

LETTER OF INTENT

ELK MEADOWS RANCHETTES HOMEOWNERS ASSOCIATION-EMRHA

P.O. BOX 903

FRENCHTOWN, MONTANA 59834-0903

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Introduction

The following sections of Article VIII of our Protective Covenants apply to any landowner in Section 13, Township 15 North, Range 22 West, P.M.M., in Missoula County, Montana herein referred to as Elk Meadows Ranchettes.

Please read the following sections of Article VIII of our Protective Covenants. Answer the questions and attach a copy of the building plans and plot map and return as soon as possible to Elk Meadows Architectural Control Committee, PO Box 903, Frenchtown, MT 59834-0903.

Section 1. Land Use All Tracts in the above-described property shall be used for residential purposes only, except as hereinafter provided. No business, trade, manufacture, or other commercial activity shall be conducted thereon. No Tract shall be subdivided so that any residential site contains less than five (5) acres. Removal of gravel shall be permitted, provided the land is subsequently contoured.

Section 2. Buildings No buildings shall be erected, altered, placed, or permitted to remain on any Tract other than a single family dwelling, a private garage, and related out buildings. No multiple-family dwelling shall be placed on said premises. No temporary structure, trailer, mobile home or other portable home, basement, tent, shack, garage, barn or other out building shall be used as a residence on said premises except as follows: One factory mobile home may be placed on Tract by an owner only and used as a temporary residence thereon by owner pending construction of a permanent single family dwelling of conventional construction and materials provided, however, that no mobile home shall be allowed to remain upon any Tract and shall be removed therefrom, from and after October 1, 1977. All structures constructed upon any Tract shall be completed as to external appearance within one (1) year of commencement of construction.

Section 3. Building Size The ground floor area of the main dwelling house shall be not less than eight hundred (800) square feet for a two story house and one thousand (1000) *square* feet for a one story house. The Architectural Control Committee shall have the right in its absolute discretion to permit exceptions to this section provided the proposed house site is in a secluded area or otherwise naturally adapts itself to a non-conforming size or type structure.

Section 4. Building Location No building shall be located on any Tract closer than one hundred (100) feet to any street or roadway easement nor closer than fifty (50) feet to any other property line. The Architectural Control Committee shall have the right to permit reasonable modifications of this setback requirement, but not to exceed twenty percent of the setback requirement. No dwelling shall be located in any gully, ravine, or natural drainage course.

Section 5. Architectural Control No dwelling, house, garage, barn, shed, Lean-to, or other out building, fence enclosure pen, corral, or other structure shall be erected, placed or altered on any Tract until construction plans and material specifications, along with the proposed site therefore, have been submitted to, and approved by, the Architectural Control Committee as to materials, size, design, harmony of external design with existing, or previously approved structures in the surrounding area, and location of the structure on the Tract and with respect to topography and the finished grade elevation. Said Committee shall consist of the Board of Directors of the Association, or such special Committee as may be appointed by said Board.

Section 7. Signs No advertising signs (except a small "For Sale" sign), billboards, or unsightly objects shall be erected, placed, or permitted to remain on any Tract. Until December 31, 1978, Declarants and their assigns may place reasonable signs within the property to promote its development.

General

Please answer all of the following questions to the best of your ability to fulfill the requirement for the "Letter of Intent." Use space on the next page for relative comments. *Thank you!*

Our lot number(s) is/are _____ Physical Street Address _____

Section 1. Land Use and Section 2. Buildings

(Circle One)

We intend to build upon our lot(s):

- | | | |
|--|-----|----|
| 1. A Dwelling/House. | YES | NO |
| 2. An Addition/Modification to Existing Dwelling/House. | YES | NO |
| 3. An Out Building(s), such as a barn, shed or lean-to. | YES | NO |
| 4. An Addition/Modification to an Existing Out Building(s), such as a barn, shed or lean-to. | YES | NO |
| 5. Other (such as fence enclosure pen or corral). | YES | NO |

We shall commence building _____ (approximate date).

Section 3. Building Size

Our one-story house will be _____ sq. ft.

Our two-story house will be _____ sq. ft. per floor.

Section 4. Building Location

Our dwelling/house is _____ft. from any street or roadway easement.

Our dwelling/house is _____ft. to our closest property line.

Section 5. Architectural Control

We shall conform to the restrictions of Article VIII, Section 5, to the best of our ability. YES NO

Our construction plans are attached. (If not, please give approximate date when we will receive the plans.) YES NO

Space for alterations, additions, or relative comments.

We do intend to follow the Articles and Sections of the Restrictive Covenants and will notify the Architectural Control Committee of any additions to, or changes within our Letter of Intent.

_____		_____	
Lot Owner Name	Lot Owner Signature		
_____	_____		_____
Mailing Address	City, State		Zip
_____	_____		_____
Lot Owner Phone Number	Lot Owner E-mail		Date

_____		_____	
Lot Owner Name	Lot Owner Signature		
_____	_____		_____
Mailing Address	City, State		Zip
_____	_____		_____
Lot Owner Phone Number	Lot Owner E-mail		Date

_____		_____	
Witness Name	Witness Signature		
_____	_____		_____
Mailing Address	City, State		Zip
_____	_____		_____
Witness Phone Number	Witness E-mail		Date

ARTICLE VIII -PROIECTIVE COVENANTS

Section 6. Architectural Control Committee Approval Approval or disapproval by the Architectural Control Committee shall be in writing. The committee shall keep and maintain a Journal containing the minutes of all its meetings, a copy of all Resolutions of Approval or Disapproval, and otherwise recording all it's acts and doings, and said Journal shall be open for inspection by any Owner upon request at reasonable times and places. In the event the Committee fails or refuses to act within thirty (30) days after the proposed plans and specifications of any structure are submitted to it, no specific approval shall be required for such structure and the pertinent provisions of this Declaration shall be deemed to have been fully complied with, provided however, that said Committee shall not adopt or substitute a policy of non-action as the equivalency of approval or disapproval. If no suit is commenced to enjoin construction of a non-conforming dwelling house or other structure prior to its completion or within thirty (30) days of the time construction is commenced, whichever is longer, said dwelling house or other structure shall thereafter be deemed to be in compliance with this Declaration.

ARTICLE IX -ENFORCEMENT

These covenants, and all parts thereof, may be enforced by the Declarants, the Association, or the Owner of any Tract by an appropriate proceeding at law or in equity, and may include proceedings to enjoin the violation and recover damages. Invalidation of any one of the restrictions shall in no way affect other provisions which shall remain in full force and effect. Failure to enforce any provision shall not be deemed a waiver of the right to do so thereafter. The offending Owner is obligated to pay costs of suit including reasonable attorneys fees expended by the Association to enforce this Declaration.

**Letter of Intent
DISAPPROVED DATE: _____**

**Letter of Intent
APPROVED DATE: _____**

Directors

Directors

EMRHA President Signature

EMRHA President Signature

EMRHA Vice President Signature

EMRHA Vice President Signature

EMRHA Secretary Signature

EMRHA Secretary Signature

EMRHA Treasurer Signature

EMRHA Treasurer Signature

EMRHA Roads Chair Signature

EMRHA Roads Chair Signature

EMRHA Architecture Chair Signature

EMRHA Architecture Chair Signature