

AMENDMENT TO
DECLARATION OF RESIDENTIAL PROTECTIVE COVENANTS & RESTRICTIONS
and
BY-LAWS OF THE BAXTER MEADOWS HOMEOWNER'S ASSOCIATION
and
RESTATED DECLARATION OF RESIDENTIAL PROTECTIVE COVENANTS &
RESTRICTIONS
AND
RESTATED BY-LAWS OF THE BAXTER MEADOWS HOMEOWNER'S ASSOCIATION

Baxter Meadows Development, L.P. was the declarant of the following documents recorded with the Gallatin County, Montana, Clerk and Recorder:

- 1) **Declaration of Residential Protective Covenants & Restrictions and By-laws of the Baxter Meadows Homeowner's Association, (hereafter "Covenants and By-Laws") recorded 4-3-2003, document No. 2103136, and**
- 2) **Restated Declaration of Residential Protective Covenants & Restrictions, (hereafter "Restated Covenants") recorded 9-15-2004, document No. 2163416, and**
- 3) **Restated By-laws of the Baxter Meadows Homeowner's Association, (hereafter "Restated By-Laws") recorded 9-15-2004, document No. 2163417,**

Baxter Meadows Development, L.P. in accordance with paragraph V, page 1-8, paragraph I.B., page 2-1, and paragraph X, page 2-6, of the Covenants and By-Laws and paragraph V, page 1-10 of the Restated Covenants and paragraph I.B., page 2-1 of the Restated By-Laws, hereby amends said Covenants and By-Laws, Restated Covenants, and Restated By-Laws as follows:

1. Paragraph I. B. Class "B" of the By-Laws (page 2-1) and Restated By-Laws (page 2-2) is hereby amended to read as follows (deleted language is ~~interlined~~ and added language is ***bold italics***):

CLASS "B": The Class B member shall be Baxter Meadows Development, L.P., who shall be entitled to ~~seventy-five percent (75%)~~ ***ninety percent (90%)*** of the votes. Class B membership shall cease and be converted to Class A membership when ~~3/4~~ ***9/10*** of the lots being of the original RS and R3 residential lots in Baxter Meadows are sold to third parties.



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Thereafter, Baxter Meadows Development, L.P. shall become a Class A member and shall be entitled to one vote for each unsold platted lot.

2. Paragraph V. Amendment, Covenants page 1-8, and Restated Covenants 1-10, is hereby amended as follows (deleted language is ~~interlined~~ and added language is in ***bold italics***): :

V. **AMENDMENT**

These Covenants shall remain in effect until amended or terminated. The Covenants, or any portion thereof, may be amended, terminated or supplemented at any time by the execution of a written document containing the terms of the amendment, supplement or termination of any of the Covenants, duly acknowledged by a Notary Public, and recorded with the office of the Gallatin County Clerk and Recorder, executed (1) by the owners of at least ~~seventy-five percent (75%)~~ ***ninety percent (90%)*** of the lots in Baxter Meadows based on one vote per lot, until construction is complete on a Lot(s) at which point the By-Law provision under Part II, Section I, Paragraph B (Classes) shall apply, or (2) by the Board of Directors and President of the HOA acknowledging the affirmative vote of ~~three-fourths (3/4)~~ ***9/10 (90%)*** of the total votes of all Class A and Class B members of the HOA. If one or more lots have been combined, the owner thereof shall be entitled to one vote for each lot in existence after the combination. If there is more than one owner for an individual lot, each owner must execute the amendment, supplement or termination document to count for one vote towards the ~~seventy-five percent (75%)~~ ***ninety percent (90%)*** total.

IN WITNESS WHEREOF, this instrument has been executed this 14 day of MARCH, 2005.

BAXTER MEADOWS DEVELOPMENT, L.P.



Gerald R. Williams, Limited Partner

STATE OF MONTANA)
 : ss.
COUNTY OF GALLATIN)

This instrument was acknowledged before me on March 14th, 2005, by Gerald R. Williams, as Limited Partner of Baxter Meadows Development, L.P.



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Connie J. Thompson
Connie J. Thompson
Notary Public for the State of Montana
Residing at: Belgrade, Montana
My commission expires: 9-19-2006

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