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Charlotte Mills - Gallatin County, MT MISC



**SIXTH AMENDMENT TO THE
SUPPLEMENTAL DECLARATION
FOR
SOUTH MEADOW CONDOMINIUM
(Phases 1-14A)**



**CITY OF BOZEMAN
DEPARTMENT OF COMMUNITY DEVELOPMENT**

Alfred M. Stiff Professional Building
20 East Olive Street
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Date: February 4, 2014

To Whom It May Concern:

Senate Bill 527 amending §76-3-203, M.C.A. was signed into law on April 17, 2007. This bill revised the exemption for the creation of new condominiums from the Subdivision and Platting Act. The amendment had an immediate effective date. The text of the amended section is now as follows:

Section 1. Section 76-3-203, M.C.A., is amended to read:

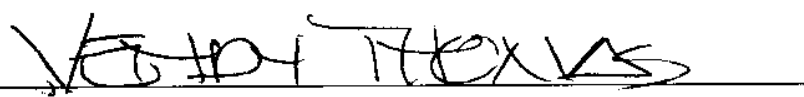
“76-3-203. Exemption for certain condominiums. Condominiums constructed on land subdivided in compliance with parts 5 and 6 of this chapter or on lots within incorporated cities and towns are exempt from the provisions of this chapter if:

- (1) the approval of the original subdivision of land expressly contemplated the construction of the condominiums and any applicable park dedication requirements in 76-3-621 are complied with; or
- (2) the condominium proposal is in conformance with applicable local zoning regulations when local zoning regulations are in effect.”

Pursuant to the above statute, the Department of Planning and Community Development has determined that the condominium development on property legally described as Lot 1 of MiSub #294, SW ¼, Section 19, T2S, R6E, P.M.M, City of Bozeman, Gallatin County, Montana.

- does not require subdivision review and has satisfied the exemption criteria.
- has completed review as a subdivision.

If you have any questions or comments, please contact the City of Bozeman Planning Office at 582-2260. Thank you for your cooperation.


 Wendy Thomas, AICP
 Director, City of Bozeman Community Development

CERTIFICATE OF FLOOR PLAN

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

That the floor plans for SOUTH MEADOW CONDOMINIUM, Phases 1-14A, Units 1-96, 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 the Declaration and the Supplemental Declarations, fully and accurately depict the layout, location, unit designation and dimensions as built of the SOUTH MEADOW CONDOMINIUM and that such floor plans are an accurate copy of the plans filed with and approved by the officials and officers of the City of Bozeman having jurisdiction to issue building permits.

DATED: Jan. 28, 2014



REGISTERED PROFESSIONAL ARCHITECT
Number: 1189

**SIXTH AMENDMENT TO THE
SUPPLEMENTAL DECLARATION
FOR
SOUTH MEADOW CONDOMINIUM
(Phases 1-14A)**

By this Sixth Amendment to the Supplemental Declaration made this 21st day of January, 2014, SOUTH MEADOW, INC., of Bozeman, Montana, the undersigned, amends the Declaration for South Meadow Condominium, recorded May 21, 2002, as Document No. 2069742, the Supplemental Declaration, recorded July 23, 2003, as Document No. 2116581, the Supplemental Declaration, recorded April 6, 2004, as Document No. 2145707, the Supplemental Declaration, recorded July 14, 2005, as Document No. 2194328, the Supplemental Declaration, recorded February 27, 2007, as Document No. 2257983, the First Amendment to the Supplemental Declaration, recorded March 24, 2010, as Document No. 2357022, the Second Amendment to the Supplemental Declaration, recorded April 21, 2010 as Document No. 2359145, the Third Amendment to the Supplemental Declaration, recorded August 3, 2011 as Document No. 2394102, the Fourth Amendment to the Supplemental Declaration, recorded May 21, 2012 as Document No. 2415986, and the Fifth Amendment to the Supplemental Declaration, recorded October 3, 2012 as Document No. 2428176. This Sixth Amendment to the Supplemental Declaration is made pursuant to Article IV and other appropriate provisions of said Declaration.

1. Article II. Real Estate, Description, is amended in the second paragraph, first sentence, as follows:

The condominium units in Phases 1 through 14A consist of ninety-six (96) separate units numbered 1 through 96, subject to the expansion provisions of Article IV below. The provisions of this Declaration and the 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 and personal representatives and assigns for as long as this SOUTH MEADOW Sixth Amendment to the Supplemental Declaration is in effect.

2. Article II. Real Estate, Condominium Units, is amended in the first paragraph, second sentence, as follows:

Each Unit, together with the appurtenant undivided interest in the common elements of SOUTH MEADOW shall together comprise one condominium unit, shall be inseparable, and may be conveyed, leased, rented, devised or encumbered as a condominium unit. The Units comprising the condominium are contained in forty-six (46) buildings, subject to the expansion provisions of Article IV below.

