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Page: 1 of 8 04/25/2012 03:23:00 PM Fee: \$66.00  
Charlotte Mills - Gallatin County, MT MISC

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Jennings Law Office, P.C.  
1704 West Babcock, Suite A  
Bozeman, Montana 59715

SECOND AMENDMENT TO DECLARATION FOR  
THE PINES CONDOMINIUM, PHASE II

Reference is hereby made to the Declaration for The Pines Condominium, Phase II, and accompanying By-Laws, which were all recorded on October 28, 2005, as Document No. 2207377, records of Gallatin County, Montana, as subsequently amended.

As stated in the Declaration, the Declarant is entitled to expand the Condominium upon certain terms and conditions. The Declarant intends that as each phase is included within the condominium regime, the Declaration will be amended to include the additional units. Therefore, the above Declaration is amended as follows:

1. Section 1 of Article II of the Declaration, titled "Description," on pages 4 and 5 thereof is hereby amended to state that the condominium currently consists of fourteen (14) units.
3. The first paragraph of Article IV of the Declaration, titled "Percentage of Interest," on Page 6 thereof, is hereby amended to read as follows:

1. Percentage of Interest: Each Unit Owner shall be entitled to the exclusive ownership, use and possession of his or her Unit and the percentage of the interest of each Unit Owner in the common elements as shall be set forth in Amendments to this Declaration. Each Unit Owner shall have a percentage of undivided interest in the general common elements of The Pines Condominium, Phase II. Such percentage represents his or her ownership interest in the general common elements, and his or her liability for common expenses and taxes. The percentages of interest in the general common elements for the Owners of Units shall be computed by taking the approximate value of each Unit at the date of filing and Amendment to this Declaration creating and adding the Units, and dividing the value of each Unit by the then combined value of all of the Units having an interest in the

general common elements of the condominium. The calculation shall be based upon the square footage of the Units, since the materials and finishes of the Units shall be comparable. It is anticipated that all of the Units will be of the same approximate value per square foot, regardless of when constructed, and that each of the Unit Owners will enjoy an equal percentage of interest in the condominium per square foot of living space.

<u>UNIT</u>	<u>PERCENTAGE OF INTEREST</u>
I-1	1/14
I-2	1/14
J-1	1/14
J-2	1/14
J-3	1/14
J-4	1/14
K-1	1/14
K-2	1/14
K-3	1/14
K-4	1/14
L-1	1/14
L-2	1/14
L-3	1/14
L-4	1/14

Exhibits: The Pines Condominium, Phase II shall consist of the real property described above, together with the Units designated above. At the time that additional Units are completed and added to the condominium regime, the Developer shall create or amend the following Exhibits:

Exhibit A-2: Showing the site plan of The Pines Condominium, Phase II and the location of the building containing the condominium Units on the property and the common elements.

Exhibit B-2: Showing the floor plans for Units L-1, L-2, L-3, and L-4 of The Pines Condominium, Phase II, the area of each, the dimensions and the designation for each Unit.

4. Except as modified, altered or amended by the provisions of this Amendment, the Declaration shall remain in full force and effect.

5. This Amendment to the Declaration for The Pines Condominium, Phase II is made under the authority of, and pursuant to

Declaration initially filed by the Declarant, and the Montana Unit Ownership Act, and shall be one of the planned expansions of the condominium.

IN WITNESS WHEREOF, the Declarant hereto has executed this Amendment this 17<sup>th</sup> day of March, 2012.

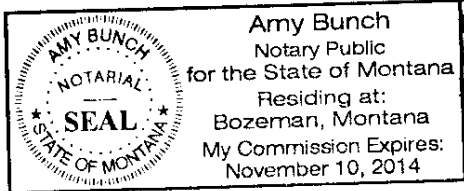
The Pines, LLP

*John Radick*  
JOHN M. RADICK, Partner in The Pines, LLP

STATE OF MONTANA     )  
  : ss  
County of Gallatin    )

This instrument was acknowledged before me on this 17<sup>th</sup> day of March, 2012, by JOHN M. RADICK, Partner in The Pines, LLP.

