

**SUBDIVISION RESTRICTIONS FOR THE
STALLION RIDGE MAJOR SUBDIVISION**

WHEREAS, the undersigned, Norbert Waldenmayer/Stallion Ridge Ranch, LLC, of Helena, Montana, is filing a plat of certain lands in Lewis and Clark County, Montana, known as the Stallion Ridge Major Subdivision with the Lewis and Clark County Clerk and Recorder for recordation, and

WHEREAS, the undersigned are the owners of all the lots in said tract and desire to place restrictions upon said lots for the use and benefit of Norbert Waldenmayer/Stallion Ridge Ranch, LLC 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 S 1/2 of Section 30 and the NW 1/4 and SW 1/4 of Section 31, T11N, R4W, P.M.M., Lewis and Clark County, Montana.

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. Notice is hereby given that each lot owner will be responsible for providing on-site retention of all stormwater runoff generated from the lot in excess of historical volumes.
3. All dwelling units within the subdivision shall be constructed to specifications, which meet or exceed equivalent provisions in the applicable state building code for this seismic zone (Zone 3).



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4. Any additional, replacement, or relocated utility lines shall be installed underground.
5. Any exterior lighting shall be arranged and directed downward in such a way as to minimize illumination beyond the property lines.
6. Each lot owner hereby waives the right to protest the creation of a road maintenance district 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.
7. A "no access" restriction exists along the west property line of lots bordering Birdseye Road except at the easements for the internal access roads.
8. Each lot owner hereby waives the right to protest joining a community water or wastewater treatment system improvement district.
9. The undersigned, their heirs, successors and assigns, and all future owners of property within the subdivision, agree to hold Lewis and Clark County harmless and indemnify Lewis and Clark County from all claims, demands, obligations, suits, causes of action, damages, and liability, including the County's costs and attorney's fees, arising in any manner whatsoever out of, or relating to, the existence, use, operation, repair, and/or maintenance of the following:
 - a. earthquake fault zone and any seismic activity (76-3-608-4, MCA);
 - b. potential health risk from radon exposure (76-3-608-4, MCA);
 - c. variances granted for double-fronted lots (Section X.A.6.h., County Subdivision Regulations)
 - d. Any and all other flooding within the subdivision.
10. Any development, alteration, or encroachment within the drainage easement is prohibited.
11. The storage of foods, garbage or feeding domestic pets outdoors or other activities that may create an attractive nuisance for wildlife species is prohibited.
12. All cats and dogs must be restrained or penned at all times.
13. Notice is hereby provided to inform landowners that agricultural operations may occur in the vicinity. Such activities may occur at varying times and seasons and include, but are not limited to, the operation of machinery, the pasturing and feeding of livestock, irrigation, and the application of fertilizers, herbicides, and pesticides to fields.
14. Notice is hereby given that each lot shall be maintained in a clean, attractive, and weed-free manner. Noxious weeds must be pulled, sprayed, or cut.
15. Notice is hereby given of the potential for prehistoric and/or cultural artifacts to be located on the site and a requirement that landowners provide all contractors written notice this potential for cultural resources. If such artifacts are discovered during the course of construction activities, all construction activities shall cease until the County Planning Department has been notified and a qualified professional has examined the findings to assess their significance. A copy of the notice to contractors, signed and dated by each contractor shall be filed with the County Planning Office, prior to the commencement of development activities.

16. Notice is hereby given that homeowners shall provide alternative and supplemental means to feed livestock to meet the sediment control and revegetation plan.

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 that shall remain in full force and effect.

Dated at Helena, Montana, this 20th day of July, 2007.

Norbert Waldenmayer

Norbert Waldenmayer/Stallion Ridge Ranch, LLC

SUBSCRIBED AND SWORN TO before me

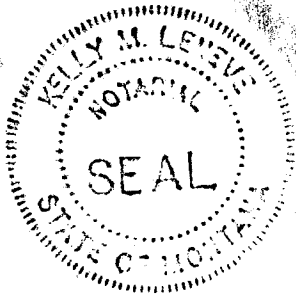
this 20th day of July, 2007.

Kelly M. Leneve

Notary Public for the State of Montana

Residing at Helena
4200 Fox Den Dr, Helena Montana

My Commission Expires July 6, 2009



KELLY M. LENEVE
NOTARY PUBLIC for the State of Montana
Residing at Helena, Montana
My Commission Expires July 6, 2009

FILE: Covenant\Stallion RidgeCovs



Lewis & Clark County

COV

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