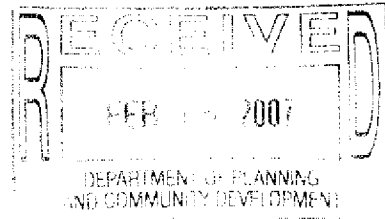




Charlotte Mills-Gallatin Co MTMISC 62.00

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***FIRST ADDENDUM TO
DECLARATION
OF
BAXTER MEADOWS CENTRAL
A PLANNED COMMUNITY***



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Charlotte Mills-Gallatin Co MT MISC 62 00

**FIRST ADDENDUM TO
DECLARATION
OF
BAXTER MEADOWS CENTRAL
(A PLANNED COMMUNITY)**

14th [Signature]

THIS FIRST ADDENDUM TO DECLARATION OF BAXTER MEADOWS CENTRAL
is made this 15th day of July February, 2007, by Baxter Meadows
Development LP, a Montana limited partnership ("Declarant").

RECITALS

A. Declarant is the owner of certain real estate in Gallatin County, State of Montana, commonly known as Baxter Meadows Subdivision, P.U.D., Phase 6, and more particularly described in Exhibit 1 to this addendum.

B. Declarant desires to addend the Declaration of Baxter Meadows Central, which governs the real estate described as Baxter Meadows Subdivision, P.U.D., Phase 6. This addendum shall be binding only on the portion of Phase 6 described in Exhibit 1.

NOW, THEREFORE, Declarant states as follows:

**ADDENDUM ARTICLE 1.
STATEMENT OF PURPOSE**

This First Addendum is made for the mutual benefit of the City of Bozeman, Montana and the Lots and Lot Owners of the portion of Phase 6 described in Exhibit 1. This Addendum is intended to create equitable restrictions and obligations upon the specific portion of the development described in Exhibit 1, and shall operate in conjunction with the previously recorded Declaration of Baxter Meadows Central. The restrictions and protective covenants contained herein are developed for the benefit of each Lot and Lot Owner in the portion of Phase 6 described in Exhibit 1, and to create a privity of contract and estate by and between the grantees of such lots, and their respective heirs, successors and assigns.

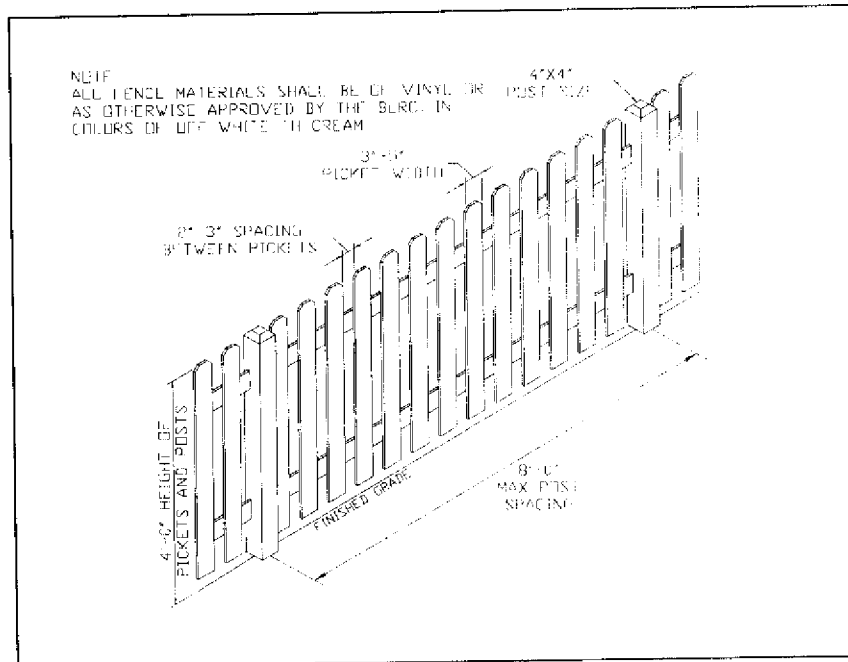
**ADDENDUM ARTICLE 2.
RESTRICTIONS AND COVENANTS**

The previously recorded Declaration of Baxter Meadows Central shall be binding on the lots contained in the portion of Phase 6 described in Exhibit 1 unless they are contradicted or expanded by the restrictions and covenants set forth below.



Section 2.1 Landscaping Covenants and Restrictions. All portions of a Lot not improved with a residence, driveway, walkways, patios or decks (referred to as the unimproved area of a Lot) shall be landscaped by and maintained, repaired, replaced and improved by the Lot Owners. Any barriers, such as fences, hedges, etc., on a Lot adjacent to a park boundary shall have a minimum setback of six (6) feet from the edge of the park sidewalk to provide a maintainable area. The Lot Owners shall be responsible for the installation of street and boulevard trees adjacent to their Lot. The Lot Owners must submit a planting permit for street trees and have all utilities located before excavation begins in the City of Bozeman right-of-way. No Lot Owner may make any changes to the landscaping without the prior written approval of the Association.

Section 2.2 Fences and Privacy Walls. Fences, and/or privacy walls must have prior written approval of the Architectural Review Committee. Fences located in the front, side, or rear yard setbacks adjacent to any park or open space shall not exceed a maximum height of four feet, and shall be of an open construction. An example of an acceptable picket fence design is shown below. Other fences of open construction, such as "split rail," may be acceptable upon review by the Architectural Review Committee.



Section 2.3 Bozeman U.D.O. Required Covenants.



A) The control of noxious weeds by the Association on those areas for which the Association is responsible and the control of noxious weeds by individual Owners on their respective Lots shall be as set forth and specified under the Montana Noxious Weed Control Act (MCA 7-22-2101 through 7-22-2153) and the rules and regulations of the Gallatin County Weed Control District. The Owner shall be responsible for control of the state and county declared noxious weeds on his or her own Lot. Both unimproved and improved Lots shall be managed for noxious weeds. In the event a Owner does not control the noxious weeds, after 10 days notice from the Association, the Association may cause the noxious weeds to be controlled. The cost and expense associated with such weed management shall be assessed to the Lot and such assessment may become a lien if not paid within thirty (30) days of the mailing of such assessment.

B) Lot Owners and residents of the subdivision are informed that adjacent uses may be agricultural. Lot Owners accept and are aware that standard agricultural and farming practices can result in dust, animal odors and noise, flies, smoke and machinery noise. Standard agricultural practices feature the use of heavy equipment, chemical sprays and the use of machinery early in the morning and sometimes late into the evening.

C) All fences bordering agricultural lands shall be maintained by the Owners in accordance with State Law.

D) The Association shall be responsible for the maintenance of common open space, centers, common pathways, landscaping in street boulevards along public frontage, and parks.

E) All covenants required as a condition of preliminary plat approval and required by the City Commission may not be amended or revoked without the mutual consent of the Owners in accordance with the amendment procedures set forth in this instrument, and the City Commission.

IN WITNESS WHEREOF, the Declarant has caused this First Addendum to Declaration of Baxter Meadows Central to be executed by its duly authorized agent this 14th day of February, 2007

BAXTER MEADOWS DEVELOPMENT LP,
a Montana limited partnership.

By: DWR WJH
Gerald R. Williams

STATE OF MONTANA)
) ss.
COUNTY OF Gallatin)



The foregoing Addendum to Declaration was acknowledged before me by GERALD R. WILLIAMS, as Authorized Agent, of Baxter Meadows Development LP, this 14th day of February, 2007.

Witness my hand and official seal.

Terri Zuko

Terri Zuko

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





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EXHIBIT 1

DESCRIPTION OF PROPERTY

All of those lands situated west of the centerline of Gallatin Green Boulevard, in the Final Plat of Baxter Meadows Subdivision, Phase 6, such lands being a portion of Tract 2A of Certificate of Survey 2202A, located in the SE 1/4 of Section 34, Township 1 South, Range 5 East, P.M.M., City of Bozeman, Gallatin County, Montana.