3. The Percentage of Interest paragraph of Article IV. Ownership and Voting - Exhibits - Use, is amended by the substitution of a schedule of the percentage of undivided ownership of the specific units as follows:

PHASES 1 THROUGH 14A

UNIT NO.	SQUARE FOOTAGE	PERCENTAGE OF INTEREST IN GENERAL COMMON ELEMENTS
1	1,820	.916609%
2	1,917	.965461%
3	1,917	.965461%
4	1,775	.893945%
5	1,917	.965461%
6	1,917	.965461%
7	1,820	.916609%
8	2,017	1.015824%
9	1,917	.965461%
10	1,820	.916609%
11	2,017	1.015824%
12	1,775	.893945%
13	2,230	1.123097%
14	2,118	1.066691%
15	2,230	1.123097%
16	2,118	1.066691%
17	1,975	.994671%
18	2,230	1.123097%
19	1,975	.994671%
20	1,775	.893945%
21	2,118	1.066691%
22	1,775	.893945%

23	2,230	1.123097%
24	2,118	1.066691%
25	2,230	1.123097%
26	1,975	.994671%
27	1,775	.893945%
28	2,118	1.066691%
29	1,975	.994671%
30	1,975	.995671%
31	2,230	1.123097%
32	2,118	1.066691%
33	1,775	.893945%
34	2,017	1.015824%
35	2,118	1.066691%
36	1,975	.994671%
37	2,230	1.123097%
38	1,975	.994671%
39	1,975	.994671%
40	2,118	1.066691%
41	1,775	.893945%
42	1,660	.836027%
43	2,230	1.123097%
44	1,775	.893945%
45	1,975	.994671%
46	1,975	.994671%
47	2,118	1.066691%
48	1,975	.994671%
49	2,466	1.241954%
50	2,155	1.085325%
51	1,975	.994671%
52	2,230	1.123097%
53	1,695	.853655%
54	2,118	1.066691%
55	1,775	.893945%
56	1,775	.893945%
57	1,975	.994671%
58	2,118	1.066691%
59	2,230	1.123097%
60	2,118	1.066691%

61	1,975	.994671%
62	1,975	.994671%
63	1,975	.994671%
64	2,588	1.303397%
65	2,118	1.066691%
66	2,588	1.303397%
67	1,975	.994671%
68	2,118	1.066691%
69	1,975	.994671%
70	2,118	1.066691%
71	1,975	.994671%
72	2,118	1.066691%
73	1,975	.994671%
74	2,118	1.066691%
75	1,975	.994671%
76	1,975	.994671%
77	2,230	1.123097%
78	2,118	1.066691%
79	2,018	1.016327%
80	1,695	.853655%
81	2,588	1.303397%
82	2,118	1.066691%
83	1,990	1.002226%
84	2,588	1.303397%
85	2,588	1.303397%
86	2,588	1.303397%
87	2,118	1.066691%
88	1,990	1.002226%
89	2,588	1.303397%
90	2,118	1.066691%
91	2,588	1.303397%

92	2,118	1.066691%
93	1,990	1.002226%
94	2,588	1.303397%
95	1,978	.996182%
96	<u>2,207</u>	<u>1.111514%</u>
TOTALS	198,558	100%*

* Subject to the expansion provisions below.

4. Article IV., Ownership and Voting - Exhibits - Use, Voting Interest, the last sentence in this paragraph shall be amended as follows:

For the present, each of the existing ninety-six (96) units shall have one vote per unit, for a total of ninety-six (96) votes.

5. Article IV., Ownership and Voting - Exhibits - Use, Expansion Provisions, the first sentence in the first paragraph shall be amended as follows:

The Declarant intends from time to time to construct additional Units on the property, for a final total not to exceed one hundred (100) units.

