Signature Page to Follow]

LEGAL DESCRIPTION

Lots 4A, 4B, 5A, 5B, 6A, 6B, 7A, 7B, 8A, 8B, 9A, 9B, 10A, 10B, 11A, 11B, 12A, 12B, of Block 1, of Apple Springs Subdivision and Dedicated Public Right-of-Way located in Apple Springs Tract NE1/4NW1/4, unplatted balance of W1/2NE1/4, and the unplatted balance of SE1/4NW1/4 of Section 14, T5N, R4E, BHM, Lawrence County, South Dakota according to Plat recorded as Document 2006-3136;

Lot 3 of Block 12 of Apple Springs Subdivision and Dedicated Right-of-Way located in Apple Springs Tract N1/2SW1/4, SW1/4NW1/4 of Section 11, T5N, R4E, BHM, Lawrence County, South Dakota, as shown by the Plat recorded as Document #2007-6274;

Lots 9, 10, 12, 13, 14, 15, 16, 17, 18, 19, and 20 of Block 11; Lot 8 of Block 12 of Apple Springs Subdivision, located in Apple Springs Tract in SE1/4SW1/4, NE1/4SW1/4, NW1/4SW1/4 of Section 11, T5N, R4E, BHM, Lawrence County, South Dakota, according to Plat Document No. 2008-6621

Lot 6 of Block 13 of Apple Springs Subdivision, located in Apple Springs Tract in NW1/4SW1/4 of Section 11, T5N, R4E, BHM, Lawrence County, South Dakota, according to Plat Document No. 2009-253.

Lots 14, 15, 16, and 22 of Block 15 of Apple Springs Subdivision, and Well Lot 1 of Apple Springs Subdivision, and Lots 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, and 18 of Block 16 and Tank Lot 1 of Apple Springs Subdivision located in Apple Springs Tract; of the SE1/4SW1/4 and NE1/4SW1/4 of Section 11, T5N, R4E, BHM, Lawrence County, South Dakota as shown by the Plat recorded 2009-6142

Lots 8A, 8B, 9A, 9B, 10A, 10B, 11A and 11B of Block 7 of Apple Springs Subdivision, located in Apple Springs Tract in the SE1/4 of SW1/4 of Section 11 T5N, R4E, BHM and in the NE1/4 of NW1/4 Section 14, T5N, R4E, BHM, Lawrence County, South Dakota, according to Plat Document No. 2011-696



Lots 13, 14, and 15 of Block 4 and Lot 9 of Block 14 and dedicated Right of way of Apple Springs Subdivision, located in Apple Springs Tract in the NW1/4NE1/4 Section 14, T5N, R4E, BHM, Lawrence County, South Dakota, according to Plat recorded as Document No. 2011-995

Clubhouse Lot of Apple Springs Subdivision and dedicated right of way located in Apple Springs Tract in NW1/4NE1/4, SW1/4NE1/4 of Section 14, T5N, R4E, BHM, Lawrence County, South Dakota, according to Plat Document No. 2009-202

And

Apple Springs Tract located in NE1/4NW1/4 less ROW; unplatted balance of W1/2NE1/4 lying North of US Hwy 14-A ROW; unplatted balance SE1/4NW1/4 lying North of US Hwy 14-A ROW; of Section 14, T5N, R4E, BHM and SE1/4SW1/4; N1/2SW1/4; E1/2NW1/4; SW1/4NW1/4; unplatted balance of the SW1/4SW1/4 of Section 11, T5N, R4E, BHM all located in Lawrence County, South Dakota, according to Plat Document No. 2005-2213;

And

Lot 1A, and 1B of Block 1 ; Lot 1A and 1B of Block 2; of Apple Springs Subdivision, located in Apple Springs Tract in the NE1/4NW1/4, unplatted balance of W1/2NE1/4 and the unplatted balance SE1/4NW1/4 of Section 14, T5N, R2E, BHM, Lawrence County according to Plat Document No. 2005-7364.

Lots 4A, 4B, 5A, 5B, 6A, 6B, 7A, 7B, 8A, 8B, 9A, 9B, 10A, 10B, 11A, 11B, 12A, 12B, 17A, 17B, of Block 1; Lots 2A, 2B, 3A, 3B, 4A, 4B, of Block 2; Lots 3, 4, 5, 6, and 7 of Block 3; Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12 of Block 4; Lots 2, 3, 4, 5, 6, of Block 5; Lots 2, 3, 4, 5, 6, 7, of Block 6 of Apple Springs Subdivision and Dedicated Public Right-of-Way located in Apple Springs Tract NE1/4NW1/4, unplatted balance of W1/2NE1/4, and the unplatted balance of SE1/4NW1/4 of Section 14, T5N, R4E, BHM, Lawrence County, South Dakota according to Plat recorded as Document #2006-3136;

Lots 2, 3, 13, 14, 15, 16, and 18 of Block 1; Lot 5 of Block 2; Lots 1 and 7 of Block 5; and Lots 1 and 8 of Block 6; formerly Lots 2A, 2B, 3A, 3B, 13A, 13B, 14A, 14B, 15A, 15B, 16A, 16B, 18A and 18B of Block 1; Lots 5A and 5B of Block 2; Lots 1A, 1B, 7A and 7B of Block 5; and Lots 1A, 1B and 8A and 8B of Block 6; of Apple Springs Subdivision located in Apple Springs Tract in the NE1/4NW1/4 of Section 14, T5N,

R4E, BHM, Lawrence County, South Dakota, according to Plat Document No. 2008-4104;

Lots 8, 9, 10, 11, 12 and 13 of Block 3, and Lots 2, 3, 4, 5, 6, 7 and 8 in Block 14 of Apple Springs Subdivision, of Apple Springs Tract; of the NW1/4NE1/4 of Section 14, T5N, R4E, BHM, Lawrence County, South Dakota according to Plat recorded as Document #2008-546

Lot 1R of Block 3 (formerly Lot 1 of Block 3) of Apple Springs Subdivision, located in Apple Springs Tract, NW1/4NE1/4 Section 14, T5N, R4E, BHM, Lawrence County, South Dakota, according to plat Document No. 2006-3135;