*Amy Bunch*  
Notary Public for the State of Montana  
Printed name: Amy Bunch  
Residing at Bozeman, Montana  
My Commission Expires: 11/10, 2014



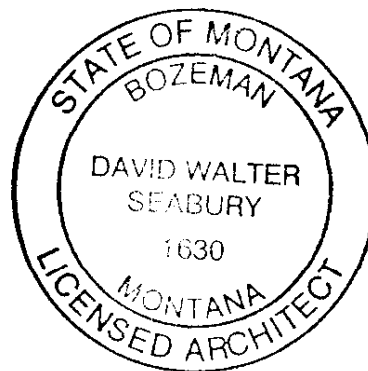
ARCHITECT'S CERTIFICATE

The undersigned, being a duly registered architect in the State of Montana, herewith certifies the following:

That pursuant to the provisions of MCA 70-23-306(2), the floor plans for units L-1, L-2, L-3, and L-4 of The Pines Condominium, Phase II, as attached to the Amendment for The Pines Condominium, Phase II Declaration, fully and accurately depict the layout of the units and floors of the building and the buildings are essentially complete as of this date. The original Declaration for The Pines Condominium was recorded as Document No. 2207377, records of Gallatin County, Montana.

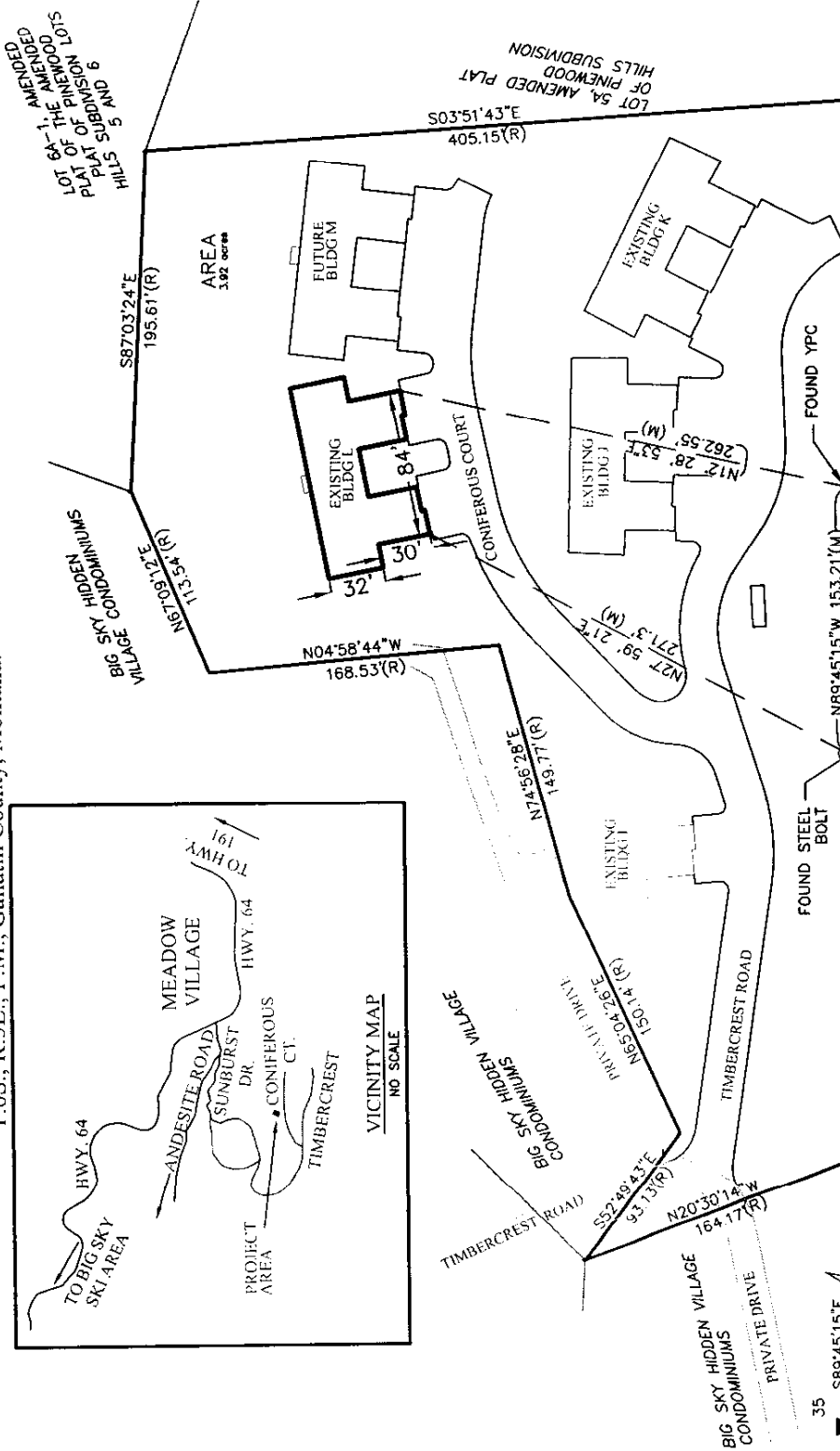
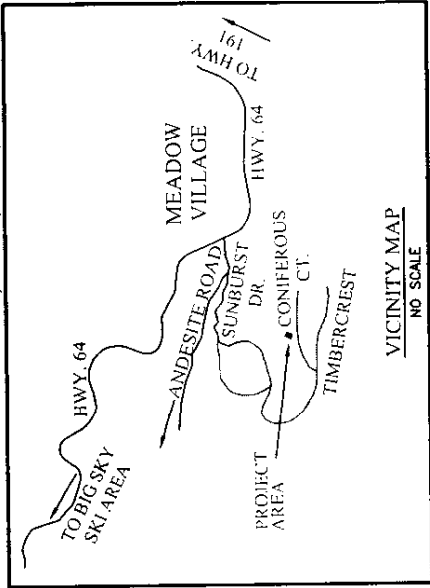
Dated March 19, 2012