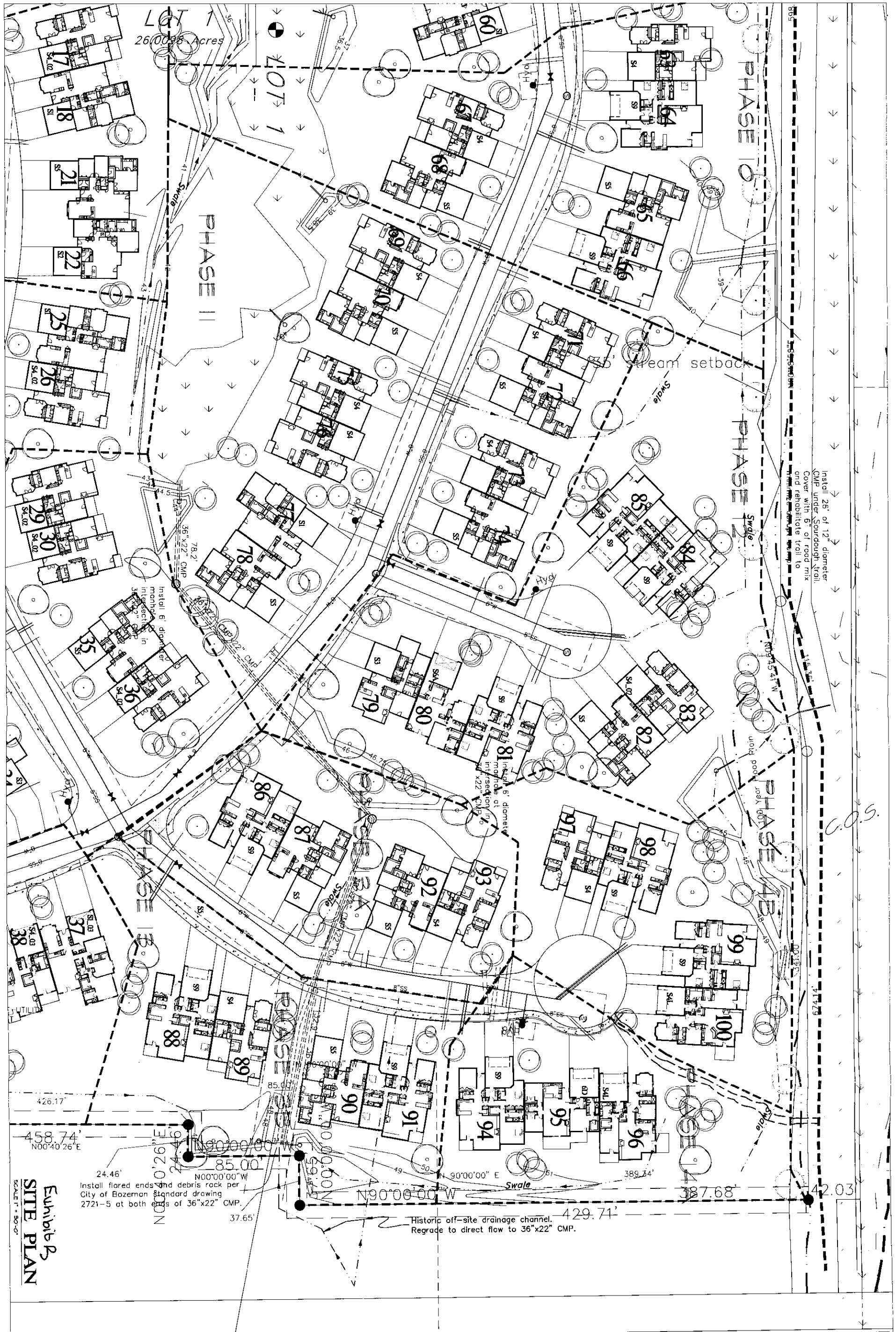
6. Article IV., Ownership and Voting - Exhibits - Use, Floor Plans and Exhibits, the first sentence of the first paragraph shall be amended as follows:

SOUTH MEADOW presently consists of forty-six (46) buildings and the real property described on **Exhibit A**, which contains a total of ninety-six (96) separate SOUTH MEADOW Units, as shown on the site plan, floor plans and elevations for the buildings and units as constructed and are attached hereto as **Exhibits B and C**.

7. The one (1) additional building with the additional three (3) units contained therein are built as shown on the floor plans and site plan. The principal materials of construction are the same as listed in Article IV., Ownership and Voting - Exhibits - Use, under the paragraph entitled Construction Materials.
8. As to these three (3) new units, there are no changes in the limited common elements contained in the existing Declaration.
9. Except as amended as set forth above, the Declaration for South Meadow Condominium shall be in full force and effect.

EXHIBIT A

South Meadow Condominium, located on Lot 1 of Minor Subdivision No. 294 (South Meadow Minor Subdivision), located in the SW $\frac{1}{4}$ of Section 19, Township 2 South, Range 6 East, P.M.M., City of Bozeman, Gallatin County, Montana, the Declaration for which was recorded May 21, 2002 at 3:24 P.M., as Document No. 2069742, and Supplemental Declarations recorded July 23, 2003 at 3:34 P.M., as Document No. 2116581, and April 6, 2004 at 10:30 A.M., as Document No. 2145707, records of Gallatin County, Montana. The use of this condominium shall be for residential purposes only.



