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Charlotte Mills - Gallatin County, MT MISC



**FOURTEENTH AMENDMENT TO DECLARATION AND AMENDMENT TO
BYLAWS FOR FIRELIGHT MEADOWS CONDOMINIUMS**

This Fourteenth Amendment to the Declaration and Amendment to Bylaws for Firelight Meadows Condominiums is hereby made and entered into pursuant to Article VI of the Declaration and Bylaws for Firelight Meadows Condominiums dated February 27, 2002 and recorded on March 7, 2002 as Document No. 2062676 with the Office of the Clerk and Recorder of Gallatin County, Montana (hereinafter, "Declaration"). The undersigned Chairman and Secretary of the Board of Directors certify and attest that the Owners of at least 75% of the Units in Firelight Condominiums have approved this Fourteenth Amendment to the Declaration as follows:

- I. Article VI of the Declaration entitled "AMENDMENT," subsection (a) is hereby amended as follows (underlined and **bolded** text represents language being added. Text stricken through (~~stricken through~~) represents language being deleted):
 - (a) Subject to Gallatin County's right to approve or disapprove of the County Required Covenants set herein at Article XII paragraph 11 and subject to the Declarant's reserved rights to amend this Declaration pursuant to its special rights contained in this Declaration, without approval of the Association or Unit Owners, an amendment to this Declaration may be made as follows: At any regular, annual or special meeting of the Association of Unit Owners or the Board of Directors, an amendment may be proposed as a resolution by the Declarant or at least 20% of the Unit Owners based upon the Unit Owners' allocated percentages or by a majority of the Board of Directors. Upon adoption of the resolution by a majority vote of those Owners present, in person or by proxy, or by a majority of the Board of Directors, the proposed amendment shall be made a subject for consideration at a special meeting or the next succeeding regular or annual meeting of the Owners of the Association, with notice thereof, together with a copy of the proposed amendment to be furnished to each Unit Owner at least ten days in advance of such meeting. At such meeting, the proposed

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amendment will be deemed approved and adopted upon receiving the favorable vote of ~~seventy-five percent (75%)~~ **sixty percent (60%)** of the Unit Owners' based upon 1 vote per unit, voting by written ballot, and voting by proxy. In lieu of a meeting of the Unit Owners, the proposed amendment shall be deemed adopted if approved by a written ballot by the vote of ~~seventy-five percent (75%)~~ **sixty percent (60%)** of the total votes of the Unit Owners based upon 1 vote per unit. A written ballot for the amendment may be mailed to each Unit Owner or delivered personally and shall set forth the amendment, the time when the written ballot must be returned to be counted as a vote, and allow the Unit Owner to vote for or against the amendment by checking or otherwise indicating his or her choice and return the ballot to the Association. Each Unit Owners' vote shall be based upon 1 vote per unit. If the amendment is approved and adopted, it shall be the responsibility of the Association to file the amendment with the Clerk and Recorder's office of the county in which the Condominium is located, and upon filing this Declaration, shall be so amended. The chairman and secretary of the Board of Directors shall have the authority to certify that the amendment was properly adopted and shall have the authority to sign, have acknowledged and file the amendment. ~~Notwithstanding anything herein to the contrary, any amendment to these Convents shall require the approval of Declarant until Declarant has sold or transferred title to 90% or more of all the built and unbuilt units.~~

- II. Paragraph 13 of the Bylaws entitled "Amendment of Bylaws" is hereby amended as follows (underlined and **bolded** text represents language being added. Text stricken through (~~stricken through~~) represents language being deleted):

Except as otherwise provided in the Declaration and herein, these Bylaws may be amended at any regular or special meeting of the Association providing that a copy of the proposed revision is first approved by a majority of the Directors and included in the notice of such meeting. Upon a vote of ~~seventy-five percent (75%)~~ **sixty percent (60%)** of the votes of the Unit Owners present in person or by proxy at a duly noticed meeting, the amendment shall be declared adopted. The Bylaws may also be amended by ~~75%~~ **60%** favorable vote of all the Unit Owners voting on the amendment by written ballot mailed or personally delivered to the Unit Owners and returned to the Association. The Secretary shall, as soon as practicable after adoption of an amendment, prepare a copy of the Bylaws as amended for certification by the Chairman and Secretary of the Association. Such amended Bylaws shall then be certified by the Chairman or Vice Chairman of the Board or by Secretary as duly adopted in accordance with the Bylaws and shall be recorded in the office of the Clerk and Recorder of the county in which the condominiums is located. Bylaws as amended shall become effective at the time of such recording ~~after recording~~. Within 30 days after recording of an amendment a copy shall be furnished to each Unit Owner.

~~Notwithstanding the provisions of this Paragraph, the Declarant's written approval of any amendment must be obtained before the amendment is effective until the Declarant has~~

~~transferred title to 90% of the units (built or unbuilt).~~

III. Except as expressly modified herein, the Declaration and Bylaws for Firelight Meadows Condominiums, as amended, shall remain in full force and effect and are incorporated herein by this reference as though fully set forth.

DATED this 15th day of January, 2013.

Jack E. Fakman
Jack Fakman, Chairman of the Board of Directors
Association of Unit Owners of Firelight Meadows,
Inc.

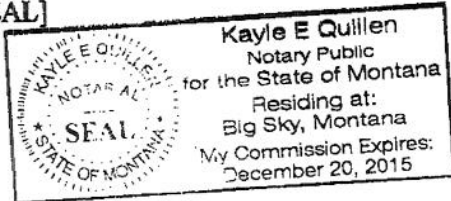
ATTEST:

Scott H. Sealapeter
Secretary of the Board of Directors
Association of Unit Owners of Firelight Meadows, Inc.

STATE OF MONTANA)
 :SS
County of Gallatin)

This instrument was acknowledged before me on the 15th day of January, 2013, by Jack Fakman as Chairman of the Board of Directors of the Association of Unit Owners of Firelight Meadows, Inc.

[SEAL]



Kayle E. Quillen
Name: Kayle E. Quillen
Notary Public for the State of Montana
Residing at: Big Sky, MT 59716
My Commission Expires: 12/20/2015

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STATE OF MONTANA)
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:ss
County of Gallatin)

This instrument was acknowledged before me on the 15th day of January, 2013, by Garrett + Balden as Secretary of the Board of Directors of the Association of Unit Owners of Firelight Meadows, Inc.

[SEAL]

Kayle E. Quillen
Name: Kayle E. Quillen
Notary Public for the State of Montana
Residing at: Big Sky, MT
My Commission Expires: 12/20/2015

