



**FIRST AMENDMENT TO THE DECLARATION FOR CARDINAL
CONDOMINIUM**

The FIRST AMENDMENT to the DECLARATION FOR CARDINAL CONDOMINIUM (hereinafter referred to as the "First Amendment") is executed upon the date found at the conclusion of this document by WENDEROTH INVESTMENTS LLC, who owns more than seventy-five percent (75%) of all the Units in CARDINAL CONDOMINIUM and CHRISTOPHER W. DAHL AND LESLIE J. DAHL. Reference is made to the DECLARATION FOR CARDINAL CONDOMINIUM, recorded on November 12, 2004, at 10:54 a.m., as Document No. 2169776 at the office of the Clerk and Recorder of Gallatin County, Montana (hereinafter referred to collectively as "Declaration").

RECITALS

1. That the original Declarant, WENDEROTH INVESTMENTS LLC, a Montana limited liability company, of 313 Saunders Avenue, Bozeman, Montana 59718, wishes to now amend the Declaration;
2. That Article VII of the Declaration provides that the Owners of seventy-five percent (75%) of the all the Units in CARDINAL CONDOMINIUM may amend the Declaration.
3. That Declarant is the current owner of One Hundred Percent (100%) of all the Units in CARDINAL CONDOMINIUM.
4. That Declarant is entitled to make amendment to the Declaration.
5. Christopher W. Dahl and Leslie J. Dahl are the owners of real property following described as follows:

Lots 44A of Valley West Subdivision - Phase 2 to the City of Bozeman, Gallatin County, Montana (Plat No. J-390), according to the official plat thereof on file and of record in the office of the County Clerk and Recorder of Gallatin County, Montana.

(hereinafter referred to as "Lot 44A").

6. WENDEROTH INVESTMENTS LLC is the owner of real property following described as follows:

Lots 44 of Valley West Subdivision - Phase 2 to the City of Bozeman, Gallatin County, Montana (Plat No. J-390), according to the official plat thereof on file and of record in the office of the County Clerk and Recorder of Gallatin County, Montana.

(hereinafter referred to as "Lot 44").



7. That if there is any inconsistency or conflict between the terms of this First Amendment and the Declaration, the terms of this First Amendment shall control.

NOW THEREFORE, the Declaration, pursuant to this First Amendment, shall be modified and amended as follows:

1. The second paragraph of the Introduction to the Declaration shall be amended to read as follows:

The property subject to this Declaration shall be known as the CARDINAL CONDOMINIUM (hereinafter referred to as the "condominium"). The addresses of the condominium are Units A and B of 72, 94, 120 and 146 Kimball Avenue, Bozeman, Montana 59718.

2. Article II. REAL ESTATE, paragraph 1. Description shall be amended to read as follows:

1. Description: The real property which is by this Declaration submitted and subject to the Montana Unit Ownership Act is described as follows:

Lots 44, 44A, 46 and 46A of Valley West Subdivision - Phase 2 to the City of Bozeman, Gallatin County, Montana (Plat No. J-390), according to the official plat thereof on file and of record in the office of the County Clerk and Recorder of Gallatin County, Montana.

SUBJECT TO AND TOGETHER WITH existing easements, covenants, reservations, restrictions, conditions shown on the public records and the subdivision plat and subject to zoning ordinances and use restrictions. Also, subject to taxes, assessments and Special Improvement District assessments, if any.

TOGETHER WITH all tenements, hereditaments and appurtenances thereunto belonging or otherwise appertaining including, but not limited to, easements for ingress and egress.

The condominium shall consist of eight (8) separate residential units in four (4) buildings. The provisions of this Declaration and the Bylaws shall be construed to be covenants running with the land including every unit and shall be binding upon the units' owners, their heirs, personal representatives and assigns for as long as this Condominium Declaration and Bylaws are in effect.

3. Article II. REAL ESTATE, paragraph 4. Buildings, shall be amended to read as follows:

4. Buildings: The units comprising the condominium are contained in four (4)

buildings.

4. Article IV., OWNERSHIP AND VOTING – EXHIBITS – USE, Paragraph 1. Percentage of Interest, shall be amended to read as follows:

1. Percentage of Interest: Each unit owner shall be entitled to the exclusive ownership, use and possession of his unit. Additionally, each Unit Owner shall have an equal percentage of undivided interest in the general common elements of CARDINAL CONDOMINIUM. Such percentage represents his ownership interest in the general common elements, his liability for common expenses and the voting interest of the Unit Owner or Owners in all matters concerning the Association of Unit Owners. The percentage of interest in the general common elements for the Unit Owners shall be computed by taking the value of each Unit at the date of filing this Declaration and dividing it by the then combined value of all of the units having an interest in the general common elements of the condominium. Such percentage of interest and value for each of the units in the condominium shall be according to the percentages set forth below:

<u>Unit No.</u>	<u>Square Footage</u>	<u>Percentage of Interest In General Common Elements</u>
1	approx. 2,475	12.5
2	approx. 2,475	12.5
3	approx. 2,475	12.5
4	approx. 2,475	12.5
5	approx. 2,475	12.5
6	approx. 2,475	12.5
7	approx. 2,475	12.5
8	approx. 2,475	12.5
Total	19,800	100%

5. Article IV., OWNERSHIP AND VOTING – EXHIBITS – USE, paragraph 2. Floor Plans and Exhibits, shall be amended to read as follows:

Floor Plans and Exhibits: CARDINAL CONDOMINIUM consists of the real property as described above, and a total of eight (8) residential dwelling units as shown on the floor plans. For identification and descriptive purposes, the following Exhibits are attached and by reference hereto incorporated into and made a part of this Declaration:

Exhibit A: Showing the floor plans of Units 1-4 of the CARDINAL CONDOMINIUM, the area of each, the dimensions and the designation for each Unit.



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Exhibit B: Showing the site plan for Units 1-4 of CARDINAL CONDOMINIUM and the location of the building containing condominium units on the property.

Exhibit C: Showing the floor plans of Units 5-8 of the CARDINAL CONDOMINIUM, the area of each, the dimensions and the designation for each Unit.

Exhibit B: Showing the site plan for Units 5-8 of CARDINAL CONDOMINIUM and the location of the building containing condominium units on the property.

- 6. Exhibits C and D attached hereto are by this reference incorporated herein as Exhibits hereto and to the Declaration.
- 7. Certificate of Floor Plan attached to the Declaration is hereby replaced by the Certificate of Floor Plan attached hereto as Exhibits E.
- 8. The undersigned hereby submit and subject their properties, Lots 44 and 44A referenced above, to the Montana Unit Ownership Act pursuant to M.C.A. 70-23-101, et. seq. and the Declaration for Cardinal Condominium.

DATED this ____ day of March, 2005.

WENDEROTH INVESTMENTS LLC

By: KEITH WENDEROTH – MEMBER

CHRISTOPHER W. DAHL

LESLIE J. DAHL

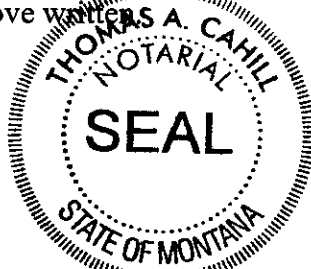


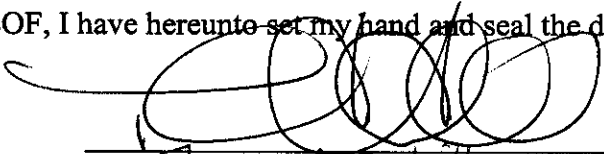
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STATE OF MONTANA)
 : ss.
County of Gallatin)

On this 4th day of March, 2005, before me, a Notary Public in and for the State of Montana, personally appeared Keith Wenderoth, known to me to be the Member of Wenderoth Investments, LLC, 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.



