

American Land Title Company  
1800 West Koch / P.O. Box 396  
Bozeman, Montana 59715 / 59771-0396  
Order No. B-35227

**2394102**

Page: 1 of 19 08/03/2011 03:29:25 PM Fee: \$153.00  
Charlotte Mills - Gallatin County, MT MISC



**THIRD AMENDMENT TO THE  
SUPPLEMENTAL DECLARATION  
FOR  
SOUTH MEADOW CONDOMINIUM  
(Phases 1-13A)**



**CITY OF BOZEMAN  
DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT**

Alfred M. Stiff Professional Building  
20 East Olive Street  
P.O. Box 1230  
Bozeman, Montana 59771-1230

phone 406-582-2260  
fax 406-582-2263  
planning@bozeman.net  
www.bozeman.net

Date: August 1, 2011

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:

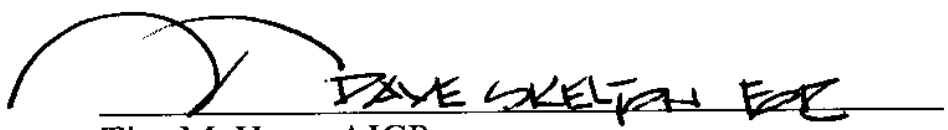
- (1) the approval of the original subdivision of land expressly contemplated the construction of the condominiums and any applicable park dedication requirements in 76-3-621 are complied with; or
- (2) the condominium proposal is in conformance with applicable local zoning regulations when local zoning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

  
 \_\_\_\_\_  
 Tim McHarg, AICP  
 Director of Planning and 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 1-13A, Units 1-87 and 92 and 93, 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: July 27, 2011

  
\_\_\_\_\_  
REGISTERED PROFESSIONAL ARCHITECT  
Number: 1189

**THIRD AMENDMENT TO THE  
SUPPLEMENTAL DECLARATION  
FOR  
SOUTH MEADOW CONDOMINIUM  
(Phases 1-13A)**

By this Third Amendment to the Supplemental Declaration made this \_\_\_ day of July, 2011, 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, and the Second Amendment to the Supplemental Declaration, recorded April 21, 2010 as Document No. 2359145. This Third 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 13A consist of eighty-nine (89) separate units numbered 1 through 87 and 92 and 93, 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 Third 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-three (43) 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 13A**

UNIT NO.	SQUARE FOOTAGE	PERCENTAGE OF INTEREST IN GENERAL COMMON ELEMENTS
1	1,820	.9972548
2	1,917	1.0504052
3	1,917	1.0504052
4	1,775	.9725974
5	1,917	1.0504052
6	1,917	1.0504052
7	1,820	.9972548
8	2,017	1.1051994
9	1,917	1.0504052
10	1,820	.9972548
11	2,017	1.1051994
12	1,775	.9725974
13	2,230	1.2219111
14	2,118	1.1605416
15	2,230	1.2219111
16	2,118	1.1605416
17	1,975	1.0821859
18	2,230	1.2219111
19	1,975	1.0821859
20	1,775	.9725974
21	2,118	1.1605416
22	1,775	.9725974
23	2,230	1.2219111
24	2,118	1.1605416
25	2,230	1.2219111
26	1,975	1.0821859
27	1,775	.9725974
28	2,118	1.1605416

29	1,975	1.0821859
30	1,975	1.0821859
31	2,230	1.2219111
32	2,118	1.1605416
33	1,775	.9725974
34	2,017	1.1051994
35	2,118	1.1605416
36	1,975	1.0821859
37	2,230	1.2219111
38	1,975	1.0821859
39	1,975	1.0821859
40	2,118	1.1605416
41	1,775	.9725974
42	1,660	.9095841
43	2,230	1.2219111
44	1,775	.9725974
45	1,975	1.0821859
46	1,975	1.0821859
47	2,118	1.1605416
48	1,975	1.0821859
49	2,466	1.3512255
50	2,155	1.1808155
51	1,975	1.0821859
52	2,230	1.2219111
53	1,695	.9287620
54	2,118	1.1605416
55	1,775	.9725974
56	1,775	.9725974
57	1,975	1.0821859
58	2,118	1.1605416
59	2,230	1.2219111
60	2,118	1.1605416
61	1,975	1.0821859
62	1,975	1.0821859
63	1,975	1.0821859
64	2,588	1.4180744

65	2,118	1.1605416
66	2,588	1.4180744
67	1,975	1.0821859
68	2,118	1.1605416
69	1,975	1.0821859
70	2,118	1.1605416
71	1,975	1.0821859
72	2,118	1.1605416
73	1,975	1.0821859
74	2,118	1.1605416
75	1,975	1.0821859
76	1,975	1.0821859
77	2,230	1.2219111
78	2,118	1.1605416
79	2,018	1.1057474
80	1,695	.9287620
81	2,588	1.4180744
82	2,118	1.1605416
83	1,990	1.0904050
84	2,588	1.4180744
85	2,588	1.4180744
86	2,588	1.4180744
87	2,118	1.1605416
92	2,118	1.1605416
93	<u>1,990</u>	<u>1.0904050</u>
<b>TOTALS</b>	<b>182,501</b>	<b>100.0000000%*</b>

\* 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 eighty-nine (89) units shall have one vote per unit, for a total of eighty-nine (89) 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-three (43) buildings and the real property described on **Exhibit A**, which contains a total of eighty-nine (89) 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 two (2) additional buildings with the additional four (4) 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 four (4) 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.

IN WITNESS WHEREOF, the undersigned has caused this Third Amendment to the Supplemental Declaration for South Meadow Condominium (Phases 1-13A) 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 South Meadow Condominium.

SOUTH MEADOW, INC.