Lot 2R of Block 3 (Formerly Lot 2 of Block 3) of Apple Springs Subdivision and the unplatted part of the Apple Springs Tract, located in Apple Springs Tract NW1/4NE1/4 Section 14, T5N, R4E, BHM, Lawrence County, South Dakota according to Plat recorded as Document No. 2007-2730

Lots 8A, 8B, 9A, 9B, 10A, 10B, 11A and 11B of Block 7 of Apple Springs Subdivision, located in Apple Springs Tract in the SE1/4 of SW1/4 of Section 11 T5N, R4E BHM and in the NE1/4 of NW1/4 Section 14, T5N, R4E, BHM, Lawrence County, South Dakota, according to Plat Document No. 2011-696

Lots 13, 14, and 15, of Block 4 and Lot 9 of Block 14 and dedicated Right of way of Apple Springs Subdivision, located in Apple Springs Tract in the NW1/4NE1/4 Section 14, T5N, R4E, BHM, Lawrence County, South Dakota, according to Plat recorded as Document No. 2011-995

Lots 1, 2, 3, 4, 5, and 6 of Block 7 of Apple Springs Subdivision and dedicated public right of way, located in Apple Springs Tract in the SE1/4SW1/4 of Section 11 and the unplatted balance of the NE1/4NW1/4, NW1/4NE1/4 of Section 14, T5N, R4E, BHM, Lawrence County, South Dakota, according to Plat Document No. 2006-5698

Lots 1, 2, 3, 4, 5, 6, and 7 of Block 8; Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11 of Block 9; Lots 1, 2, 3, 4, 5, 6, 7, 8 and 9 of Block 10 of Apple Springs Subdivision and dedicated public right-of-way, located in Apple Springs Tract in the SE1/4 of Section 11 and the NE1/4NW1/4 of Section 14, T5N, R4E, BHM, Lawrence County, South Dakota, according to Plat Document No. 2007-823.

Lots 1, 2, 3, 4, 5, 6, 7 and 8 of Block 11 of Apple Springs Subdivision and dedicated public right of way located in Apple Springs Tract in NE1/4SW1/4 of Section 11, T5N, R4E, BHM, Lawrence County, South Dakota, according to Plat Document No. 2007-4640

Lots 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, and 20 of Block 11; Lot 8 of Block 12; and Lots 1, 2, 3, and 4 of Block 15; of Apple Springs Subdivision, located in Apple Springs Tract in SE1/4SW1/4, NE1/4SW1/4, NW1/4SW1/4 of Section 11 T5N, R4E, BHM, Lawrence County, South Dakota, according to Plat Document No. 2008-6621

Lots 1, 2, 3, 4, 5, and 6 of Block 12, and Lots 1, 2, 3, 4 and 5 of Block 13 of Apple Springs Subdivision and dedicated public right of way located in Apple Springs Tract in N1/2SW1/4, SW1/4NW1/4 of Section 11, T5N, R4E, BHM, Lawrence County, South Dakota, according to Plat Document No. 2007-6274

Lot 7 of Block 12 and Lot 8 of Block 13 of Apple Springs Subdivision, located in Apple Springs Tract in N1/2SW1/4 of Section 11, T5N, R4E, BHM, Lawrence County, South Dakota, according to Plat Document No. 2008-545.

Lot 6 and 7 of Block 13 of Apple Springs Subdivision, located in Apple Springs Tract in NW1/4SW1/4 of Section 11, T5N, R4E, BHM, Lawrence County, South Dakota, according to Plat Document No. 2009-253

Lot 5 of Block 15 of Apple Springs Subdivision located in Apple Springs Tract NE1/4NW1/4 of Section 11, T5N, R4E, BHM, Lawrence County, South Dakota, according to Plat Document No. 2009-3035.

Lots 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21 and 22 of Block 15 of Apple Springs Subdivision, and Well Lot 1 of Apple Springs Subdivision, and Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, and 18 of Block 16, and Tank Lot 1 of Apple Springs Subdivision located in Apple Springs Tract; of the SE1/4SW1/4 and NE1/4SW1/4 of Section 11, T5N, R4E, BHM, Lawrence County, South Dakota as shown by the Plat recorded 2009-6142.

OFFICIAL VOTE TO BE REGISTERED AND RECORDED

I 4 Bears in the Hills LLC, owner at Apple Springs of the following Lot (s) Declarant
Block (s) NA with a total number of 150 vote (s), have read the
**PROPOSED AMENDED AND RESTATED DECLARATION OF RESTRICTIONS
EASEMENTS AND COVENANTS TO RUN WITH THE LAND** prepared by Michael C.
Loos, Clayborne, Loos & Sabers, LLP on behalf of the stated Declarant and vote as follows:




YES, AND ACCEPT THE PROPOSED CHANGES



NO, REJECT THE PROPOSED CHANGES

Dated this 17th day of March, 2024^{As}

By

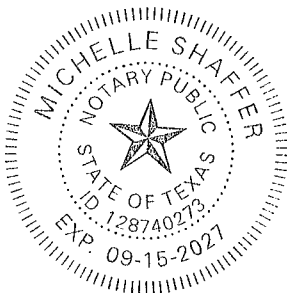

Signature
Michael L. Short

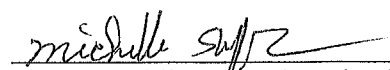
Print Full Name

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF PENNINGTON)

On this the 17th day of March, 2024^{As}, before me, the undersigned, personally
appeared Michael L. Short known to me or satisfactorily proven to be the persons whose names
are subscribed to the foregoing instrument and acknowledged that they executed the same for the
purposes therein contained and, in the capacity, indicated.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.




Notary Public – South Dakota^{As} Texas
My commission expires: 9-15-2027

OFFICIAL VOTE TO BE REGISTERED AND RECORDED

I KODA Development LLC, owner at Apple Springs of the following Lot (s) 5, 7, 8, 9
Block (s) 9 & 10 with a total number of 4 vote (s), have read the
**PROPOSED AMENDED AND RESTATED DECLARATION OF RESTRICTIONS
EASEMENTS AND COVENANTS TO RUN WITH THE LAND** prepared by Michael C.
Loos, Clayborne, Loos & Sabers, LLP on behalf of the stated Declarant and vote as follows:




YES, AND ACCEPT THE PROPOSED CHANGES



NO, REJECT THE PROPOSED CHANGES

Dated this 17th day of March, 2024⁴⁵

By

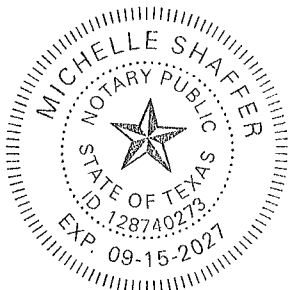

Signature
Michael L Short

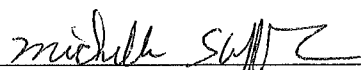
Print Full Name

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF PENNINGTON)

On this the 17th day of March, 2024⁴⁵, before me, the undersigned, personally
appeared Michael L. Short known to me or satisfactorily proven to be the persons whose names
are subscribed to the foregoing instrument and acknowledged that they executed the same for the
purposes therein contained and, in the capacity, indicated.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.




Notary Public – South Dakota ^{US} Texas
My commission expires: 9-15-2027

OFFICIAL VOTE TO BE REGISTERED AND RECORDED

I H2O Cares Solutions LLC, owner at Apple Springs of the following Lot (s) Utility Lots
Block (s) _____ with a total number of 4 vote (s), have read the
PROPOSED AMENDED AND RESTATED DECLARATION OF RESTRICTIONS
EASEMENTS AND COVENANTS TO RUN WITH THE LAND prepared by Michael C.
Loos, Clayborne, Loos & Sabers, LLP on behalf of the stated Declarant and vote as follows:



YES, AND ACCEPT THE PROPOSED CHANGES



NO, REJECT THE PROPOSED CHANGES

Dated this 17th day of March, 2024¹⁵.

By


Signature

Michael L. Short

Print Full Name

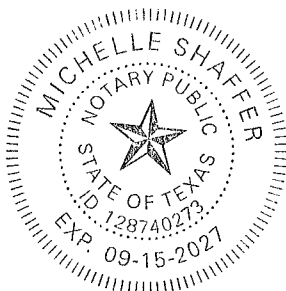
STATE OF SOUTH DAKOTA)

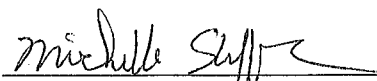
) SS

COUNTY OF PENNINGTON)

On this the 17th day of March, 2024¹⁵, before me, the undersigned, personally appeared Michael L. Short known to me or satisfactorily proven to be the persons whose names are subscribed to the foregoing instrument and acknowledged that they executed the same for the purposes therein contained and, in the capacity, indicated.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.




Notary Public – South-Dakota¹⁵ Texas
My commission expires: 9-15-2027

OFFICIAL VOTE TO BE REGISTERED AND RECORDED

I MYM Properties LLC, owner at Apple Springs of the following Lot (s) 4 acres, 160 acres
Block (s) _____ with a total number of 2 vote (s), have read the
PROPOSED AMENDED AND RESTATED DECLARATION OF RESTRICTIONS
EASEMENTS AND COVENANTS TO RUN WITH THE LAND prepared by Michael C.
Loos, Clayborne, Loos & Sabers, LLP on behalf of the stated Declarant and vote as follows:



YES, AND ACCEPT THE PROPOSED CHANGES



NO, REJECT THE PROPOSED CHANGES

Dated this 17th day of March, 2024^{MS}

By



Signature

Michael L. Short

Print Full Name

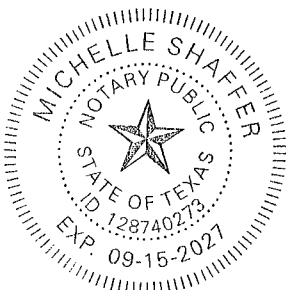
STATE OF SOUTH DAKOTA)

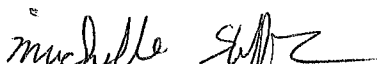
) SS

COUNTY OF PENNINGTON)

On this the 17th day of March, 2024^{MS}, before me, the undersigned, personally
appeared Michael L. Short known to me or satisfactorily proven to be the persons whose names
are subscribed to the foregoing instrument and acknowledged that they executed the same for the
purposes therein contained and, in the capacity, indicated.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.




Notary Public – South-Dakota^{MS} Texas
My commission expires: 9-15-2027

OFFICIAL VOTE TO BE REGISTERED AND RECORDED

I Marc Kenley, owner at Apple Springs of the following Lot (s) 5
Block (s) 19 with a total number of 1 vote (s), have read the
PROPOSED AMENDED AND RESTATED DECLARATION OF RESTRICTIONS
EASEMENTS AND COVENANTS TO RUN WITH THE LAND prepared by Michael C.
Loos, Clayborne, Loos & Sabers, LLP on behalf of the stated Declarant, 4 Bears in the Hills
LLC, and vote as follows:



YES, AND ACCEPT THE PROPOSED CHANGES



NO, REJECT THE PROPOSED CHANGES

Dated this 6th day of March, 2025.

By

Signature

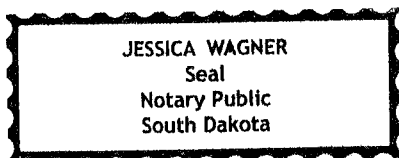
Marc Kenley

Print Full Name

_____))
_____) SS
_____))

On this the 6th day of March, 2025, before me, the undersigned, personally
appeared Marc Kenley known to me or satisfactorily proven to be the persons
whose names are subscribed to the foregoing instrument and acknowledged that they executed
the same for the purposes therein contained and, in the capacity, indicated.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.



Jessica Wagner
Notary Public
My commission expires: 7-23-2030

OFFICIAL VOTE TO BE REGISTERED AND RECORDED

I James Jurgensen, owner at Apple Springs of the following Lot (s) 3
Block (s) 5 with a total number of 1 vote (s), have read the
PROPOSED AMENDED AND RESTATED DECLARATION OF RESTRICTIONS
EASEMENTS AND COVENANTS TO RUN WITH THE LAND prepared by Michael C.
Loos, Clayborne, Loos & Sabers, LLP on behalf of the stated Declarant, 4 Bears in the Hills
LLC, and vote as follows:

☒ YES, AND ACCEPT THE PROPOSED CHANGES
☐ NO, REJECT THE PROPOSED CHANGES

Dated this 5th day of March, 2025.

By

[Signature]
Signature
James Jurgensen

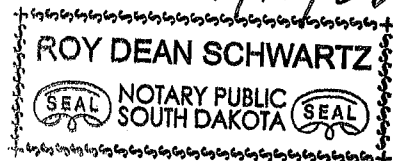
Print Full Name

State of SD)
Lawrence County) SS

On this the 5th day of March, 2025, before me, the undersigned, personally
appeared James Jurgensen known to me or satisfactorily proven to be the persons
whose names are subscribed to the foregoing instrument and acknowledged that they executed
the same for the purposes therein contained and, in the capacity, indicated.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

[Signature]
Notary Public
My commission expires: 2/12/28
ROY DEAN SCHWARTZ
NOTARY PUBLIC
SOUTH DAKOTA



OFFICIAL VOTE TO BE REGISTERED AND RECORDED

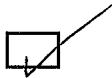
I Luxanne Hill, owner at Apple Springs of the following Lot (s) 11

Block (s) 4 with a total number of 1 vote (s), have read the

PROPOSED AMENDED AND RESTATED DECLARATION OF RESTRICTIONS

EASEMENTS AND COVENANTS TO RUN WITH THE LAND prepared by Michael C.

Loos, Clayborne, Loos & Sabers, LLP on behalf of the stated Declarant, 4 Bears in the Hills LLC, and vote as follows:



YES, AND ACCEPT THE PROPOSED CHANGES



NO, REJECT THE PROPOSED CHANGES

Dated this 11 day of March, 2025.

By

Luxanne R Hill

Signature

Luxanne R. Hill

Print Full Name

South Dakota

)

) SS

Lawrence Co.

)

On this the 11th day of March, 2025, before me, the undersigned, personally appeared Luxanne Hill known to me or satisfactorily proven to be the persons whose names are subscribed to the foregoing instrument and acknowledged that they executed the same for the purposes therein contained and, in the capacity, indicated.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Stephanie Garcia

Notary Public

My commission expires: 8-1-25

OFFICIAL VOTE TO BE REGISTERED AND RECORDED

I Calvin Mergen, owner at Apple Springs of the following Lot (s) 1

Block (s) 8 with a total number of 1 vote (s), have read the

PROPOSED AMENDED AND RESTATED DECLARATION OF RESTRICTIONS

EASEMENTS AND COVENANTS TO RUN WITH THE LAND prepared by Michael C.

Loos, Clayborne, Loos & Sabers, LLP on behalf of the stated Declarant, 4 Bears in the Hills

LLC, and vote as follows:



YES, AND ACCEPT THE PROPOSED CHANGES



NO, REJECT THE PROPOSED CHANGES

Dated this 11 day of March, 2025.

By

Signature

Calvin Peter Mergen

Print Full Name

South Dakota)
Lawrence Co.) SS

On this the 11th day of March, 2025, before me, the undersigned, personally appeared Calvin Mergen known to me or satisfactorily proven to be the persons whose names are subscribed to the foregoing instrument and acknowledged that they executed the same for the purposes therein contained and, in the capacity, indicated.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Stephanie Garcia

Notary Public

My commission expires: 8-1-25

OFFICIAL VOTE TO BE REGISTERED AND RECORDED

I Dorena Blumhagen owner at Apple Springs of the following Lot (s) 2

Block (s) 13 with a total number of 1 vote (s), have read the

PROPOSED AMENDED AND RESTATED DECLARATION OF RESTRICTIONS

EASEMENTS AND COVENANTS TO RUN WITH THE LAND prepared by Michael C.

Loos, Clayborne, Loos & Sabers, LLP on behalf of the stated Declarant, 4 Bears in the Hills LLC, and vote as follows:



YES, AND ACCEPT THE PROPOSED CHANGES



NO, REJECT THE PROPOSED CHANGES

Dated this 11 day of March, 2025.

By Dorena Blumhagen
Signature

Dorena Blumhagen

Print Full Name

South Dakota)
Lawrence Co.) SS
)

On this the 11th day of March, 2025, before me, the undersigned, personally appeared Dorena Blumhagen known to me or satisfactorily proven to be the persons whose names are subscribed to the foregoing instrument and acknowledged that they executed the same for the purposes therein contained and, in the capacity, indicated.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Stephanie Garcia
Notary Public
My commission expires: 8-1-25

OFFICIAL VOTE TO BE REGISTERED AND RECORDED

I JEROME HOFFMAN, owner at Apple Springs of the following Lot (s) 1 A

Block (s) 1 with a total number of 1 vote (s), have read the

PROPOSED AMENDED AND RESTATED DECLARATION OF RESTRICTIONS

EASEMENTS AND COVENANTS TO RUN WITH THE LAND prepared by Michael C.

Loos, Clayborne, Loos & Sabers, LLP on behalf of the stated Declarant, 4 Bears in the Hills LLC, and vote as follows:

YES, AND ACCEPT THE PROPOSED CHANGES

NO, REJECT THE PROPOSED CHANGES

Dated this 11 day of MARCH, 2025.

Signature Jerome Hoffman

Signature _____

JEROME HOFFMAN

Print Full Name

South Dakota)
Lawrence Co.) SS

On this the 11th day of March, 2025, before me, the undersigned, personally appeared Jerome Hoffman known to me or satisfactorily proven to be the persons whose names are subscribed to the foregoing instrument and acknowledged that they executed the same for the purposes therein contained and, in the capacity, indicated.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Stephanie Garcia
Notary Public
My commission expires: 8-1-25

OFFICIAL VOTE TO BE REGISTERED AND RECORDED

I Engelhart Family LLC owner at Apple Springs of the following Lot (s) 11B-1 + 17A
Block (s) 1 with a total number of 2 vote (s), have read the

PROPOSED AMENDED AND RESTATED DECLARATION OF RESTRICTIONS

EASEMENTS AND COVENANTS TO RUN WITH THE LAND prepared by Michael C.

Loos, Clayborne, Loos & Sabers, LLP on behalf of the stated Declarant, 4 Bears in the Hills
LLC, and vote as follows:

☒ **YES, AND ACCEPT THE PROPOSED CHANGES**

☐ **NO, REJECT THE PROPOSED CHANGES**

Dated this 11th day of March, 2025.

By Darren Engelhart
Signature

Darren Engelhart

Print Full Name

South Dakota)
) SS
Lawrence Co)

On this the 11th day of March, 2025, before me, the undersigned, personally
appeared Darren Engelhart known to me or satisfactorily proven to be the persons
whose names are subscribed to the foregoing instrument and acknowledged that they executed
the same for the purposes therein contained and, in the capacity, indicated.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Stephanie Garcia
Notary Public
My commission expires: 8-1-25

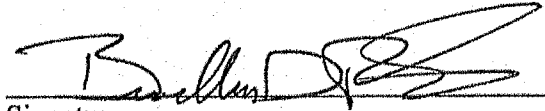
OFFICIAL VOTE TO BE REGISTERED AND RECORDED

I Bradley Reinke, owner at Apple Springs of the following Lot (s) 5
Block (s) 3 with a total number of 1 vote (s), have read the
**PROPOSED AMENDED AND RESTATED DECLARATION OF RESTRICTIONS
EASEMENTS AND COVENANTS TO RUN WITH THE LAND** prepared by Michael C.
Loos, Clayborne, Loos & Sabers, LLP on behalf of the stated Declarant, 4 Bears in the Hills
LLC, and vote as follows:

- ☒ YES, AND ACCEPT THE PROPOSED CHANGES
☐ NO, REJECT THE PROPOSED CHANGES

Dated this 27th day of Feb, 2025.

By


Signature

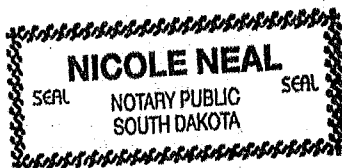
BRADLEY D REINKE, BDB Development


Print Full Name

_____)
_____) SS
_____)

On this the 27 day of Feb, 2025, before me, the undersigned, personally
appeared Bradley Reinke known to me or satisfactorily proven to be the persons
whose names are subscribed to the foregoing instrument and acknowledged that they executed
the same for the purposes therein contained and, in the capacity, indicated.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.




Notary Public
My commission expires: 8/3/26

I, Lois Schneider, owner at Apple Springs of the following Lot (s) 3A
Block (s) 2 with a total number of 1 vote (s), have read the
**PROPOSED AMENDED AND RESTATED DECLARATION OF RESTRICTIONS
EASEMENTS AND COVENANTS TO RUN WITH THE LAND** prepared by Michael C.
Loos, Clayborne, Loos & Sabers, LLP on behalf of the stated Declarant, 4 Bears in the Hills
LLC, and vote as follows:

YES, AND ACCEPT THE PROPOSED CHANGES

NO, REJECT THE PROPOSED CHANGES

Dated this 11 day of March, 2025.

Rosi Schneider
Signature

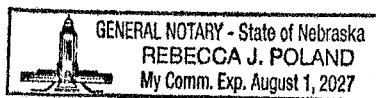
Lois Schneider

Print Full Name

Nebraska)
Cherry) SS

On this the 11 day of March, 2025, before me, the undersigned, personally appeared Lois Schneider known to me or satisfactorily proven to be the persons whose names are subscribed to the foregoing instrument and acknowledged that they executed the same for the purposes therein contained and, in the capacity, indicated.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.



Rebecca G Poland
Notary Public

My commission expires: 8/1/2027

OFFICIAL VOTE TO BE REGISTERED AND RECORDED

I Allen Beyers, owner at Apple Springs of the following Lot (s) 28 and 31
Block (s) 3 and 8 with a total number of 2 vote (s), have read the
PROPOSED AMENDED AND RESTATED DECLARATION OF RESTRICTIONS
EASEMENTS AND COVENANTS TO RUN WITH THE LAND prepared by Michael C.
Loos, Clayborne, Loos & Sabers, LLP on behalf of the stated Declarant, 4 Bears in the Hills
LLC, and vote as follows:

☒ YES, AND ACCEPT THE PROPOSED CHANGES
☐ NO, REJECT THE PROPOSED CHANGES

Dated this 11th day of March, 2025.

By

Signature

Allen Beyers

Print Full Name

Edmunds County)
South Dakota) SS

On this the 11th day of March, 2025, before me, the undersigned, personally
appeared Allen Beyers known to me or satisfactorily proven to be the persons
whose names are subscribed to the foregoing instrument and acknowledged that they executed
the same for the purposes therein contained and, in the capacity, indicated.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Foritan
Notary Public

My commission expires: 9/15/2026

OFFICIAL VOTE TO BE REGISTERED AND RECORDED

Lot 9 I Dirk Blackmer, owner at Apple Springs of the following Lot (s) 12276 Vacation 27
Block (s) 14 with a total number of 1 vote (s), have read the Sturais SD 57785

PROPOSED AMENDED AND RESTATED DECLARATION OF RESTRICTIONS

EASEMENTS AND COVENANTS TO RUN WITH THE LAND prepared by Michael C.

Loos, Clayborne, Loos & Sabers, LLP on behalf of the stated Declarant, 4 Bears in the Hills
LLC, and vote as follows:



YES, AND ACCEPT THE PROPOSED CHANGES



NO, REJECT THE PROPOSED CHANGES

Dated this 6 day of March, 2025.

