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DECLARATION OF RESTRICTIONS

KNOW ALL MEN BY THESE PRESENTS:

That Montana's Treasured Land Corp., a Montana corporation, being the owner of record of certain lots situate in the Original Townsite of the Town of Virginia City, Madison County, Montana, according to the official plat thereof on file and of record in the office of the Clerk and Recorder, Madison County, Montana, to-wit:

Block 20: Lots 1 through 20 (all)
 Block 21: Lots 3 and 10 through 12
 Block 24: Lots 1 through 3, and 10 through 12
 Block 54: Lots 1 through 12 (all)
 Block 55: Lots 1, 2, 3, 4, 5, 6, 8, 9, 10 and 11
 Block 56: Lots 1 through 12 (all)
 Block 57: Lots 1 through 12 (all)
 Block 58: Lots 1 through 12 (all)
 Block 59: Lots 1 through 12 (all)
 Block 62: Lots 1 through 12 (all)
 Block 63: Lots 1 through 12 (all)
 Block 64: Lots 1 through 20 (all)
 Block 65: Lots 1 through 3, and 10 through 12
 Block 71: Lots 1 through 12
 Block 78: Lots 1, 3, 4, 5, 6, 7, 8, 9, 10 and 12
 Block 79: Lots 1 through 12 (all)
 Block 80: Lots 1 through 12 (all)
 Block 96: Lots 1 through 12 (all)
 Block 97: Lots 1 through 12 (all)
 Block 98: Lots 1 through 12 (all)
 Block 123: Lots 1 through 12 (all)
 Block 124: Lots 1 through 12 (all)
 Block 125: Lots 1 through 12 (all)
 Block 126: Lots 1 through 12 (all)
 Block 136: Lots 3, 4, 5, 6, 7, 8, 9 and 10
 Block 223: Lots 1 through 12 (all)
 Block 224: Lots 1 through 12 (all)
 Block 225: Lots 1 through 12 (all)
 Block 226: Lots 1 through 12 (all)
 Block 227: Lots 1 through 12 (all)
 Block 244: Lots 1 through 12 (all)
 Block 245: Lots 1 through 12 (all)
 Block 246: Lots 1 through 12 (all)
 Block 247: Lots 1 through 12 (all)
 Block 248: Lots 1 through 12 (all)
 Block 263: Lots 1 through 12 (all)
 Block 268: Lots 1 through 12 (all)

for the purpose of providing a uniform plan for the development of said lots, does hereby establish and declare the following restrictions, conditions and limitations to be applicable to and for the benefit of, all the above-described lots.

1. Except as hereafter stated said lots shall be used only for residential purposes by the construction and erection of single family dwellings and cabins, without restriction as to size thereof. However, only quality structures of good appearance regardless of type of construction will be approved. All buildings shall be constructed or erected only after the plans for the same first have been submitted to and have been approved by a two-thirds majority of the members of the Zoning Commission of Virginia City.

2. Homes, cabins, utility buildings, garages and other structures appropriate to enable the owner to use the same for any purpose permitted by these restrictions and declarations may be constructed and erected on any of the lots covered by these restrictions.

3. All pre-constructed and existing structures moved in and placed on lots shall be set on new foundations and the exterior shall be completed within six months so as to be of neat-quality appearance.

4. No trailer, basement, tent or shack shall be maintained as a permanent residence, except that a trailer or tent may be used temporarily as a residence, for a period not exceeding six months, until a permanent residence is erected on the premises.

5. Mobile home-type trailers may be used as permanent residences, provided however, that such trailers must meet the following conditions and requirements:

- (a) Be no more than six model years of age when permanently installed upon the premises;
- (b) contain, by external measurement, at least 500 square feet of floor space;
- (c) be located upon a permanent-type foundation;
- (d) be tastefully landscaped;
- (e) comply with all setback and location requirements set forth in these restrictions; and
- (f) be approved by a two-thirds majority of the members of the Zoning Commission of Virginia City.

Any and all additions to permanent trailers shall match and blend harmoniously with the permanent trailer in design, appearance and color.

6. Any structure to be erected on any lot shall be commenced within six months after equipment or material to be used in construction thereof is moved or placed upon or within the area of the lot. Once construction has commenced upon any structure the exterior shall be completed within six months so as to be of a neat quality appearance.

