

FIRST AMENDMENT
TO
DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS
NORTHERN LIGHTS SUBDIVISION

COMES NOW Potter Clinton Development, Inc., a Wyoming Corporation, hereinafter for convenience referred to as the Declarant and sets forth its First Amendment to the Declaration of Covenants, Conditions and Restrictions of and for Northern Lights Subdivision.

WITNESSETH:

WHEREAS, the Declarant has heretofore caused to be prepared and recorded with the Office of the Park County Clerk and Recorder the Declaration of Covenants, Conditions and Restrictions for Northern Lights Subdivision, and;

WHEREAS, the Declarant is desirous of modifying the Covenants, Conditions & Restrictions as the same appear on the public record, and;

WHEREAS, the Covenants, Conditions and Restrictions provide pursuant to Article X, Section 6, that during the first five years following the recordation of the Covenants, Conditions and Restrictions or until 75% of the lots which are the subject of the Declaration are sold, whichever comes first, the Declaration of Covenants, Conditions and Restrictions may be modified, amended and changed by the Declarant, Potter Clinton Development, Inc. without the need or necessity of the consent of the then owners of the real property which are the subject of the declaration.

NOW THEREFORE, the Declarant, having the full authority pursuant to the Covenants on file as referenced above, does hereby make and publish this First Amended Declaration of Covenants, Conditions and Restrictions of and for Northern Lights Subdivision.

AMENDMENT

That Article VIII, Architectural Controls, in the Covenants, Conditions, and Restrictions in the sections denoted below is hereby modified to read as follows:

Section 3. **Architectural Control Committee.** The Architectural Control Committee may make such reasonable rules and bylaws and adopt such procedures as it deems necessary to carry out its functions, which rules, bylaws and procedures may not be inconsistent with the provisions of these covenants.

All construction must meet the standards of the Livingston Building Code or its amendments.

The Architectural Control Committee shall have the authority to reject materials, designs submitted with plans, or the plans themselves if they are not compatible with, or are inappropriate for the rest of the subdivision.

The Architectural Control Committee shall have the power, authority, standing and right to enforce these covenants in any court or law or equity when it reasonably believes the same have been violated, and shall have the authority to revoke or suspend building permits and/or order suspension or cessation of any construction or work in violation of these covenants or of any permit issued by the Committee.

The Architectural Control Committee may require reasonable fees to be paid with the filing of plans and specifications and the issuance of building permits.

The Architectural Control Committee or the individual members thereof may not be held liable by any person for any damages which may result from Committee action taken pursuant to these covenants, including but not by way of limitation, damages which may result from correction, amendment, change or rejection of plans, the issuance of building permits, or any delays associated with such action on the part of the Committee.

Section 5. Type of Construction. No mobile homes shall be allowed and all construction shall be new on the site, e.g., previously built homes may not be moved into the subdivision and placed on a new foundation. Modular or manufactured construction which comply with the Architectural Covenants may be approved by the Architectural Control Committee. Such approval will be on a case-by-case basis and shall be at the full discretion of the Committee.

Section 6. Minimum Residence Requirements. All single family dwellings shall have a minimum of 1,000 square feet of floor space together with at least a single-car attached or detached garage. The 1,000 square feet must be at or above grade and is excluding basements, garages, carports, porches, etc. All duplexes and townhouses shall have a minimum of 1,000 square feet and at least a single-car attached or detached garage for each unit. It is the intention of this covenant to insure that all dwellings shall be of a quality workmanship and materials substantially the same as, or better than, other dwellings in the development. All plans must be approved by the Board of Directors or their assigned representatives.

That except for the amendment modification and changes set forth above, the Covenants, Conditions, and Restrictions for Northern Lights Subdivision are hereby ratified and affirmed in full as if set forth fully herein and are hereby incorporated herein by reference.

The modification, change and amendment set forth above shall run with and bind the land subject to the provisions in the original Declaration of Covenants regarding enforcement, duration of restrictions, amendment and all other provisions contained and set forth therein.

IN WITNESS WHEREOF, the Declarant has hereunto set its hand and seal as of this 8
Day of May, 1998.

POTTER CLINTON DEVELOPMENT, INC. A Wyoming Corporation.

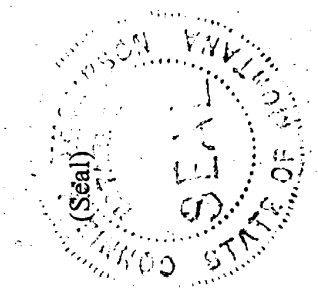
By: [Signature]
President

By: Thomas R. Clinton
Vice President/Secretary

STATE OF MT)
)
):SS
County of Gallatin)

On this 8 day of May, 1998, before me, a Notary Public for the State of Montana, personally appeared Michael E. Potter & Thomas L. Clinton, known to me to be the President and Vice President of POTTER CLINTON DEVELOPMENT, INC. and the person whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal as of the day and year first above written.



Carrie J. Thompson
Notary Public for the State of Montana
Residing at: Bergman
My Commission Expires: 9-19-98

Reference:

Subdivision Plat No. 220, Declaration of Covenants, Conditions and Restrictions for Northern Lights Subdivision recorded Roll No. 118, Page 605.

State of Montana }
 County of Park }
 Filed for record this 19 day of May A.D. 1998 at 3:49
 o'clock p. M. Recorded in Roll 1298 Pages 231-234
 By Mona Peterson
 Denise Nelson
 County Clerk & Recorder

Recording Fee \$ 24⁰⁰ Document No. 2866687 Return to Jan Nease
PO Box 423
Livingston mt 59047