By

Dirk Blackmer
Signature

Dirk Blackmer

Print Full Name

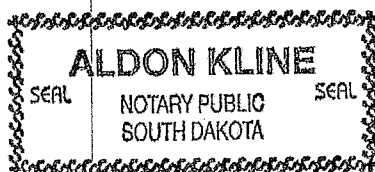
South Dakota)

) SS

Meade)

On this the 10th day of March, 2025, before me, the undersigned, personally
appeared Dirk Blackmer known to me or satisfactorily proven to be the persons
whose names are subscribed to the foregoing instrument and acknowledged that they executed
the same for the purposes therein contained and, in the capacity, indicated.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.



Aldon Kline
Notary Public

My commission expires: 09/25/2025

OFFICIAL VOTE TO BE REGISTERED AND RECORDED

I Michael Martin owner at Apple Springs of the following Lot (s) 1
Block (s) 14 with a total number of 1 vote (s), have read the
**PROPOSED AMENDED AND RESTATED DECLARATION OF RESTRICTIONS
EASEMENTS AND COVENANTS TO RUN WITH THE LAND** prepared by Michael C.
Loos, Clayborne, Loos & Sabers, LLP on behalf of the stated Declarant, 4 Bears in the Hills
LLC, and vote as follows:



YES, AND ACCEPT THE PROPOSED CHANGES



NO, REJECT THE PROPOSED CHANGES

Dated this 24 day of February, 2025.

By

Michael Martin
Signature

Michael Martin

Print Full Name

_____))
_____) SS
_____))

On this the ____ day of _____, 2025, before me, the undersigned, personally
appeared _____ known to me or satisfactorily proven to be the persons
whose names are subscribed to the foregoing instrument and acknowledged that they executed
the same for the purposes therein contained and, in the capacity, indicated.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Notary Public

My commission expires:

See attached certificate

39 yes
150 declarant yes
4-no

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

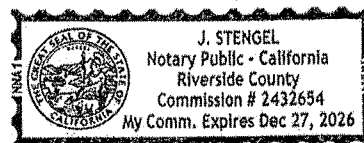
State of California
County of Riverside

On February 24, 2025 before me, J. Stengel, Notary Public
(insert name and title of the officer)

personally appeared Michael Martin
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature

J. Stengel

(Seal)

OFFICIAL VOTE TO BE REGISTERED AND RECORDED

I JOEL CHRISTOPHERSEN owner at Apple Springs of the following Lot (s) 4
Block (s) 19 with a total number of 1 vote (s), have read the
**PROPOSED AMENDED AND RESTATED DECLARATION OF RESTRICTIONS
EASEMENTS AND COVENANTS TO RUN WITH THE LAND** prepared by Michael C.
Loos, Clayborne, Loos & Sabers, LLP on behalf of the stated Declarant, 4 Bears in the Hills
LLC, and vote as follows:



YES, AND ACCEPT THE PROPOSED CHANGES



NO, REJECT THE PROPOSED CHANGES

Dated this 20 day of FEB, 2025.

By

Signature

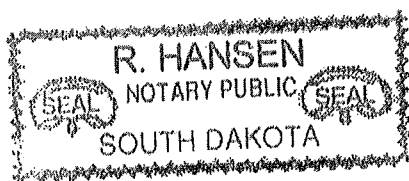
JOEL CHRISTOPHERSEN

Print Full Name

SOUTH DAKOTA)
) SS
LINCOLN COUNTY)

On this the 20 day of FEB, 2025, before me, the undersigned, personally
appeared JOEL CHRISTOPHERSEN known to me or satisfactorily proven to be the persons
whose names are subscribed to the foregoing instrument and acknowledged that they executed
the same for the purposes therein contained and, in the capacity, indicated.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.



[Signature]
Notary Public
My commission expires: 6/24/25

OFFICIAL VOTE TO BE REGISTERED AND RECORDED

I Beck Construction owner at Apple Springs of the following Lot (s) 3 A & B
Block (s) 1 with a total number of 1 vote (s), have read the
PROPOSED AMENDED AND RESTATED DECLARATION OF RESTRICTIONS
EASEMENTS AND COVENANTS TO RUN WITH THE LAND prepared by Michael C.
Loos, Clayborne, Loos & Sabers, LLP on behalf of the stated Declarant, 4 Bears in the Hills
LLC, and vote as follows:

- ☒ YES, AND ACCEPT THE PROPOSED CHANGES
☐ NO, REJECT THE PROPOSED CHANGES

Dated this 21st day of February, 2025.

By

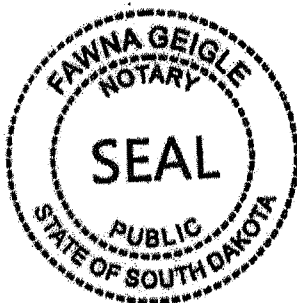
Roger A Beck
Signature
Roger Beck

Print Full Name

State of South Dakota
County of Meade, SS

On this the 21st day of February, 2025, before me, the undersigned, personally
appeared Roger Beck known to me or satisfactorily proven to be the persons
whose names are subscribed to the foregoing instrument and acknowledged that they executed
the same for the purposes therein contained and, in the capacity, indicated.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.



Fawna Geigle
Notary Public

My commission expires:

My Commission Expires
February 24, 2028

OFFICIAL VOTE TO BE REGISTERED AND RECORDED

I Roger Beck owner at Apple Springs of the following Lot (s) 1B
Block (s) 1 with a total number of 1 vote (s), have read the
PROPOSED AMENDED AND RESTATED DECLARATION OF RESTRICTIONS
EASEMENTS AND COVENANTS TO RUN WITH THE LAND prepared by Michael C.
Loos, Clayborne, Loos & Sabers, LLP on behalf of the stated Declarant, 4 Bears in the Hills
LLC, and vote as follows:

- ☒ YES, AND ACCEPT THE PROPOSED CHANGES
☐ NO, REJECT THE PROPOSED CHANGES

Dated this 21st day of February, 2025.

