

2nd AMENDMENT TO
DECLARATION OF COVENANTS, CONDITIONS,
RESTRICTIONS, AND EASEMENTS FOR
EMPIRE ESTATES

This Amendment (the "Amendment") to the Declaration of Covenants, Conditions, Restrictions, and Easements for Empire Estates (the "Covenants") is made this 9 day of January, 2008 by the Owners of the Empire Estate Estates Homeowners' Association.

WITNESSETH:

WHEREAS, Covenants for the subdivision known as Empire Estates, document number 200527213480, and amendments thereto are currently filed with the Clerk and Recorder's office of Flathead County, Montana;

WHEREAS, on September 29, 2005, in the First Amendment to the Declaration of Covenants, Conditions, Restrictions, and Easements for Empire Estates, document number 200527213480, the Declarant amended the Covenants with four modifications.

WHEREAS, Article XV Section 15.2.3 of the Covenants provides: "After the Period of Declarant Control, this Declaration, or any provision of it, may be terminated, extended, modified or amended, or revoked as to the whole or any portion of the Property upon the written consent of Owners holding 67% or more of the votes in the Empire Estates Homeowners' Association."

WHEREAS, the Owners of Empire Estates desire to amend the First Amendment to the Declaration Covenants, Conditions, Restrictions, and Easements for Empire Estates.

NOW THEREFORE, pursuant to the powers of the Owners granted in Section 15.2.3 of the Covenants:

1. Certification. The President and Vice President of the Board of Directors of the Empire Estates Homeowners' Association hereby certify that over 67% of the owners were in favor of removing the following provision of the First Amendment to the Declaration of Covenants, Conditions, Restrictions, and Easements for Empire Estates:

Section 7.25 Utility Services. Within two (2) years of the completion of construction all residences must initiate both land line telephone service and natural gas service.


All other provisions of the Covenants and the amendments thereto shall remain in full force and effect.

IN WITNESS WHEREOF, the undersigned have set their hand and sealed the day and year first above written.

SIGNED, SEALED AND ACKNOWLEDGED



Brian Dardis (Empire Estates HOA President)
01/09/08 Date

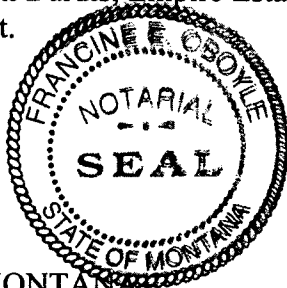



Eliza A. Sorte (Empire Estates HOA Vice-President)
1/9/08 Date

STATE OF MONTANA

County of Flathead

This instrument was acknowledged before me on this 9 day of January, 2008, by Brian Dardis, Empire Estates President and Eliza A. Sorte, Empire Estates Vice-President.





Notary Public for the State of Montana
Residing at Kalispell
My commission expires 5/3/2010

STATE OF MONTANA

County of Flathead