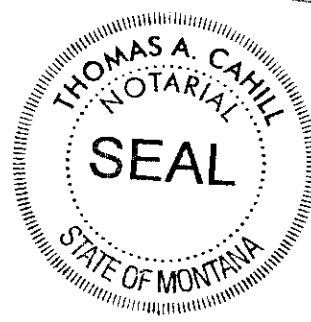


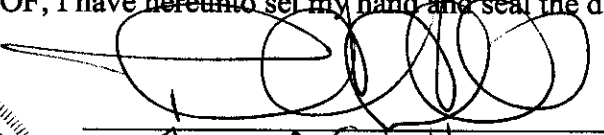
Thomas A Cahill (print)
Notary Public for the State of Montana
Residing at: Bozeman
My commission expires: 8-18-2008

STATE OF MONTANA)
 : ss.
County of Gallatin)

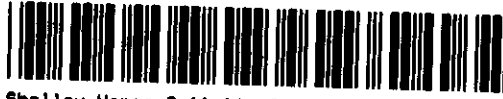
On this 11 day of ~~March~~ ^{April}, 2005, before me, a Notary Public in and for the State of Montana, personally appeared CHRISTOPHER W. DAHL and LESLIE J. DAHL, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

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





Thomas A Cahill (print)
Notary Public for the State of Montana
Residing at: Bozeman MT
My commission expires: 8-18-2008



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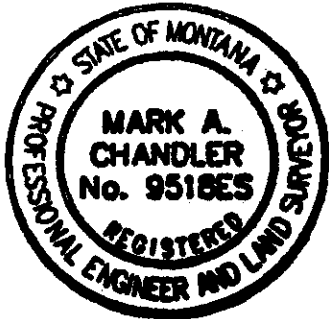
EXHIBIT E

CERTIFICATE OF FLOOR PLAN

The undersigned, being a duly registered professional Engineer in the State of Montana, having reviewed the floor plans for **CARDINAL CONDOMINIUM** attached to this Declaration, herewith certifies the following:

That the floor plans for the **CARDINAL CONDOMINIUM** situated on Lots 44, 44A, 46 and 46A of Valley West Subdivision, Phase 2, Gallatin County, Montana, according to the official plat thereof on file and of record in the office of the County Clerk and Recorder of Gallatin County, Montana, 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: March 10, 2005.



Mark A. Chandler

By: Mark A. Chandler
Registered Professional Engineer
Number: 9518ES

EXHIBIT C
 Page 1 of 4
 (Floor Plan Units 5 and 6)

