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6800 Patterson Road  
Bozeman, MT 59715

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Charlotte Mills - Gallatin County, MT MISC

**FIRST AMENDMENT TO FIRST AMENDED  
AND RESTATED DECLARATION FOR  
DRAKE PLAZA CONDOMINIUM**

THIS FIRST AMENDMENT ("Amendment") is made November 30, 2015, by the DRAKE PLAZA CONDOMINIUM OWNERS ASSOCIATION ("Association"), c/o MLP Properties, LLC, PO Box 11850, Bozeman, Montana 59719, on behalf of the Unit Owners of Drake Plaza Condominium, (the "Condominium").

**RECITALS**

- A. A First Amended and Restated Declaration dated January 14, 2015 ("Declaration") governing the Condominium was recorded January 14, 2015, in the records of Gallatin County, Montana under Document No. 2501681. The Declaration restated, in its entirety, a prior Declaration for Drake Plaza Condominium dated June 8, 2007 ("Prior Declaration"), and recorded June 11, 2007, in the records of Gallatin County, Montana under Document No. 2269033.
- B. In Exhibit E of the Declaration, depicting the Building's third floor plan, the areas of Units 8 and 8A were mistakenly transposed. Exhibit E shows that Unit 8 is 603 square feet and that Unit 8A is 914 square feet. Unit 8 is actually 914 square feet, and Unit 8A is actually 603 square feet. As a result of those errors, the Declaration misstates the square footages, Allocated Interests, and Member Votes assigned to Residential Units 8 and 8A.
- C. The Association and all of the affected Unit Owners desire to amend the Declaration to correct the technical errors in the square footages, Allocated Interests, and Member Votes assigned to Residential Units 8 and 8A.

**AMENDMENT**

- 1. **Definitions.** Unless the context requires otherwise, capitalized terms in this Amendment shall have the meanings given them in the Declaration.
- 2. **Description of Land.** The Land that by the Declaration and this Amendment is submitted and subject to the Unit Ownership Act is described as follows:

Lot 3 in Block 20 of River Rock Subdivision, Phase 2A, Gallatin County, Montana, according to the official plat thereof on file and of record in the office of the Gallatin County Clerk and Recorder. [Plat Reference: J-292].

3. **Amendment of Floor Plan.** The third floor plan attached to the Declaration as Exhibit E is hereby amended as set forth in this Section. Exhibit E shows that Unit 8 is 603 square feet and that Unit 8A is 914 square feet. Those square footage designations are hereby deleted, and Exhibit E is amended to reflect that Unit 8 is 914 square feet and that Unit 8A is 603 square feet.
4. **Correction of Square Footage, Allocated Interest, and Member Votes.** Section 4.2 of the Declaration is hereby amended as set forth in this Section. In the table included in Section 4.2, the values assigned to the square footage, Allocated Interest, and Member Votes for Residential Units 8 and 8A are hereby deleted, and the values set out in the table below are substituted in their place:
 

Unit No.	Floor	Square Footage	Allocated Interest	Member Votes
8	3	914 ft <sup>2</sup>	6.453%	645
8A	3	603 ft <sup>2</sup>	4.256%	426
5. **Ratification.** Except as modified, altered or amended by the provisions of this Amendment, the Declaration shall remain in full force and effect.
6. **Counterparts.** This Amendment may be executed in any number of counterparts, all of which when taken together will constitute one and the same instrument.

IN WITNESS WHEREOF, the Association and all of the affected Unit Owners have caused this First Amendment to First Amended and Restated Declaration for Drake Plaza Condominium to be made and executed.

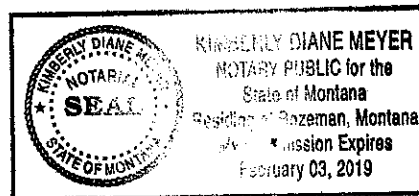
Drake Plaza Condominium Owners Association

by: *Jeffrey Meyer*  
 Jeffrey Meyer, President  
 by: *Claudia Lubin*  
 Claudia Lubin, Secretary

STATE OF MONTANA     )  
                                       : ss.  
 County of Gallatin     )

This instrument was acknowledged before me on November 30, 2015, by Jeffrey Meyer, as President, and Claudia Lubin, as Secretary, of the Drake Plaza Condominium Owners Association.

*[Signature]*  
 Notary Signature  
 Seal:



Unit 8 Owner:

*Tyson Vick*

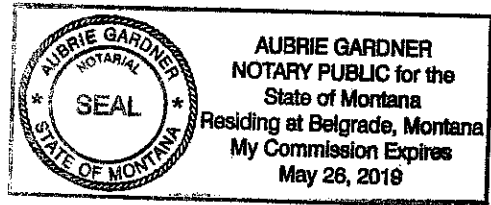
Tyson Vick

STATE OF MONTANA )  
: ss.  
County of Gallatin )

This instrument was acknowledged before me on November 30, 2015, by Tyson Vick.

*Aubrie Gardner*

Notary Signature  
Seal:



Unit 8A Owner:

MLP Properties, LLC

by: *Jeffrey Meyer*  
Jeffrey Meyer, Managing Member

STATE OF MONTANA )  
: ss.  
County of Gallatin )

This instrument was acknowledged before me on November 30, 2015, by Jeffrey Meyer, as Managing Member of MLP Properties, LLC, a Montana limited liability company.

*Kimberly Diane Meyer*

Notary Signature  
Seal:

