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246355

DECLARATION OF COVENANT

THIS DECLARATION, Made on the date hereinafter set forth by the undersigned property owner, hereinafter referred to as the Declarant.

W I T N E S S E T H :

That whereas, Declarant is the owner of certain property described in the attached Certificate of Survey No. 2315, which is by this reference made a part hereof and hereinafter known as the subject property;

Now, therefore, Declarant hereby declares that the subject property shall be held, sold and conveyed subject to the following covenant, which shall run with the real property and be binding on all parties having any right, title or interest in the subject property or any part thereof, their heirs, successors, and assigns, and shall bind each owner thereof. This covenant may be revoked only by the mutual consent of the owner of the subject property and the County Commissioners of Ravalli County, Montana. The County Commissioners of Ravalli County, Montana are hereby deemed to be a party to and may enforce this covenant, with the costs of such enforcement to be paid by the prevailing party.

The covenant covering the subject property is as follows: The subject property shown on the attached Certificate of Survey No. 2315 will be used exclusively for agricultural purposes and no structures requiring water or sewage facilities are being utilized or will be erected or utilized on the subject property. Any change in land use requires that the subject property be reviewed under the provisions of the Montana Subdivision and Platting Act and the Sanitation and Subdivision Act.

It is expressly provided that if any covenant, condition or restriction hereinabove contained, or any portion thereof, is invalid or void, such invalidity or voidness shall in no way affect any other covenant, condition or restriction.

IN WITNESS WHEREOF, the undersigned, being the Declarant, herein has set his hand this 10th day of September, 1979.

Raymond R Atkins

STATE OF MONTANA )  
                          : ss.  
County of Ravalli )

On this 10th day of September, 1979, before me, the undersigned,

a Notary Public for the State of Montana, personally appeared \_\_\_\_\_

Raymond K. Atkins

known to me to be the person \_\_\_\_\_ whose name \_\_\_\_\_ subscribed to the within instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year first above written.



Michael Flanagan  
Notary Public for the State of Montana

Residing at Hamilton, Montana

My Commission expires Jan 23, 1982

State of Montana, County of Ravalli:

Recorded Sept 10, 1979 at 4:16 o'clock P. M., Book 153 Page 72

Darlene E. Hays Clerk & Recorder, By \_\_\_\_\_ Deputy

Fee \$ 4.00 Return to Mountain Country

Hamilton Mt

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COVENANTS ON PARCELS A & B

C.O.S. # 2315 owned by

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246412 ✓

RAY & ROBERTA ATKINS

1. No subdivision of either parcel for a period of ten years.
2. No hogs allowed at any time on property.
3. No commercial enterprises except for home type hobby occupations.
4. No mobile homes allowed except for one allowed for temporary or permanent use by property owners immediate family.
5. Covenants to stand unless changed by 100 percent of property owners of Parcels A & B and also permission of MR. & MRS RAY ATKINS or owners of their present residence.

R.R. R.A.

William C. Hodge  
 Mildred M. Hodge  
 Raymond R. Atkins  
 Roberta R. Atkins

STATE OF MONTANA }  
COUNTY OF RAVALLI } ss.

On this 12th day of Sept in the year 1979, before me, J. Michael Dwyer, a Notary Public for the State of Montana, personally appeared William C. Hodge Mildred M. Hodge Raymond R. Atkins Roberta R. Atkins known to me to be the persons whose names is are subscribed to the within instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year first above written.

J. Michael Dwyer  
 NOTARY PUBLIC for the State of Montana  
 Residing at Hamilton  
 My Commission expires Jan 23, 1982



State of Montana, County of Ravalli:  
 Recorded Sept 18, 1979 at 4:24 o'clock P. M., Book 153 Page 97  
 Clerk & Recorder by Debra E. [Signature] Deputy  
 Fee \$ 2.00 Return to Lawrence Country  
716 So. 1st St  
Hamilton Mt