

1716-91

AMENDMENT
TO
LAND USE COVENANTS APPURTENANT TO AND RUNNING WITH THE LAND

This Amendment is made effective this 27th day of September 1991, by JOHN E. APLAND and LENORE M. APLAND, husband and wife, DENNIS J. APLAND and PAMELA A. APLAND, husband and wife, DELTON R. HANSON and KAREN HANSON, husband and wife, and GRANDVIEW PROPERTY OWNERS' WATER ASSOCIATION, a South Dakota non-profit corporation, all of Butte County, South Dakota, hereinafter referred to as Owners.

RECITALS

1. Owner John E. Apland declared and imposed restrictive covenants on the following-described real property by means of LAND USE COVENANTS APPURTENANT TO AND RUNNING WITH THE LAND dated May 2, 1984, and recorded in the office of the Butte County Register of Deeds in Book 231 at Page 217 on May 3, 1984 at 9:30 a.m. The real property subject to said restrictive covenants is:

Lots R1, R2 and 1 through 34, inclusive, of Grandview Subdivision, located in the SW $\frac{1}{4}$ of Section 24 and the NE $\frac{1}{4}$ NW $\frac{1}{4}$ & E $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 25, Township 8 North, Range 1 East, Black Hills Meridian, Butte County, South Dakota.

2. The Owners listed herein are all of the "owners" as defined in Paragraph 1 of Part III of said LAND USE COVENANTS APPURTENANT TO AND RUNNING WITH THE LAND.

3. The Owners desire to amend said LAND USE COVENANTS APPURTENANT TO AND RUNNING WITH THE LAND to allow for the construction of guest houses on the subject premises.

AMENDMENT TO LAND USE COVENANTS

NOW, THEREFORE, Owners, for themselves, their heirs, executors, administrators, personal representatives, successors, assigns and subsequent grantees and all successors in interest, do hereby amend said May 2, 1984 LAND USE COVENANTS APPURTENANT TO AND RUNNING WITH THE LAND, as follows:

I.

In addition to principal single-family private residential dwellings, guest houses may be erected, located, and maintained on the aforesaid premises. The guest house may be used *only* as a guest house and a temporary, seasonal vacation dwelling in conjunction with a principal single-family private residential dwelling, and *not* as a principal residential dwelling itself. Guest houses may be less than nine hundred fifty (950) square feet on the ground floor, and if a guest house is constructed prior to the construction of its associated principal dwelling, then construction of the associated principal dwelling *must be completed* within ten (10) years after the commencement of construction of the guest house.

II.

Except as modified by this Amendment, the Owners hereby ratify and confirm said May 2, 1984 LAND USE COVENANTS APPURTENANT TO AND RUNNING WITH THE LAND.

IN WITNESS WHEREOF, the undersigned hereby declare as aforesaid and adopt the within and foregoing AMENDMENT TO LAND USE

AMENDMENT TO LAND USE COVENANTS

COVENANTS APPURTENANT TO AND RUNNING WITH THE LAND at Belle
Fourche, Butte County, South Dakota.

OWNERS:

John E. Apland
JOHN E. APLAND

Lenore M. Apland
LENORE M. APLAND

Dennis J. Apland
DENNIS J. APLAND

Pamela A. Apland
PAMELA A. APLAND

Delton R. Hanson
DELTON R. HANSON

Karen Hanson
KAREN HANSON

GRANDVIEW PROPERTY OWNERS'
WATER ASSOCIATION

By John E. Apland
John E. Apland, President

STATE OF SOUTH DAKOTA)
) ss
COUNTY OF BUTTE)

On this the 27th day of September, 1991, before me,
Gerry Hambrecht, the undersigned officer, personally
appeared JOHN E. APLAND and LENORE M. APLAND, known to me to be the
persons whose names are subscribed to the within instrument and