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**NINTH SUPPLEMENTAL DECLARATION  
FOR THE  
NICOLE CONDOMINIUMS**

**CERTIFICATE OF FLOOR PLAN**

The undersigned, being a duly registered professional architect in the State of Montana, herewith certifies the following:

That the floor plan and site plan for 35 and 37 Voyager Lane, of NICOLE CONDOMINIUMS, are situated according to the official plat thereof on file and of record in the office of the County Clerk and Recorder of Gallatin County, Montana, as duly filed with this Ninth Supplemental Declaration hereof, fully and accurately depict the layout, location, unit designation and dimensions as built of NICOLE CONDOMINIUMS, and that such floor plan and site plan are accurate copies of the plans filed with and approved by the officials and officers of Gallatin County, having jurisdiction to issue land use permits.

DATED: August 12, 2015



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REGISTERED PROFESSIONAL ARCHITECT  
Number: 2393

**NINTH SUPPLEMENTAL DECLARATION**

**FOR THE**

**NICOLE CONDOMINIUMS**

By this Ninth Supplemental Declaration made this 12<sup>th</sup> day of August, 2015, CHASE-SKOGEN CONSTRUCTION, INC., the undersigned, amends the prior Declaration for the NICOLE CONDOMINIUMS filed with the Clerk and Recorder of Gallatin County, on April 1, 2014 as Document No. 2477445, the First Amendment to the Declaration for the NICOLE CONDOMINIUMS, filed with the Clerk and Recorder of Gallatin County, on July 11, 2014 as Document No. 2485689, the First Supplemental Declaration for the NICOLE CONDOMINIUMS filed with the Clerk and Recorder of Gallatin County, on July 11, 2014 as Document No. 2485690, the Second Supplemental Declaration for the NICOLE CONDOMINIUMS filed with the Clerk and Recorder of Gallatin County, on July 23, 2014 as Document No. 2486753, the Third Supplemental Declaration for the NICOLE CONDOMINIUMS filed with the Clerk and Recorder of Gallatin County, on September 30, 2014 as Document No. 2493347, the Fourth Supplemental Declaration for the NICOLE CONDOMINIUMS filed with the Clerk and Recorder of Gallatin County, on October 14, 2014 as Document No. 2494469, the Fifth Supplemental Declaration for the NICOLE CONDOMINIUMS filed with the Clerk and Recorder of Gallatin County, on March 19, 2015 as Document No. 2506456, the Sixth Supplemental Declaration for the NICOLE CONDOMINIUMS filed with the Clerk and Recorder of Gallatin County, on May 12, 2015 as Document No. 2511134, the Seventh Supplemental Declaration for the NICOLE CONDOMINIUMS filed with the Clerk and Recorder of Gallatin County, on July 9, 2015 as Document No. 2517027, and the Eighth Supplemental Declaration for the NICOLE CONDOMINIUMS filed with the Clerk and Recorder of Gallatin County, on July 24, 2015 as Document No. 2518599. This Ninth Supplemental Declaration is made pursuant to Articles VI and VII and other appropriate provisions of said Declaration.

1. The second paragraph of Article II., Real Estate, subparagraph Description shall be amended as follows:

The condominium unit in NICOLE CONDOMINIUMS consists of sixteen (16) buildings listed as 5 and 7 Halo Drive, 9 and 11 Halo Drive, 13 and 15 Halo Drive, 17 and 19 Halo Drive, 21 and 23 Halo Drive, 25 and 27 Halo Drive, 26 and 28 Halo Drive, 29 and 31 Halo Drive, 33 and 35 Halo Drive, 1 and 3 Voyager Lane, 5 and 7 Voyager Lane, 9, 11 and 13 Voyager Lane, 15 and 17 Voyager Lane, 19 and 21 Voyager Lane, 35 and 37 Voyager Lane, and 39 and 41 Voyager Lane. Under the expansion provision in Article IV, it is contemplated that the condominium unit in NICOLE CONDOMINIUMS shall eventually consist of a total of thirty (30) separate buildings, consisting of a total of sixty (60) units, two (2) or three (3) units per building. The provisions of this Declaration and Bylaws shall be construed to be covenants running with the land, and shall include every unit and shall be binding upon the Unit Owners, their heirs, successors, personal representatives and assigns for as long as this Declaration and Bylaws are in effect.