  
Registered Architect  
Registration No. 1630



**EXHIBIT A**

Building L of The Pines of Big Sky, Phase 2, situated in the S 1/2 of Section 35, T.6S., R.3E., P.M., Gallatin County, Montana.



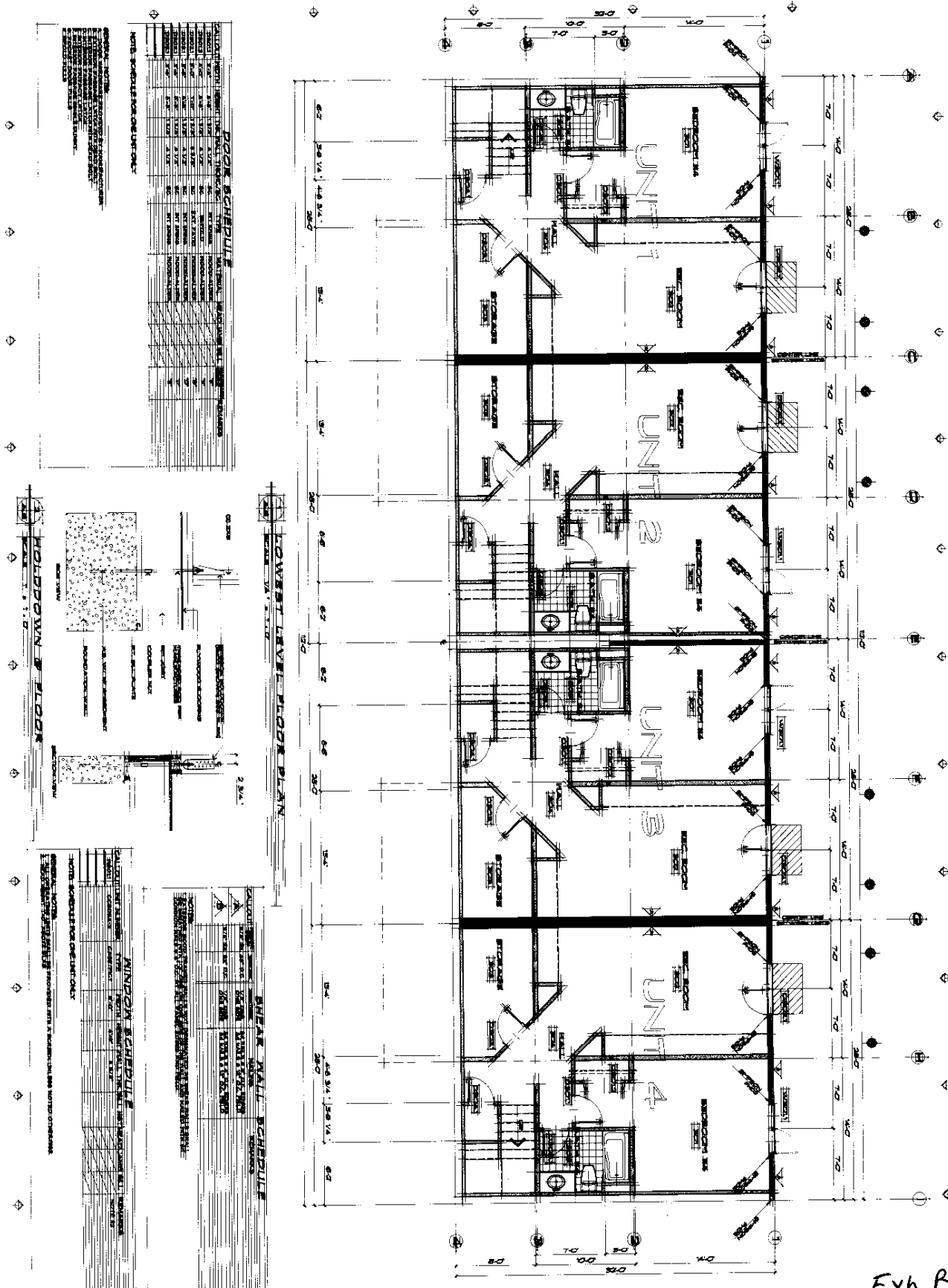
**LAND SURVEYOR'S CERTIFICATION:**

I, Hans J. Streufert, Montana Registered Land Surveyor, hereby certify that that this exhibit accurately depicts the location of Building L of The Pines of Big Sky, Phase 2, under my supervision in April 2012.

*Hans J. Streufert*  
 Hans J. Streufert, PLS  
 Date: 4/19/12

(M) = MEASURED DISTANCE  
 (R) = RECORD DISTANCE

<p><b>MORRISON MAIERLE, INC.</b> An Employee-Owned Company</p>	Engineers Surveyors Scientists Planners	901 Technology Blvd. Bozeman MT 59718 Phone: (406) 587-0721 Fax: (406) 587-1176	DRAWN BY: RJD CHKD BY: JHS APPR BY: JHS DATE: 04/20/12	BIG SKY	PINES OF BIG SKY- PHASE 2	PROJECT NO. 3023.015
	BUILDING L			MONTANA	FIGURE NUMBER EX. A	

