

Fifty-fifth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1424

Introduced by

Representatives Martinson, C. Johnsen

Senator Kringstad

1 A BILL for an Act to create and enact a new section to chapter 47-04 of the North Dakota
2 Century Code, relating to modification of covenants running with the land.

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

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

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