Install 26" of 12" diameter CMP under Sourdough Trail. Cover with 6" of road mix and rehabilitate trail to

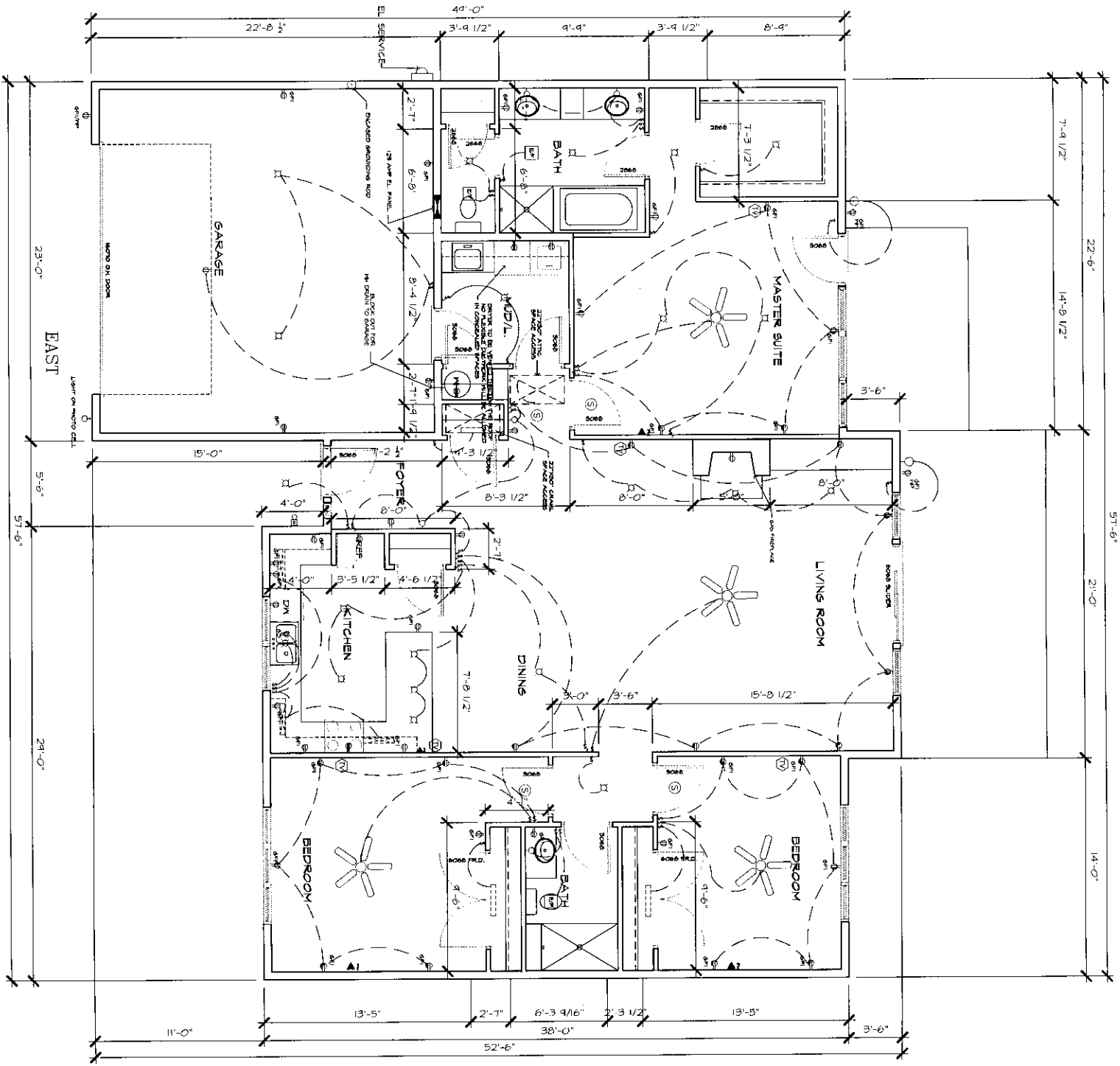
Install 6" diameter manhole at intersection of 36"x22" CMP.

Historic off-site drainage channel. Regrade to direct flow to 36"x22" CMP.

