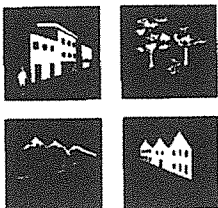


RETURN DOCUMENT TO:
American Land Title Company
1800 W. Koch, Bozeman, MT 59715
Order No. BOS

2440346

Page: 1 of 13 02/11/2013 03:18:10 PM Fee: \$91.00
Charlotte Mills - Gallatin County, MT HISC


TENTH SUPPLEMENTAL DECLARATION
FOR THE
BSC CONDOMINIUMS



CITY OF BOZEMAN
DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

Alfred M. Stiff Professional Building
20 East Olive Street
P.O. Box 1230
Bozeman, Montana 59771-1230

phone 406-582-2260
fax 406-582-2263
planning@bozeman.net
www.bozeman.net

Date: February 5, 2013

To Whom It May Concern:

Senate Bill 527 amending §76-3-203, M.C.A. was signed into law on April 17, 2007. This bill revised the exemption for the creation of new condominiums from the Subdivision and Platting Act. The amendment had an immediate effective date. The text of the amended section is now as follows:

Section 1. Section 76-3-203, M.C.A., is amended to read:

"76-3-203. Exemption for certain condominiums. Condominiums constructed on land subdivided in compliance with parts 5 and 6 of this chapter or on lots within incorporated cities and towns are exempt from the provisions of this chapter if:

- (1) the approval of the original subdivision of land expressly contemplated the construction of the condominiums and any applicable park dedication requirements in 76-3-621 are complied with; or
- (2) the condominium proposal is in conformance with applicable local zoning regulations when local zoning regulations are in effect."

Pursuant to the above statute, the Department of Planning and Community Development has determined that the condominium development on property legally described as Baxter Springs Condominiums, Lot A of Minor Subdivision No. 362, City of Bozeman, Gallatin County, MT.

☒ does not require subdivision review and has satisfied the exemption criteria.

☐ has completed review as a subdivision.

If you have any questions or comments, please contact the City of Bozeman Planning Office at 582-2260. Thank you for your cooperation.

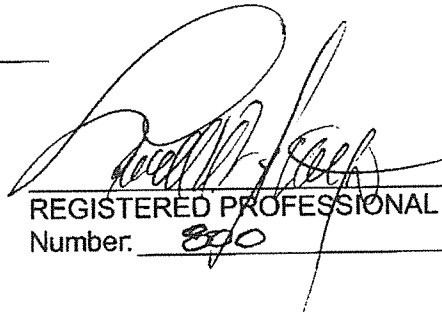
Chris Saunders,
Assistant Director of Planning and Community Development

CERTIFICATE OF FLOOR PLAN

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

That the floor plans for Building A, Units A1 through A12, Building B, Units B1 through B8, Building C, Units C1 through C12, Building E, Units E1 through E12, Building F, Units F1 through F12, Building J, Units J1 through J12, Building K, Units K1 through K12, and Building L, Units L1 through L12 of BSC CONDOMINIUMS, situated according to the official plat thereof on file and of record in the office of the County Clerk and Recorder of Gallatin County, Montana, as duly filed with the Tenth Supplemental Declaration thereof, fully and accurately depict the layout, location, unit designation and dimensions of BSC CONDOMINIUMS as built, and that such floor plans 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: 1-30-2013


