

Return to:
Larkspur Developers, LLC
1208 10th Ave. N.
Great Falls, MT 59401

LARKSPUR ESTATES
SECOND AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS

1. This second amendment amends:
 - A. The Declaration of Covenants, Conditions and Restrictions ("Declaration") recorded February 3, 1995, on Reel 268 as Document 1008 of the records of the Clerk and Recorder of Cascade County, Montana; and
 - B. The Larkspur Estates First Amendment to Declaration of Covenants, Conditions and Restrictions ("First Amendment") recorded December 18, 1996, on Reel 288 Document 1409.
2. The property ("Property") subject to the Declaration as amended by the First Amendment and this second amendment is:
 - A. Lots 1-5 of Block 1 of Larkspur Estates No. 1, a residential subdivision of real property in Cascade County, Montana, more particularly described in Plat No. 395, filed and recorded in the office of the Clerk and Recorder of Cascade County, Montana;
 - B. Lots 2A, 3A, and 4A, Block 1, of the Amended Plat of Lots 2, 3, and 4, Larkspur Estates No. 1, a residential subdivision of real property in Cascade County, Montana, more particularly described in Plat No. P-2010-0000008, filed and recorded in the office of the Clerk and Recorder of Cascade County, Montana;
 - C. Lots 1-5 of Block 1 of Larkspur Estates No. 2, a residential subdivision of real property in Cascade County, Montana, more particularly described in Plat No. 5196, filed and recorded in the office of the Clerk and Recorder of Cascade County, Montana;
 - D. Lots 1-8 of Block 1 of Larkspur Estates No. 3, more particularly described in Plat No. 4297, filed and recorded in the office of the Clerk and Recorder of Cascade County, Montana;
 - E. All lots created by and shown on the final plat of the Larkspur Estates No. 4 Major Subdivision located in the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 27, Township 20 North, Range 3 East, P.M.M. Cascade County, Montana, more particularly described in Plat P-2013-

Larkspur Estates Second Amendment to Declaration of Covenants, Conditions. And Restrictions

R0328575 CV

Total Pages: 16 R 112.00 By: bhanson 09/20/2016 03:52:21 PM
Cascade County, Rina Ft Moore - Clerk & Recorder



0000038 filed and recorded in the office of the Clerk and Recorder of Cascade County, Montana;

- F. TRACT NO. 63 – RANCHOS GRANDE VISTA No. 3 located in the Southeast Quarter of Section 28, Township 20 North, Range 3 East, M.P.M., Cascade County, Montana, and more particularly described as follows:

Beginning at a point, said point being South 0°00'24" West, 675.06 feet from the East quarter corner of Section 28, Township 20 North, Range 3 East; Thence South 89°14'00" West, 1202.72 feet; Thence North 1°32'00" East, 364.00 feet; Thence North 89°14'00" East, 1193.02 feet; Thence South 0°00'24" West, 363.74 feet to the true point of beginning. According to Certificate of Survey No. 427, records of Cascade County, Montana.

TRACT NO. 64 – RANCHOS GRANDE VISTA NO. 3 located in the Southeast Quarter of Section 28, Township 20 North, Range 3 East, M.P.M., Cascade County, Montana, and more particularly described as follows:

Beginning at a point, said point being South 0°00'24" West, 675.06 feet from the East quarter corner of Section 28, Township 20 North, Range 3 East; Thence South 0°00'24" West, 651.68 feet; Thence South 89°32'00" West, 200.16 feet; Thence North 0°28'00" East, 345.90 feet; Thence South 89°14'00" West, 1013.46 feet; Thence North 1°32'00" East, 305.00 feet; Thence North 89°14'00" East, 1202.72 feet to the true point of beginning. According to Certificate of Survey No. 427, filed March 18, 1974, records of Cascade County, Montana.

EXCLUDING THEREFROM the following tract of land located in Cascade County, Montana, and more particularly described as follows:

A tract of land in the SE¼ of Section 28, T.20N., R.3 E. M.P.M. Cascade County, Montana, described as follows:

Beginning at the Northwest corner of Larkspur Estates No. 1 a Subdivision to Cascade County, Montana: EXTENDING THENCE S.0°28' W. 225.15 feet along the east line of said Section 28, and the west line of said Larkspur Estates No. 1; thence S. 89°41'36" W. 298.15 feet; thence N. 0°28' E. 225.15 feet; thence S. 89°41'36" W. 900.31 feet to the east line of a County road; thence N. 02°00'21" E. 218.42 feet along said east line; thence N. 89°41'53" E. 1192.60 feet to the east line of said Section 28; thence S. 0°28' W. 218.17 feet along said east line to the point of beginning and containing an area of 7.53 acres.