By

Roger Beck
Signature

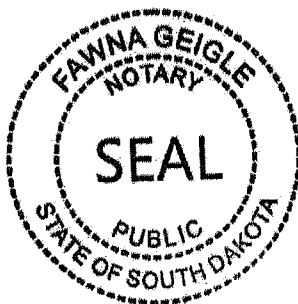
Roger Beck

Print Full Name

State of South Dakota
County of Meade) SS

On this the 21st day of February, 2025, before me, the undersigned, personally
appeared Roger Beck known to me or satisfactorily proven to be the persons
whose names are subscribed to the foregoing instrument and acknowledged that they executed
the same for the purposes therein contained and, in the capacity, indicated.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.



Fawna Geigle
Notary Public
My commission expires:

My Commission Expires
February 24, 2028

OFFICIAL VOTE TO BE REGISTERED AND RECORDED

I DAVID WILLIGRAD owner at Apple Springs of the following Lot (s) 2A
Block (s) 11 with a total number of 1 vote (s), have read the
**PROPOSED AMENDED AND RESTATED DECLARATION OF RESTRICTIONS
EASEMENTS AND COVENANTS TO RUN WITH THE LAND** prepared by Michael C.
Loos, Clayborne, Loos & Sabers, LLP on behalf of the stated Declarant, 4 Bears in the Hills
LLC, and vote as follows:



YES, AND ACCEPT THE PROPOSED CHANGES



NO, REJECT THE PROPOSED CHANGES

Dated this 27th day of FEBRUARY, 2025.

By

David Scott Willigrad
Signature

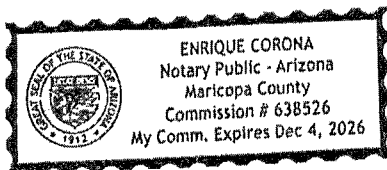
DAVID SCOTT WILLIGRAD

Print Full Name

Arizona)
Maricopa) SS
)

On this the 27 day of February, 2025, before me, the undersigned, personally
appeared David Scott Willigrad known to me or satisfactorily proven to be the persons
whose names are subscribed to the foregoing instrument and acknowledged that they executed
the same for the purposes therein contained and, in the capacity, indicated.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.



[Signature]
Notary Public

My commission expires: 12/4/2026

OFFICIAL VOTE TO BE REGISTERED AND RECORDED

I Jim Oliver, owner at Apple Springs of the following Lot (s) 2 & 3
Block (s) 14 with a total number of 2 vote (s), have read the
PROPOSED AMENDED AND RESTATED DECLARATION OF RESTRICTIONS
EASEMENTS AND COVENANTS TO RUN WITH THE LAND prepared by Michael C.
Loos, Clayborne, Loos & Sabers, LLP on behalf of the stated Declarant, 4 Bears in the Hills
LLC, and vote as follows:

☒ YES, AND ACCEPT THE PROPOSED CHANGES
☐ NO, REJECT THE PROPOSED CHANGES

Dated this 28 day of February, 2025.

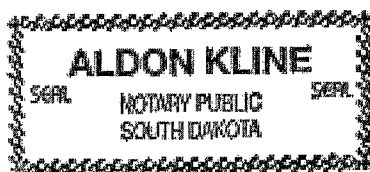
By Edward James Oliver
Signature
Edward James Oliver

Print Full Name

South Dakota)
) SS
Meade)

On this the 28 day of February, 2025, before me, the undersigned, personally
appeared Edward James Oliver known to me or satisfactorily proven to be the persons
whose names are subscribed to the foregoing instrument and acknowledged that they executed
the same for the purposes therein contained and, in the capacity, indicated.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.



Aldon Kline
Notary Public
My commission expires: 07/25/2025

OFFICIAL VOTE TO BE REGISTERED AND RECORDED

I Terry Schiltz, owner at Apple Springs of the following Lot (s) 2B
Block (s) 2 with a total number of 1 vote (s), have read the
**PROPOSED AMENDED AND RESTATED DECLARATION OF RESTRICTIONS
EASEMENTS AND COVENANTS TO RUN WITH THE LAND** prepared by Michael C.
Loos, Clayborne, Loos & Sabers, LLP on behalf of the stated Declarant, 4 Bears in the Hills
LLC, and vote as follows:



YES, AND ACCEPT THE PROPOSED CHANGES



NO, REJECT THE PROPOSED CHANGES

Dated this 27 day of FEB, 2025.

By

Terry Schiltz
Signature

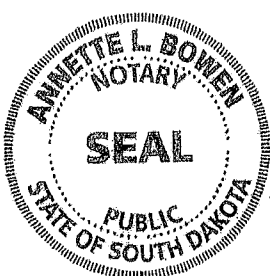
Terry Schiltz

Print Full Name

_____))
_____) SS
_____))

On this the 27 day of February, 2025, before me, the undersigned, personally
appeared Terry Schiltz known to me or satisfactorily proven to be the persons
whose names are subscribed to the foregoing instrument and acknowledged that they executed
the same for the purposes therein contained and, in the capacity, indicated.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.



Annette L. Bowen
Notary Public

My commission expires: 6/18/2025

OFFICIAL VOTE TO BE REGISTERED AND RECORDED

Bridget Johnson

I Bill Johnson, owner at Apple Springs of the following Lot (s) 11

Block (s) 9 with a total number of 4 vote (s), have read the

PROPOSED AMENDED AND RESTATED DECLARATION OF RESTRICTIONS

EASEMENTS AND COVENANTS TO RUN WITH THE LAND prepared by Michael C.

Loos, Clayborne, Loos & Sabers, LLP on behalf of the stated Declarant, 4 Bears in the Hills

LLC, and vote as follows:



YES, AND ACCEPT THE PROPOSED CHANGES



NO, REJECT THE PROPOSED CHANGES

Dated this 24 day of February, 2025.

