

**Fifty-fifth Legislative Assembly, State of North Dakota, begun in the Capitol in the City of Bismarck, on Monday, the sixth day of January, one thousand nine hundred and ninety-seven**

HOUSE BILL NO. 1424  
(Representatives Martinson, C. Johnsen)  
(Senator Kringstad)

AN ACT to create and enact a new section to chapter 47-04 of the North Dakota Century Code, relating to modification of covenants running with the land.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

**SECTION 1.** A new section to chapter 47-04 of the North Dakota Century Code is created and enacted as follows:

**Modification of covenants running with the land.** A covenant running with the land executed after the effective date of this Act must contain provisions addressing the modification of the covenant. If a covenant running with the land does not contain provisions relating to the modification of the covenant, eighty-five percent of all of the owners of the real property subject to the covenant may agree, in writing, to amend the covenant to include provisions relating to the modification of the covenant. Following approval of any modification, the modified covenant must be filed for recording with the register of deeds. This section does not apply to subdivisions that are not completed unless the subdivision has been in development for over fifteen years.

\_\_\_\_\_  
Speaker of the House

\_\_\_\_\_  
President of the Senate

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Chief Clerk of the House

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Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Fifty-fifth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1424.

House Vote:      Yeas    93      Nays    2      Absent    2

Senate Vote:    Yeas    44      Nays    0      Absent    5

\_\_\_\_\_  
Chief Clerk of the House

Received by the Governor at \_\_\_\_\_ M. on \_\_\_\_\_, 1997.

Approved at \_\_\_\_\_ M. on \_\_\_\_\_, 1997.

\_\_\_\_\_  
Governor

Filed in this office this \_\_\_\_\_ day of \_\_\_\_\_, 1997,

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary of State