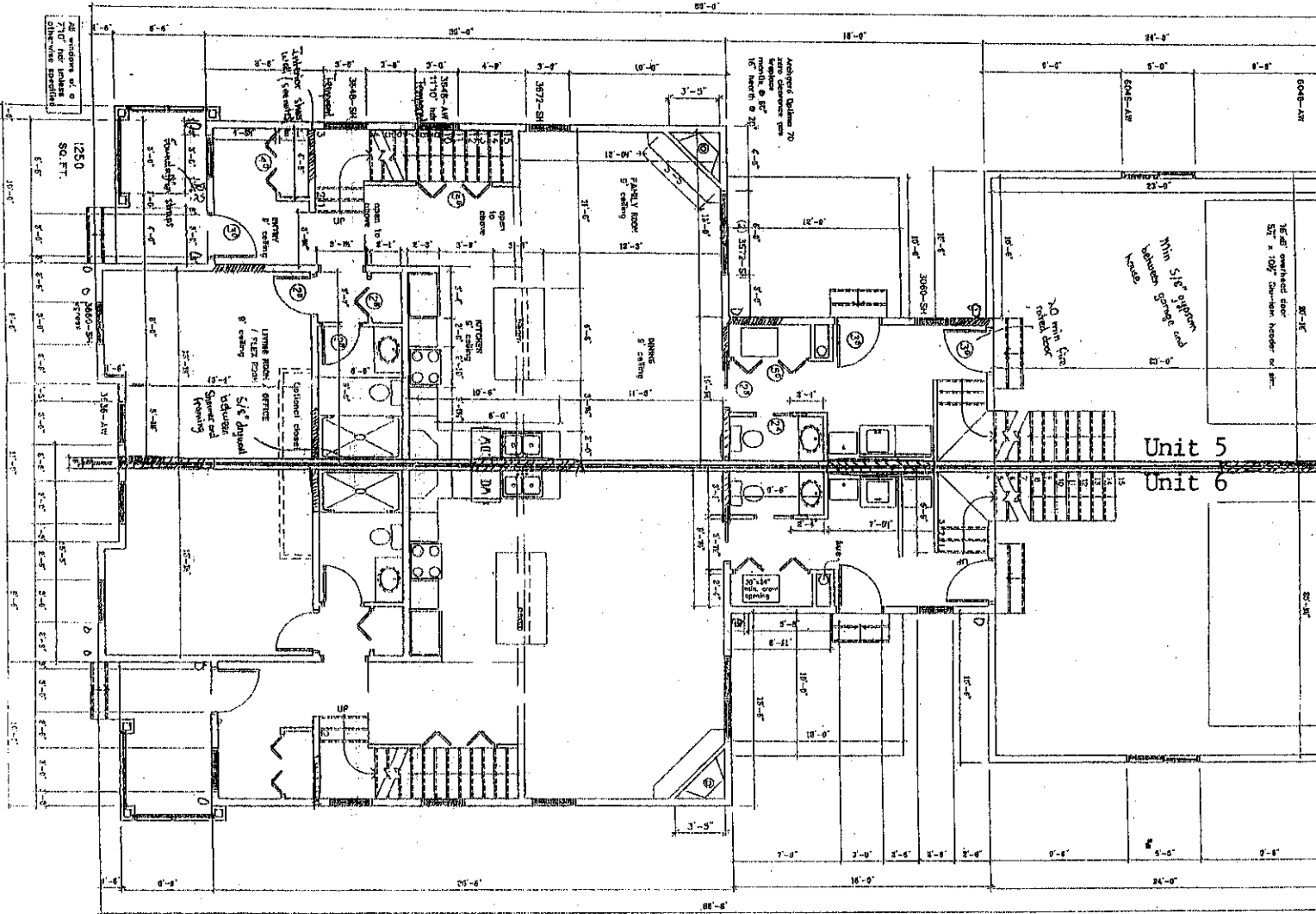


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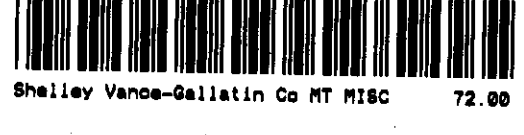
FIRST FLOOR EACH SIDE = 1170 SQ. FT.



- In General:**
- the exterior sheathing outside of foundation wall
 - exterior walls drawn as bearing walls drawn as plumbing walls drawn as curtain walls drawn as
 - solid bearing required under trusses and beams
- Tempered Glass (Safety Glass) (See 308.4.5) (See 308.4.5) (See 308.4.5)**
- In swinging, hinged, sliding, or bid'd doors
 - Endurance for Shower, Tubs, Whirlpools, Saunas, Recrems, Bathtubs and Showers includes windows in interior exterior walls in these are (308.4.5)
 - Any glazing in ratings
 - Windows within 24" of door and within 60" of in

