

HOUSE BILL NO. 1460

Introduced by

Representative Cleary

1 A BILL for an Act to amend and reenact section 47-04-25.1 of the North Dakota Century Code,
2 relating to approval of modifications to covenants running with the land.

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

4 **SECTION 1. AMENDMENT.** Section 47-04-25.1 of the 1997 Supplement to the North
5 Dakota Century Code is amended and reenacted as follows:

6 **47-04-25.1. Modification of covenants running with the land.** A covenant running
7 with the land executed after ~~August 1, 1997~~ July 31, 1999, must contain provisions addressing
8 the modification of the covenant. If a covenant running with the land does not contain
9 provisions relating to the modification of the covenant, ~~eighty-five~~ sixty-seven percent of all of
10 the owners of the real property subject to the covenant may agree, in writing, to amend the
11 covenant to include provisions relating to the modification of the covenant. Following approval
12 of any modification, the modified covenant must be filed for recording with the register of deeds.
13 This section does not apply to subdivisions that are not completed unless the subdivision has
14 been in development for over fifteen years.