

AMENDMENT TO ELK MEADOWS RANCHETTES  
DECLARATION OF RESTRICTIVE COVENANTS AND CONDITIONS

This declaration is made and entered into this 20<sup>th</sup> day of October, 1976, by and between the undersigned, being the owners of more than 2/3rds of the real property commonly known as Elk Meadows Ranchettes.

WITNESSETH

WHEREAS, the undersigned are owners of parcels of real property located in Section 13, Township 15 North, Range 22 West, M.P.M., Missoula County, Montana, as set forth and described in Certificate of Survey No. 351 on file and of record in the Missoula County Clerk and Recorder's Office, Missoula County, Montana, and

WHEREAS, the undersigned desire to amend that certain declaration of restrictive covenants dated the 4th day June, 1974, as executed by Richard H. Williams, James G. Lackman, and Royal J. McMurdie, which covenants provide in Article XI thereof that they may be amended by an instrument signed by the owners of 2/3rds of the tracts which have been recorded, agreeing to such amendment.

NOW, THEREFORE, the undersigned, being the owners of more than 2/3rds of the tracts hereinabove described, do hereby amend said declaration of restrictive covenants and conditions by eliminating and removing Article VIII, Section 15, labeled Utilities, and in its place, substituting the following Article VIII, Section 15:

Section 15: Utilities. All main utility lines shall be overhead power lines.

In all other respects, said declaration of restrictive covenants and conditions shall remain unchanged.

This amendment shall run with the real property and shall be binding upon all parties having or acquiring any right, title, or interest in the described property or any part thereof, and shall inure to the benefit of and be binding upon each successor and interest of the owner thereof.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals on the day and year first above written.

Tract

Owner

6, 8, 10, 12, 14, 16, 19, 20, 21, 22, 25, 26, 27, 29, 31, 32, 39, 42, 43, 45, 46, 47, 49, 52, and 55

Royal J. McMurdie  
ROYAL J. McMURDIE

Margaret D. McMurdie  
MARGARET D. McMURDIE

Richard H. Williams  
RICHARD H. WILLIAMS

Billie I. Williams  
BILLIE I. WILLIAMS

STATE OF MONTANA )  
County of Missoula )  
: ss.:

On this 16th day of October, 1976, before me, the undersigned Notary Public for the State of Montana, personally appeared ROYAL J. McMURDIE and MARGARET D. McMURDIE, husband and wife, and RICHARD H. WILLIAMS and BILLIE I. WILLIAMS, husband and wife, known to me to be the persons 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 seal on the day and year first above written.



Diana Moore  
NOTARY PUBLIC, State of Montana  
Residing at Missoula, Montana  
My Commission Expires July 21, 1977

Tract

Owner

53

*Donald Nelson*  
 Donald Nelson  
*Sharon Nelson*  
 Sharon Nelson


VOL 95 PAGE 703

STATE OF MONTANA )  
 ) ss.:  
 County of Missoula )

On this 12<sup>th</sup> day of October, 1976, before me,  
 a Notary Public for the State of Montana, personally appeared  
*Donald Nelson and Sharon Nelson*, known to me to be the  
 person s whose name s are subscribed to the within in-  
 strument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand  
 and affixed my notarial seal on the day and year first above  
 written.

*Don F. Gueltter*  
 NOTARY PUBLIC, State of Montana  
 Residing at Missoula, Montana  
 My Commission Expires 10/15/77



Excluding \$20.00 Fee... -10-  
 we require...

For

Tract

Owner

34, 37, 40 and 41

*Douglas Gene Stewart*  
 Douglas Gene Stewart

STATE OF MONTANA )  
 ) ss.:  
 County of Missoula )

On this 29 day of October, 1976, before me,  
 a Notary Public for the State of Montana, personally appeared  
*Douglas Gene Stewart*, known to me to be the  
 person whose name is subscribed to the within in-  
 strument and acknowledged to me that he executed the  
 same.

IN WITNESS WHEREOF, I have hereunto set my hand  
 and affixed my notarial seal on the day and year first above  
 written.

*Notary*  
 NOTARY PUBLIC, State of Montana  
 Residing at Missoula, Montana  
 My Commission Expires 7-6-77



Tract

Owner

BOOK 95 PAGE 704

7.9

Anneth A. ...  
Margaret ...

STATE OF MONTANA )  
                          ) ss.:  
County of Missoula )

On this 10<sup>th</sup> day of April, 1977, before me,  
a Notary Public for the State of Montana, personally appeared  
Anneth A. ... Margaret ... known to me to be the  
persons whose names are subscribed to the within in-  
strument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand  
and affixed my notarial seal on the day and year first above  
written.

William ...  
NOTARY PUBLIC, State of Montana  
Residing at Missoula, Montana  
My Commission Expires 1/2/79



Tract

Owner

2, 3, 4, 11, 13, 15, 17

Bert R. Sluey

STATE OF MONTANA )  
                          ) ss.:  
County of Missoula )

On this 10<sup>th</sup> day of April, 1977, before me,  
a Notary Public for the State of Montana, personally appeared  
Bert R. Sluey known to me to be the  
person whose name is subscribed to the within in-  
strument and acknowledged to me that he executed the  
same.

IN WITNESS WHEREOF, I have hereunto set my hand  
and affixed my notarial seal on the day and year first above  
written.

William ...  
NOTARY PUBLIC, State of Montana  
Residing at Missoula, Montana  
My Commission Expires 1/2/79



Tract

Owner

5, 18, 38

Thomas J. Miller  
Linda S. Miller

STATE OF MONTANA )  
                                  ) ss.:  
County of Missoula )

On this 10th day of April, 1977, before me,  
a Notary Public for the State of Montana, personally appeared  
Thomas J. Miller & Linda S. Miller, known to me to be the  
persons whose names are subscribed to the within in-  
strument and acknowledged to me that they executed the  
same.

and as Notary Public in and for the State of Montana, I witness whereof, I have hereunto set my hand  
written and affixed my notarial seal on the day and year first above



Billie Williams  
NOTARY PUBLIC, State of Montana  
Residing at Missoula, Montana  
My Commission Expires 1/2/79

398260

I RECEIVED AND FILED THIS INSTRUMENT FOR RECORD ON THE 12 DAY OF April 1977 AT 9:20 O'CLOCK AM, AND IT IS RECORDED  
IN VOL 95 OF MICRO RECORDS OF THE COUNTY OF MISSOULA, STATE OF MONTANA, ON PAGE 701 FEE 10.00 PAID CA  
RETURN TO Bill Williams WITNESS MY HAND, ROBERT E. ARRAS, COUNTY RECORDER  
ADDRESS Box 1134 Missoula 59807 BY St. J. Campbell DEPUTY