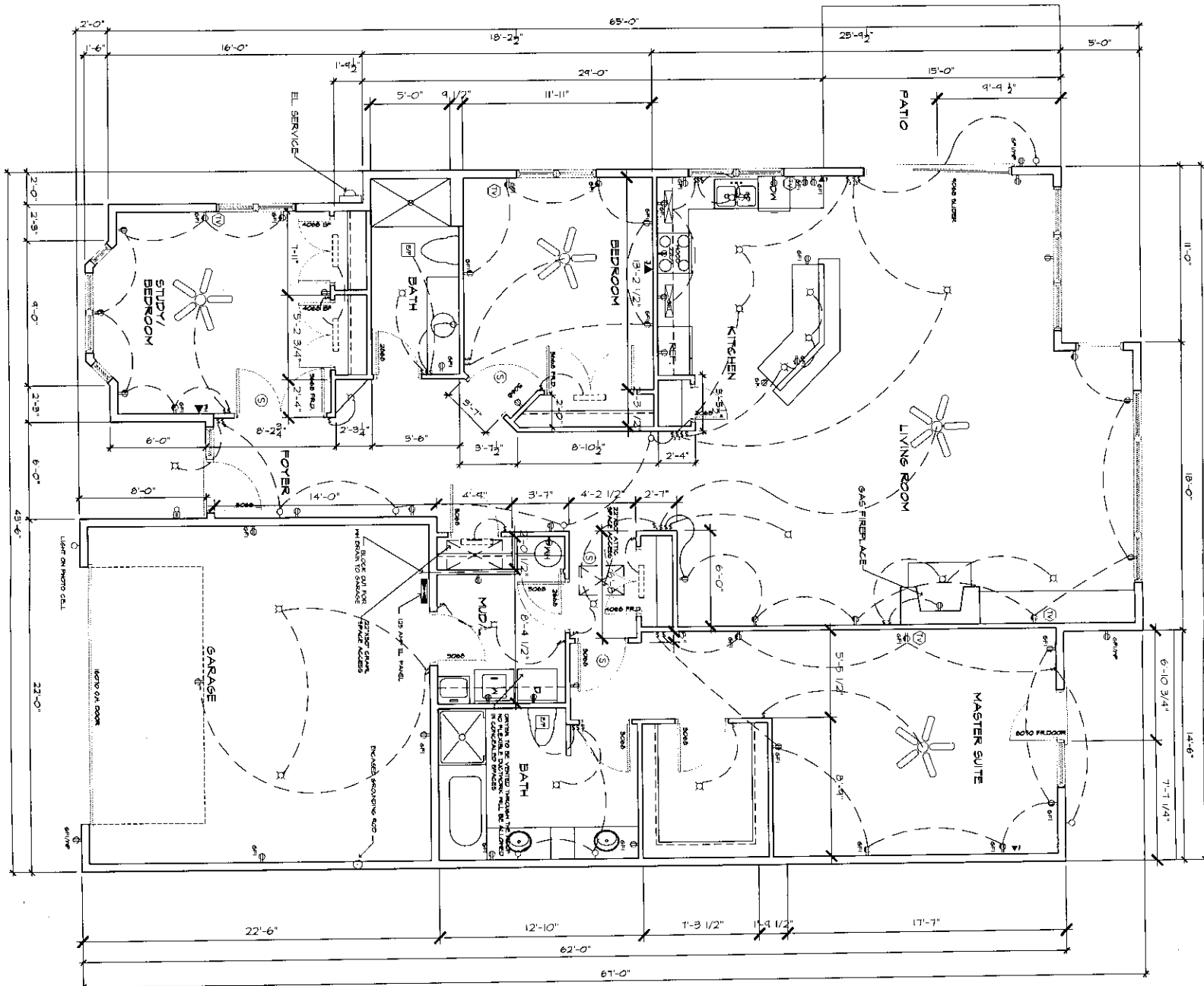
Exhibit B
SITE PLAN
SCALE: 1" = 50'-0"

C2		<p>CIKAN ARCHITECTS, P.C. 1607 W. DICKERSON, SUITE C BOZEMAN, MONTANA 59715 (406) 586 3624</p>	<p>PHASE 14A SOUTH MEADOW 3300 GRAF STREET, BOZEMAN, MONTANA</p>	<p>DATE REVISION 4/2/14</p>
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UNIT 95 TYPE 6D
MAIN AREA = 1478 SF



UNIT 96, TYPE S4L
MAIN AREA = 2207 SF



UNITS 94 (S9), 95 (6D), 96 (S4L)

FLOOR PLAN AND ELECTRICAL LAYOUT
SCALE: 1/4" = 1'-0"



