

PAGE: 1 of 2      AMRST  
Dwyer Law Office  
Recorded Electronically

1704787  
1/12/2024 3:23 PM  
\$20.00

RECORDER'S OFFICE, CASS COUNTY, ND      1/12/2024 3:23 PM  
I CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD THIS DATE.  
DEBORAH A. MOELLER, COUNTY RECORDER

by *Sheva Garcia*, Dep      **1704787**  
Recorded Electronically



**SECOND AMENDMENT TO LOST RIVER DECLARATION OF COVENANTS, CONDITIONS,  
RESTRICTIONS, RESERVATIONS, EASEMENTS LIENS AND CHARGES**

This Second Amendment to the Lost River Addition Declaration of Covenants, Conditions, Restrictions, Reservations, Easements, Liens and Charges is made January 12, 2024, by the Developer who declares:

**RECITALS**

- A. The Developer has not divested itself of the responsibility of architectural control.
- B. The undersigned desires to amend and modify the Lost River Declaration of Covenants, Conditions, Restrictions, Reservations, Easements, Liens and Charges recorded in the office of the Cass County Recorder on May 31, 2017, at 8:30 a.m. as document No. 1511136 (the "Declaration"), by the terms of this Second Amendment, against the following property:

**Lost River Addition, Lost River Second Addition, Lost River Third Addition, Lost River Fourth Addition, Lost River Fifth Addition, Lost River Sixth Addition, and Lost River Seventh Addition all to the City of Horace, a part of the West Half of Section 19, Township 138 North, Range 49 West, Cass County, North Dakota (and any re-plats thereof).**

**AMENDMENT**

- 1. Paragraphs 3, 4, and 5 of Article VII are replaced with the following:
  - 3. **METHOD OF ASSESSMENT.** The Developer shall determine the annual assessment until that time that the Developer divests itself of control in accordance with Article III Paragraph 1. After the Developer has divested itself of control, the Association shall fix its annual assessment by a majority vote of the Review Committee. The Review Committee set the date(s) such assessments shall become due. The Association may provide for collection of assessments annually or in monthly, quarterly, or semi-annual installments, provided, however, that upon default of the payment of any one or more installments, the entire balance of said assessment may be accelerated, at the option of the Association, to be declared due and payable in full.