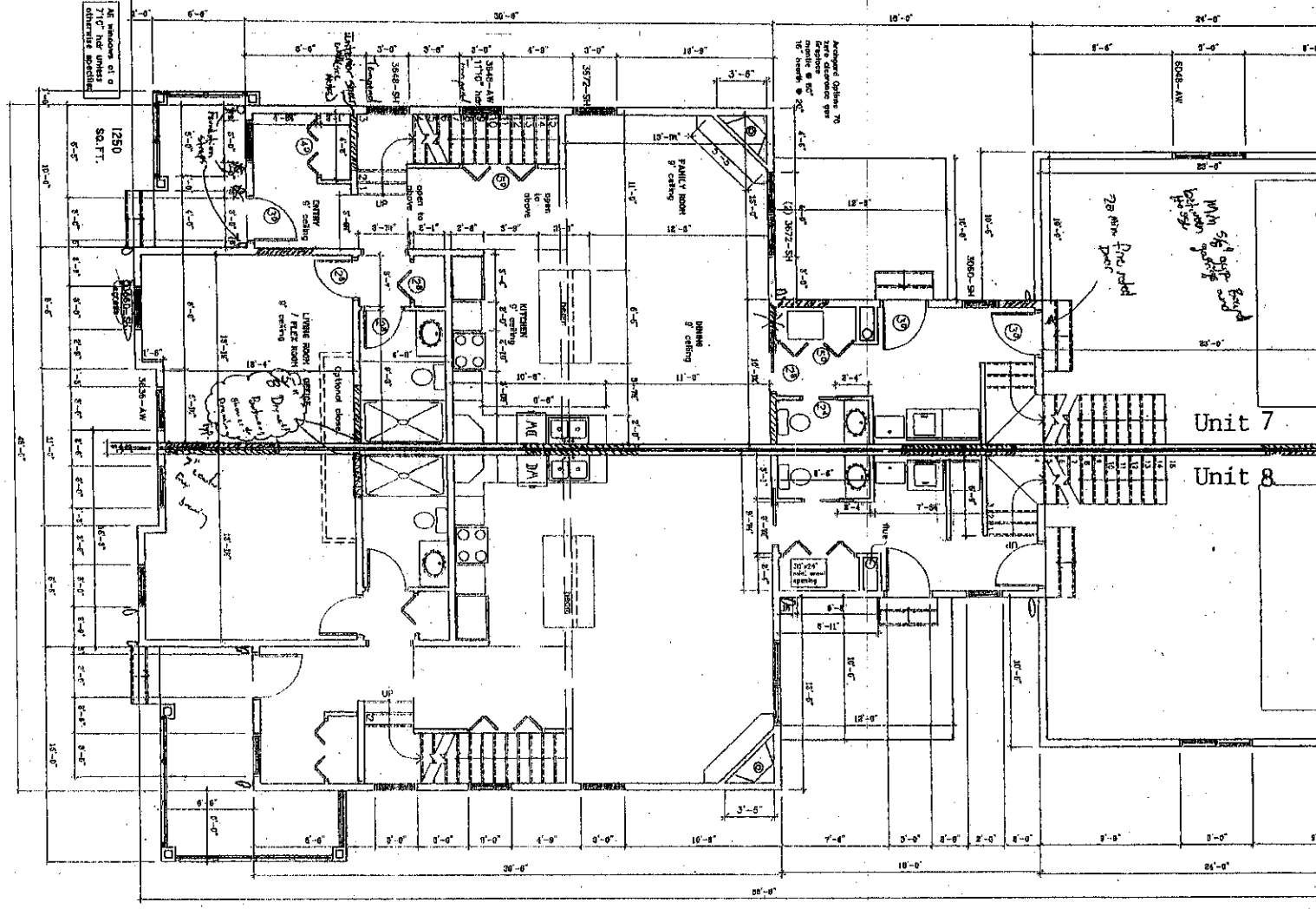
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EXHIBIT C
 Page 3 of 4
 (Floor Plan Units 7 and 8)



2183
 Page: 9
 04/11/20

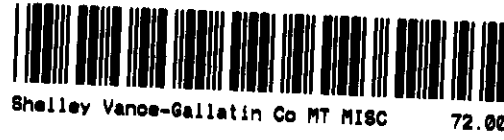
FIRST FLOOR EACH SIDE = 1170 SQ. FT.



Tempered Glass (Safety IRC 308.4) needed in the following instances:
 - In swinging, hinged sliding, or bifold doors
 - Enclosures for Show Tubes, Whirlpools, Sauna Rooms, Bathtubs and S
 includes windows in int
 exterior walls in these (308.4.5)