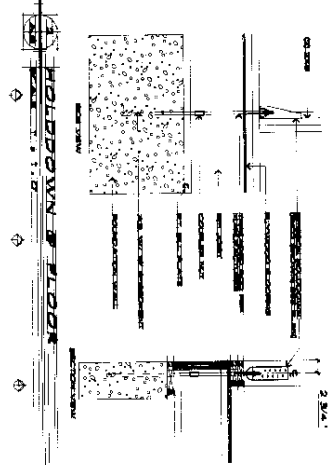


Exh B

**FLOOR SCHEDULE**

NO.	DESCRIPTION	AREA	FINISH	NOTES
1	UNIT 1	48.91	CONCRETE	
2	UNIT 2	48.91	CONCRETE	
3	UNIT 3	48.91	CONCRETE	
4	UNIT 4	48.91	CONCRETE	
5	CORRIDOR	10.00	CONCRETE	
6	STAIR	2.00	CONCRETE	
7	MECHANICAL	5.00	CONCRETE	
8	ELECTRICAL	5.00	CONCRETE	
9	RESTROOM	2.00	CONCRETE	
10	REAR HALL	2.00	CONCRETE	
11	MECHANICAL	5.00	CONCRETE	
12	ELECTRICAL	5.00	CONCRETE	
13	RESTROOM	2.00	CONCRETE	
14	REAR HALL	2.00	CONCRETE	
15	MECHANICAL	5.00	CONCRETE	
16	ELECTRICAL	5.00	CONCRETE	
17	RESTROOM	2.00	CONCRETE	
18	REAR HALL	2.00	CONCRETE	
19	MECHANICAL	5.00	CONCRETE	
20	ELECTRICAL	5.00	CONCRETE	
21	RESTROOM	2.00	CONCRETE	
22	REAR HALL	2.00	CONCRETE	
23	MECHANICAL	5.00	CONCRETE	
24	ELECTRICAL	5.00	CONCRETE	
25	RESTROOM	2.00	CONCRETE	
26	REAR HALL	2.00	CONCRETE	
27	MECHANICAL	5.00	CONCRETE	
28	ELECTRICAL	5.00	CONCRETE	
29	RESTROOM	2.00	CONCRETE	
30	REAR HALL	2.00	CONCRETE	
31	MECHANICAL	5.00	CONCRETE	
32	ELECTRICAL	5.00	CONCRETE	
33	RESTROOM	2.00	CONCRETE	
34	REAR HALL	2.00	CONCRETE	
35	MECHANICAL	5.00	CONCRETE	
36	ELECTRICAL	5.00	CONCRETE	
37	RESTROOM	2.00	CONCRETE	
38	REAR HALL	2.00	CONCRETE	
39	MECHANICAL	5.00	CONCRETE	
40	ELECTRICAL	5.00	CONCRETE	
41	RESTROOM	2.00	CONCRETE	
42	REAR HALL	2.00	CONCRETE	
43	MECHANICAL	5.00	CONCRETE	
44	ELECTRICAL	5.00	CONCRETE	
45	RESTROOM	2.00	CONCRETE	
46	REAR HALL	2.00	CONCRETE	
47	MECHANICAL	5.00	CONCRETE	
48	ELECTRICAL	5.00	CONCRETE	
49	RESTROOM	2.00	CONCRETE	
50	REAR HALL	2.00	CONCRETE	

NOTE: SCHEDULE FOR CONCRETE ONLY.



