

CORRECTED VERSION OF THE
FIRST AMENDMENT TO
DECLARATION OF COVENANTS FOR
THE COMMUNITY OF GLASTONBURY

THIS CORRECTED VERSION OF THE FIRST AMENDMENT to Declaration of Covenants for the Community of Glastonbury is made on the 1st day of December, 1983, by ROYAL TETON, LTD. (hereinafter referred to as "Grantor"), a Montana Corporation, Box A, Livingston, Montana 59047, with respect to the following facts and circumstances:

WHEREAS, the Declaration of Covenants for the Community of Glastonbury (hereinafter referred to as the "Declaration of Covenants") was executed by the Grantor and recorded in the Office of the Park County Clerk and Recorder on December 16, 1982 in Roll 41, Pages 1042-1078, as Document No. 173158; and

WHEREAS, Section 2.05 of the said Declaration of Covenants provides the methods and procedures whereby the covenants may be altered, amended, modified, waived, abandoned or terminated; and

WHEREAS, the Grantor is currently the owner of more than fifty percent (50%) of the parcels described on Exhibits "A" and "B" of the original Declaration of Covenants, and as such currently possesses the ability to amend the said Declaration of Covenants on its own; and

WHEREAS, the public electric and telephone companies serving the Community of Glastonbury have advised the Grantor that some of their primary and/or secondary electrical and telephone lines may be buried only 12" to 18" beneath the surface of the ground, or even less on occasion when adverse geologic conditions require; and

WHEREAS, the Grantor is desirous of amending the Declaration of Covenants to conform to the standard practices of the public utility industry, to the extent allowed by any existing or subsequently enacted statutes, regulations, ordinances, rulings and code requirements;

NOW, THEREFORE, paragraph 6.03 of the Declaration of Covenants is hereby altered, amended and modified in its entirety to read as follows:

6.03. Utilities. All electrical and telephone lines, water and sewer pipelines, septic tanks, cisterns, drain-fields, gas lines and other utilities installed after the effective date of these covenants shall be placed

underground. Pipelines and gas lines shall be placed at least 36" beneath the surface. Electric and telephone lines shall be placed at least 12" - 18" beneath the surface, unless adverse geologic conditions require otherwise. Propane or other fuel tanks, windmills, tanks, pumps and the like may be placed above ground. In any event, the installation of all utilities and lines shall be in accordance with all applicable statutes, regulations, ordinances, rulings and other code requirements in effect at the time of the installation.

The above amendment shall run concurrently with and for the duration of the original Declaration of Covenants, and all of the other terms, conditions, provisions and exhibits of the said original Declaration of Covenants are hereby incorporated herein by reference.

The real property which shall and is hereby declared to be affected by the within alterations, amendments and modifications is attached hereto as Exhibit "A" and incorporated herein by reference.

Written Consent and Vote

IN WITNESS WHEREOF, the undersigned, acting (1) as the Grantor giving its written consent, and (2) as the owner of at least fifty percent (50%) of the parcels described on Exhibits "A" and "B" attached to the original Declaration of Covenants giving its affirmative written vote and consent, has set its hand and seal the day and year first above written.

ROYAL TETON, LTD.

By: 

EDWARD L. FRANCIS, President

By: 

RICHARD L. KALAR, Assistant Secretary

STATE OF MONTANA)
 : ss.
COUNTY OF PARK)

On the 1st day of December, 1983, before me, a Notary Public for the State of Montana, personally appeared EDWARD L. FRANCIS, known to me to be the President, and RICHARD L. KALAR, known to me to be the Assistant Secretary of the corporation that executed the within instrument, known to me to be the persons who executed the within instrument on behalf of the corporation therein named, and acknowledged to me that such corporation executed the within instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year in this certificate first above written.



Therese C. Baures
Notary Public for the State of Montana
Residing at Corwin Springs, Montana
My commission expires February 1, 1986

EXHIBIT "A"TOWNSHIP 5 SOUTH, RANGE 8 EAST, M.P.M., PARK COUNTY, MONTANA:

PARCEL NOS. 1, 2, 5, 6, 7, 9, 10, 11, 12, 22, 23, 24,
 25, 26, 27, 28, 29, 30, 31, 32, 33, 34,
 35, 36, 37, 38, 39, 40, 42, 43, 44, 45, 46,
 47, 48, 49, 50, 51, 52, 53, 57, 58, 59, 60,
 61, 62, 63, 64, 65, 66, 67, 68, 69 and 70,
 as described in and shown on Certificate of
 Survey No. 615-A, on file and of record in
 the Office of the Park County Clerk and
 Recorder.

TOWNSHIP 6 SOUTH, RANGE 7 EAST, M.P.M., PARK COUNTY, MONTANA:

PARCEL NOS. 10, 12, 13, 14, 15, 16, 17, 18, 19, 22, 24,
 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35,
 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46,
 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57,
 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68,
 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79,
 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90,
 91, 92, 93, 94, 95, 99, 100 and 101, as
 described in and shown on Certificate of
 Survey No. 616-A, on file and of record in
 the Office of the Park County Clerk and
 Recorder.

STATE OF MONT. } ss.
 County of Park }

Filed for record this 14th day of December, A.D. 1983, at 4:14
 o'clock P M. Recorded in Roll 45 of — pages 930-933

Margaret Mennel
 County Clerk & Recorder

By Jean Gennep
 Deputy

Recording Fee \$ 10⁰⁰ Document No. 178230

Return to: Royal Lelon Ltd.
Box A
Livingston, Mt.

Certified Copy \$1⁰⁰