The above described tract of land is known and designated as "LARKSPUR ESTATES NO. 2, LOCATED IN THE SE¼ OF SECTION 28, T. 20 N., R. 3E. M.P.M. CASCADE COUNTY, MONTANA," and includes Lots 1-5 inclusive and the private streets and utility easements depicted thereon;

and

Larkspur Estates Second Amendment to Declaration of Covenants, Conditions, And Restrictions

- G. A tract of land in the SW¼ of Section 27, Township 20 North, Range 3 East, MPM, Cascade County, Montana, described as follows:

Beginning at the West ¼ corner of said Section 27, Township 20 North, Range 3 East, extending thence North 89°38' East 1809.8 feet along the North line of said SW¼; thence South 32°41' West 634.7 feet; thence South 89°38' West 1465.2 feet to the West line of said SW¼; thence North 0°28' East 532.0 feet, along said West line to the point of beginning.

Together with a right of way for road purposes 20 feet wide on the West side of the following described line, thence beginning at the Southeast corner of the above described tract South 32°41' West 1934.5 feet; thence South to the South line of said Section 27; thence North 89°41' East to the Great Northern Railway Company Right of Way Line as now constituted and established, said right of way being 20 feet wide on the North side of the last described course.

3. This second amendment reads:

Notwithstanding anything to the contrary in the Declaration or First Amendment, all lots described in the Consent to Annexation recorded October 9, 2013, as document F0008135 MSF of the records of the Clerk and Recorder of Cascade County, Montana:

- (i) Will not have as an exclusive source of potable water, will not be served by, will not have the right to connect to or draw from, and may not be assessed charges for operation, maintenance, or repair of a common system of potable water cisterns and associated pumps, pipes, valves, and other equipment located in the utility easements depicted on the plat or plats of the Property; and
- (ii) May develop and utilize on the lot at the lot owner's expense any water source allowed by law including a well, cistern, or both to provide water, potable and nonpotable, for the lot.

This second amendment will become effective when signed by at least 75% of the owners of Lots (as defined in the Declaration). The date this second amendment is signed by the last owner to sign it (as indicated by the date associated with that party's signature) will be the date of this second amendment.

Each owner is signing this second amendment on the date stated opposite that owner's signature.

Owner of Lot 1, Block 1, Larkspur Estates No. 3

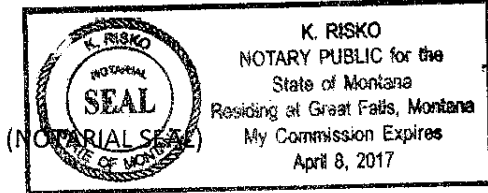
Lorelei Scales
Lorelei Scales

9-12-2016
Date Signed

David Remy
David Remy

9/12/2016
Date Signed

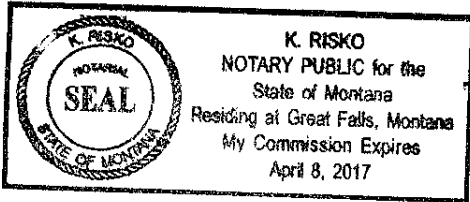
This instrument was acknowledged before me on September 12, 2016, by Lorelei Scales.



K. Risko

This instrument was acknowledged before me on 9/12/, 2016, by David Remy.

(NOTARIAL SEAL)



K. Risko

Larkspur Estates Second Amendment to Declaration of Covenants, Conditions, And Restrictions

Owner of Lot 5, Block 1, Larkspur Estates No. 2

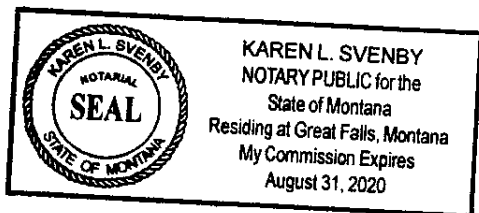
Kent Kupfner
Kent Kupfner

9/14/16
Date Signed

This instrument was acknowledged before me on 9-14, 2016, by Kent Kupfner.