CIKAN ARCHITECTS, P.C.
1807 N. DICKERSON, SUITE C
BOZEMAN, MONTANA 59715
(406) 586 3624

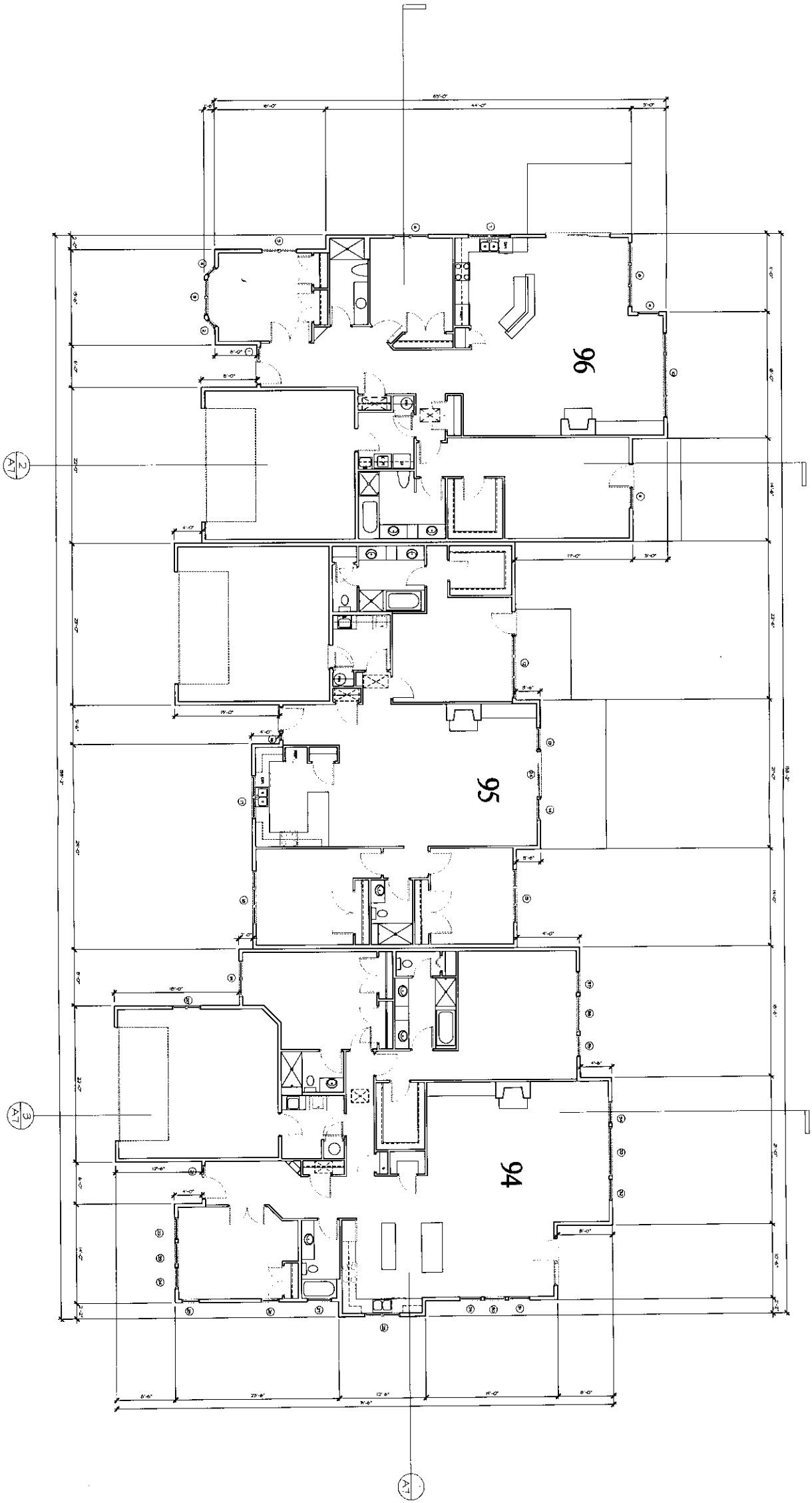
PHASE 14A
SOUTHMEADOW CONDOS
3300 GRAF STREET, BOZEMAN, MONTANA

DATE	4/7/2012
JOB NO.	
REVISION	
JOB DATE	

A2

REVISED
EXTERIOR
ELEVATIONS

UNITS 94 (S9), 95 (6D), 96 (S4L)



MAIN LEVEL FLOOR PLAN
SCALE: 1/8" = 1'-0"



AI	REVISED FLOOR PLAN	 CIKAN ARCHITECTS, P.C. 1807 W. DICKERSON, SUITE C BOZEMAN, MONTANA 59715 (406) 586 3624	PHASE 14A SOUTHMEADOW CONDOS 3300 GRAF STREET, BOZEMAN, MONTANA		DATE 4/1/2012
			JOB NO.	REVISED	JOB NO.

UNITS 94 (S9), 95 (6D), 96 (S4L)

UNIT 94, TYPE S9
MAIN AREA = 2586 SF

DATE 4/7/2012	JOB NO. REVISED	JOB NO.	JOB DATE	SOUTHMEADOW CONDOS PHASE 14A 3300 GRAF STREET, BOZEMAN, MONTANA	CIKAN ARCHITECTS, P.C. 1807 W. DICKERSON, SUITE C BOZEMAN, MONTANA 59715 (406) 586 3624	 UNIT 94 FLOOR PLAN	A3
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FLOOR PLAN AND ELECTRICAL LAYOUT
SCALE: 1/8" = 1'-0"

