

TERM OF DECLARATION AND AMENDMENT

The provisions of this Declaration shall run with the land and be binding for a term of twenty (20) years from the date of this Declaration after which time the Declaration shall be automatically extended for successive periods of ten (10) years each unless there shall be recorded an instrument signed by the owners of 75% of the parcels who agree to terminate these covenants and all of the lots have been sold by the subdivider, Buddy J. and Judy A. Leufkens.

This Declaration may be amended by an instrument signed by the Owners of 75% of the lots affected agreeing to such amendment and the subdivider as long as the subdivider owns any lot.

As long as the developer owns a lot there shall be no amendment or termination of the covenants without the consent of the developer.

Any amendment to these covenants shall be reviewed and approved by the Sanders County Commissioners. The Commissioners approval authority shall only extend to covenants, which relate directly to the criteria for subdivision approval contained in Montana statute.

ENFORCEMENT

The Declarant or any owner shall have the right to enforce by any proceeding at law or in equity all restrictions, conditions, covenants, easements, reservations, liens and charges now or hereinafter imposed pursuant to the provisions of this Declaration. The failure by the Declarant, the association or any owner to enforce any covenant or restriction herein contained shall not be deemed a waiver of the right to do so thereafter. The Declarant shall have no duty to take any affirmative action to enforce any restrictive covenant nor shall it be subject to any liability for its failure to so act.

If any person entitled to do so shall bring formal legal action to enforce any provision of this Agreement, the prevailing party to such action shall be entitled to recover from the other party reasonable attorney's fees and costs of the action.

It is hereby declared that the Sanders County Justice Court shall have original jurisdiction and is a proper forum for any enforcement action initiated hereunder.

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