REGISTERED PROFESSIONAL ARCHITECT
Number: 890

**TENTH SUPPLEMENTAL DECLARATION
FOR THE BSC CONDOMINIUMS**

COMES NOW, the Declarant, BAXTER SPRINGS, LLC, and supplements the Declaration for the BSC Condominiums, recorded as Document No. 2258769, on March 7, 2007, the First Supplemental Declaration for the BSC Condominiums, recorded as Document No. 2265670, on May 10, 2007, the Second Supplemental Declaration for the BSC Condominiums, recorded as Document No. 2269636, on June 15, 2007, the Third Supplemental Declaration for the BSC Condominiums, recorded as Document No. 2271015, on June 28, 2007, the Fourth Supplemental Declaration for the BSC Condominiums, recorded as Document No. 2273871, on July 30, 2007, the Fifth Supplemental Declaration for the BSC Condominiums, recorded as Document No. 2299713, on May 12, 2008, the Sixth Supplemental Declaration for the BSC Condominiums, recorded as Document No. 2355381, on March 4, 2010, the Seventh Supplemental Declaration for the BSC Condominiums, recorded as Document No. 2402177, on November 23, 2011, the Eighth Supplemental Declaration for the BSC Condominiums, recorded as Document No. 2428888, on October 11, 2012 and the Ninth Supplemental Declaration for the BSC Condominiums, recorded as Document No. 2433281, on November 29, 2012. This tenth supplement is to incorporate an additional building into the condominium regime.

NOW, THEREFORE, the Declaration for the BSC Condominiums, recorded as Document No. 2258769, on March 7, 2007, the First Supplemental Declaration for the BSC Condominiums, recorded as Document No. 2265670, on May 10, 2007, the Second Supplemental Declaration for the BSC Condominiums, recorded as Document No. 2269636, on June 15, 2007, the Third Supplemental Declaration for the BSC Condominiums, recorded as Document No. 2271015, on June 28, 2007, the Fourth Supplemental Declaration for the BSC Condominiums, recorded as Document No. 2273871, on July 30, 2007, the Fifth Supplemental Declaration for the BSC Condominiums, recorded as Document No. 2299713, on May 12, 2008, the Sixth Supplemental Declaration for the BSC Condominiums, recorded as Document No. 2355381, on March 4, 2010, the Seventh Supplemental Declaration for the BSC Condominiums, recorded as Document No. 2402177, on November 23, 2011, the Eighth Supplemental Declaration for the BSC Condominiums, recorded as Document No. 2428888, on October 11, 2012, and the Ninth Supplemental Declaration for the BSC Condominiums, recorded as Document No. 2433281, on November 29, 2012, declares the Declaration for BSC Condominiums hereby supplemented and amended in the following respect:

1. Article II, Real Estate, Paragraph entitled Description, the first sentence in the second paragraph is amended as follows:

The condominium unit in BSC CONDOMINIUMS consists of eight (8) buildings, seven (7) buildings with twelve (12) separate units listed as

Building A, Units 1-12 , Building C, Units 1-12, Building E, Units 1-12, Building F, Units 1-12, Building J, Units 1-12, Building K, Units 1-12, Building L, Units 1-12, and one (1) building with eight (8) separate units listed as Building B, Units 1-8.

2. Article IV, Ownership and Voting - Exhibits - Use, Paragraph entitled Percentage of Interest, the percentage of interest owned by each of the Units shall be amended as follows:

UNIT	SQUARE FOOTAGE	PERCENTAGE OF INTEREST IN GENERAL COMMON ELEMENTS
A1	970	1.087%
A2	970	1.087%
A3	970	1.087%
A4	970	1.087%
A5	970	1.087%
A6	970	1.087%
A7	970	1.087%
A8	970	1.087%
A9	970	1.087%
A10	970	1.087%
A11	970	1.087%
A12	970	1.087%
B1	970	1.087%
B2	970	1.087%
B3	970	1.087%
B4	970	1.087%
B5	970	1.087%
B6	970	1.087%
B7	970	1.087%
B8	970	1.087%
C1	970	1.087%
C2	970	1.087%
C3	970	1.087%
C4	970	1.087%
C5	970	1.087%
C6	970	1.087%
C7	970	1.087%
C8	970	1.087%
C9	970	1.087%
C10	970	1.087%

C11	970	1.087%
C12	970	1.087%
E1	970	1.087%
E2	970	1.087%
E3	970	1.087%
E4	970	1.087%
E5	970	1.087%
E6	970	1.087%
E7	970	1.087%
E8	970	1.087%
E9	970	1.087%
E10	970	1.087%
E11	970	1.087%
E12	970	1.087%
F1	970	1.087%
F2	970	1.087%
F3	970	1.087%
F4	970	1.087%
F5	970	1.087%
F6	970	1.087%
F7	970	1.087%
F8	970	1.087%
F9	970	1.087%
F10	970	1.087%
F11	970	1.087%
F12	970	1.087%
J1	970	1.087%
J2	970	1.087%
J3	970	1.087%
J4	970	1.087%
J5	970	1.087%
J6	970	1.087%
J7	970	1.087%
J8	970	1.087%
J9	970	1.087%
J10	970	1.087%
J11	970	1.087%
J12	970	1.087%
K1	970	1.087%
K2	970	1.087%
K3	970	1.087%