Karen L. Svenby

(NOTARIAL SEAL)



Larkspur Estates Second Amendment to Declaration of Covenants, Conditions, And Restrictions

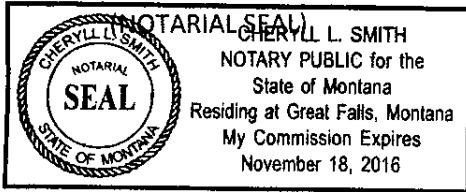
Owner of Lot 7, Block 1, Larkspur Estates No. 3

Brian L. Birdwell
Brian L. Birdwell

9/14/2016
Date Signed

This instrument was acknowledged before me on 14 Sept, 2016, by Brian L. Birdwell.

Cheryll L. Smith



Owner of Lot 1, Block 1, Larkspur Estates No. 2

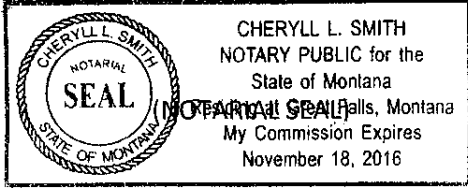
[Signature]
Ryan M. Luoma

9/14/16
Date Signed

[Signature]
Lori A. Luoma

9/14/16
Date Signed

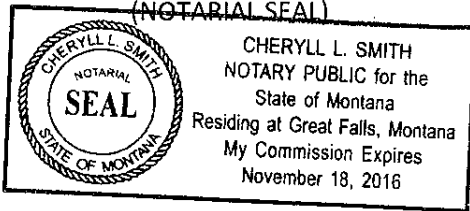
This instrument was acknowledged before me on 14 Sept, 2016, by Ryan M. Luoma.



[Signature]

This instrument was acknowledged before me on 14 Sept, 2016, by Lori A. Luoma.

[Signature]



Larkspur Estates Second Amendment to Declaration of Covenants, Conditions, And Restrictions

Owner of Lot 5, Block 1, Larkspur Estates No. 3

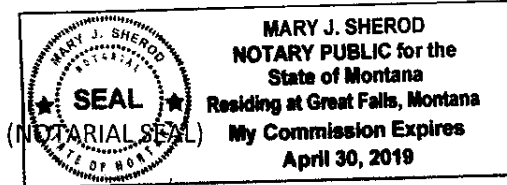
Aaron Violet
Aaron Violett

9/13/16
Date Signed

Jodi Violet
Jodi Violett

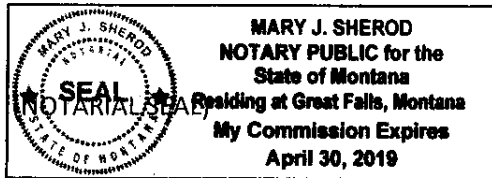
9/13/16
Date Signed

This instrument was acknowledged before me on Sept 13, 2016, by Aaron Violett.



Mary J. Sherod

This instrument was acknowledged before me on Sept 13, 2016, by Jodi Violett.



Mary J. Sherod

Larkspur Estates Second Amendment to Declaration of Covenants, Conditions, And Restrictions

Owner of Lot 4, Block 1, Larkspur Estates No. 2

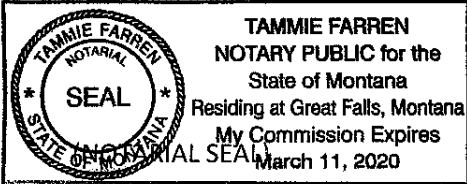
Quentin E. Kubas
Quentin E. Kubas

9/8/16
Date Signed

Karen Anne Kubas
Karen Anne Kubas

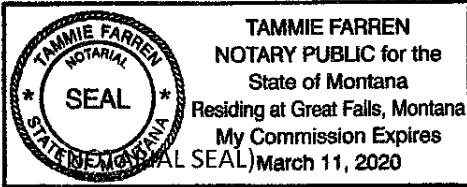
9-8-16
Date Signed

This instrument was acknowledged before me on 9/8/2016, 2016, by Quentin E. Kubas.



Tammie Farren

This instrument was acknowledged before me on 9/8/2016, 2016, by Karen Anne Kubas.