2. The last sentence in Article II., Real Estate, subparagraph Condominium Units shall be amended as follows:

The Units comprising the condominium are contained in sixteen (16) buildings.

3. In Article IV. Ownership and Voting – Exhibits – Use, subparagraph Percentage of Interest, the percentage of interest in general common elements shall be amended as follows:

<b>UNIT</b>	<b>SQUARE FOOTAGE</b>	<b>PERCENTAGE OF INTEREST IN GENERAL COMMON ELEMENTS</b>
5 Halo Drive	1,470	3.0247%
7 Halo Drive	1,470	3.0247%
9 Halo Drive	1,470	3.0247%
11 Halo Drive	1,470	3.0247%
13 Halo Drive	1,470	3.0247%
15 Halo Drive	1,470	3.0247%
17 Halo Drive	1,470	3.0247%
19 Halo Drive	1,470	3.0247%
21 Halo Drive	1,470	3.0247%
23 Halo Drive	1,470	3.0247%
25 Halo Drive	1,470	3.0247%
27 Halo Drive	1,470	3.0247%
26 Halo Drive	1,470	3.0247%
28 Halo Drive	1,470	3.0247%
29 Halo Drive	1,470	3.0247%
31 Halo Drive	1,470	3.0247%
33 Halo Drive	1,470	3.0247%
35 Halo Drive	1,470	3.0247%
1 Voyager Lane	1,470	3.0247%
3 Voyager Lane	1,470	3.0247%
5 Voyager Lane	1,470	3.0247%
7 Voyager Lane	1,470	3.0247%
9 Voyager Lane	1,470	3.0247%
11 Voyager Lane	1,560	3.2096%
13 Voyager Lane	1,470	3.0247%
15 Voyager Lane	1,470	3.0247%
17 Voyager Lane	1,470	3.0247%
19 Voyager Lane	1,470	3.0247%
21 Voyager Lane	1,470	3.0247%
39 Voyager Lane	1,470	3.0247%
41 Voyager Lane	1,470	3.0247%
35 Voyager Lane	1,470	3.0247%
37 Voyager Lane	<u>1,470</u>	<u>3.0247%</u>
<b>TOTALS</b>	<b>48,600</b>	<b>100%</b>

\*subject to the expansion provision below.

4. In Article IV., Ownership and Voting – Exhibits – Use, subparagraph Voting Interest shall be amended as follows:

For the purposes of this Declaration and the expanded Declaration as set forth below, the voting interest of the Unit Owner or Owners in all matters concerning the Association of the Unit Owners shall be equal to the other units in accordance with the Bylaws of the Association of the Unit Owners. For the present, each of the original thirty-three (33) units shall have one vote per unit, for a total of thirty-three (33) votes.

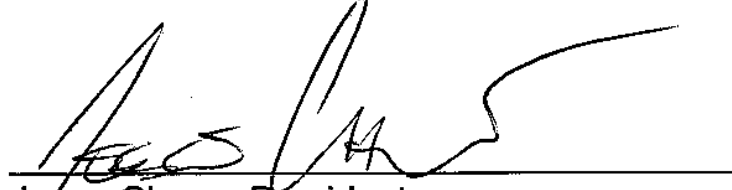
5. In Article IV., Ownership and Voting – Exhibits – Use, subparagraph Floor Plans and Exhibits, the first paragraph shall be amended as follows:

NICOLE CONDOMINIUMS will consist of sixteen (16) buildings and the real property described in **Exhibit A** which contains thirty-three (33) units as shown on the floor plans.

6. Except as amended as set forth above, the Declaration for the NICOLE CONDOMINIUMS shall be in full force and effect.

IN WITNESS WHEREOF, the undersigned has caused this Ninth Supplemental Declaration to be made and executed according to and under the provisions of the Unit Ownership Act, Title 70, Section 23, M.C.A., and the Declaration for the NICOLE CONDOMINIUMS.

