

**SUBDIVISION RESTRICTIONS FOR THE
LOWE TRACTS, LOT 14D MINOR SUBDIVISION**

WHEREAS, the undersigned, Douglas Sparrow, of Helena, Montana, is filing a plat of certain lands in Lewis and Clark County, Montana, known as the Lowe Tracts, Lot 14D Minor Subdivision with the Lewis and Clark County Clerk and Recorder for recordation, and

WHEREAS, the undersigned is the owner of all the lots in said tract and desires to place restrictions upon said lots for the use and benefit of himself/herself as present owner and for the future owners thereof, and for the benefit of the general public interest.

NOW, THEREFORE, these covenants and conditions are made to apply to a tract of land situated in the NE 1/4 of Section 12, T10N, R3W, Lewis and Clark County, Montana, and containing 5.024 acres.

All persons or corporations who now or shall hereafter acquire any interest in and to any of the above described property, shall be taken and held to agree and covenant with the owners of the lots in said tract with their heirs, successors and assigns, to conform to and observe the following restrictive covenants as to the use thereof.

These restrictive covenants and conditions are designed to provide a uniform plan for the development of the whole of said tract, protect the natural environment and promote public health and safety.

The following restrictive covenants are revocable or alterable only with the consent of the Board of County Commissioners of Lewis and Clark County.

1. Notice is hereby given of the potential health risk from radon concentrations; such risk can be evaluated through soil tests and mitigated through radon abatement techniques incorporated into structures.
2. All dwelling units within the subdivision shall be constructed to specifications which meet or exceed equivalent provisions in the Uniform Building Code for this seismic zone (Zone 3).
3. Each lot owner hereby waives the right to protest the creation of an RID for the purpose of improving and/or maintaining the roads that access the subdivision including related right-of-way, drainage structures, and traffic control signs.
4. Any additional utility lines shall be installed underground.
5. Any exterior lighting shall be arranged and shielded so that the light source can not be seen from adjacent roads or property and so that no direct beam illuminate other private property or public roads, and shall not be visible from beyond the property lines.

M23-4043

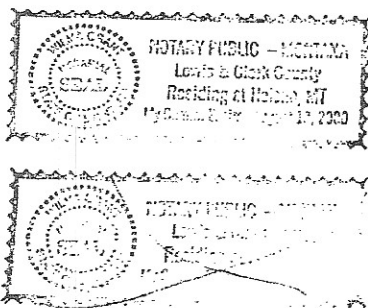
6. All rights to protest the creation of a community water or wastewater treatment system improvement district, whenever such action may occur, are hereby waived.

Enforcement of these covenants shall be by proceedings at law or in equity against any person or persons violating or attempting to violate any covenant either to restrain violation or to recover damages.

Invalidation of any one of these covenants by judgment or court order shall in no way affect any of the other provisions which shall remain in full force and effect.

Dated at Helena, Montana, this 5 day of May, ~~1999~~ ²⁰⁰⁰.

Douglas Sparrow
Douglas Sparrow



SUBSCRIBED AND SWORN TO before me

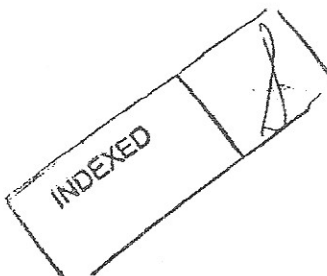
this 5 day of May, 2000, 1999.

Wilma Grant
Notary Public for the State of Montana

Residing at _____, Montana

My Commission Expires _____

FILE: Covenant\Lowe14D.Cov



612806
SHELBY COUNTY CLERK & REC
1500 E. GARDEN CO
MAY -5 AM 9:30
BOOK #23 PAGE 4043
BY Shelly McIsaac
1200