K4	970	1.087%
K5	970	1.087%
K6	970	1.087%
K7	970	1.087%
K8	970	1.087%
K9	970	1.087%
K10	970	1.087%
K11	970	1.087%
K12	970	1.087%
L1	970	1.087%
L2	970	1.087%
L3	970	1.087%
L4	970	1.087%
L5	970	1.087%
L6	970	1.087%
L7	970	1.087%
L8	970	1.087%
L9	970	1.087%
L10	970	1.087%
L11	970	1.087%
L12	<u>970</u>	<u>1.087%</u>
Totals	89,240	100%*

* subject to the expansion provision below.

3. In Article IV, the Paragraph entitled Voting Interest, the last sentence in that paragraph shall be amended as follows:

For the present, each of the original ninety-two (92) units shall have one vote per unit, for a total of ninety-two (92) votes.

4. In Article IV, the Paragraph entitled Floor Plans and Exhibits, the entire paragraph shall be amended as follows:

BSC CONDOMINIUMS will consist of eight (8) buildings and the real property described in **Exhibit A** which contains ninety-two (92) units as shown on the floor plans.

For identification and descriptive purposes the following Exhibits are attached and by reference hereto are incorporated into and made a part of this Declaration:

Exhibit B: Showing the floor plans for each of the Units of BSC CONDOMINIUMS, the area of each, and the dimensions and the designation for each Unit.

Exhibit C: Showing the site plan of BSC CONDOMINIUMS and the location of the buildings containing BSC CONDOMINIUMS Units on the Property.

Except as herein amended and/or corrected, the Declaration for the BSC CONDOMINIUMS shall remain in full force and effect and is incorporated herein by this reference.

IN WITNESS WHEREOF, the Declarant of the BSC CONDOMINIUMS has caused this to be made and executed on the 30th day of January, 2013.

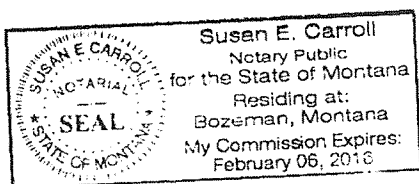
BAXTER SPRINGS, LLC

By: Jesse Chase
Its: MEMBER

STATE OF MONTANA)
) ss.
County of Gallatin)

On this 30th day of January, 2013, before me, a Notary Public in and for the State of Montana, personally appeared Jesse Chase, the Managing Member of BAXTER SPRINGS, LLC, known to me to be the Declarant, and acknowledged to me that he executed the same on behalf of the LLC.

