

219377

DECLARATION OF RESTRICTIONS

JOHN W. SITZMAN, and DOROTHY SITZMAN
Husband and Wife

To: The Public

Declaration of Restrictions on the subdivision described
as follows:

Town of Park City, Stillwater County, Montana

Block 178: frac Lots 3, 4, 5

Block 174: Lots 1, 2, 3, 4, 5, 6, 7, 8

Block 158: Lots 1, 2, 7, 8

Block 145: Lots 1, 2, 3, 4, 5, 6, 7, 8

Block 157: Lots 1, 2, 3, 4, 5, 6, 7, 8

Block 175: Lots 1, 2, 3, 4, 5, 6, 7, 8

The restrictions and covenants hereinafter set out are
to run with the land and shall be binding upon all parties
and all persons owning lots in said subdivision, or claiming
under them.

If the owners of such lots or any of them, or their
heirs or assigns, shall violate any of the covenants hereinafter
set out, it shall be lawful for any other person owning real
property situated in such subdivision to prosecute any
proceedings at law or in equity against the person or persons
violating any of such covenants, and either to prevent him
from so doing or recover damages for such violation, or
both, with damages to include reasonable attorney's fees
incurred in any action to enforce these restrictions and
covenants.

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

1. GENERAL RESIDENTIAL RESTRICTIONS: Lots in this
subdivision shall be residential lots and all buildings
erected thereon shall be one family dwellings.

2. COMMERCIAL ENTERPRISES: No manufacturing or
commercial enterprises shall be maintained in this subdivision.

3. GENERAL SIZE AND STRUCTURE: All residential structures erected in this subdivision shall contain at least 1,200 square feet of living area, excluding porches and garages. All structures, including outbuildings, must be of frame, brick or stone construction with asphalt, wood shingles or suitable roofing and must be painted or stained.

4. STRUCTURE LOCATION: No structure may be closer than six (6) feet from any given lot line, nor less than twenty (20) feet from front property line of any lot and must be in strict compliance with all city, county and state building statutes, codes and ordinances.

5. TEMPORARY STRUCTURES: No structure of temporary nature (trailer, basement, tent, shack, garage, barn or other outbuilding) shall be used on any building site at any time as a residence, either temporarily or permanently.

6. OTHER USES: Any uses not expressly provided for herein are forbidden. Such uses as vehicle storage, salvage or repair, other than family vehicles, is not allowed. It is the express intent of developer that all structures and land be harmonious and suitable for habitation by one family per building site. Any use contrary to this intent is forbidden.

7. GARBAGE AND REFUSE DISPOSAL: No building site shall be used or maintained for the dumping or the disposing of garbage or refuse. All garbage or refuse must be disposed of in those facilities provided for in the nearest county or municipality. No burning of garbage or refuse is permitted.

8. WATER SUPPLY: No individual water system shall be permitted on any building site unless such location, design and method of construction, meets with county and state board of health requirements.

9. SEWAGE DISPOSAL: No individual sewage system shall be permitted on any building site unless such location, design, and method of construction meets with county and state board of health requirements.

10. NUISANCE: No noxious or offensive activity shall

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be permitted upon any building site, nor shall anything be done thereon which may or may become an annoyance or nuisance to the neighboring area.

11. MOVE ON BUILDINGS: All buildings placed in the subdivision shall be erected thereon and no buildings shall be moved on any building site.

12. MOBILE HOMES: No mobile homes shall be permitted in the subdivision.

13. SIGNS: No signs shall be permitted in the subdivision.

14. COMPLETION OF BUILDING: All buildings commenced shall be constructed within one year.

15. CONSTRUCTION: All buildings constructed shall be in conformance with the current edition of the uniform building code.

16. MODULAR HOMES: No factory built or Modular homes may be permitted in the subdivision.

17. MODIFICATION OF RESTRICTIONS: The restrictions on the property may be modified by the grantor, if in his judgment, the development or lack of development of the subdivision or adjacent property makes the course necessary or advisable; or may be terminated or modified by an instrument executed by the owners of two-thirds (2/3) of the lots in the subdivision.

DATED: August 4, 1977

John W. Sitzman
Dorothy Sitzman

STATE OF MONTANA)
) ss.
County of Yellowstone)

On this 4th day of August, 1977, before me, the undersigned, a Notary Public for the State of Montana, personally appeared JOHN W. SITZMAN and DOROTHY SITZMAN, Husband and Wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I hereunto set my hand and affixed

my Official Seal the day and year in this certificate first
above written.



Larry D. Herman
Notary Public for the State of Montana
Residing at Laurel, Montana
My Commission expires 6-25-79

OFFICE OF CLERK AND RECORDER
STILLWATER COUNTY, MONTANA

I hereby certify that the within instrument was
filed in this office for record on 11th day of
August A.D. 19 77 at 1:10
o'clock P. M., and was duly recorded in Book
75 of Misc on Page 734
By [Signature] Recorder
By _____ Pa. \$8.00 Deputy

Rtn: Larry D. Herman
5 1st Avenue
Laurel, Montana