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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 to First Amended and Restated Declaration for Drake Plaza Condominium (the "First Amendment") amends the First Amended and Restated Declaration for Drake Plaza Condominium made January 14, 2015 and recorded in the office of the Clerk and Recorder of Gallatin County, Montana, as Document No. 2501681 on January 14, 2015 (the "Declaration") with respect the following real property made subject to the Montana Unit Ownership Act as provided in that Declaration:

Lot 3, Block 20, River Rock Subdivision, Phase 2A, Gallatin County, Montana, according to the official plat thereof on file and of record in the office of the, County Clerk and Recorder, Gallatin County, Montana.

Except as amended by the terms of this First Amendment, the terms of the Declaration remain in full force and effect.

The Declaration is hereby amended as follows:

**SECTION 2
DESCRIPTION OF CONDOMINIUM; DIVISION OF PROPERTY**

Section 2 of the Declaration is amended to replace 2.3 with the following:

2.3 Condominium Units. The Building is divided into nineteen (19) separate Condominium Units. There are four (4) separate Commercial Units located on the first floor, and the designations of such Units are as follows: Retail 1, Retail 2, Retail 3, and Retail 4. There are fifteen (15) separate Residential Units, located on the second and third floors, and the designations of such Units are as follows: 1, 1B, 2, 2A, 3, 3A, 4, 4A, 5, 6, 6A, 7, 7A, 8, and 8A. Each Unit, together with the appurtenant undivided interest in the Common Elements of the Condominium, shall together comprise one Condominium

Unit, shall be inseparable, and may be conveyed, leased, rented, devised or encumbered as a Condominium Unit.

SECTION 4 OWNERSHIP OF UNITS AND COMMON ELEMENTS

Section 4 of the Declaration is amended to replace the Allocation of Interest, following the text of Paragraph 4.2 as follows:

Unit No.	Floor	Square Footage	Allocated Interest	Member Votes
<i>Commercial Units</i>				
Retail 1	1	1706	8.274	827
Retail 2	1	1159	5.621	562
Retail 3	1	1135	5.5	550
Retail 4	1	1155	5.601	560
Total Commercial		5155		
<i>Residential Units</i>				
1	2	1217	7.691	769
1B	2	636	4.019	402
2	2	609	3.849	385
2A	2	618	3.905	391
3	2	730	4.613	461
3A	2	575	3.634	363
4	2	900	5.688	569
4A	2	568	3.589	359
5	3	1340	8.468	847
6	3	1041	6.578	658
6A	3	780	4.929	493
7	3	730	4.613	461
7A	3	607	3.836	384
8	3	914	5.776	578
8A	3	603	3.811	381
Total Residential		11868		
Total		17023		10000

EXHIBIT D

Exhibit D is replaced with the Attached Exhibit to this Amendment.

Except as amended by the terms of this First Amendment, the terms, provisions, and exhibits of the Declaration remain in full force and effect.


The foregoing First Amendment has been submitted and approved by seventy-five (75%) percent or more of the Owners of Condominium Units in the Drake Plaza Condominium Owners Association.

Drake Plaza Condominium Owners Association
A Montana not for profit corporation

By: Tyson Vick
President

STATE OF MONTANA)
 :SS
County of Gallatin)

This instrument was acknowledged before me on the 19 day of October, 2016, by Tyson Vick as a President, of Drake Plaza Condominium Owners Association, a Montana not for profit corporation

 **SHERRI L HOFFMAN**
NOTARY PUBLIC for the
State of Montana
Residing at Belgrade, Montana
My Commission Expires
December 7, 2019
Sherri L Hoffman
Notary Public for the State of Montana
Printed Name: Sherri L. Hoffman
Residing at: Belgrade
My Commission Expires: December 7, 2019

AMENDED EXHIBIT D

