



RESTATED DESIGN REVIEW GUIDELINES AND REGULATIONS

This document replaces pp. 24 through 37 of those Design Review Guidelines recorded on April 3, 2003, as part of Document No. 2103136, records of Gallatin County, Montana.

I. SITE DESIGN REGULATIONS

The integration of buildings into the landscape of Baxter Meadows is essential to the success and appearance of the community. As provided in III. H. of the Covenants, any and all construction, alterations or improvements, and front yard landscaping shall be subject to advance approval by the Design Review Board. Any deviation from the approved plans shall be re-submitted to the Design Review Board for approval. Site Design Regulations specifically serve to protect and enhance the natural landscape, stream corridors, view sheds and natural habitat.

A. TOPOGRAPHY AND SITE FEATURES

1. Response to Character of Land Form:

Development Areas shall be designated upon all new sites in order to assure that each building site responds to the existing topography, tree masses and adjacent properties. All site plans must indicate surface drainage patterns.

2. Relationship to Open Space: Estate Homes

The Master Plan recognized the importance of trails and open space within the Baxter Meadows community. Buildings shall be located in a manner that preserves the character of the open space within the development. When an entirely open site is developed, buildings shall be organized in a cluster that diminishes the scale and impact of the building in the landscape. In addition, indigenous landscape materials shall be introduced to minimize the exposure of the building. Manicured lawns shall be separated from the established native vegetation with landscape materials.

3. Stream Corridor Protection:

All buildings and improvements shall maintain a minimum setback of 50 feet from the annual high water line of all streams, rivers, creeks and water courses within all development districts of Baxter Meadows. Uses within the stream setback shall be limited to planting of native riparian vegetation, maintenance of existing non-native vegetation, and the control and maintenance of noxious weeds. The removal of existing native vegetation within the stream shed protection area is not permitted. Refer to the Declaration of Protective Covenants as to Wetland Areas for all requirements.

4. Driveways & Parking:

Site access, when entered from the street, shall be perpendicular to the street. Parking areas and garage doors shall not be the primary visual element of any residence. Landscaping materials shall be used to diminish the impact of the entry to the garage. All parking shall be within the lot boundary, off public and private rights-of-way. No driveway or



access shall be allowed to encroach into the side yard setbacks other than those on shared driveway easements filed of record.

The construction and maintenance of all driveways and culverts shall be responsibility of the owner. Driveways and parking areas shall be crowned and sloped for adequate drainage and safety.

Driveway and parking surfaces shall be constructed of concrete paving units, stone cobbles, asphalt or concrete. Any other material shall be approved by the B M H O A . Materials shall restrict weed growth and maintain a clearly defined edge between the landscaped area and the driveway surface. Materials shall withstand deterioration from winter snow plowing and erosion.

Driveways shall be limited in width to 14 feet minimum and 16 feet maximum at the intersecting street. Drives can be expanded to 24 feet at turn-around areas and parking structures. Maximum driveway grades shall not exceed 1:20 for the first 20 feet from the roadway, and shall not exceed 1:10 slope beyond.

5. Privacy Screens and Retaining Walls:

Privacy screens may be used in conjunction with a hot tub or sunning deck. The screening shall be consistent with the overall design, construction and materials of the existing building. Privacy screens shall not be taller than the edge of the roof eaves, and shall not be longer than 16 feet in uninterrupted length.

Retaining walls shall be an integral part of the overall design of the site and building. Retaining walls shall not be greater than 4 feet in height, or 24 feet in uninterrupted length. Retaining walls can also be used as a screening device to obscure service areas such as the view of a driveway from the main road. Retaining walls shall be constructed of wood, stone, or approved masonry products, and shall blend into the contour of the existing landscape.

6. Walkways, Paths and Trails:

Walkways, paths and trails introduce places for pedestrians within the built and natural environment. The size and character of such paths shall respond to the surrounding buildings and site in the form of material, scale and configuration. Paving units, stone, textured or exposed aggregate concrete and wood shall be the only acceptable materials. Detailed drawings of paths shall be required as a part of the Final Plan review requirements.

B. UTILITIES AND SITE DETAILS

1. Utilities:

All utilities (natural gas, electric, telephone and television cable) shall be installed underground. No antenna or satellite dish shall be installed on any structure or lot so that it is visible from any street. 18" satellite dishes shall not be required to be screened from adjacent lots. Larger satellite dishes are not permitted.



