

LEWIS W. BURG and ANNA A. BURG,
his wife, and C & M CONSTRUCTION
COMPANY, a corporation

DECLARATION OF RESTRICTIONS
(Burg Subdivision- 2F)

Dated --

-To-

Filed April 3, 1952
at 1:14 P.M.

T H E P U B L I C

Recorded in Book
419 Misc, page 396

WHEREAS, the said C & M Construction Company filed for record in the office of County Clerk and Recorder of Yellowstone County, Montana on March 31, 1952 at 9:46 A.M. a plat of property located in NE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 6, Twp 1S, Rge 26E M.P.M., which plat is designated as Burg Subdivision, Second Filing, and all interests in all of the lots in said subdivision are now owned by said C & M Construction Company and L.W. Burg and Anna A. Burg.

THEREFORE, the undersigned hereby establishes and declares the following restrictions which shall be applicable to all the lots in said subdivision as shown on the aforesaid plat.

PERSONS BOUND BY THESE RESTRICTIONS:

All persons and corporations who now own or shall hereafter acquire any interest in and to the above described lots of Burg Subdivision, shall be taken and held to agree and covenant with the owners of the lots and with their heirs, devisees, trustees and assigns, to conform to and observe the following covenants, restrictions and stipulations as to the use thereof, and as to the construction of residences and improvements thereon.

RESTRICTIONS ON BUILDING

(a) All lots in said subdivision shall be known and described as residential lots and shall be used solely for residential purposes. No structure shall be erected, altered, placed or permitted to remain on any residential building site, other than one detached single-family dwelling not to exceed two and one-half stories in heights, and a private garage for not more than two cars.

(b) No building or other structure shall be located on any lot less than 30 feet from the front lot line, nor less than 5 feet from the lot side line, except a detached garage located on the rear one-fourth of any lot.

(c) No lot shall be subdivided for the purpose of constructing more

than one dwelling on any lot as platted, and each dwelling shall be located on a building site having an area of at least equal to the area of the lot as platted, on which the dwelling is located.

(d) No noxious or offensive trade or activity shall be carried on upon any lots, nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood.

(e) No trailer, basement, tent, shack, garage or barn, on the building site shall at any time be used as a residence, temporarily or permanently, nor shall any structure of a temporary character be used as a residence, nor shall any trailer used for dwelling purposes be maintained or parked on said lots.

(f) Any residence erected wholly or partially on any of the above described lots, or parts thereof, shall cost not less than \$6,000.00, exclusive of costs of garage in connection therewith. The ground floor area of the main structure, exclusive of one story open porches or garages, shall be not less than 700 square feet in case of a one story structure, nor less than 800 square feet in case of a one and one-half, two, or two and one-half story structure.

(g) Any building or residence erected on said building site shall be of new construction and no old building or buildings shall be moved onto said premises.

(h) That no swine, poultry, goats or other livestock shall be permitted on said premises.

Lewis W. Burg
Anna A. Burg

C & M Construction Company
By C.M. Carpenter, President
Attest: R.T. Morrow, Secretary

CORPORATE SEAL

ACKNOWLEDGED.

C & M CONSTRUCTION COMPANY, a
corporation (and others)

AMENDED DECLARATION OF RESTRICTIONS
(Burg Subdivision - 2F)

-To-

Dated Sept 24, 1952

Filed Sept 30, 1952
at 4:40 P.M.

T H E P U B L I C

Recorded in Book
433 Misc, page 25

The undersigned, being the present record owners of all of the lots in Burg Subdivision, Second Filing, according to the plat thereof, hereby consent and agree to the amendment of the Declaration of Restrictions affecting said lots, which is also on file in the office of said County Clerk and Recorder of Yellowstone County, Montana. and is recorded in Book 419, page 396, by the addition thereto of the following paragraph:

Notwithstanding any provision to the contrary contained in the original Declaration of Restrictions, it shall be permissible to locate a dwelling house with attached garage not less than three feet from the side line of any lot.

Except as herein specifically provided, said Declaration of Restrictions shall remain in full force and effect, but the undersigned waive any existing violation of said restrictions as to Lot 10, in Block 1, of said subdivision.

CORPORATE SEAL

C & M Construction Company
By C.M. Carpenter, President
Attest: R. T. Morrow, Secretary

(and others)