

**DECLARATION OF PROTECTIVE COVENANTS,
CONDITIONS AND RESTRICTIONS
FOR
HARRISON AVENUE DEVELOPMENT**

The Harrison Avenue Development Group (the "Declarant"), being the owners of the development herein described in Article I of this Declaration, hereby adopt the following Declaration of Protective Covenants, Conditions and Restrictions pertaining to and in addition to or in contrast with the City of Helena zoning requirements or conditions and effecting the use, regulations, restrictions, reservations, easements and development of that development.

It is the intent of the Declarant that the real property in the development described in Article I shall be held, transferred, sold, conveyed and occupied subject to the covenants, conditions, restrictions, regulations, easements and reservations herein described, all of which shall be binding upon and shall apply to owners of any lots, parcels, tracts, townhouse or condominium units or townhouse or condominium elements of the herein described real property, and to heirs, assigns, grantees, personal representatives and/or successors in interest thereto.

**ARTICLE I - DEVELOPER AND PROPERTY SUBJECT TO THIS
DECLARATION OF PROTECTIVE COVENANTS,
CONDITIONS AND RESTRICTIONS**

Section 1. For purposes of this Declaration the term "Developer" shall include Declarant and any developer to which Declarant transfers or assigns all of its rights, title and interest to the Harrison Avenue Development Group

Section 2. The term "development" shall mean the real property which is and shall be held, conveyed, transferred, occupied and sold subject to the conditions, covenants, restrictions, regulations, reservations and easements, as set forth herein. The development is located in the City of Helena, County of Lewis and Clark, State of Montana, described as the Harrison Avenue Development and more particularly described as:

Block 4, lots 7 and 8; block 71, lots 1-13; block 72, lots 1A, 3A, 4, 12-18, & 19A; block 75, lots 12-25, 27&28 of the Original Helena Townsite in Helena, Montana, as shown in the records of the Clerk and Recorder of Lewis and Clark County, Montana. *PLAT 721 & 722*

ARTICLE II - LAND USE REGULATIONS

Section 1. All structures built in the development shall be new and constructed on-site. No temporary structure, such as trailer, tent, garage or outbuilding shall be used on any lot at any time as a residence, either temporarily or permanently. All structures shall be maintained in a reasonable manner to present a neat and attractive exterior appearance.

Section 2. All single family residential homes, multifamily homes, townhouses or condominiums and commercial buildings in the development shall be built by a licensed contractor. Any construction started shall be completed within 12



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