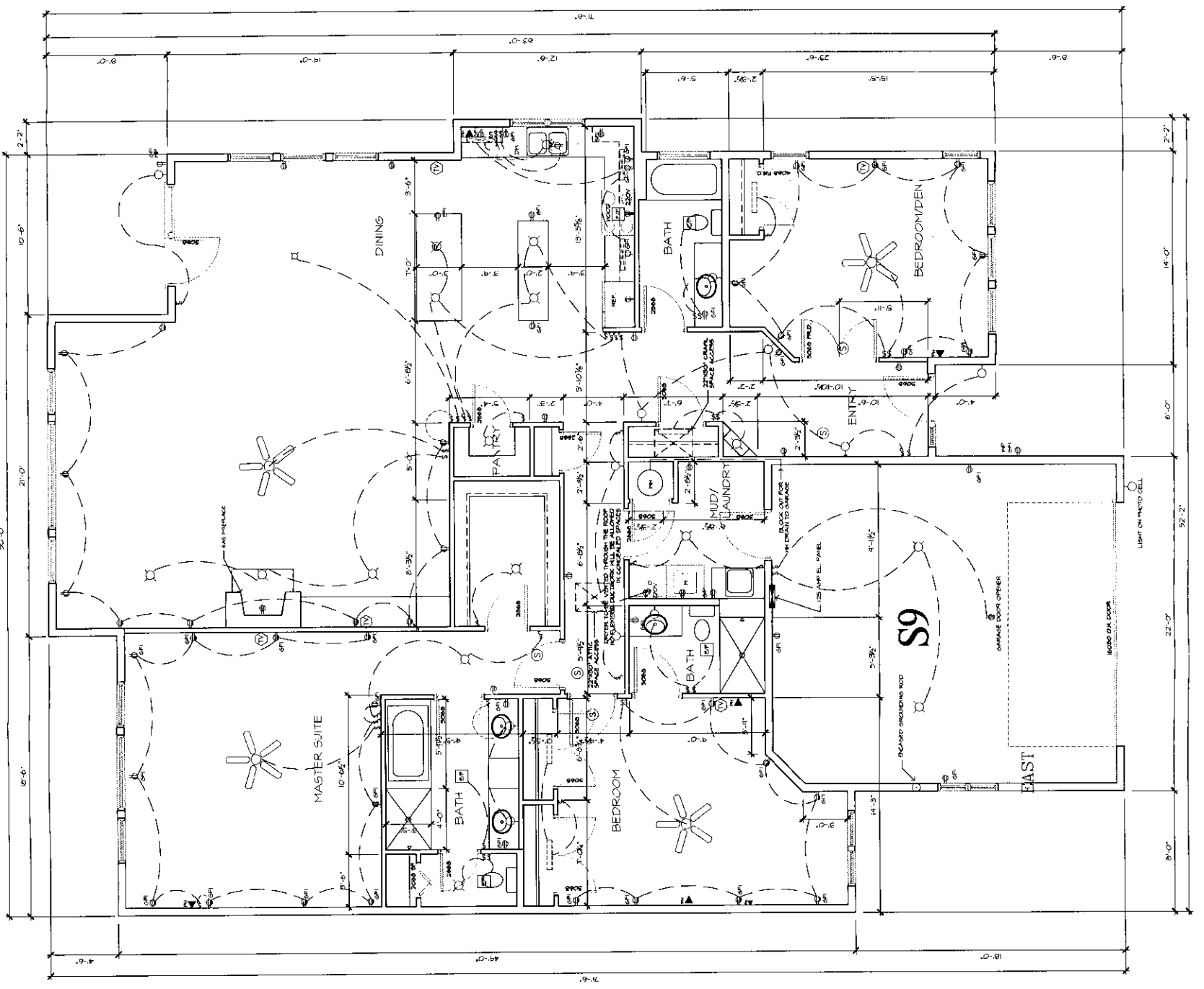
GENERAL NOTE
INSULATION VALUES TO BE AS INDICATED.
WALLS: R21
CEILING: R12
FLOOR: R20
ATTIC SPACE/ROOF: R50

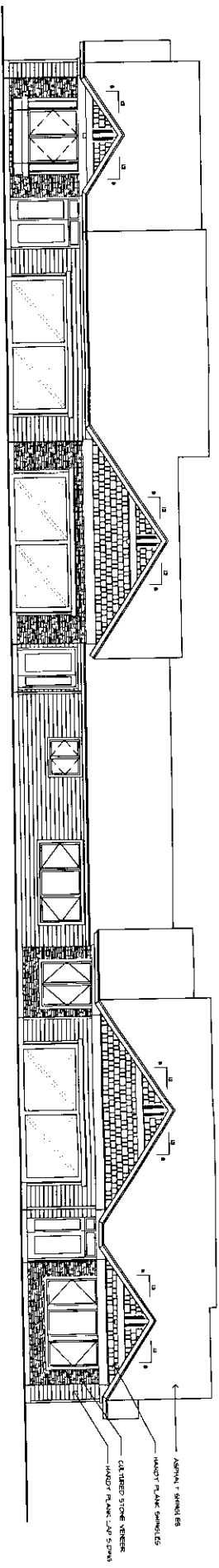
FURNACE LOCATED IN THE UNCONDITIONED (RESIDUAL HEATING FROM THE BUILDING) GRAVEL SPACE PERIMETER. WALLS INSULATED W/ R20 BATT. LOCATION NEAR THE GRAVEL SPACE ACCESS (EXACT LOCATION BY BUILDER). RECEPTACLES TO BE TAMPERPROOF NEC 406.11 AND AFCI PER NEC 210.12