By

Bill Johnson Bridget Johnson
Signature

Bill Johnson Bridget Johnson

Print Full Name

Dickinson County

)

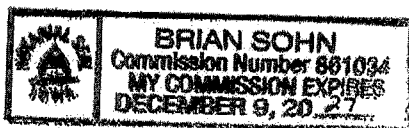
) SS

Iowa

)

On this the 24th day of February, 2025, before me, the undersigned, personally appeared William (Bill) & Bridget Johnson known to me or satisfactorily proven to be the persons whose names are subscribed to the foregoing instrument and acknowledged that they executed the same for the purposes therein contained and, in the capacity, indicated.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.



B. Sohn

Notary Public

My commission expires:

OFFICIAL VOTE TO BE REGISTERED AND RECORDED

I Gary Jurgens, owner at Apple Springs of the following Lot (s) 12244 Miles Coppen
Block (s) _____ with a total number of 1 vote (s), have read the 57285

PROPOSED AMENDED AND RESTATED DECLARATION OF RESTRICTIONS

EASEMENTS AND COVENANTS TO RUN WITH THE LAND prepared by Michael C.

Loos, Clayborne, Loos & Sabers, LLP on behalf of the stated Declarant, 4 Bears in the Hills
LLC, and vote as follows:



YES, AND ACCEPT THE PROPOSED CHANGES



NO, REJECT THE PROPOSED CHANGES

Dated this 7th day of March, 2025.

By

Gary L. Jurgens
Signature

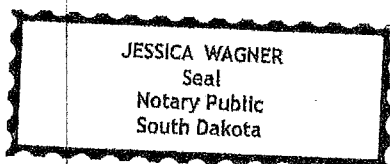
Gary L. Jurgens

Print Full Name

_____)
_____) SS
_____)

On this the 7th day of March, 2025, before me, the undersigned, personally
appeared Gary Jurgens known to me or satisfactorily proven to be the persons
whose names are subscribed to the foregoing instrument and acknowledged that they executed
the same for the purposes therein contained and, in the capacity, indicated.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.



Jessica Wagner
Notary Public
My commission expires: 7-23-2030

OFFICIAL VOTE TO BE REGISTERED AND RECORDED

I Kent Norbeck, owner at Apple Springs of the following Lot (s) 413, 1
Block (s) 2, 9 with a total number of 2 vote (s), have read the
**PROPOSED AMENDED AND RESTATED DECLARATION OF RESTRICTIONS
EASEMENTS AND COVENANTS TO RUN WITH THE LAND** prepared by Michael C.
Loos, Clayborne, Loos & Sabers, LLP on behalf of the stated Declarant, 4 Bears in the Hills
LLC, and vote as follows:



YES, AND ACCEPT THE PROPOSED CHANGES



NO, REJECT THE PROPOSED CHANGES

Dated this 4 day of March, 2025.

By

[Signature]
Signature

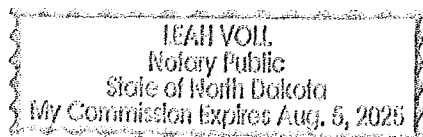
Kent Norbeck

Print Full Name

_____)
_____) SS
_____)

On this the 4th day of March, 2025, before me, the undersigned, personally
appeared Kent Norbeck known to me or satisfactorily proven to be the persons
whose names are subscribed to the foregoing instrument and acknowledged that they executed
the same for the purposes therein contained and, in the capacity, indicated.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.



Leah Voil
Notary Public
My commission expires: Aug 5, 2025

OFFICIAL VOTE TO BE REGISTERED AND RECORDED

Scott Stern owner at Apple Springs of the following Lot (s) 3427
Block (s) 3 with a total number of two vote (s), have read the
**PROPOSED AMENDED AND RESTATED DECLARATION OF RESTRICTIONS
EASEMENTS AND COVENANTS TO RUN WITH THE LAND** prepared by Michael C.
Loos, Clayborne, Loos & Sabers, LLP on behalf of the stated Declarant, 4 Bears in the Hills
LLC, and vote as follows:

- ☒ YES, AND ACCEPT THE PROPOSED CHANGES
☐ NO, REJECT THE PROPOSED CHANGES

Dated this 23 day of February, 2025.

By

Scott Stern

Signature

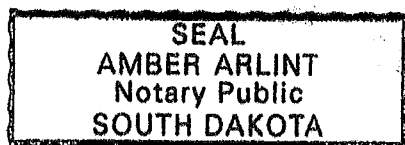
Scott Stern

Print Full Name

South Dakota)
Lincoln) SS
)

On this the 23 day of February, 2025, before me, the undersigned, personally
appeared Scott Stern known to me or satisfactorily proven to be the persons
whose names are subscribed to the foregoing instrument and acknowledged that they executed
the same for the purposes therein contained and, in the capacity, indicated.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.



Amber ARLINT
Notary Public

My commission expires: 12/04/2025

OFFICIAL VOTE TO BE REGISTERED AND RECORDED

I MARLON McMAKIN, owner at Apple Springs of the following Lot (s) 19, 20, 21 of Block 4
Block (s) _____ with a total number of 5 vote (s), have read the + Lots 19, 20 of Block 20

**PROPOSED AMENDED AND RESTATED DECLARATION OF RESTRICTIONS
EASEMENTS AND COVENANTS TO RUN WITH THE LAND** prepared by Michael C.
Loos, Clayborne, Loos & Sabers, LLP on behalf of the stated Declarant, 4 Bears in the Hills
LLC, and vote as follows:

- ☒ **YES, AND ACCEPT THE PROPOSED CHANGES**
☐ **NO, REJECT THE PROPOSED CHANGES**

Dated this 18th day of March, 2025.

By

Signature

[Handwritten Signature]

MARLON McMAKIN

Print Full Name

Sturgis)
Meade Co.) SS
)

On this the 18th day of March, 2025, before me, the undersigned, personally
appeared Marlon McMakin known to me or satisfactorily proven to be the persons
whose names are subscribed to the foregoing instrument and acknowledged that they executed
the same for the purposes therein contained and, in the capacity, indicated.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Stephanie Garcia
Notary Public
My commission expires: 8-1-25