

After recording return to:

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340570 Fee: \$21.00 Roll: R 248 Page(s): 3

Park County Recorded 1/22/2007 At 3:54 PM

Denise Nelson, Clk & Rcdr By *971* Return To:

AMERICAN TITLE 206 EAST CALLENDER  
LIVINGSTON, MT 59047

**FIRST AMENDMENT TO THE DECLARATION OF THE  
EAGLE LANDING CONDOMINIUM VILLAGE**

The FIRST AMENDMENT to the DECLARATION AND BYLAWS FOR EAGLE LANDING CONDOMINIUM VILLAGE (hereinafter referred to as the "First Amendment") is executed upon the date found at the conclusion of this document by EAGLE'S REST, LLC, a Montana limited liability company, of 2420 South 2<sup>nd</sup> Street, Livingston, Montana 59047 (referred to herein as "Declarant") which entity owns one hundred percent (100%) of the voting interests in EAGLE LANDING CONDOMINIUM VILLAGE. Reference is made to the DECLARATION FOR EAGLE LANDING CONDOMINIUM VILLAGE (hereinafter referred to as "Declaration") and BYLAWS OF THE ASSOCIATION OF UNIT OWNERS OF EAGLE LANDING CONDOMINIUM VILLAGE (hereinafter referred to collectively as "Bylaws"), dated November 15, 2006, recorded January 16, 2007 at 9:16 a.m. (MST) as Document No. 34046 at the office of the Clerk and Recorder of Park County, Montana.

340465

**RECITALS**

A. That Declarant is the owner all the Units of EAGLE LANDING CONDOMINIUM VILLAGE and one hundred percent (100%) of the voting interests associated with ownership of said Units;

B. Pursuant to Article VII of the Declaration, the Declarant may unilaterally amend the Declaration until seventy-five percent (75%) of all the Units, including the expansion units, in EAGLE LANDING CONDOMINIUM VILLAGE have been sold.

C. Declarant now wishes to amend the Declaration to correct the legal description of the Property referred to therein.

D. 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 legal description found in Subsection 2. Limited Common Elements, of Paragraph 6 of Article I of the Declaration shall be amended to read as follows:

Lots 3 & 4 of Acreville Subdivision, located in the <sup>SW 1/4</sup>~~SE 1/4~~ of Section 23, Township 2 South, Range 9 East M.P.M., in Park County, Montana, according to the official plat on file in the office of the Clerk and Recorder of Park County, excepting therefrom the Condominium Units located thereon.

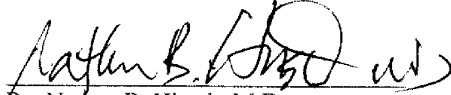
2. The legal description found in Paragraph 1 of Article II of the Declaration shall be amended to read as follows:

Lots 3 & 4 of Acreville Subdivision, located in the <sup>SW 1/4</sup>~~SE 1/4~~ of Section 23, Township 2 South, Range 9 East M.P.M., in Park County, Montana, according to the official plat on file in the office of the Clerk and Recorder of Park County, excepting therefrom the Condominium Units located thereon.

3. The legal description found in Certificate of Name filed with the Declaration shall be amended to read as follows:

Lots 3 & 4 of Acreville Subdivision, located in the <sup>SW 1/4</sup>~~SE 1/4~~ of Section 23, Township 2 South, Range 9 East M.P.M., in Park County, Montana, according to the official plat on file in the office of the Clerk and Recorder of Park County, excepting therefrom the Condominium Units located thereon.

**EAGLE'S REST, LLC**

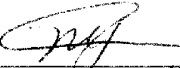


By: Nathan B. Hirsch, M.D.  
Its: Managing Member

STATE OF FLORIDA        )  
                                      :SS  
County of Dade            )

On the 18 day of January, 2007, before me a notary in and for said State, personally appeared Nathan B. Hirsch, M.D., known to me to be the managing member of EAGLE'S REST, LLC, the Montana Limited Liability Company that executed the above and foregoing document and acknowledged to me that said company executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on the date above written.

Sign:   
Print: MAYDA GONZALEZ  
Notary Public for the State of Montana  
Residing at: 5204 SW 13th Ave Rd Apt # 3317J  
My commission expires: 5/29/08

(SEAL)

