

STATE OF MONTANA LAKE COUNTY

RECORDED: 02/25/2021 2:14 KOI: DEED RESTR

KATIE HARDING CLERK AND RECORDER

FEE: \$5.00 BY: *Hyla Karstens, Dep.*

TO:

**DEED RESTRICTION**  
**SINGLE FAMILY RESIDENTIAL USE**

**WHEREAS**, a single-family residential living unit plus a cabin and guest house, all having piped water and sewer, along with two dry garage structures are to be utilized and constructed on the property described below:

A tract of land in Government Lots 1 & 4 of Section 21, Township 25 North, Range 20 West, PMM, Lake County Montana, further shown as Tract 2 on Certificate of Survey No. 7205, recorded March 07, 2017, Lake County Records

**WHEREAS**, the Certificate of Subdivision Approval (COSA) # 17-1301 issued by the Montana Department of Environmental Quality on February 2, 2017, states the approval for Tract 2 is for a single-family dwelling with one water and sewer service connection to the Shelter Bay Estates Community Public Water Supply System (PWSIDMT0003376) and to the Shelter Bay Estates Community Public Septic System with the approval being based upon those conditions.

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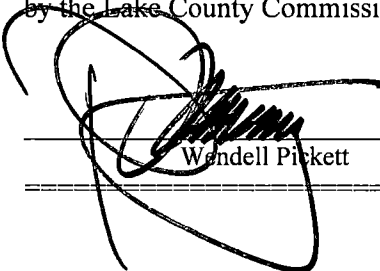
**NOW THEREFORE**, we, Wendell & Debra Pickett, the undersigned owners of the above-described property upon which a cabin and guest house with piped water and sewer, along with two dry garage structures are to be constructed, are to be utilized in addition to a single-family dwelling, do consent to a restriction being placed on the deed to the property that requires the cabin unit, guest house unit, and both garage units will not have features that make them independent dwelling units. By that, we agree that the cabin, guest house, and both garage units will not have kitchen or laundry facilities and will, therefore, remain dependent upon the main dwelling unit for such services.

We also agree that the cabin unit, guest house unit, and both garage units will not be rented or leased separately. To do so brings the property under the requirements of both the Montana Subdivision and Platting Act, MCA 76-3 and the Sanitation in Subdivision Act, MCA 76-4 and may be in conflict with landowner covenants and zoning requirements. We acknowledge that using any of the above-mentioned units as independent living units and/or renting or leasing the units, is a violation of the Certificate of Subdivision Plat Approval and the Use Permit issued by Lake County for the wastewater treatment system, and will result in the property being in violation of those permits and requirements.

We further agree to a restriction that no more than a total of 4 bedrooms can be connected to the Shelter Bay Estates Community Water and Septic Systems. To do so would conflict with the 1989 MDEQ approval under ES# 24-90-L1-9 along with the approval letter dated 12/14/2020 from the Shelter Bay Estates Public Water & Septic System.

We agree that the Lake County Environmental Health Department has the right to inspect the cabin, guest house, and garage units for compliance with this restriction upon reasonable advanced notice to the property owner.

We acknowledge that this restriction will apply to all subsequent owners of the property unless a revision of the Certificate of Subdivision Plat Approval is granted in writing by the state or local health authority, and approval by the Lake County Commissioners

  
\_\_\_\_\_  
Wendell Pickett

  
\_\_\_\_\_  
Debra Pickett

585990

State of Arizona  
County of Maricopa

On this 3<sup>rd</sup> day of February, 2021 before me the undersigned, a Notary Public for the State of Arizona, personally appeared Wendell Pickett & Debra Pickett, known by me to be the persons whose names are subscribed to the above instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year of this Certificate first above written.

Notary Public for the State of Arizona  
Residing at 7144 E Stetson Dr. #205 Scottsdale, AZ  
My commission expires June 2, 2022  
Filed on this 3<sup>rd</sup> day of February, 2021