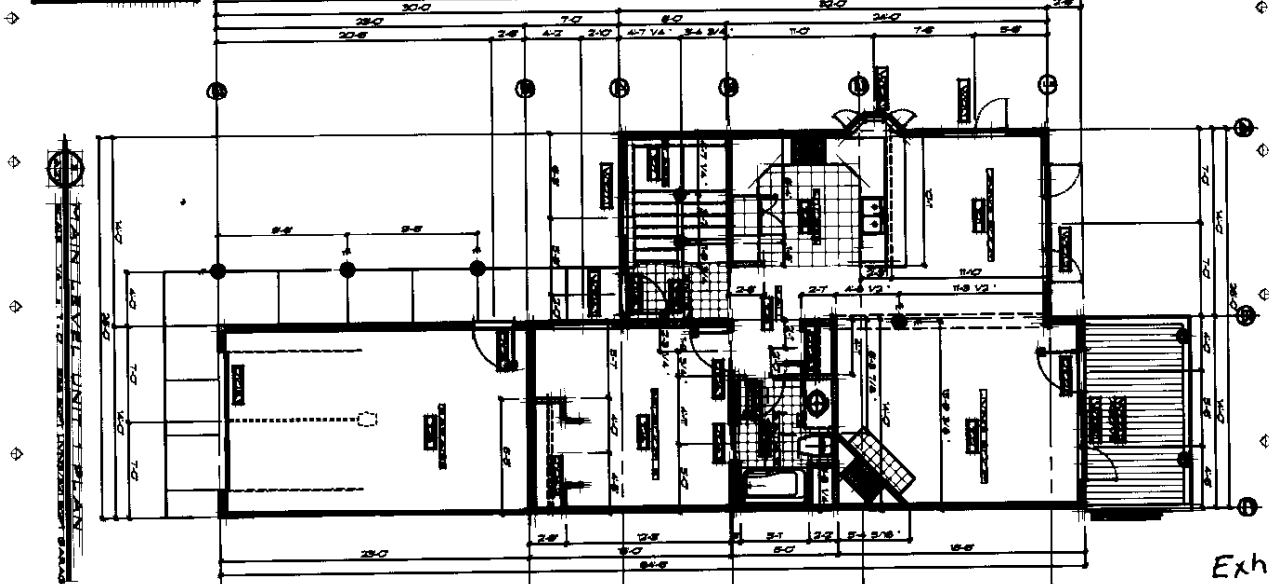
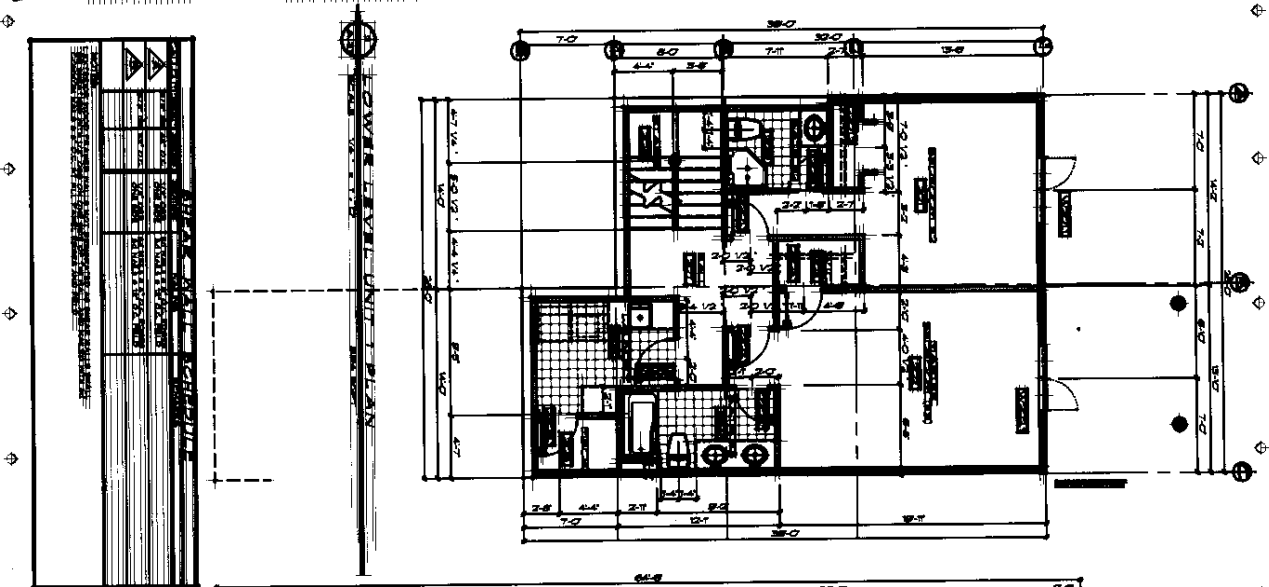