Tammie Farren

Larkspur Estates Second Amendment to Declaration of Covenants, Conditions, And Restrictions

Owner of Lot 2A, Block 1, of the Amended Plat of Lots 2, 3, 4, Larkspur Estates No. 1

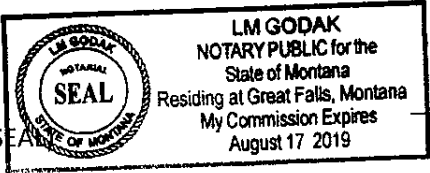
Gerald O. Pepke
Gerald O. Pepke

31 August 2016
Date Signed

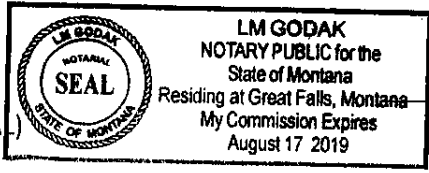
Joan E. Pepke
Joan E. Pepke

31 Aug 2016
Date Signed

This instrument was acknowledged before me on August 31, 2016, by Gerald O. Pepke.

(NOTARIAL SEAL)  LM Godak

This instrument was acknowledged before me on August 31, 2016, by Joan E. Pepke.

(NOTARIAL SEAL)  LM Godak

Owner of Lot 1, Block 1 of the Minor Plat of Larkspur Estates No. 1

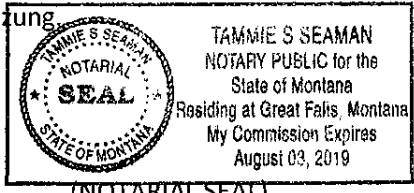
Robert M. Bozung
Robert M. Bozung

9-15-16
Date Signed

Barbara J. Bozung
Barbara J. Bozung

9-15-16
Date Signed

This instrument was acknowledged before me on 9-15, 2016, by Robert M. Bozung



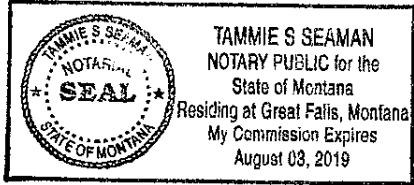
(NOTARIAL SEAL)

Tammie J. Seaman

This instrument was acknowledged before me on 9-15, 2016, by Barbara J. Bozung.


(NOTARIAL SEAL)

Tammie J. Seaman



Larkspur Estates Second Amendment to Declaration of Covenants, Conditions, And Restrictions

Owner of Lot 7, Block 1, Larkspur Estates No. 4

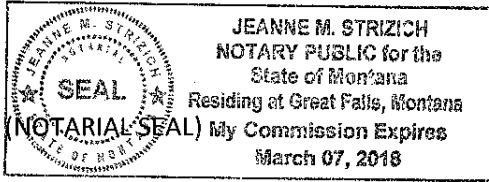

Jason D. Hufford, Trustee of the Hufford
Family Living Trust

9/12/16
Date Signed

~~_____
Toni Lynn Hufford, Trustee of the Hufford
Family Living Trust~~

~~_____
Date Signed~~

This instrument was acknowledged before me on September 12, 2016, by Jason D. Hufford as Trustee of the Hufford Family Living Trust.





~~This instrument was acknowledged before me on _____, 2016, by Toni Lynn Hufford as Trustee of the Hufford Family Living Trust.~~

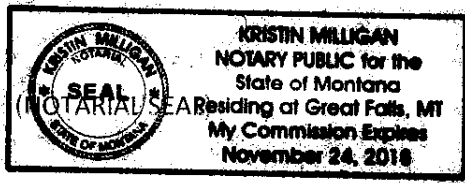
(NOTARIAL SEAL)

Owner of Lot 6, Block 1, Larkspur Estates No. 4

Wayne E. Morin, Jr.
Wayne E. Morin, Jr.
Lynn M. Jacobson
Lynn M. Jacobson

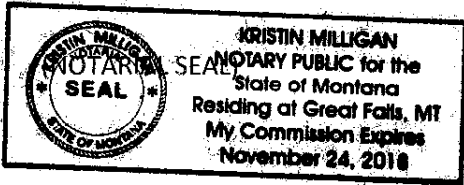
9-14-16
Date Signed
9/14/16
Date Signed

This instrument was acknowledged before me on 9/14/16, 2016, by Wayne E. Morin, Jr.



[Signature]

This instrument was acknowledged before me on 9/14/16, 2016, by Lynn M. Jacobson.