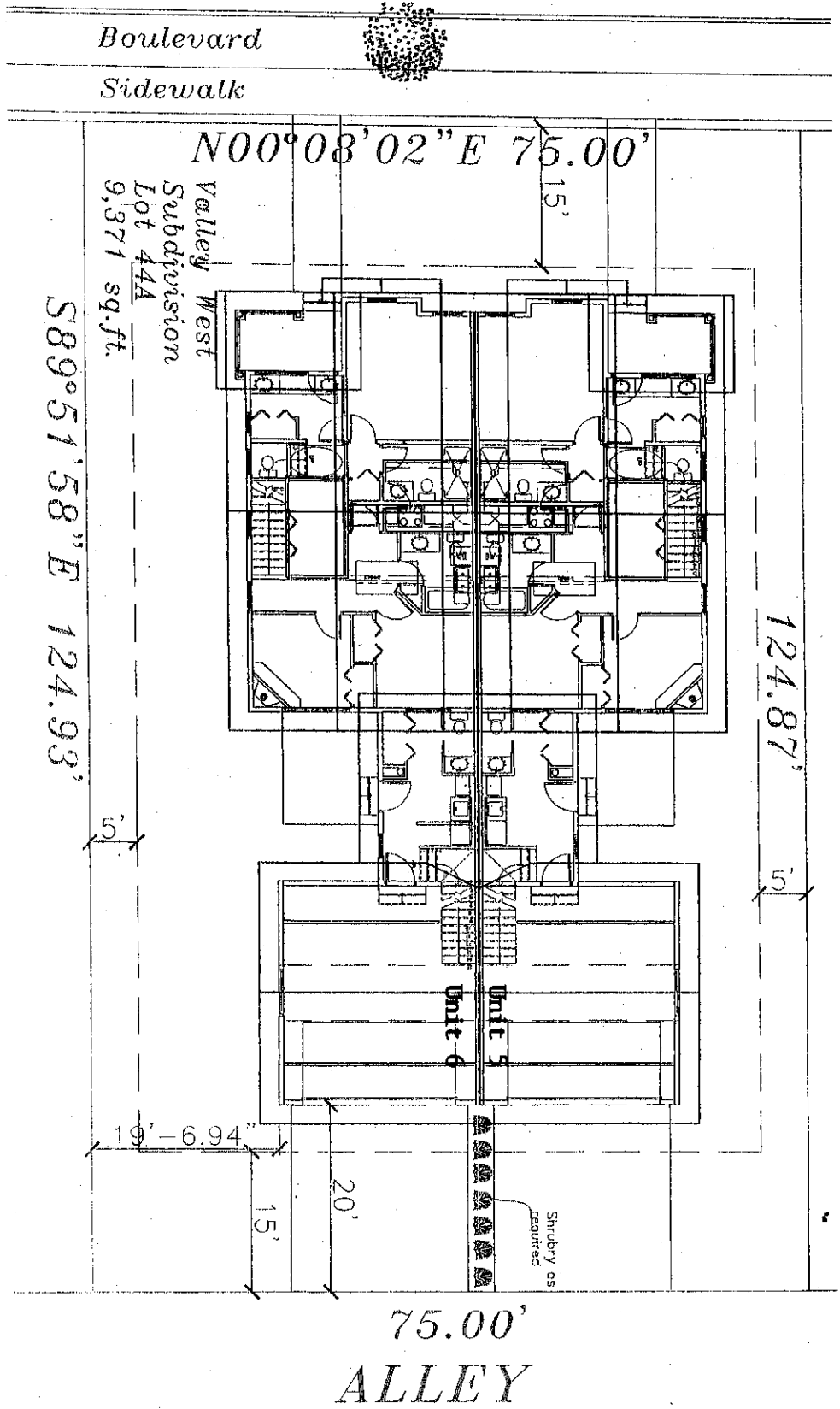
In general:
 - line exterior sheath outside of foundation wall
 - exterior walls down
 - scoring walls down
 - plumbing walls down
 - curtain walls down
 - solid bearing require girder trusses and beams

VERTICAL
 REBOL X
 #5
 FASTENERS
 REBOL X
 16" O.C.
 INTER
 SENSIC
 SHALL
 FOUND
 CRIPPL
 BRACED
 UNLESS
 FLOOR
 EXCEP
 EXCO
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 THE B
 OR
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KIMBALL AVE.

One boulevard tree is required to be planted by the builder for every 50 lineal feet of street frontage.



