



**FIRST AMENDMENT**

**TO**

**DECLARATION OF COVENANTS, CONDITIONS & RESTRICTIONS**  
**FOR**

**WEST MEADOW SUBDIVISION**

The First Amendment to the Declaration of Covenants, Conditions, and Restrictions for West Meadow Subdivision effective this \_\_\_\_\_ day of May, 2003 is as follows:

**WHEREAS**, heretofore there have been established and recorded Declaration of Covenants, Conditions, and Restrictions for West Meadow Subdivision, which Covenants were recorded on September 11, 2002 at Film 2080790, Records of Gallatin County, Montana which by this reference are fully incorporated herein as if set forth in full; and

**WHEREAS**, the undersigned Declarant of record of the real property within West Meadow Subdivision according to the official plat thereof on file and of record in the office of the Gallatin County Clerk and Recorder, are desirous of amending and modifying the Covenants, Conditions and Restrictions set forth above.

**NOW THEREFORE**, the undersigned hereby irrevocably and unconditionally agree that the following provision shall be incorporated into the original Covenants referenced above and that the following amendment shall have the same force and effect as each and everyone and all of the conditions as set forth in the original Covenants and that the following amendment shall run with and bind the property known as West Meadow Subdivision.

**NOW THEREFORE** pursuant to the provisions in the original Covenants providing for amendment, with the proper authority and in accordance with the City of Bozeman Zone Code Amendment effective May 27, 2003, regarding the change to allow a greater height based on roof pitch in the R-2 zoning district, the following provision is hereby incorporated into the original Covenants:

Article VIII, Building and Site Development.

8.4 Height Limits. The maximum building height for a building with a roof pitch of 6:12 or greater but less than 9:12 is thirty-two (32) feet and the maximum building height for a building with a roof pitch of 9:12 or greater is thirty-six (36) feet.



IN WITNESS WHEREOF, the Declarant has hereunto set its hand and seal as of the day and first above written.

DECLARANT

WEST MEADOW, LLC  
A MONTANA LIMITED LIABILITY COMPANY

POTTER CLINTON DEVELOPMENT, INC.  
MANAGING MEMBER

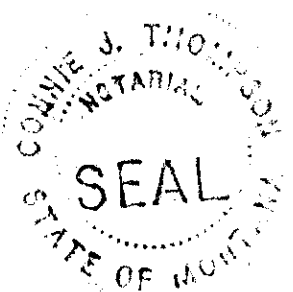
By: [Signature]  
Michael E. Potter, its President

By: [Signature]  
Thomas L. Clinton, its Vice-President

STATE OF MONTANA     )  
                                  SS:     )  
County of Gallatin     )

On this 17<sup>th</sup> Day of June, 2003, before me, a Notary Public for the State of Montana, personally appeared Michael E. Potter, known to me to be the PRESIDENT of WEST MEADOW, LLC, a Montana Corporation and Thomas L. Clinton known to me to be the VICE-PRESIDENT of WEST MEADOW, LLC, and acknowledged to me that they executed the same pursuant to the power and authority vested in them.

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



Connie J. Thompson  
Connie J. Thompson  
Notary Public for the State of Montana  
Residing at Belgrade, MT  
My Commission Expires 9-19-2006