

5438

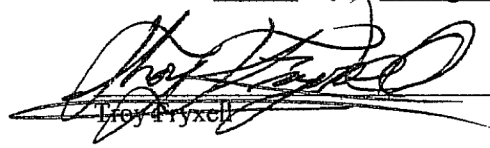
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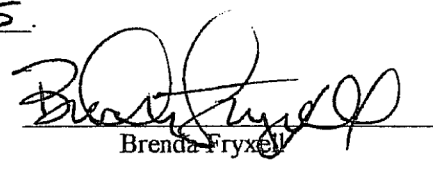
HORSE PLAINS AMENDED MINOR SUBDIVISION
PHASE I
DECLARATION OF PROTECTIVE COVENANTS

The following covenants, conditions, and restrictions shall be applicable to Horse Plains Amended Minor Subdivision, Phase I, on file and of record in the office of the Sanders County Clerk and Recorder, Thompson Falls, Montana. These covenants and restrictions may be enforced by the owner of any lot situated in the above-described area.

1. No lot shall be used except for single family residential purposes.
2. No residence shall contain less than 1000 square feet of living space. Construction shall be done in a work-man like manner using conventional materials, and completed within twelve (12) months of the start of construction.
3. No structure commonly referred to as a "trailer" or "mobile home" or a "double-wide" or "single-wide" or any "manufactured home" or "modular home" shall be allowed.
4. These restriction shall be deemed to be for the protection and benefit of each of the owners or occupants of any portion of the above-described premises. Any such person shall have the right to prosecute such proceeds at law or in equity as may be appropriate to enforce the restrictions set forth herein. The enforcing party shall be entitled to injunctive reasonable attorney's fees incurred in connection with correcting, remedying, abating, preventing, or removing any violation of these covenants.
6. Invalidation of any one of these foregoing covenants, restrictions, or conditions, or any portion thereof by court order, judgment, or decree shall in no way affect any of the other remaining provisions hereof.

Dated this 16 day of Feb, 2005.

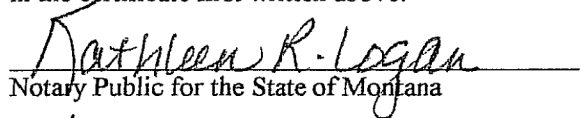

Troy Fryxell


Brenda Fryxell

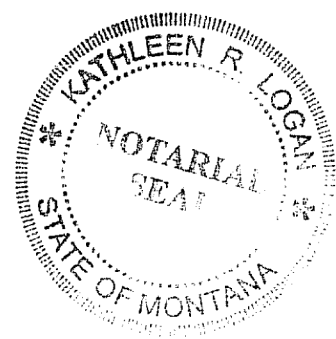
STATE OF MONTANA)
:SS
COUNTY OF SANDERS)

On this 16 day of FEB, 2005, Troy and Brenda Fryxell personally appeared before me, a Notary Public for the State of Montana, known to be the persons whose names are subscribed to the within and foregoing instrument and acknowledged to me that they have executed the same.

IN WITNESS WHEREOF, I have hereto set my hand and affixed by Notary Seal the day and year in the certificate first written above.


Notary Public for the State of Montana

KATHLEEN R. LOGAN
Printed name of Notary
Residing at: PLAINS
My commission expires: 6/19/2007




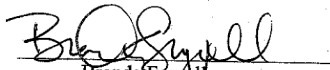
HORSE PLAINS AMENDED MINOR SUBDIVISION
PHASE 1
AMENDMENT TO PROTECTIVE COVENANTS

The following changes shall be made to the covenants, conditions, and restrictions applicable to Horse Plains Amended Minor Subdivision, Phase 1, C.O.S. 25 35 MS on file and of record in the office of the Sanders County Clerk and Recorder, Thompson Falls, Montana, filed for record on 02/17/2005, misc. #5438.

The above mentioned covenants, conditions, and restrictions shall be removed from and shall not apply to a parcel of land located in sections 26, 27, and 35, Township 20 N., Range 26W., P.M.M., Sanders County, Montana further described as Area A on C.O.S. No. 2555-RB, filed for record April 13, 2005, Sanders County Records.

Dated this 24th day of MAY, 2005



Troy Fryxell


Brenda Fryxell

STATE of MONTANA)
:SS
COUNTY of SANDERS)

On this 24th day of May, 2005, Troy and Brenda Fryxell personally appeared before me, a Notary Public for the State of Montana, known to be the persons whose names are subscribed to the within and foregoing instrument and acknowledged to me that they have executed the same.

IN WHITNESS WHEREOF, I have hereto set my hand and affixed by Notary Seal the day and year in the certificate first written above.


Notary Public for the State of Montana

Ina F. Oberholzer
Printed name of Notary
Residing at: Plains
My commission expires: May 01, 2008



INA F. OBERHOLZER
NOTARY PUBLIC-MONTANA
Residing at Plains, Montana
My Comm. Expires May 1, 2008