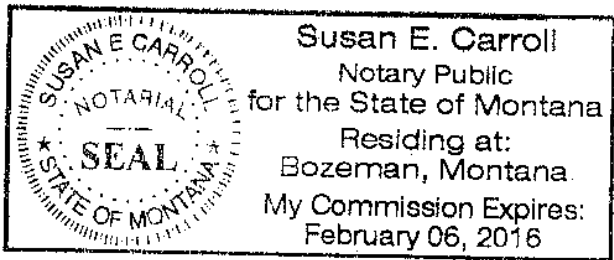
CHASE-SKOGEN CONSTRUCTION, INC.

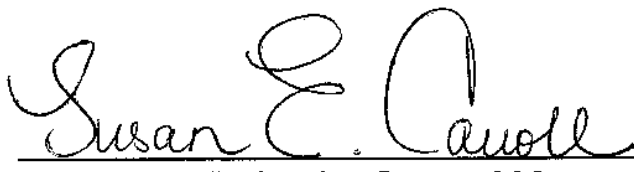
By:   
Jesse Chase, President

STATE OF MONTANA        )  
  ) ss.  
County of Gallatin        )

On this 12<sup>th</sup> day of August, 2015, before me, a Notary Public in and for the State of Montana, personally appeared Jesse Chase, known to me to be the President of CHASE-SKOGEN CONSTRUCTION, INC., the Declarant, and acknowledged to me that he executed the same on behalf of the corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first above written.



  
Notary Public for the State of Montana  
Printed Name: Susan E. Carroll

**EXHIBIT A**

A portion of Lot 58 of the Final Plat of Galactic Park Subdivision, Gallatin County, Montana, according to the official plat thereof on file and of record in the office of the Gallatin County Clerk and Recorder, Gallatin County, Montana (Plat Reference: J-414).



## GALLATIN COUNTY

### CERTIFICATE OF EXEMPTION FROM SUBDIVISION REVIEW

I, Manager of Subdivision and Zoning for Gallatin County, Montana, do hereby certify that the Ninth Supplemental Declaration for Nicole Condominiums made August 12, 2015, by Jesse Chase, President of CHASE-SKOGEN CONSTRUCTION, INC., pursuant to Title 70, Chapter 23, Montana Code Annotated, is exempt from review under the Montana Subdivision and Platting Act pursuant to Section 76-3-203(1)(2), MCA.

The Condominiums are to be located on the following described real property:

A portion of Lot 58 of the Final Plat of Galactic Park Subdivision, Gallatin County, Montana, according to the official plat thereof on file in the Gallatin County Clerk and Recorder's Office, Gallatin County, Montana (Plat J-414).

The Declaration is exempt because the condominiums are to be constructed on land that was subdivided in compliance with Parts 5 and 6 of the Subdivision and Platting Act. The preliminary plat approval for the Galactic Park Subdivision expressly contemplated the construction of up to 120 condominiums within Lot 58, and all applicable parkland dedication requirements required by Section 76-3-621, MCA has been complied with as stated in the final plat approval for the Galactic Park Subdivision. Furthermore, the units subject to this Declaration are exempt because the subject condominiums are in conformance with the requirements of the Four Corners Zoning Regulations.

Any future amendment to the Preliminary Declaration for the Nicole Condominiums or to any final Declaration that adds units to the Condominium Declaration for the Nicole Condominiums within Lot 58 of the Galactic Park Subdivision requires, for each amendment, an additional declaration of condominium exemption from the Gallatin County Planning Department.

This Certificate of Exemption in no way obviates the declarants' responsibility to file a final declaration as required under the Montana Unit Ownership Act.