By:

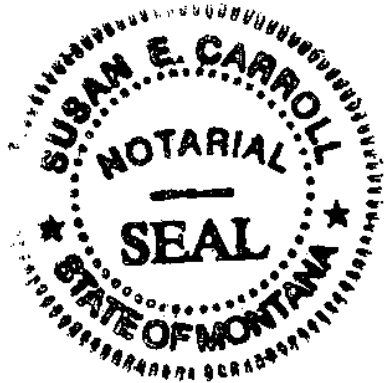
  
\_\_\_\_\_  
Ken LeClair, President



STATE OF MONTANA )  
 ) ss.  
County of Gallatin )

On this 28<sup>th</sup> day of July, 2011, before me, a Notary Public in and for the State of Montana, personally appeared Ken LeClair, the President of SOUTH MEADOW, INC., whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

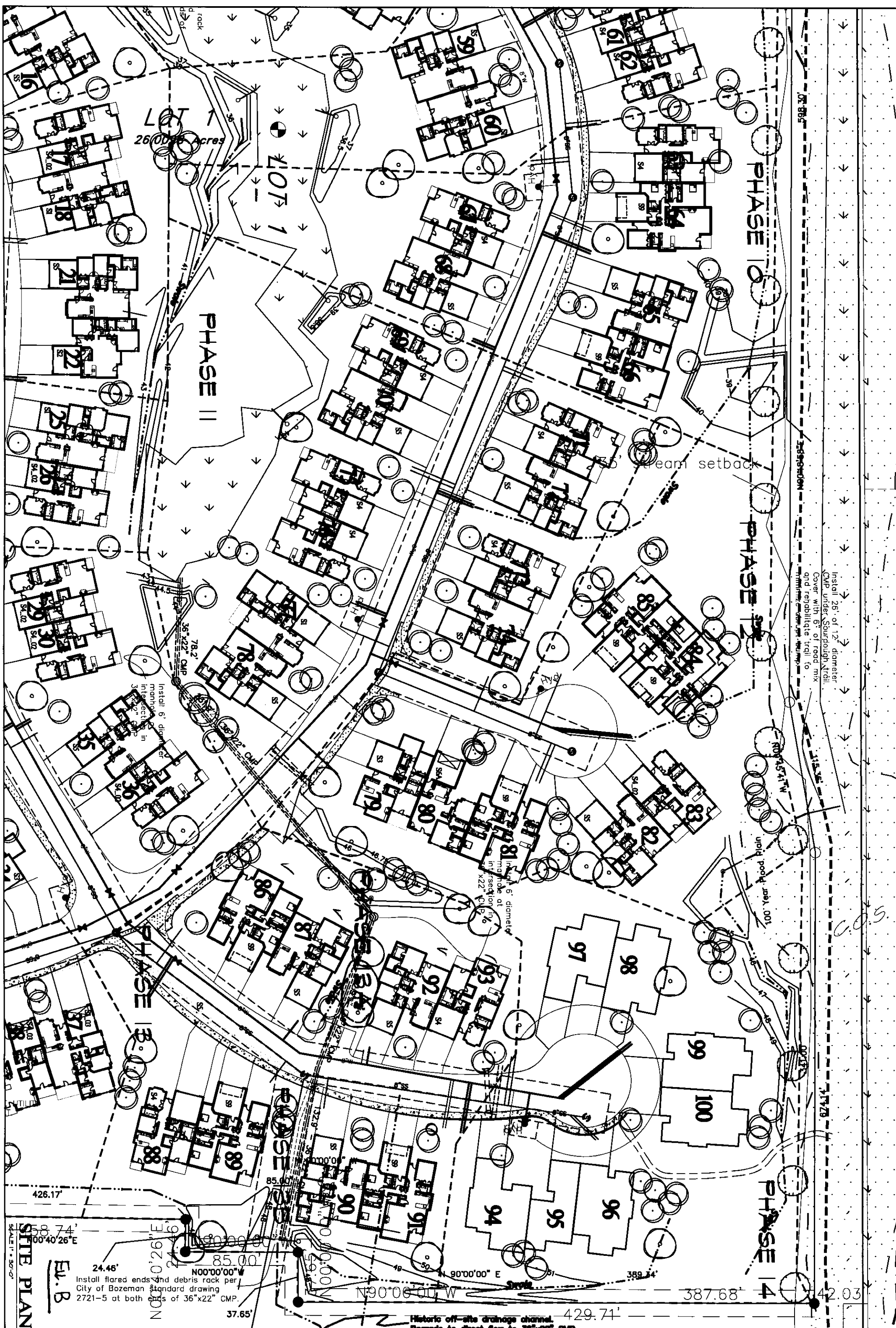
IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first above written.



Susan E. Carroll  
Notary Public for the State of Montana  
Printed Name: Susan E. Carroll  
Residing at Roxeman, MT  
My Commission expires: 2-6-2012

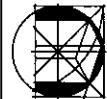
**EXHIBIT A**

South Meadow Condominium, located on Lot 1 of Minor Subdivision No. 294 (South Meadow Minor Subdivision), located in the SW¼ 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.