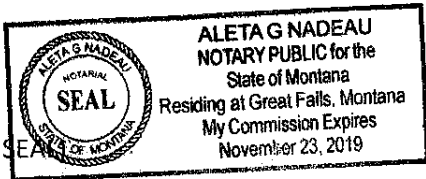
[Signature]

Owner of Lot 5, Block 1, Larkspur Estates No. 4

Greg Strable 9-13-16
Greg Strable Date Signed

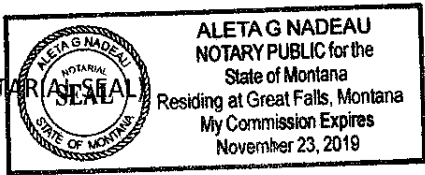
Adria Strable 9-13-16
Adria Strable Date Signed

This instrument was acknowledged before me on 9/16/16, 2016, by Greg Strable.

(NOTARIAL SEAL) 

Aleta G. Nadeau

This instrument was acknowledged before me on 9/16/16, 2016, by Adria Strable.

(NOTARIAL SEAL) 

Aleta G. Nadeau

Owner of Lot 5, Block 1 of the Minor Plat of Larkspur Estates No. 1
Owner of Lot 4A, Block 1, of the Amended Plat of Lots 2, 3, 4, Larkspur Estates No. 1
Owner of Lot 3, Block 1, Larkspur Estates No. 3

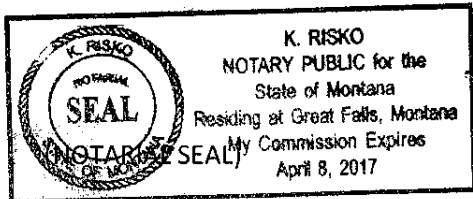
Jay G. Conlon
Jay G. Conlon

8/26/16
Date Signed

Sheila M. Conlon
Sheila M. Conlon

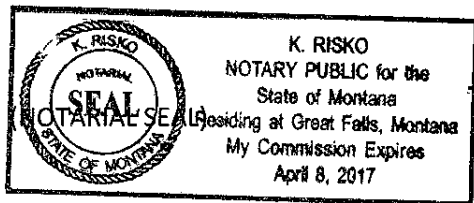
8/26/2016
Date Signed

This instrument was acknowledged before me on August 26, 2016, by Jay G. Conlon.



K. Risko

This instrument was acknowledged before me on August 26, 2016, by Sheila M. Conlon.



K. Risko

Larkspur Estates Second Amendment to Declaration of Covenants, Conditions, And Restrictions

Owner of Lot 2, Block 1, Larkspur Estates No. 3
 Owner of Lot 6, Block 1, Larkspur Estates No. 3
 Owner of Lot 8, Block 1, Larkspur Estates No. 3
 Owner of Lot 1, Block 1, Larkspur Estates No. 4
 Owner of Lot 2, Block 1, Larkspur Estates No. 4
 Owner of Lot 3, Block 1, Larkspur Estates No. 4
 Owner of Lot 4, Block 1, Larkspur Estates No. 4
 Owner of Lot 8, Block 1, Larkspur Estates No. 4
 Owner of Lot 9, Block 1, Larkspur Estates No. 4
 Owner of Lot 10, Block 1, Larkspur Estates No. 4
 Owner of Lot 11, Block 1, Larkspur Estates No. 4
 Owner of Lot 12, Block 1, Larkspur Estates No. 4

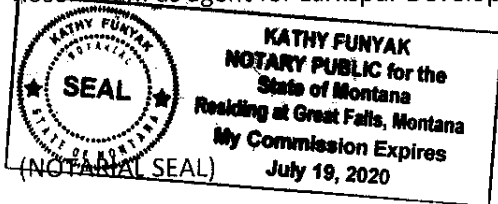
John Rosenbaum
 John Rosenbaum for Larkspur Developers, LLC

Jay Conlon
 Jay Conlon for Larkspur Developers, LLC

8/25/16
 Date Signed

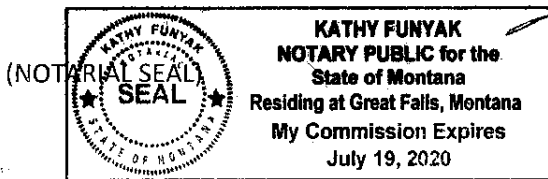
8/25/16
 Date Signed

This instrument was acknowledged before me on 8/25/16, 2016, by John Rosenbaum as agent for Larkspur Developers, LLC



Kathy Funyak

This instrument was acknowledged before me on 8/25/16, 2016, by Jay Conlon as agent for Larkspur Developers, LLC



Kathy Funyak

Larkspur Estates Second Amendment to Declaration of Covenants, Conditions, And Restrictions