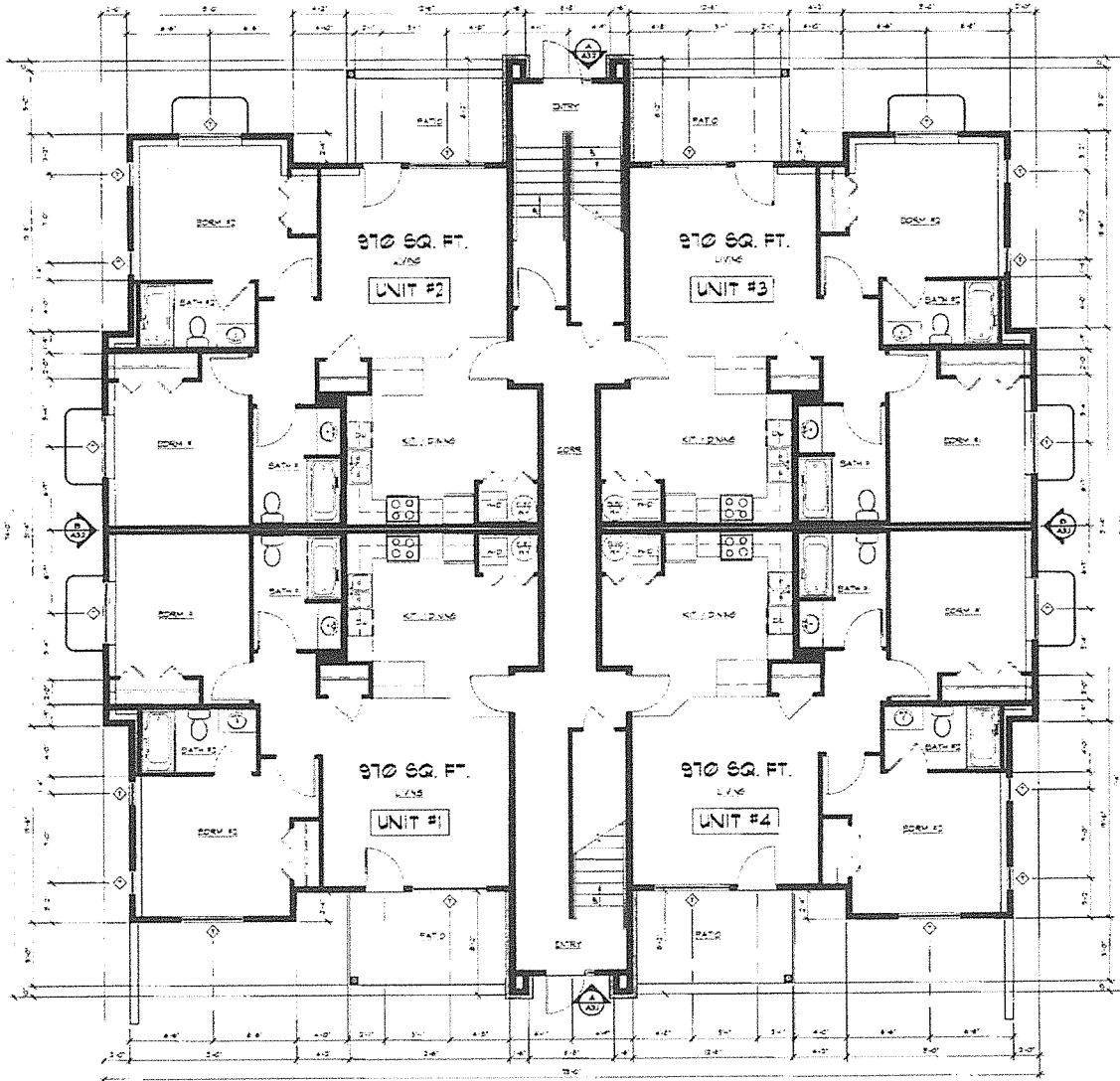
IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first above written.



Susan E. Carroll
Notary Public for the State of Montana
Printed Name: Susan E. Carroll

EXHIBIT A

Lot A of the Final Plat of Minor Subdivision No. 362, being a portion of Tract 2 of Certificate of Survey No. 1256, located in the Northeast One-Quarter of Section 2, Township 2 South, Range 5 East, Principle Meridian Montana, City of Bozeman, Gallatin County, Montana.