Reviewed & Approved
 For Zoning Compliance
 By City of Sezenan
 Planning & Community Development
 Date 10/14/17

This plan draw
 the Internation
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 responsible for

EXHIBIT D
 Page 2 of 2
 (Site Plan Units 7 and 8)

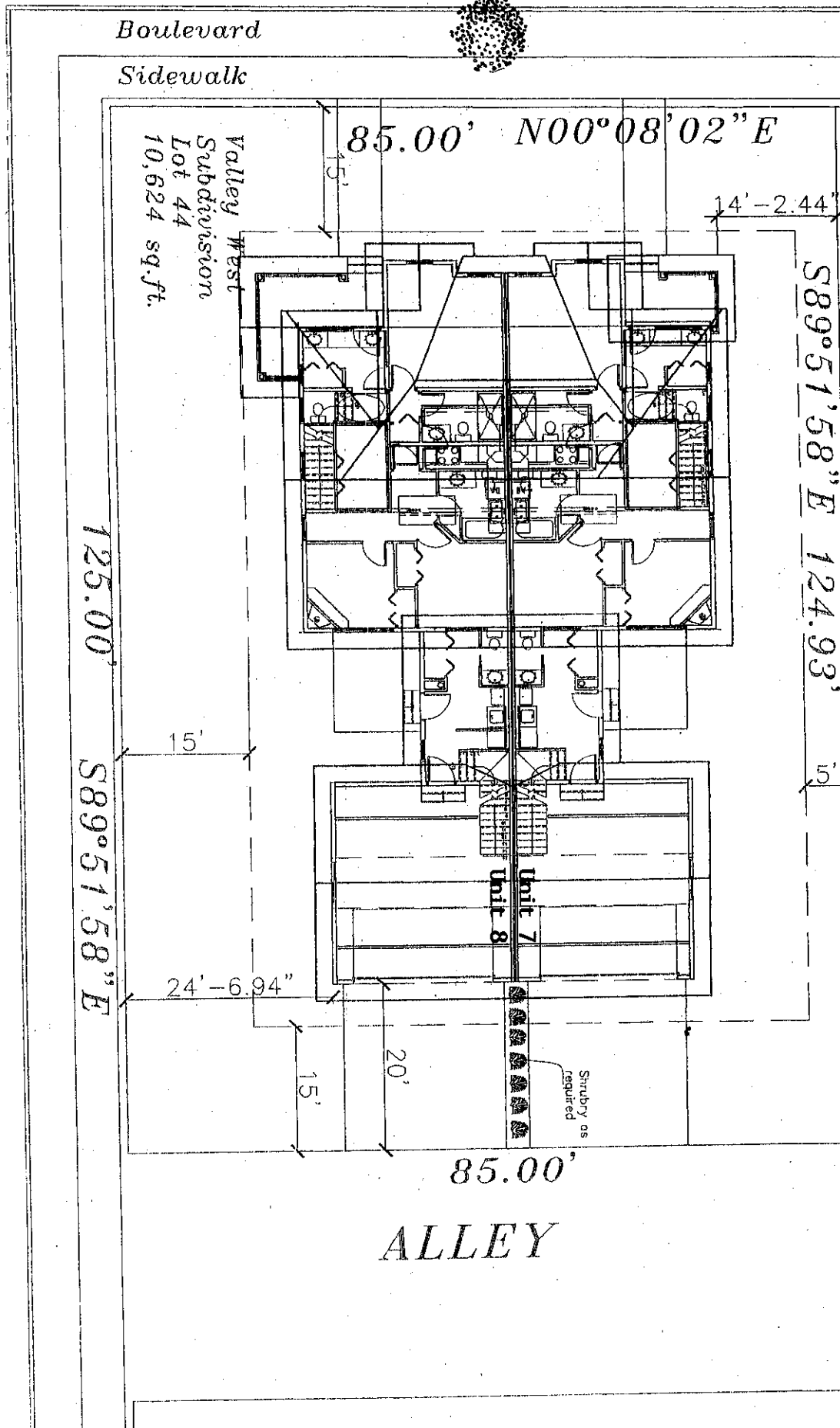


Shelley Vance-Gallatin Co MT MISC 72.00

KIMBALL AVE.

One boulevard tree is required to be planted by the builder for every 50 lineal feet of street frontage.

Morrone Street



Reviewed & Approved
 for Planning Compliance
 by the City of Bozeman
 Planning & Community Development
 Date: 10-24-09

This plan dra
 the Internatio
 General Contr
 responsible fo