HOT WATER HEATER: 50 GAL., 30,000 BTU/H
FURNACE: 50,000 BTU/H GAS, 95% EFFICIENCY
100,000 BTU/H GAS, 95% EFFICIENCY

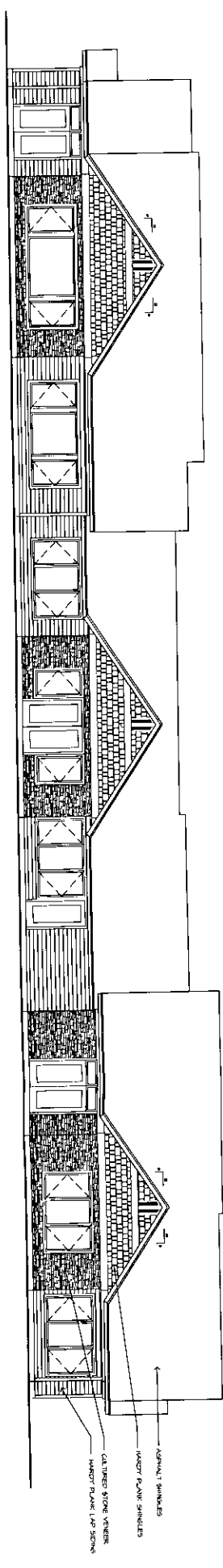
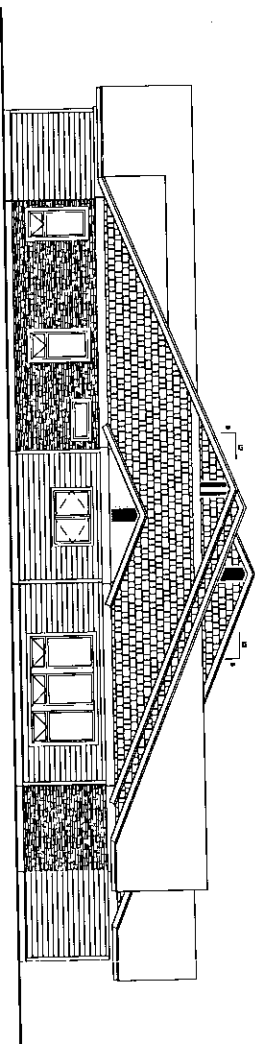
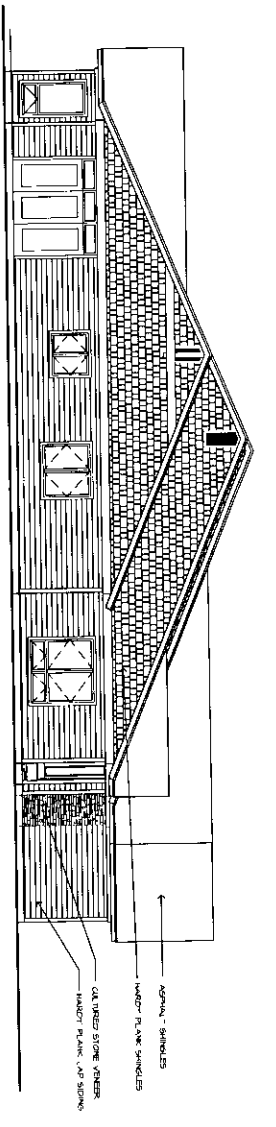
PROJECT COMPLIES WITH THE CURRENTLY ADOPTED CODES.

- 2006 INTERNATIONAL RESIDENTIAL CODE (IRC)
- 2003 INTERNATIONAL BUILDING CODE (IBC)
- 2004 INTERNATIONAL MECHANICAL CODE (IMC)
- 2004 INTERNATIONAL FUEL GAS CODE (IFGC)
- 2004 UNIFORM PLUMBING CODE (UPC)
- 2008 NATIONAL ELECTRICAL CODE (NEC)
- 2004 INTERNATIONAL ENERGY CONSERVATION CODE (IECC)
- 2004 INTERNATIONAL FIRE CODE
- 2007 NFPA 12, FIRE ALARMS





ROOF PLAN LOWER LEVEL
SCALE: 1/8" = 1'-0"



ROOF PLAN UPPER LEVEL
SCALE: 1/8" = 1'-0"

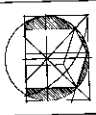
UNITS 94 (S9), 95 (6D), 96 (S4L)

GENERAL NOTE
CONTRACTOR TO VERIFY ALL MATERIALS AND FINISHES AS WELL AS THE EXISTING CONDITIONS.

DATE	4/7/2012
JOB NO.	
REVISED	
JOB NO.	
JOB DATE	

PHASE 14A
SOUTHMEADOW CONDOS
3300 GRAF STREET, BOZEMAN, MONTANA

CIKAN ARCHITECTS, P.C.
1807 W. DICKERSON, SUITE C
BOZEMAN, MONTANA 59715
(406) 566 3624



ROOF FRAMING PLAN



A4