SITE PLAN

C2



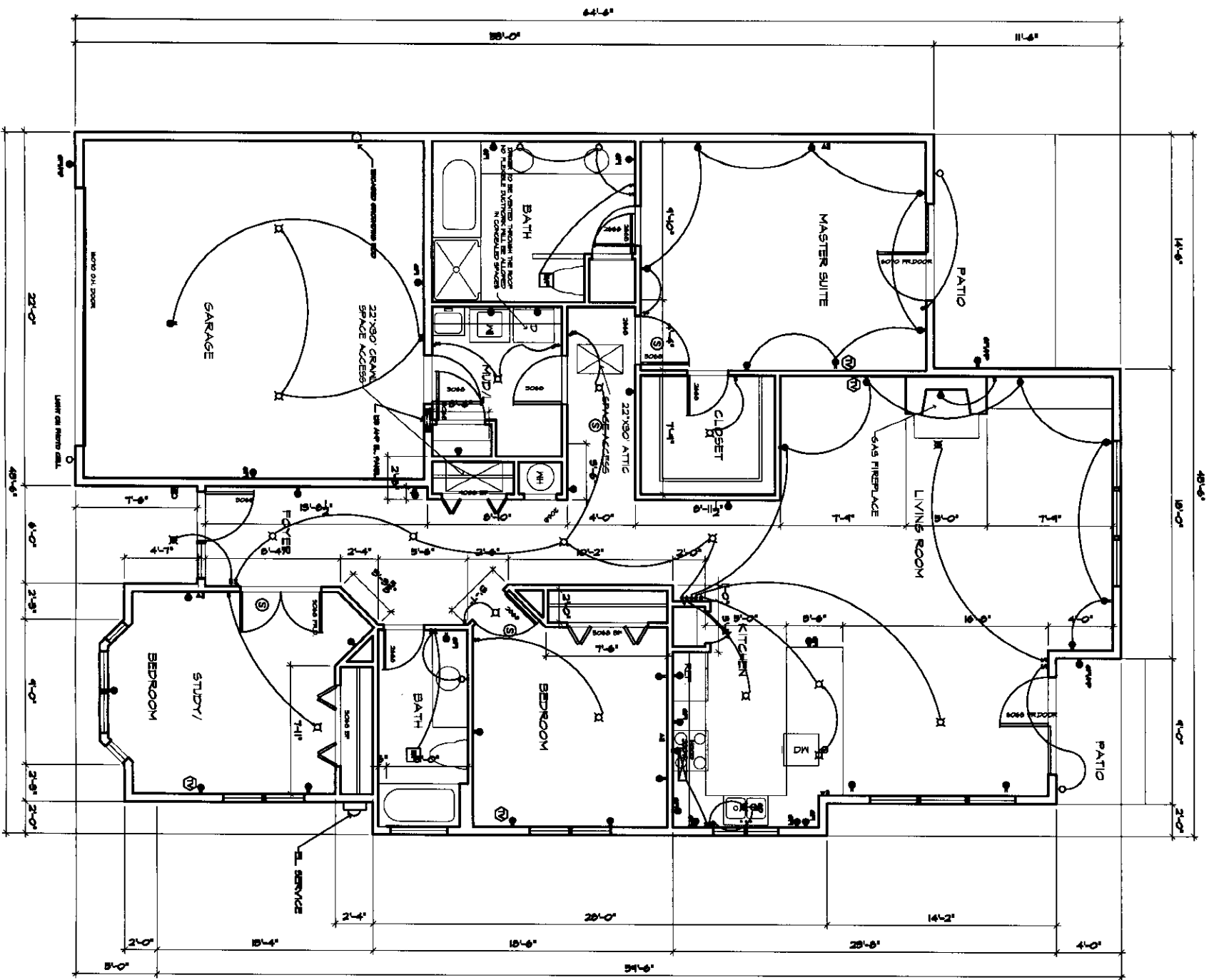
**CIKAN ARCHITECTS, P.C.**  
 1807 N. DICKERSON, SUITE C  
 BOZEMAN, MONTANA 59715  
 (406) 586 3624

PHASE 13A  
**SOUTH MEADOW**  
 3300 GRAF STREET, BOZEMAN, MONTANA

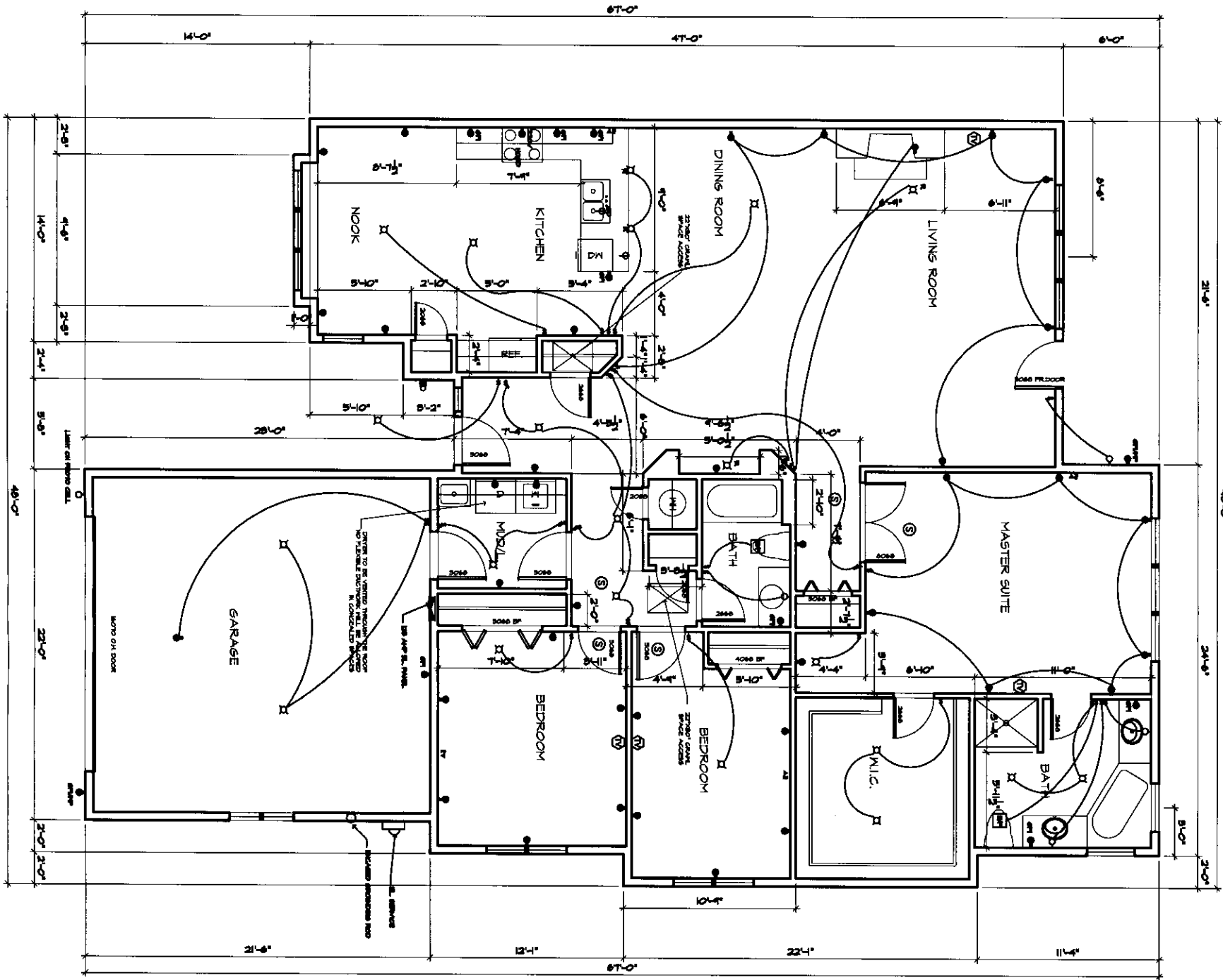
DATE  
 REVISIONS  
 APPROVED

GENERAL NOTE:  
 INSULATION VALUES TO BE AS INDICATED.  
 WALLS: R-13  
 FLOORS: R-20  
 CEILING: R-19  
 ATTIC: R-30  
 GLAZING: R-2  
 PARTIALS LOCATED IN THE CONDITIONED PERIMETER. HEATING FROM THE BUILDING. GRAVEL SPACE PERIMETER WALLS INSULATED. MID-BATH. LOCATION NEAR THE GARAGE. SPACE ACCESS (EXACT LOCATION BY BUILDER).