Meters shall be placed in a location so as to be accessible to the meter reader and yet not visible from adjoining roadways. All conduit wires servicing the meter are to be beneath the exterior wall sheathing or enclosed. Meters, transformers and other utility boxes shall be concealed with landscaping.

2. Radon:

Radon gas is a hazard found in all soil types throughout the country, and should be anticipated in Baxter Meadows. The owner and architect shall contract an EPA certified installer who shall be responsible for introducing mitigation measures into the design of the building, conducting appropriate tests for radon, and activating the system if necessary.

3. Wood Storage:

Firewood shall be stored outdoors shall be stacked in an enclosed area, such as a garage, covered porch, or structure designed for the storage of wood. Such structures shall be architecturally compatible with the material and color of the primary structure, and shall be integrated into the design of the building.

4. Garbage and Refuse Disposal:

Trash, garbage and other waste shall not be kept except in sanitary containers. All equipment, garbage cans, wood piles, compost piles or storage piles shall be screened or concealed from view of other dwellings and Common Areas. Sanitary containers may be placed for collection only on collection days.

C. LANDSCAPE CONTROLS FOR BUNGALOW, VILLAGE, TRADITIONAL HOME STYLES, CONDOMINIUMS AND LIVE/WORK UNITS

1. Definitions:

Caliper: The diameter of the trunk measured six inches above ground level up to and including four inch caliper size, and measured twelve inches above ground level if the measurement taken at six inches above ground level exceeds four inches. If a tree is of a multi-trunk variety, the caliper of the tree is the average caliper of all of its trunks.

Corner Lot: A lot located adjacent to two public streets where those two streets intersect at a perpendicular angle.

Mulched Bed: An area within a yard with no turf and 3" minimum depth landscape mulch. Landscape mulches include but are not limited to river rock (typ) or landscape bark (i.e. shredded cedar) (typ) etcetera, separated or contained by appropriate edging material (aluminum, metal, or similar).

Yard: A space on the same lot with a principal building, which is open and unoccupied from the ground upward or from the ground downward other than by steps, walks, terraces, driveways, lamp posts and similar structures, and unobstructed by structures.

Yard, Front: A yard extending across the full width of the lot between two side lot lines the depth of which is the least distance between the street right-of-way and the front building line.

Yard, Rear: A yard extending across the full width of the lot between the two side lot lines and between the rear line and a parallel line tangent to the rear of the principal building and the depth of which is the least distance between the rear lot line and the parallel line.

Yard, Side: A yard extending between the front building line and the rear building line, the width of which is the least distance between the side lot line and the nearest part of the principal building.

2. Installation:

Upon the sale of 75% of the lots owned by Baxter Meadows Development, L.P., the responsibilities of Baxter Meadows Development become those of Baxter Meadows Homeowners Association (HOA) as described in the Declaration of Residential Protective Covenants and Restrictions for Baxter Meadows.

Street Trees: Baxter Meadows Development shall control the installation of street and boulevard trees.

Sodding:

Bungalow and Village Style Home: Sodding of front and side yards to fences shall be the responsibility of the builder. In the case of corner lots where no fences occur, the sodding shall extend to a point 10' into the side yard from the front yard.

Traditional Style Homes: Sodding of front yards shall be the responsibility of the builder.

Condominiums and Live/Work Units: Sodding of front, side and rear yards shall be the responsibility of the builder.

On any yards where sodding has not been provided by the builder, the homeowners are responsible for sodding or seeding within one (1) year of property purchase.

Mulched Beds:

Bungalow and Village Style Homes: Front yards will be installed with 4-8 shrubs within a mulched bed and shall be the responsibility of the builder. Homeowners are encouraged to install similar beds in rear and side yards to reduce water and mowing damage to the architectural siding.

Traditional Style Homes: Front yards will be installed with 4-8 shrubs within a mulched bed and shall be the responsibility of the builder. In addition, each



home will have a meandering 18"-24" min. wide mulched bed around its perimeter in the rear and side yards to reduce water and mowing damage to the architectural siding.

Condominium and Live/Work Units: Front, rear and side yard landscaping shall be the responsibility of the builder. Each unit will have 18"-24" min. wide mulched bed surrounding its perimeter to reduce water and mowing damage to the architectural siding.

