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11/09/2006 03:31P

Shelley Vance-Gallatin Co MT MISC 44.00

**SUPPLEMENTAL AND ANNEXATION DECLARATION
FOR
BAXTER MEADOWS WEST**

THIS INSTRUMENT is made and entered by Baxter Meadows West LLC, a Montana corporation ("Declarant").

RECITALS

A. Declarant has executed that certain Declaration of Baxter Meadows West (hereinafter referred to as the "Declaration"), recorded in the records in the office of the Clerk and Recorder of Gattlin County, Montana.

B. The Declaration provides enlargement, expansion and other reserved rights of the Declarant of Baxter Meadows West.

C. Exhibits B and C of the Declaration provide the legal description of property which Declarant may annex to the Baxter Meadows West.

D. The undersigned Declarant desires to annex a portion of the property described in Exhibit C to the Baxter Meadows West, pursuant to rights reserved in the Declaration.

NOW, THEREFORE, the undersigned hereby declares as follows:

1. Annexation of Property. Pursuant to the Declaration, the property described in **Exhibit A** attached hereto and incorporated herein by this reference, being a portion of the property described in Exhibit B of the Declaration, is hereby annexed to the Baxter Meadows West, and shall hereafter be a part of the "Real Estate" of that Community. The property described in **Exhibit A** shall hereafter be held, sold, conveyed, encumbered, leased, rented, occupied and improved subject to the terms and provisions of the Declaration.

2. Additional Property. The Declarant establishes Lots within the Baxter Meadows West, as described and identified in **Exhibit A** attached hereto and incorporated herein by reference, and as separately described on the recorded plat.

3. Number of Properties/Allocated Interests. Immediately upon the recording of this instrument, the total number of Lots in the Baxter Meadows West and the allocated interests within that Community shall be as provided for in the Declaration, as modified by instruments of record.

4. Additional Restrictions. The real property described in Exhibit A attached hereto is subject to the following additional restrictions: None.

5. Definitions. Unless otherwise defined herein, initially capitalized terms defined in the Declaration shall have the same meaning herein.



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IN WITNESS WHEREOF, the Declarant has caused this Declaration to be executed by its duly authorized agent this 19th day of September, 2005.

BAXTER MEADOWS WEST LLC,
a Montana limited liability company,

By: Thomas L. Clinton
Thomas L. Clinton

By: Gerald R. Williams
Gerald R. Williams

STATE OF MONTANA)
) ss.
COUNTY OF Gallatin)

The foregoing Declaration was acknowledged before me by THOMAS L. CLINTON AND GERALD R. WILLIAMS as Authorized Agent, of Baxter Meadows West LLC, this 19th day of September, 2005.

Witness my hand and official seal.

Terri Zullo
Terri Zullo
Notary Public for the State of Montana
Residing at Bozeman
My Commission expires: July 31, 2007





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EXHIBIT A

LEGAL DESCRIPTION OF PROPERTY ANNEXED HEREBY

All of those lands situated in the Final Amended Plat of Baxter Meadows Subdivision P.U.D. Phase 1, Lots 1 & 2, Block 7 and Tract 1A, located in the SW 1/4 of Section 34, Township 1 South, Range 5 East, P.M.M., City of Bozeman, Gallatin County, Montana.

Subject to the terms, conditions, obligations and provisions of the documents and exceptions to title of record, including the following:

1. Plat of Baxter Meadows West Filing No. _____; as amended and supplemented of record;
2. The Master or Community Declaration for the Baxter Meadows Master Community.
3. Other instruments of record.



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AFTER RECORDING RETURN TO:

ORTEN & HINDMAN, P.C.
11901 W. 48th Ave.
Wheat Ridge, CO 8033-2166
Attn: JCMO