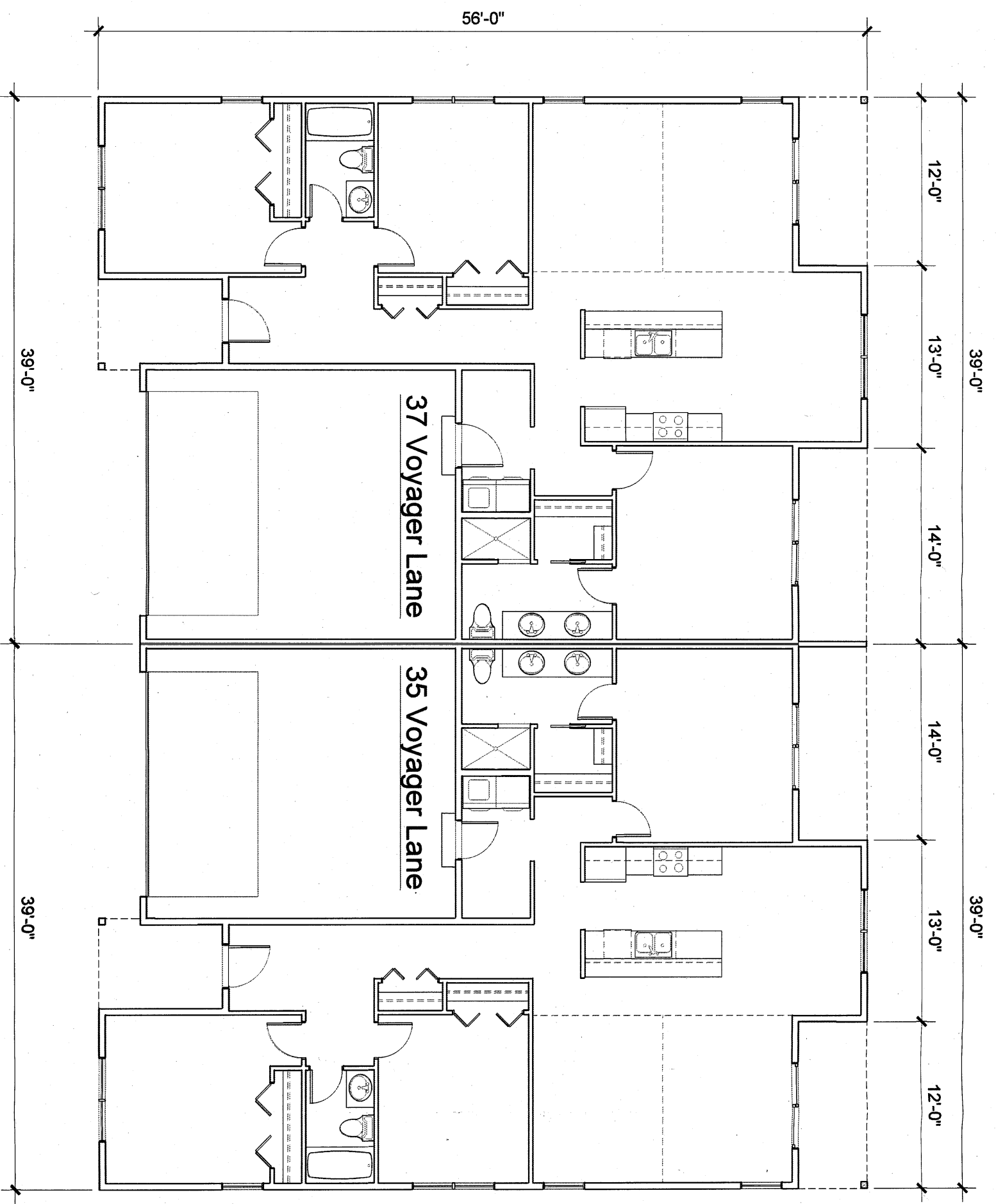
DATED this 31st Day of August, 2015

A handwritten signature in black ink, appearing to read "W. Randall Johnson", is written over a horizontal line.

W. Randall Johnson, AICP;  
Manager, Subdivision and Zoning








**Nicole Condominiums Floor Plan**  
 scale: not to scale

**sq. ft. summary:**  
 35 Voyager Lane.....1,470  
 Garage.....443  
 37 Voyager Lane.....1,470  
 Garage.....443

 Visser architects	<b>Nicole Condominiums</b> four corners                      montana	drawing
issue date: _____ issued for Review _____		drawing