All property owners may further plant shrubs on their properties in mulched bed areas given that shrubs do not exceed the width of mulched bed area. Shrubs must be planted within a newly established mulched bed a minimum of 6" diameter wider than the mature diameter size of the shrub planted. Perennials and annuals may be planted within mulched beds provided they are within bed edges by 6" or more and are 6" or more away from architectural structures.

Trees:

Each homeowner with the exception of Condominium and Live/Work Property owners, shall be responsible for the installation of one 1.5" minimum trunk caliper shade tree within 18 months of purchasing property in Baxter Meadows. Recommended species include: Ash (*Fraxinus*), Honeylocust (*Gleditsia Triacanthos*), Linden (*Tilia*), Locust (*Robinia Pseudoacacia*), Maple (*Acer*), Mountain Ash (*Sorbus Aucuparia*), Oak (*Quercus*), Walnut (*Juglans Nigra*).

Trees installed by homeowner are to be planted within property lines. Prior to planting, a utility line locator service must locate utility lines.

Bungalow and Village Style Home: Trees must not be planted in front yards where they may conflict with utility lines. Trees must be located in back yard areas.

Traditional Style Homes: The minimum required installation shall be (3) small shade trees of 1-2" caliper or one 5' high conifer (evergreen). Installation shall be the responsibility of the builder. The required installation of a shade tree within 18 months of purchasing property in Baxter Meadows may be substituted for one non-canopy tree (evergreen/conifer). The non-canopy tree must have a min. height of 5'. Heights are measured from the top of the root ball to the plants highest point. Trees installed by homeowners may be planted in front, side or rear yards as long as they are not in conflict with the utility lines and are on the owner's property.

Fencing:

Any fences installed at the option of an owner shall be no taller than six feet and shall be constructed of wood only. Panel fencing shall have "dog-eared" panels. All owners shall have a locator service locate utility lines prior to digging. Fencing other than that described above must be approved by the Design Review Board prior to installation.



3. Maintenance:

Maintenance includes lawn care, irrigation and weed control. Mulched beds shall be weed controlled by a consistent spray regime or manual weeding. Pesticides, herbicides, fertilizers, etc. If used shall be applied in strict accordance with the manufacturer's instructions and all applicable laws and in accordance with USDA and the EPA.

Bungalow and Village Style Homes: Every homeowner shall be responsible for the care of his or her lot excluding front and side yards up to fence lines where Baxter Meadows HOA will be responsible for maintaining. In the case of corner lots where no fences occur, the maintenance by Baxter Meadows HOA shall extend to a point 10' into the side yard from the front yard.

Traditional Style and Estate Homes: Every homeowner shall be responsible for the care of his or her entire lot excluding only the street right-of-way.

Condominiums and Live/Work Units: Baxter Meadows HOA shall be responsible for the landscape maintenance of each property including the right-of-way.

4. Irrigation Installation and Maintenance:

The builder shall be responsible for the installation of irrigation systems within the areas described below. Landscaping plans (including the proposed irrigation equipment to be installed) must be provided to the Design Review Board for approval prior to installation. On homes that are irrigated from the HOA system, a list of compatible equipment will be required for installation to ensure proper watering.

Bungalow and Village Style Homes: The Builder shall install and the HOA shall maintain irrigation systems in front yards, right-of-ways, boulevards and side yards from the front yard to fence line. In the case of corner lots where no fences occur, the irrigation shall extend to a point 10' into the side yard from the front yard.

Traditional and Estate Style Homes: The builder shall install separately metered irrigation systems which are controlled by each individual owner. At a minimum, builder shall install front yard piping, heads, and a controller with sufficient capacity for the owner to install an irrigation system in the rear yard. Every homeowner shall be responsible for the maintenance of their entire system excluding only the street right of way. Baxter Meadows Development shall install systems on the street rights of way and the Baxter Meadows HOA shall maintain the same.

Condominiums and Live/Work Unit: The builder shall install and Baxter Meadows HOA shall maintain irrigation in front, side and rear yards as well as right-of-ways.

Irrigation systems controlled by Baxter Meadows Homeowners Association will be separately metered.

5. Landscape Controls for Estate Style Homes:

Installation:

Street Trees: Baxter Meadows Development shall control the installation of street and boulevard trees.

Sodding:

Estate Style Homes: Sodding of front yards shall be the responsibility of the builder.

On any yards where sodding has not been provided by builder, the homeowners are responsible for sodding or seeding within one (1) year of property purchase.

Mulched Beds: Each home shall have a meandering 18"-24" min. wide mulched bed surrounding its perimeter to reduce water and mowing damage to the architectural siding.