7. No building shall be located on any lot nearer than thirty (30) feet to the front lot line, or nearer than fifteen (15) feet to any side street line. No buildings shall be located nearer than five (5) feet to an interior lot line, except that unattached garages may be no nearer than three (3) feet to an interior lot line. No dwelling shall be located on any lot nearer than five (5) feet to the rear lot line. For the purposes of this covenant eaves, steps and open porches shall be considered as a part of a building.

8. All lots may be fenced, subject to the provision that all fencing adjacent to roads maintained by Madison County shall be done with corral poles. If other fencing is done, it shall be neat in appearance and shall meet the approval to be expressed in writing, of the Virginia City Zoning Commission.

9. None of the lots as now shown upon the plat herein described shall be further subdivided into lots smaller than five thousand (5,000) square feet in area, nor shall more than one single family residence be constructed upon each lot as platted.

10. Usual household pets are permissible. The keeping or maintaining of dog kennels, cattle, sheep, goats, chickens, ducks, geese or any other barnyard animal or fowl is strictly prohibited on said premises or any part thereof, except as provided in paragraph 11. of these restrictions.

11. Two abutting lots, having a total area of ten thousand (10,000) square feet, if adequately fenced, may be used for the training, riding or exhibition of saddle and riding horses, except that the Zoning Commission of Virginia City shall have the right to control the number of horses to be kept or maintained on any two lots at any one time, and the right to approve the maintenance of the grounds, stables and other structures used in connection with such activities.

12. All residences not connected to the existing water and sewer lines shall be required to install adequate water supply and sewage disposal systems. Such systems must meet and comply with all requirements set forth by the sanitation engineer of the City of Virginia City. Until sewer lines are available each residence shall have a standard-type septic tank for disposal of sewage. Septic tanks are to be located on the rear portion of the respective lots. Water wells are to be located in the front portion of the respective lots. In all instances, water wells and septic tanks shall be at least fifty (50) feet apart.

13. Easements for installation and maintenance of utilities and draining facilities are reserved.

14. No noxious or offensive activities shall be carried on upon any lot, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood.

15. No junk, scrap, machinery, equipment or cars not in running condition shall be permitted to litter any said lot.

16. No trash, debris, organic or inorganic waste, shall be permitted to accumulate on any lot, but the same shall be promptly and efficiently disposed of. No lot shall be used as a dumping ground or burial pit. Livestock manure used as fertilizer, however, may be spread upon the ground. Garbage containers which are not buried below the ground's surface shall be kept in racks. No outdoor toilets will be permitted.

17. No lot or residence constructed thereon may be used for illegal, immoral or illicit purposes.

18. Any provision herein may be amended or revoked at any time by the recording of a written instrument, executed by two-thirds of the lot owners, on an area basis, as reflected by the records in the office of the Clerk and Recorder of Madison County, affected by these restrictions, and approved by the Zoning Commission of Virginia City. Provided further, that the application of any provision herein to any particular or specified lot or lots may be amended or revoked at any time by the recording of a written instrument, executed by two-thirds of the lot owners, on an area basis, as reflected by the records in the office of the Clerk and Recorder of Madison County, holding property within three hundred (300) feet of the lot or lots for which amendment or revocation is sought, and approved by the Zoning Commission of Virginia City.

19. These restrictions shall run with the land and be binding upon the present owners and all subsequent owners of all lots described herein. The grantee of any lot agrees by the acceptance of the conveyance, to faithfully observe and comply

with the restrictions, conditions, limitations and obligations applicable thereto.

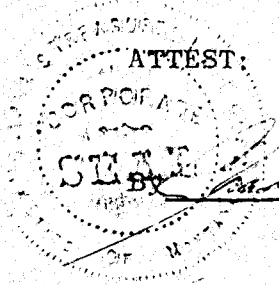
20. Any provision herein may be enforced by the Zoning Commission of Virginia City, or by the owner of any lot, either by an action for damages arising out of a violation or by an action to restrain a threatened or prospective violation.

21. Any action at law or in equity for the enforcement of the provisions hereof, must be commenced within one year from the time of the accrual of the cause of action or claim therefor.

22. These restrictions shall remain in full force and effect for a period of three (3) years from the date of filing and recording hereof and thereafter shall be deemed automatically renewed for successive periods of three (3) years each unless amended or revoked as provided in paragraph 18. hereof.

MONTANA'S TREASURED LAND CORP.

By James R. Smith
President



Paul J. Kinosh
Secretary-Treasurer

