

DECLARATION OF COVENANTS, RESTRICTION, AND EASEMENTS

This declaration made this 21st of November, 19954, by DANNY McCOLLUM and BRENDA McCOLLUM, husband and wife, of P. O. Box 1462, Livingston, Montana 59047, herein called the "Declarants".

Recitals: The declarants are the owners of real property described in paragraph 1 of their restrictions, covenants, easements, reservations, liens and charges hereafter set forth, each and all of which are for the benefit of the property and for each owner thereof, and shall inure to and pass with said property and for each parcel thereof and apply to and bind the successors in interest and any owner thereof.

NOW THEREFORE, DECLARANTS HEREBY DECLARE THAT THE REAL PROPERTY DESCRIBED IN PARAGRAPH 1 HEREOF IS AND SHALL BE HELD, TRANSFERRED, SOLD AND CONVEYED, SUBJECT TO THE CHARGES, CONDITIONS, COVENANTS, EASEMENTS, LIENS, RESERVATIONS, AND RESTRICTIONS HEREAFTER SET FORTH.

1. The real property which is held and shall be conveyed, transferred and sold subject to the charges, conditions, covenants, easements, liens, reservations, and restrictions, with respect to the various portions thereof set forth in Paragraph 2 of this declaration is located in Park County, Montana, and described as:

A tract of land being all of the NW $\frac{1}{4}$ NE $\frac{1}{4}$  and the N $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 21, Township 2 South, Range 8 East, P.M.M., Park County, Montana, described in Subdivision Plat No. 208.

2. The charges, conditions, covenants, easements, liens, reservations, and restrictions to which the property is subject are as follows:

- (a) No noxious weeds shall be allowed on the property and owners shall comply with the approved weed control plan.
- (b) Owners shall comply with Fire Department recommendations for fire prevention measures.
- (c) Fire protection in the area is minimal and in case of a wildfire structures may not be protected.
- (d) Owners are required to participate in any future homeowner's association.
- (e) A road maintenance association shall be created for road maintenance and for the subdivision road.
- (f) These restrictions shall operate as covenants running with the land for the benefit of any and all persons who may now own or may hereafter own any portion of the property, and such persons are specifically given the right to enforce these restrictions through any proceedings, at law or equity, against any person or persons violating or threatening to violate such restrictions, and recover damages suffered by them from any violation thereof.

3. The intent of these restrictions is to keep the property as rural property, and preserve the property in its natural state as conditions existed on the property at the time these covenants are dated and recorded.

4. The restrictions and limitations herein set forth are to be construed as covenants running with the land and shall be binding on all parties and all persons claiming any part of the above-described real property. These covenants and restrictions cannot be changed except by an instrument in writing signed by a all of the property owners and approved by the governing body of