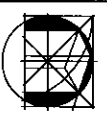
UNIT TYPE S4  
 MAIN AREA = 1940 SF



UNIT TYPE S5  
 MAIN AREA = 2118 SF



FL. C  
 FLOOR PLAN  
 SCALE 1/4" = 1'-0"



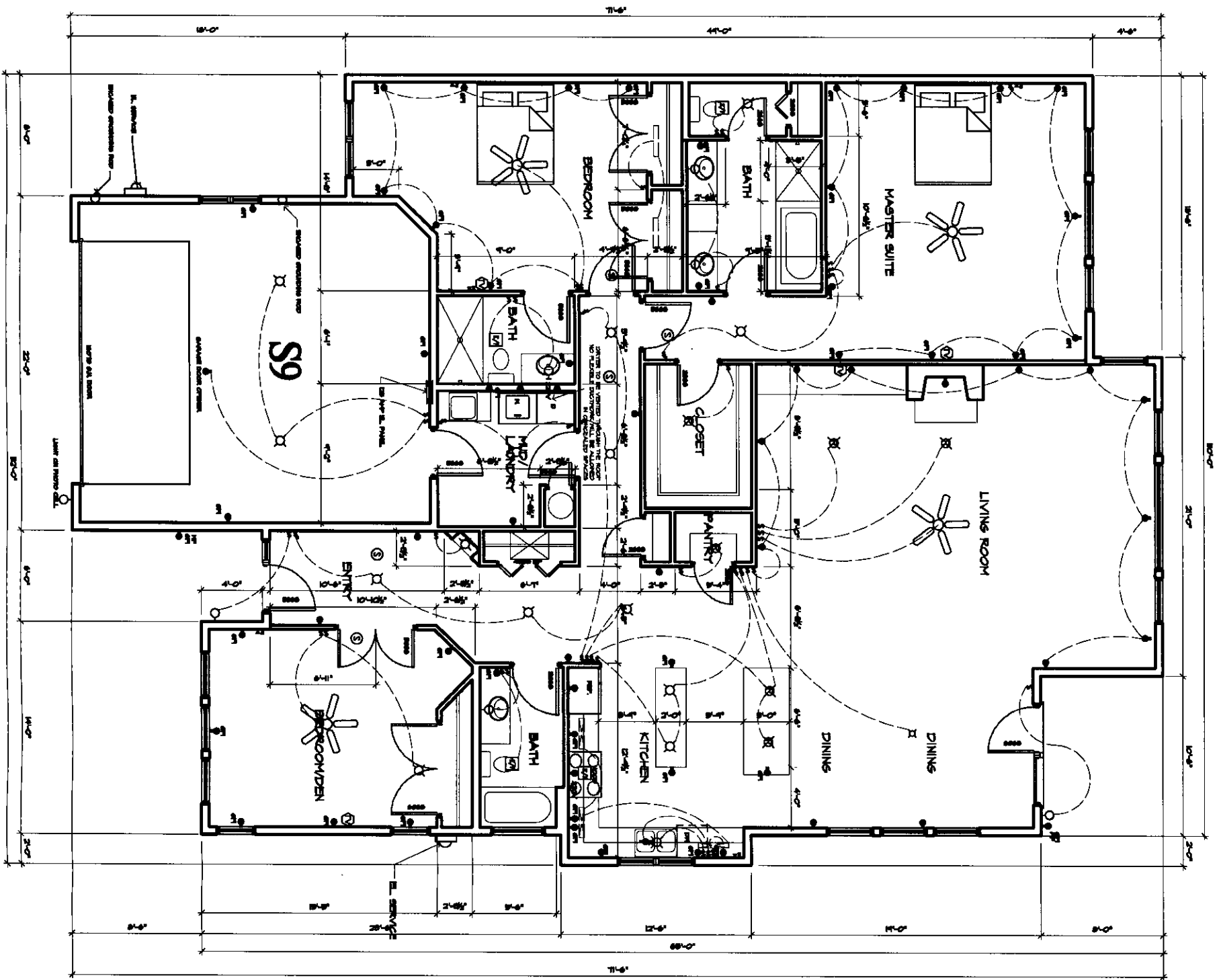
CIKAN ARCHITECTS, P.C.  
 1807 W. DICKERSON, SUITE C  
 BOZEMAN, MONTANA 59715  
 (406) 566 5624

PHASE 13A  
**SOUTHMEADOW CONDOS**  
 9000 GRAF STREET, BOZEMAN, MONTANA

DATE: 7/12/2011  
 REVISION:

AI

UNITS  
 S4 & S5

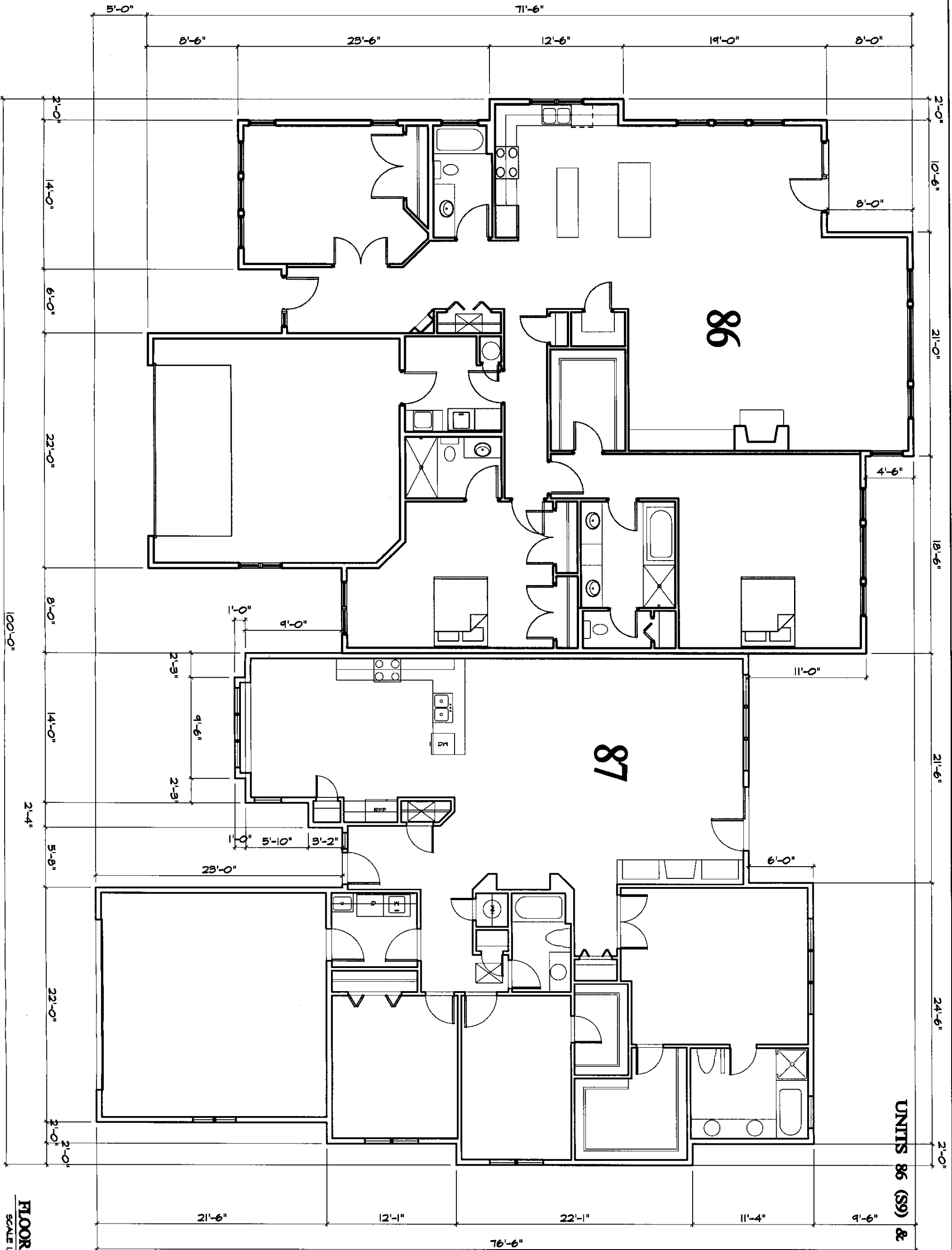


**UNIT TYPE S9**  
MAIN AREA = 2200 SF

GENERAL NOTE:  
INSULATION VALUES TO BE AS INDICATED.  
WALLS R13  
CEILING R13  
FLOOR R10  
ATTIC SPACES R10  
FLOOR LOCATED IN THE CONDITIONED RESIDENTIAL HEATING FROM THE BUILDING. GRAVE SPACE REQUIREMENTS SHALL RELATE TO THIS BATH. LOCATION NEAR THE GRAVE SPACE ACCESS EXACT LOCATION BY SUBMITTER.

**FLOOR PLAN**  
SCALE 1/4" = 1'-0"

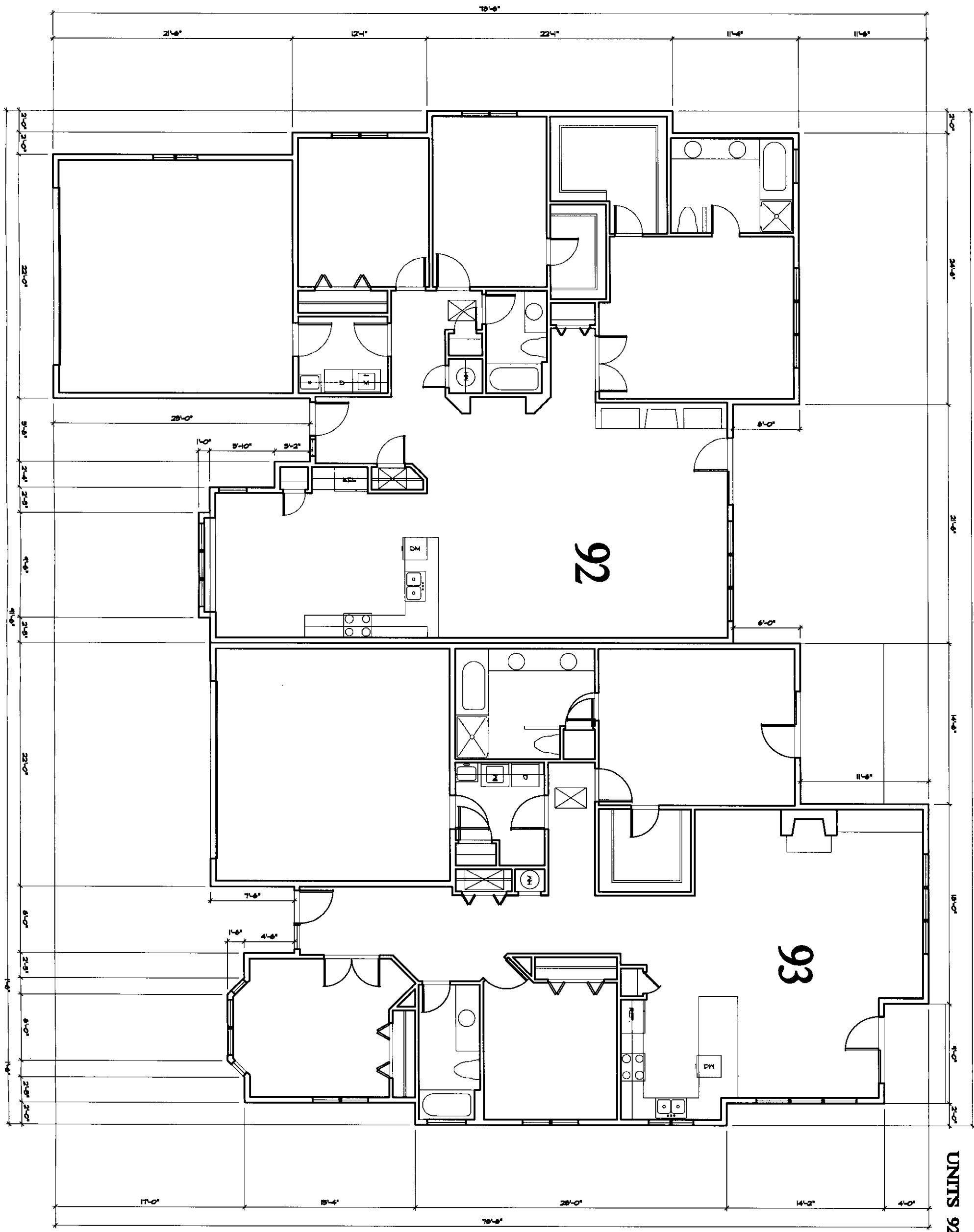
<b>A2</b>	UNIT S9	 <p><b>CIKAN ARCHITECTS, P.C.</b> 1807 N. DICKERSON, SUITE C BOZEMAN, MONTANA 59715 (406) 586 5624</p>	<p>PHASE 13A <b>SOUTHMEADOW CONDOS</b> 9000 GRAF STREET, BOZEMAN, MONTANA</p>	<p>DATE 7/12/2011 REVISION 4/24/2007</p>	
-----------	---------	---	---	--	--