LOWER LEVEL FLOOR PLAN - BLDG. A

Unit 2

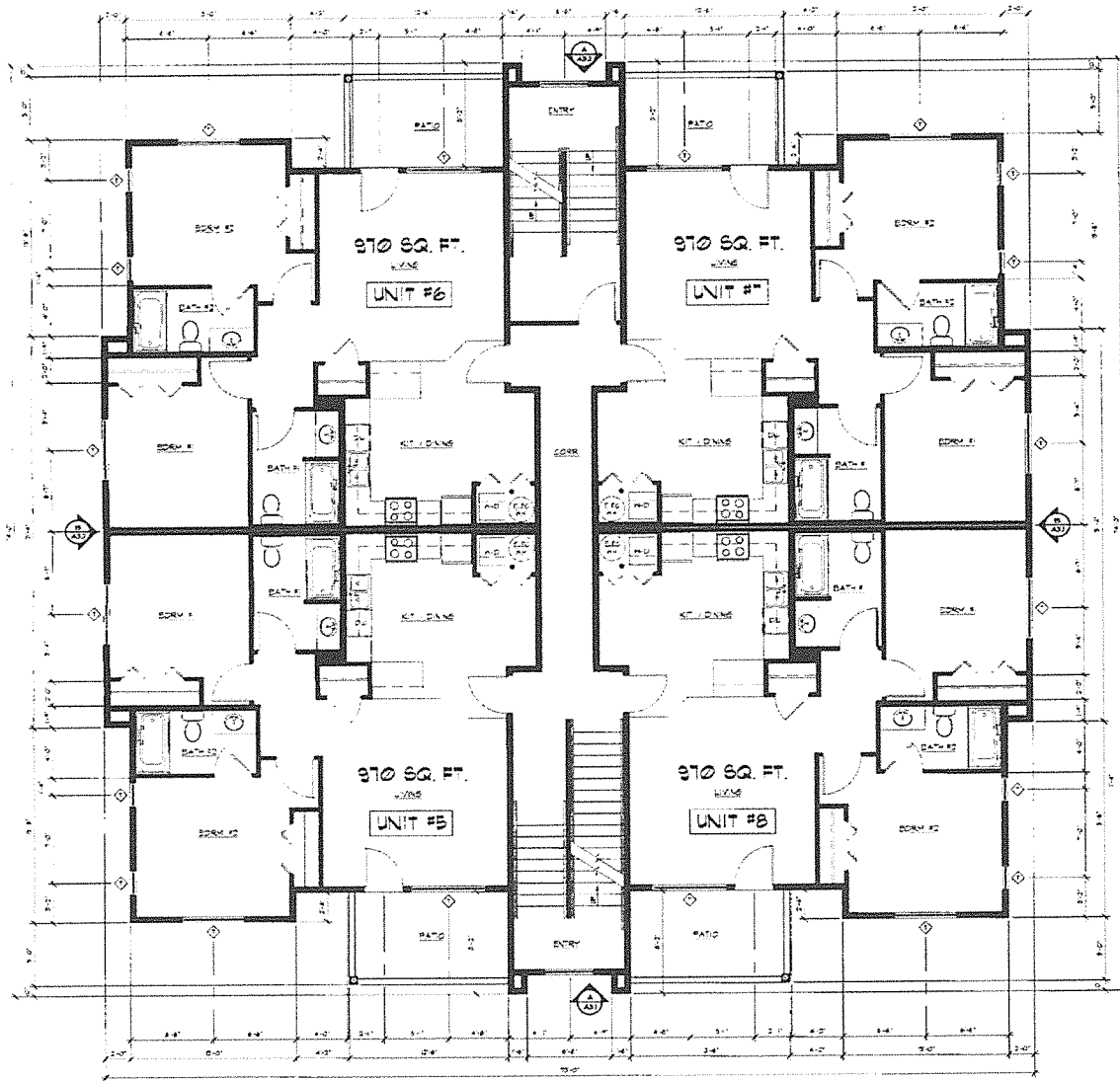
BSC CONDOMINIUMS

2220 - 2242 BAXTER LANE

BOZEMAN, MONTANA

2-22-10

A2.1A



A MAIN LEVEL FLOOR PLAN - BLDG 'A'
A2.2 NTS

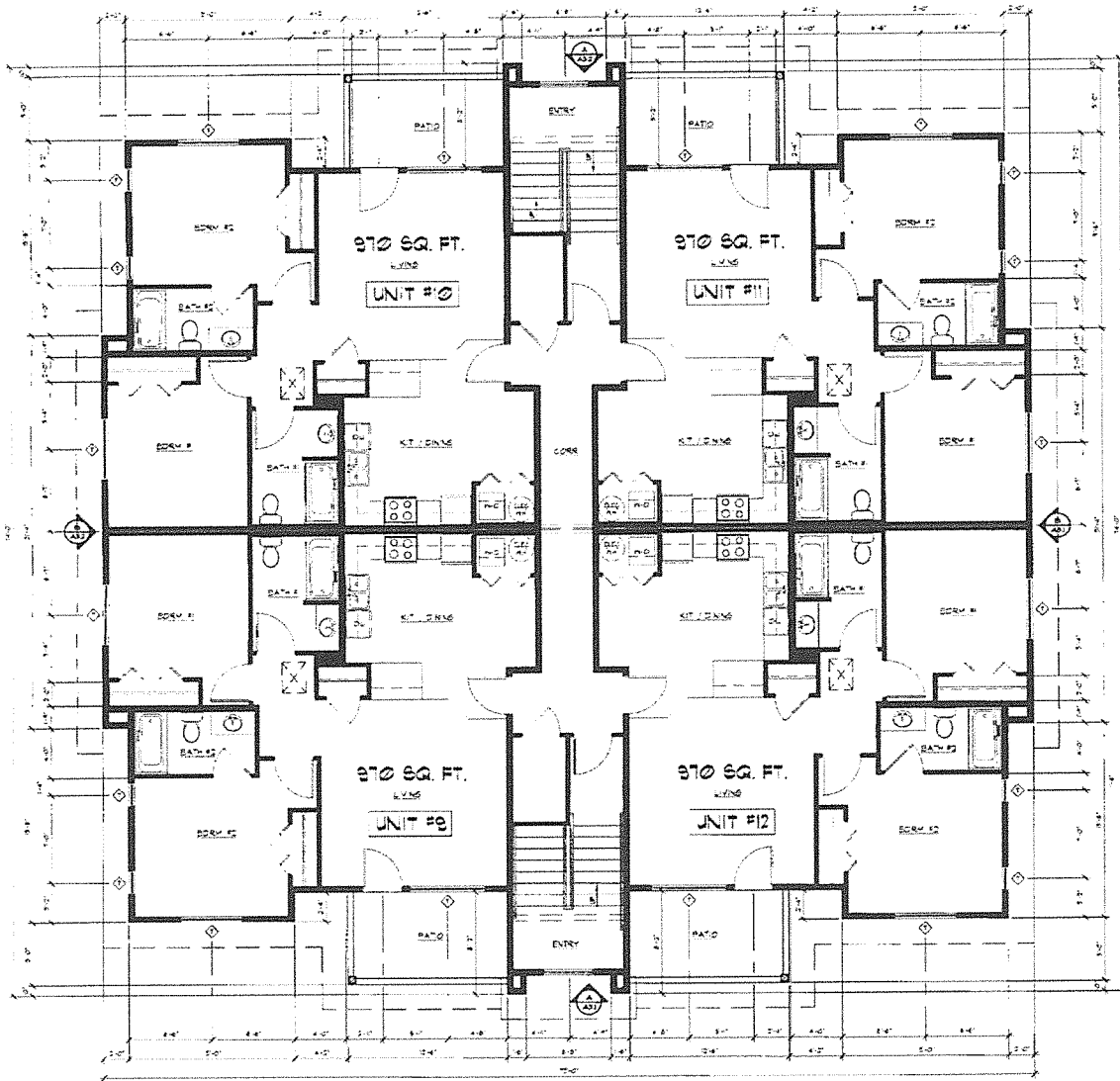
BSC CONDOMINIUMS

2220 - 2242 BAXTER LANE

BOZEMAN, MONTANA

2-22-10

A2.2A



UPPER LEVEL FLOOR PLAN - BLDG 'A'
A
A2.3
NTS

BSC CONDOMINIUMS

2220 - 2242 BAXTER LANE

BOZEMAN, MONTANA

2-22-10

A2.3A

10-26-06

Exhibit C

2220 - 2242 BAXTER LANE

BOZEMAN, MONTANA



SPRINGER GROUP, P.C.
ARCHITECTS LAND USE PLANNERS

201 SOUTH WALLACE AVENUE, SUITE A4
BOZEMAN, MONTANA 59716
PH 406/553-2400
FX 406/553-7826