

Corrected

AMENDED DECLARATION OF EASEMENTS AND RESTRICTIONS
FOR THREE CONTIGUOUS PARCELS OF REAL PROPERTY

This document corrects and supersedes that document recorded July 11, 2006 at Micro No. 54852, Reception No. 266579, Sanders County records.

Whereas the original covenants filed as Misc. No. 5708 referenced Lot 2A without adequate identification:

Whereas these covenants are provided to clarify the identity and description of Lot 2A:

Whereas the attached Exhibit "B" has been reduced so that it may be recorded as a part of this document. The Exhibit "B" attached to the covenants as at Misc. No. 5708 is the full size document and may be referred to for ease of reading.

Whereas, the Declarants are the owners of the following described real property in Sanders County, Montana:

A tract of land located in the SE $\frac{1}{4}$ of Section 25, Township 24 North, Range 31 West, P.M.M., Sanders County records, containing 9.879 acres more or less, as described on Certificate of Survey No. 958, Sanders County records, (hereinafter Lot 2A).

and

A minor subdivision of 2 lots located in the SE $\frac{1}{4}$ of Section 25, Township 24 North, Range 31 West, PMM, Sanders County Montana, as shown on Certificate of Survey No. 2675MS, Sanders County records, (hereinafter Lot 1 and Lot 2).

Now, therefore, the Declarants do hereby declare that the property above-described shall be sold and conveyed subject to the following easements, restrictions and conditions, all of which are for the purpose of enhancing and protecting the value, desirability and attractiveness of the real property. These easements, restrictions, and conditions shall run with the real property, and shall be binding on all parties having or acquiring any right, title or interest in the described properties or any part thereof, and shall inure to the benefit of each owner thereof.

1. Easement for Lot 1: There is hereby granted an open, perpetual, non-exclusive easement for private access and buried public utilities 40 feet in width across Lot 2 and appurtenant to and for the benefit of Lot 1. This is depicted as "EASEMENT TO LOT 1" on attached exhibit "A".
2. Easement for Lot 2: There is hereby granted an open, perpetual, non-exclusive easement for private access and buried public utilities 40 feet in width across Lot 2A and appurtenant to and for the benefit of Lot 2. This is depicted as "EASEMENT TO LOT 2" on attached exhibit "A" and further described on exhibit "2A".
3. Either of the above easements may be fenced on either or both sides and have a cattle guard placed at either or both ends, should the owner of the servient estate choose to do so. The expense to be borne by the owner of the servient estate.

To the extent the easement is used by the owner of the servient estate, the servient estate owner shall bear the expense of maintenance in proportion to such use.

4. Parking easement: There is hereby granted an open, perpetual exclusive easement for parking of vehicles for those using the trail to access the boat dock and Noxon Rapids Reservoir. This easement is appurtenant to and for the benefit of Lots 1, 2 and 2A. The parking area is