UNITS 86 (S9) & 87 (S5)

FLOOR PLAN  
SCALE 1/4" = 1'-0"

A3	UNITS 86 & 87	 <p><b>CIKAN ARCHITECTS, P.C.</b> 1807 N. DICKERSON, SUITE C BOZEMAN, MONTANA 59715 (406) 566 8624</p>	<p>PHASE 13A <b>SOUTHMEADOW CONDOS</b> 9000 GRAF STREET, BOZEMAN, MONTANA</p>	DATE 7/13/2011 REVISION	
----	------------------	---	---	-------------------------------	--

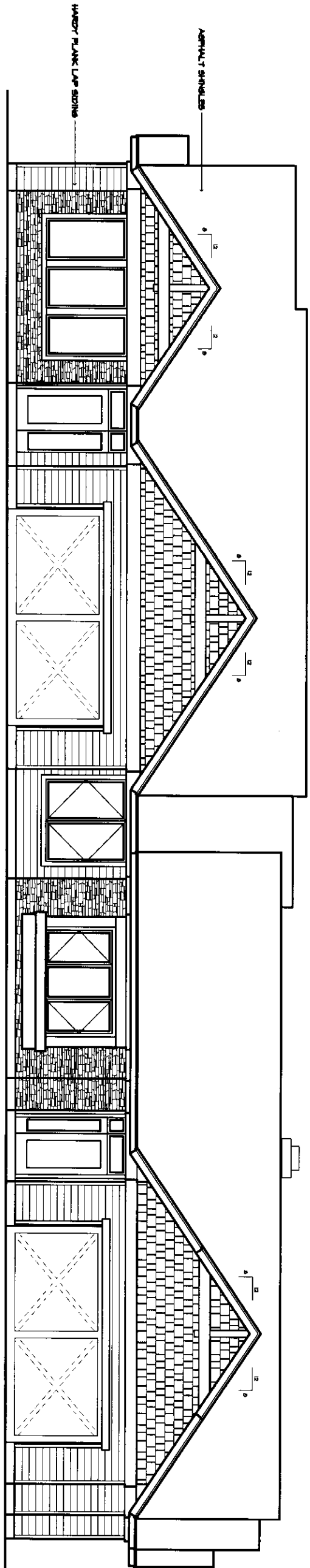


UNITS 92 (S5) & 93 (S4)

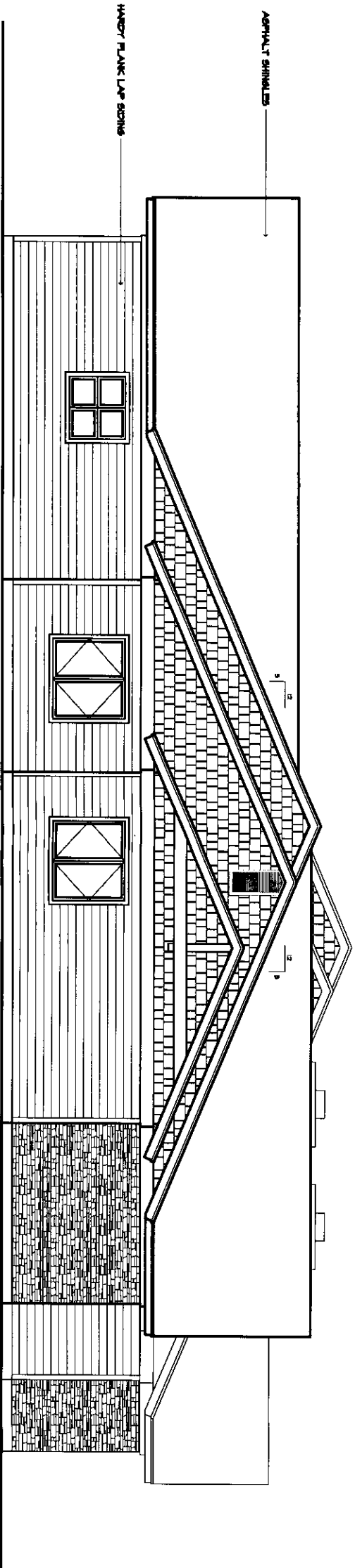
FLOOR PLAN  
SCALE 1/4" = 1'-0"

A4	UNITS 92&93	 <p><b>CIKAN ARCHITECTS, P.C.</b> 1801 W. DICKERSON, SUITE C BOZEMAN, MONTANA 59715 (406) 586 5624</p>	<p>PHASE 13A <b>SOUTHMEADOW CONDOS</b> 9000 GRAF STREET, BOZEMAN, MONTANA</p>	<p>DATE 7/12/2011 REVISION REVISED</p>
----	-------------	---	---	--

UNITS 86 & 87



FRONT



SIDE

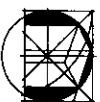
GENERAL NOTE:  
CONSTRUCTION OF EXTERIOR FINISH MATERIALS SHALL BE AS SHOWN ON THE DRAWING UNLESS OTHERWISE SPECIFIED.