All property owners may plant shrubs on their properties in mulched bed areas given that shrubs do not exceed the width of mulched bed area. Shrubs must be planted within a newly established mulched bed a minimum of 6" diameter wider than the mature diameter size of the shrub planted. Perennials and annuals may be planted within mulched beds provided they are within bed edges by 6" or more and are 6" or more away from architectural structures.

Trees: Trees installed by homeowner are to be planted within property lines.

Fencing: The owners shall submit plans for proposed fencing to the Design Review Board for approval.

II. BUILDING FORM REGULATIONS

The intent of the following building design regulations are to develop architectural unity within the districts of Baxter Meadows while allowing for the vitality of individual expression.

A. BUILDING HEIGHT

1. Residential Buildings:

Building heights within all residential areas of the BMHOA shall be limited to a maximum of 38 feet except areas designated for Live/Work units shall be limited to a maximum of 55 feet. Building height shall be measured from the highest ridge to the adjacent grade.



2163418

Page: 8 of 14
09/15/2004 02:09P

On complex buildings with multiple heights, the building height shall be determined by calculating the highest ridge line of the building, and measuring to the average of the highest and lowest finished grade. The final elevation of the finished surface materials, whether soil, paving, or decking shall be indicated as the finished grade, and shall be shown on the Architect's drawings.

With the approval of the BMHOA, chimneys, cupolas, and other architectural features may exceed the given height limitations by no more than 4 feet.

B. ROOF FORM

The architecture within Baxter Meadows shall complement and respond to the natural qualities of Bozeman. The consistency and compatibility of roof shapes, pitches and materials will contribute significantly to the continuity of the character of Baxter Meadows. The following design regulations have been developed to allow for distinct building forms while addressing the character of the entire community. Exterior walls shall not exceed 40 feet in length without a change of orientation such as the introduction of dormers, projected bays, or recesses greater than 2 feet. When refining roof forms consideration shall also be given to the prevention of excessive snow build-up and snow shedding.

1. Shape and Pitch:

When examining roof shapes and pitches for buildings within Baxter Meadows, designers should consider the simple shapes and pitches of buildings found within traditional neighborhoods. Gable, hip, and modified hip roofs shall be the only acceptable roof forms. Shed roofs shall not be major roof forms. Mansard roofs, pseudo-mansard roofs, curvilinear roofs, and A-frame roofs shall not be allowed for any roof form.

Variation in orientation of the dominant roof form is essential to the successful design of large buildings. Dominant roof forms shall not exceed 40 feet in length without a change in orientation or introduction of dormers.

Within all Development Areas roof slopes shall be a minimum of 6:12 and a maximum of 12:12. Secondary roofs may be gable, shed, hip, and modified hip roofs with pitches not less than 4:12 when attached to major building forms. Such roof forms shall be integral to the building or roof form.

The BMHOA reserves the right to waive the minimum or maximum roof pitch requirement when, in its sole judgment, a lower or steep roof pitch is more appropriate for the design of a building, and does not compromise the integrity of the development district. This privilege may be exercised by the BMHOA without relinquishing its right to enforce the minimum or maximum requirements on other projects.

2. Entry Definition, Overhangs & Fascia:

Snow in the Bozeman area often builds up on roof surfaces and slides off at irregular intervals. Such slides can damage property, decks, balconies and even



injure people. No roof without adequate protection from snow slides shall slope toward driveways, sidewalks, porches, decks, balconies or any other areas that may be damaged or cause injury through the shedding of snow or ice from the roof.

Entrances shall be specifically expressed and protected with adequate overhangs. All roofs shall have overhangs of at least 16 inches. All fascia materials shall be a minimum of 6 inches.

3. Dormers and Secondary Roofs:

Dormers and secondary roofs are often necessary to add interest and scale to major roof areas and to make habitable use of the attic space within the roof. Dormers and secondary roofs shall be gable, shed, hip, and modified hip roofs and may be stacked in multiple forms.

4. Skylights and Solar Collectors:

When designing the location of skylights, consideration shall be given to both the interior and exterior appearance of the unit. Locations shall also be coordinated with window and door locations. Skylights shall be located away from valleys, ridges and all other areas where drifting snow may hinder the performance and safety of the unit. Skylights shall be of high quality, insulated, double pane construction.

Solar collectors shall be integrated into the overall roof design, and shall be placed flush with the slope of the roof or wall of the building.