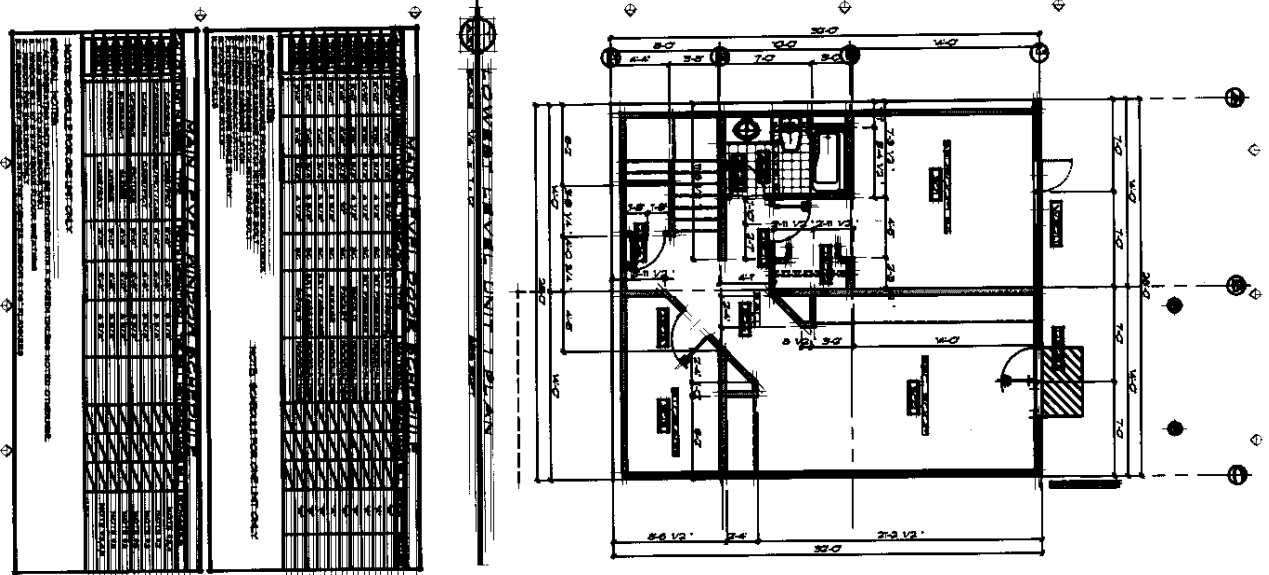
**REAR HALL SCHEDULE**