ELEVATIONS

SCALE 1/4" = 1'-0"

A5

ELEVATIONS



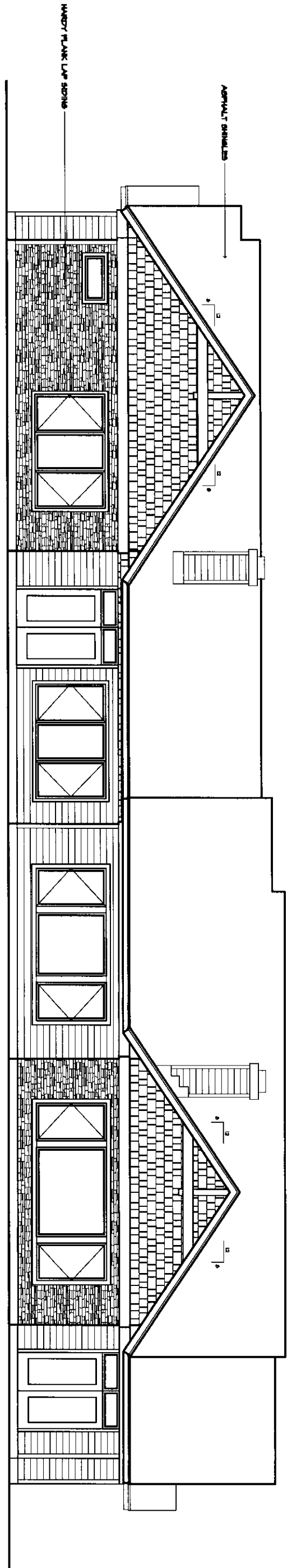
**CIKAN ARCHITECTS, P.C.**  
1807 W. DICKERSON, SUITE C  
BOZEMAN, MONTANA 59715  
(406) 586 3624

PHASE 13A  
**SOUTHMEADOW CONDOS**  
9000 GRAF STREET, BOZEMAN, MONTANA

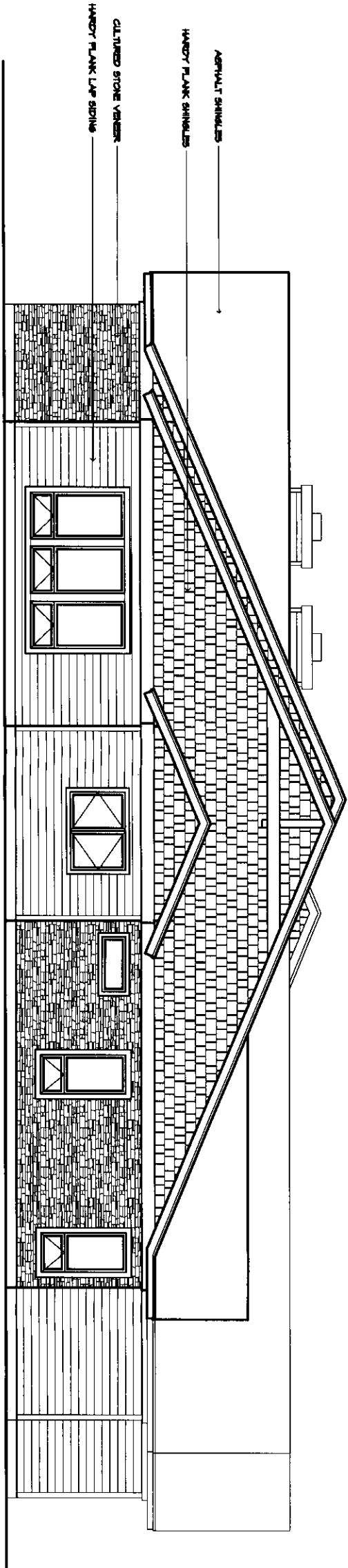
DATE  
7/1/2011  
REVISION



UNITS 86 & 87



BACK



SIDE

GENERAL NOTE:  
 COORDINATION OF MATERIALS FROM MANUFACTURERS AND VENDOR  
 TO BE THE RESPONSIBILITY OF THE ARCHITECT.

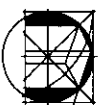
ELEVATIONS

SCALE 1/4" = 1'-0"

DATE  
7/2/2011  
REVIEWED

PHASE 13A  
**SOUTHMEADOW CONDOS**  
 9000 GRAF STREET, BOZEMAN, MONTANA

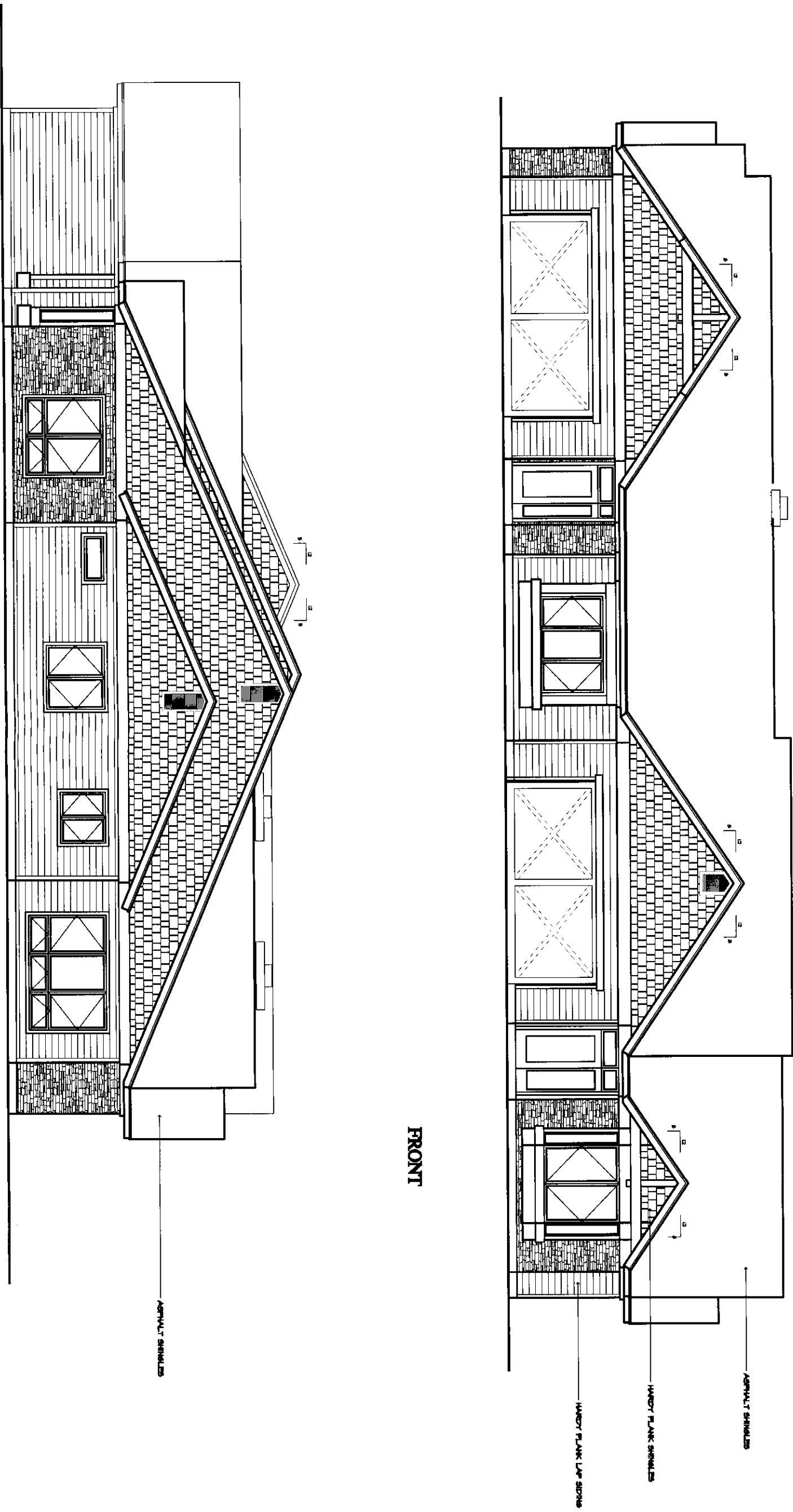
**CIKAN ARCHITECTS, P.C.**  
 1807 N. DICKERSON, SUITE C  
 BOZEMAN, MONTANA 59715  
 (406) 586 5624