5. Chimney Composition, Proportion and Materials:

Chimneys, flues and vents can be used to create visual contrast to the dominant roof forms of the buildings within Baxter Meadows. All flues shall be enclosed with a chimney cap and fitted with a spark arrestor. No exposed metal or clay flues shall be allowed. All chimney forms shall relate to the overall building and shall be covered with stone, stucco or wood siding materials to match exterior finishes of the building.

Building vents and flues for such functions as ventilation and exhaust shall be consolidated into enclosures wherever possible and shall typically be concealed from public view. Place roof penetrations on the rear side of the house whenever possible. All exposed metal shall be painted in a color compatible with the color scheme of the house. Attic openings, soffit vents, foundation louvers, or other direct openings in outside walls, overhangs or roofs shall be covered with non-combustible, corrosion-resistant metal mesh.

||

||

||



C. EXTERIOR WALL FORM

Exterior Wall surfaces shall be no longer than 40 feet in length without the introduction of a minimum 4-foot recess, 4-foot projection or change in orientation. Two story exterior wall forms shall be interrupted by minor roof forms.

III. MATERIAL AND DETAIL REGULATIONS

When choosing materials for buildings in Baxter Meadows, architects should select materials of an appropriate quality and durability in an often harsh northern environment. Synthetic and composite materials which conserve valuable wood resources should be considered whenever a building owner is contemplating opaque finishes or high maintenance areas. The use of materials and colors for all structures in the development districts shall blend into the surrounding site.

The following are the only allowable materials in Baxter Meadows:

A. ROOF MATERIALS

Durable roof materials capable of withstanding the freeze thaw cycle of the environment are required. Cold roof systems with adequate ventilation and insulation are recommended. **All roof materials shall carry a Class A or B rating.**

The following are the only acceptable roof materials:

- Treated wood shakes or shingles
- Synthetic shakes and shingles
- Natural and synthetic slate shingles
- Asphalt random tab shingles
- Pre-finished metal roofing
- Other similar materials, as allowed by the BMHOA
- All roof flashing vents, hoods, and roof accessories shall be copper or a pre-finished metal that blends with the color of the roofing material selected.

B. EXTERIOR WALL MATERIALS

The character of the building exterior shall be kept simple in order to harmonize and compliment the surrounding environment of the site. Natural materials and subdued colors shall be used on the main body of the building. Exterior trim can be more colorful and may contrast with the main body in order to add visual interest to the predominant neutral tones.

Full scale samples of all exterior building materials, including window samples are required in the Final Plan Review.

The MBHOA shall consider materials not listed below that maintain the aesthetic continuity of Baxter Meadows, including pre-finished composite wood products and synthetic siding materials.



1. Stonework:

Rock shall be natural or synthetic stone materials. Dry stack settings with minimal exposed mortar are preferred. Stonework shall not be applied to individual wall surfaces in order to avoid a veneer-like appearance. Detailed drawings of all exterior stonework shall be required as a part of the final plan submittal.

2. Concrete/Stucco:

Exposed concrete foundation walls between ground level and exterior wall siding shall be a maximum of 8 inches. Foundation exposure over 8 inches shall be finished with synthetic textured stucco (stained a subdued color in harmony with the building), stone, or treated wood.

3. Wood and Wood Product Siding:

Smooth or rough sawn wood siding and approved composite wood products shall be the only acceptable exterior wood sheathing materials. All wood siding shall be painted or stained with an opaque stain. Other wood product siding will be considered by the BMHOA on a case by case basis.

4. Shingles:

Natural and synthetic shingles shall be used only as accent or detail materials within the composition of exterior finishes. Shingles shall not be the dominant exterior material on any building.

5. Natural Log:

Natural log materials shall be milled or assembled with irregular lengths and diameters. Prefabricated log homes, including prefabricated kit homes of any type, shall not be allowed.

C. EXTERIOR WINDOWS AND DOORS

1. Scale, Composition and Proportion:

Windows and doors shall be of a consistent size, shape and orientation throughout a given building. Window and door patterns and reveals shall be carefully studied to create interest and variety.

Large scale windows and doors shall be recessed or trimmed a minimum of 6 inches in exterior wall surfaces. Uninterrupted bands of windows and doors shall not be allowed in any building. Window and door locations shall be carefully considered to avoid being obscured by accumulating snow.

