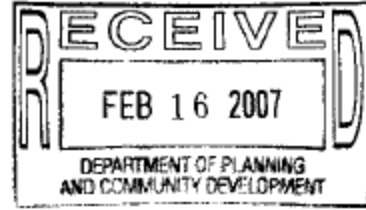




2273488
Page: 1 of 3
07/25/2007 10:49A



***FIRST AMENDMENT TO
DECLARATION
OF
BAXTER MEADOWS CENTRAL
A PLANNED COMMUNITY***

2273488

Page: 2 of 3
07/25/2007 10:49A



**FIRST AMENDMENT TO
DECLARATION
OF
BAXTER MEADOWS CENTRAL
(A PLANNED COMMUNITY)**

(P)
14th

THIS FIRST AMENDMENT TO DECLARATION OF BAXTER MEADOWS CENTRAL is made this 25th day of July February, 2007, by Baxter Meadows Development LP, a Montana limited partnership ("**Declarant**").

Pursuant to Section 11.4 of the Declaration of Baxter Meadows Central, recorded as Document No. 2202827, on September 22, 2005, Declarant hereby amends the Declaration to correct the following non-material errors found in the Declaration:

1) The opening paragraph of the Declaration misstates the name of the Declarant as "Baxter Meadows West, LLC, a Montana limited liability company."

The opening paragraph of the Declaration is amended to read as follows:

"This Declaration is made on the date hereinafter set forth by Baxter Meadows Development, L.P. a Montana Limited Partnership (Declarant)."

2) Section 1.4 of the Declaration omits a definition of "the Act," though "the Act" is referred to throughout the Declaration.

Section 1.4 is amended to include as subparagraph (a) the following definition of "the Act":

"(a) "the Act" means the Montana Subdivision and Platting Act, § 76-3-101, et seq. M.C.A."

Section 1.4 is further amended to re-letter the remaining definitions as subparagraphs (b) through (z).

3) Section 4.1 states that the Declarant may create additional lots up to a total of 220 and that Declarant may create additional lots up to a total of 250. These numbers are in obvious conflict.

To correct this conflict, the second sentence of Section 4.1 is amended as follows:

"Declarant has the reserved right to create and add additional lots up to a total of 250, or such larger number as allowed on the Real Estate by local government, whichever is greater."

4) Exhibit A to the Declaration states that the Property consists of Phases 2C, 2D, and 2G. At the time the Declaration was recorded it was believed the property north of Phase 2C would be platted as Phase 2G and extend to Cattail Lane. However, during the application process, the Phases were further divided to include Phase 6 and other Phases which may be created in the future.



2273488

Page: 3 of 3
07/25/2007 10:49A

Charlotte Mills-Gallatin Co MTMISC 33.00

Therefore, the first paragraph of Exhibit A is amended as follows:

"All of those lands situated west of the centerline of Gallatin Green Boulevard in the Final Plats of Baxter Meadows Subdivision, Phases 2C, 2D, and 6, all located in the S1/2 of Section 34, Township 1 South, Range 5 East, P.M.M. City of Bozeman, Gallatin County, Montana."

IN WITNESS WHEREOF, the Declarant has caused this First Amendment to Declaration of Baxter Meadows Central to be executed by its duly authorized agent this 14th day of February, 2007.

BAXTER MEADOWS DEVELOPMENT LP,
a Montana limited partnership,

By: [Signature]
Gerald R. Williams

STATE OF MONTANA)
COUNTY OF Gallatin) ss.

The foregoing Amendment to Declaration was acknowledged before me by GERALD R. WILLIAMS, as Authorized Agent, of Baxter Meadows Development LP, this 14th day of February, 2007.

Witness my hand and official seal.

[Signature]
Terra Zullo
Notary Public for the State of Montana
Residing at Bozeman, Montana
My Commission expires: July 31, 2007