ELEVATIONS

A6

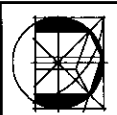
UNIT 92 & 93



GENERAL NOTE:  
 ALL MATERIALS TO BE INSTALLED PER THE  
 2009 INTERNATIONAL RESIDENTIAL CODE

ELEVATIONS  
 SCALE 1/4" = 1'-0"

UNITS 92, 93  
 ELEVATIONS



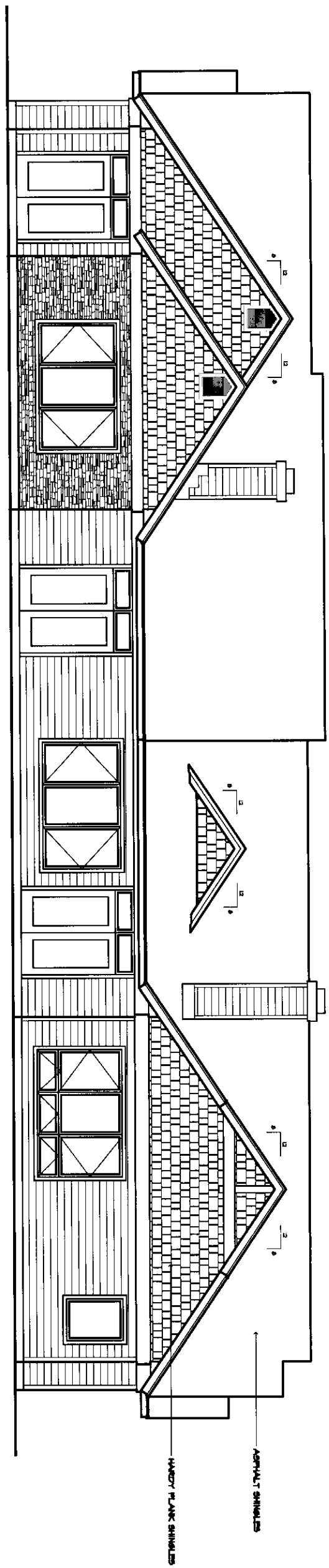
**CIKAN ARCHITECTS, P.C.**  
 1801 N. DICKERSON, SUITE C  
 BOZEMAN, MONTANA 59715  
 (406) 586 9624

PHASE 13A  
**SOUTHMEADOW CONDOS**  
 9000 GRAF STREET, BOZEMAN, MONTANA

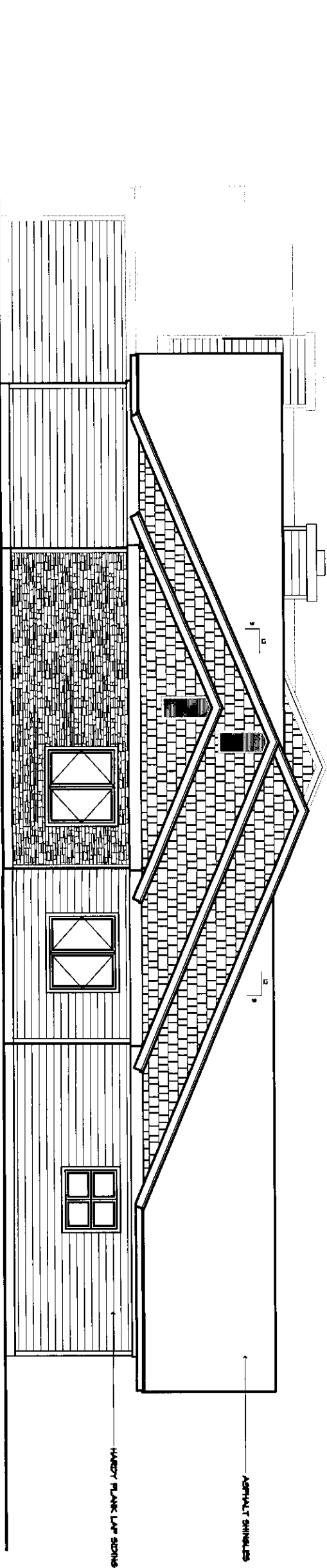
DATE  
 7/2/2011  
 REVISION

A7

UNIT 92 & 93



BACK



SIDE

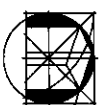
GENERAL NOTES:  
 1. REFER TO ALL OTHER DRAWINGS FOR MATERIALS AND FINISHES.  
 2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.

ELEVATIONS  
 SCALE 1/4" = 1'-0"

DATE: 7/12/2011  
 REVISION:

PHASE 13A  
**SOUTHMEADOW CONDOS**  
 9000 GRAF STREET, BOZEMAN, MONTANA

**CIKAN ARCHITECTS, P.C.**  
 1807 N. DICKERSON, SUITE C  
 BOZEMAN, MONTANA 59713  
 (406) 586 9624



UNITS 42, 49  
 ELEVATIONS

A8