\\

2. Solar Orientation and Exposure:

The design and location of exterior windows shall respond to the solar orientation of the building. The following energy considerations shall be addressed in the building design:

- Double or triple glazing
- Neutral density gray solar tinting
- Openings caulked around windows and doors
- Weather-stripping
- Storm windows
- Entry Vestibules

3. Materials:

Windows and doors shall be constructed of natural, stained or painted wood, or pre-finished aluminum, enamel or vinyl cladding. All glazing shall be framed in walls of stone, stucco or wood. Glass curtain walls shall not be approved in any circumstance. Mirrored glass shall not be used.

Glass storm panels, set within the window sash, may be used within divided-light windows, provided that the storm panel is installed on the interior side of the window. Divided light glass must be authentic appearing.

4. Garage Doors:

Garage doors shall not be oriented toward the street, and shall be de-emphasized in the elevation of the building and screened. Garage doors should be the same color as the building, and shall not be lighter in color than the building.

D. DECKS, BALCONIES, TERRACES AND PORCHES

1. Design:

Decks, balconies, terraces and porches shall be designed to enhance the overall architecture of the building by creating variety and detail on exterior elevations. Covered decks, projecting balconies and bay windows shall be integrated with, rather than randomly placed throughout, the building. Terraces shall be used to integrate the building and landscape by creating a transition between the built and natural character of the site. No deck, balcony or porch shall be used for the storage of any items except normal furniture. No exterior carpeting may be used if it is visible from any neighboring lot or the street. All railings shall be wood or approved wood-like material finished to be compatible with the color scheme of the house.

||

||



2. Materials:

Low level decks shall be skirted to grade, while providing proper ventilation and access. Decks which are not practical to skirt shall be designed to assure that the underside of the deck is integrated with the design of the building. Exposed anodized aluminum joist hangers shall not be allowed. Posts shall be a minimum of eight inches square, and shall be paired together to diminish a thin visual appearance. The dimensions of two-story columns shall be increased to account for the great height. Materials and colors shall be consistent with the building and surrounding landscape.

E. BUILDING COLOR

Exterior color schemes throughout Baxter Meadows shall emphasize the natural tones of the surrounding natural environment and those of a traditional neighborhood development. Large exterior wall surfaces shall be painted or stained with natural tones. Trim and other accenting details of the building may be of a brighter intensity and contrasting color scheme. Color schemes shall emphasize the contrast between the basic wall surfaces and accented details. All exterior color schemes shall be reviewed by, and approved by the BMHOA as a part of the Final Plan Review and Approval.

F. NIGHT SKY REQUIREMENTS

The major street intersections on Baxter Lane must be illuminated with lights that meet the City's standard requirements. In addition, all outdoor lighting (residential, commercial or otherwise) shall be free of glare, and shall be fully shielded or shall be indirect lighting. No lighting shall be beyond a property's lot line. No ranch lights or unshielded lights shall be permitted. No mercury vapor lights shall be permitted. For purposes of this paragraph, the following definitions shall apply:

- a. Fully-shielded lights: Outdoor light fixtures shielded or constructed so that no light rays are emitted by the installed fixture at angles above the horizontal plane as certified by a photometric test expert.
- b. Indirect light: Direct light that has been reflected or has scattered off of other surfaces.
- c. Glare: Light emitting from a luminaire with an intensity great enough to reduce a viewer's ability to see, and in extreme cases, causing momentary blindness.
- d. Outdoor lighting: The nighttime illumination of an outside area or object by any manmade device located outdoors that produces light by any means.

||

||



2163418

Page: 14 of 14
09/15/2004 02:09P

Shelley Vance-Gallatin Co MT MISC 84.00

IN WITNESS WHEREOF, the Design Review Guidelines and Regulations have been executed this 13th day of Sept., 2004.

BAXTER MEADOWS DEVELOPMENT, L.P.

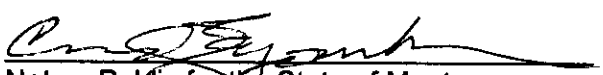


Gerald R. Williams, Limited Partner

STATE OF MONTANA)
 : SS
COUNTY OF GALLATIN)

This instrument was acknowledged before me on Sept 13, 2004, by Gerald R. Williams, as Limited Partner of Baxter Meadows Development, L.P.





Notary Public for the State of Montana
Print Name: Cindy E. Younkin
Residing at: Bozeman
My Commission Expires: 9-11-2007