NO.	DESCRIPTION	AREA	FINISH	NOTES
1	REAR HALL	2.00	CONCRETE	
2	MECHANICAL	5.00	CONCRETE	
3	ELECTRICAL	5.00	CONCRETE	
4	RESTROOM	2.00	CONCRETE	
5	REAR HALL	2.00	CONCRETE	
6	MECHANICAL	5.00	CONCRETE	
7	ELECTRICAL	5.00	CONCRETE	
8	RESTROOM	2.00	CONCRETE	
9	REAR HALL	2.00	CONCRETE	
10	MECHANICAL	5.00	CONCRETE	
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99	ELECTRICAL	5.00	CONCRETE	
100	RESTROOM	2.00	CONCRETE	

**SEABURY DESIGN ASSOCIATES, P.C.**  
 2400 W. BEAVER AVENUE, SUITE 200, BOZEMAN, MONTANA 59717  
 ARCHITECT

**RADICK CONSTRUCTION**  
 1000 UNIVERSITY AVENUE, SUITE 200, BOZEMAN, MONTANA 59717  
 GENERAL CONTRACTOR

**A.6**



Exh B.

**STABURY DESIGN ASSOCIATES, P.C.**  
 ARCHITECTS  
 1000 W. 10TH AVENUE, SUITE 200  
 DENVER, COLORADO 80202  
 TEL: 303.733.1111 FAX: 303.733.1112  
 WWW.STABURYDESIGN.COM

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 10/12/2011  
 10/12/2011

**STABURY DESIGN ASSOCIATES, P.C.**  
 ARCHITECTS  
 1000 W. 10TH AVENUE, SUITE 200  
 DENVER, COLORADO 80202  
 TEL: 303.733.1111 FAX: 303.733.1112  
 WWW.STABURYDESIGN.COM



## GALLATIN COUNTY

### CERTIFICATE OF EXEMPTION FROM SUBDIVISION REVIEW

I, Manager of Subdivision and Zoning for Gallatin County, Montana, do hereby certify that the Second Amendment to the Declaration for The Pines Condominium, Phase II made March 19, 2012, by John M. Radick, Partner in The Pines, LLP, pursuant to Title 70, Chapter 23, Montana Code Annotated, is exempt from review under the Montana Subdivision and Platting Act pursuant to Section 76-3-203(1), MCA (2007).

The Condominiums are to be located on the following described real property:

A tract of land located in the South Half of Section 35, Township 6 South, Range 3 East, PMM, Gallatin County, Montana.

The Declaration is exempt because the condominiums are in conformance with the requirements of the Gallatin Canyon/Big Sky Zoning Regulations.

Any future amendment to the Preliminary Declaration for The Pines Condominiums or to any final Declaration that adds units to the Condominium Declaration for The Pines Condominiums requires, for each amendment, an additional declaration of condominium exemption from the Gallatin County Planning Department.

This Certificate of Exemption in no way obviates the declarants' responsibility to file a final declaration as required under the Montana Unit Ownership Act.

DATED this 30th Day of March, 2012

A handwritten signature in black ink, appearing to read "W. Randall Johnson", is written over a horizontal line.

W. Randall Johnson, AICP;  
Manager, Subdivision and Zoning

F:\PLNG\CONDOS\2012 Cert of Exemptions\pines-p11-condo.coe