


Please return to:
Security Title Company
600 South 19th
Bozeman, MT 59718

Accomodation Recording Only
STC# G2015

✓ **2527765**
Page: 1 of 14 10/15/2015 03:50:35 PM Fee: \$108.00
Charlotte Mills - Gallatin County, MT MISC


THIRD SUPPLEMENTAL DECLARATION

FOR THE

THIRD AVENUE CONDOMINIUMS



CITY OF BOZEMAN
DEPARTMENT OF COMMUNITY DEVELOPMENT



Date: October 9, 2015
File Number: 15460 Original Project File Number, If applicable: Z-07051
Condominium Name: Third Avenue Condominiums
Legal Description: Lot 3, Block 4 of Thompson's Addition #3 Subdivision, city of Bozeman



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 Community Development has determined that the condominium development noted above:

- Does not require subdivision review and has satisfied the exemption criteria.
- Has completed review as a subdivision.



Wendy Thomas, AICP, Director, City of Bozeman Department of Community Development



Alfred M. Stiff Professional Building
20 East Olive Street 59715 (FED EX and UPS Only)
PO Box 1230
Bozeman, MT 59771

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

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 4 of THIRD AVENUE CONDOMINIUMS, as amended on the attached, 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 Third Supplemental Declaration thereof, fully and accurately depict the layout, location, unit designation and dimensions as built, of THIRD AVENUE CONDOMINIUMS 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: 9/20/2015



REGISTERED PROFESSIONAL ARCHITECT
Number: 2544

**THIRD SUPPLEMENTAL DECLARATION
FOR THE THIRD AVENUE CONDOMINIUMS**

COMES NOW, the Declarant, RSIC, LLC, by an Assignment of the Development Rights recorded December 5, 2014 as Document No. 2498798, in the records of Gallatin County, Montana, and supplements the Declaration for the THIRD AVENUE CONDOMINIUMS, recorded as Document No. 2287992, on December 29, 2007, the First Supplemental Declaration for the THIRD AVENUE CONDOMINIUMS, recorded as Document No. 2305667, on July 16, 2008, and the Second Supplemental Declaration for the THIRD AVENUE CONDOMINIUMS, recorded as Document No. 2504669, on February 25, 2015. This Third Supplemental Declaration is to add a building to the condominium regime and is done pursuant to Articles V, VI and VIII of the Declaration for the THIRD AVENUE CONDOMINIUMS.

NOW, THEREFORE, the Declaration for the THIRD AVENUE CONDOMINIUMS, recorded as Document No. 2287992, on December 29, 2007, the First Supplemental Declaration for the THIRD AVENUE CONDOMINIUMS, recorded as Document No. 2305667, on July 16, 2008, and the Second Supplemental Declaration for the THIRD AVENUE CONDOMINIUMS, recorded as Document No. 2504669, on February 25, 2015 declares the Declaration for THIRD AVENUE CONDOMINIUMS hereby supplemented and amended in the following respect:

1. Article I, Purpose and Use; Possible Expansion, the first sentence in the first paragraph is amended as follows:

The Declarant has constructed as part of the Condominium four (4) buildings as depicted on the Site Plan, which is attached and incorporated as **Exhibit A**.

The last sentence in the second paragraph of this same Article regarding expansion to the Condominium by adding a Building 5, is to be deleted, as there will be no Building 5 in the Condominium.

2. Article III, Real Property, Paragraph 1. entitled Description, the first two (2) paragraphs on that page are amended as follows:

The Condominium shall consist of three (3) units contained in Building 1, eight (8) units each in Buildings 2 and 3, and one (1) unit contained in Building 4. At this time, the owner of Building 4 plans to rent the one (1) unit contained in Building 4 as multiple units. At such time that the owner of Building 4 intends to sell any additional units in Building 4, these Declarations will be amended in order to show any additional units becoming part of the condominium regime. There will be no Building 5 added to the Condominium. The condominium project will total four (4) buildings on the property which will utilize the common elements as the same are designed for Phase 1 (Building 1), Phase 2 (Buildings 2 and 3), and Phase 3 (Building 4). The Declarant will pay the costs of adding units or other improvements

to their appurtenant limited common areas. The Association or all the unit Owners, in accordance with their respective percentage interest, shall pay for the construction, management, administration, maintenance and repair of the general common facilities.

The first sentence of the next paragraph is amended as follows:

Notwithstanding anything to the contrary, the Declarant and the Owners of the units shall be unconditionally bound to execute an expansion amendment to this Declaration for the Floor Plans of the building and units proposed for any future addition of units in Building 4.

3. Article III, Real Property, Paragraph 4. entitled Buildings, is amended as follows:

Building 1, comprising of three (units), Buildings 2 and 3, comprising of eight (8) units each, and Building 4, comprising of one (1) unit of the Condominium will be contained as shown on the Site Plan. Building 4 will have one or two floors. The buildings are numbered 1, 2, 3, etc. and the units are labeled A, B, C, etc. as shown on the Site Plan.

4. Article V, Ownership and Voting - Exhibits - Use - Architect's Certificate - Construction of Buildings and Units, Paragraph 1. entitled Allocated Interest, second paragraph is amended as follows:

The allocated interest and rounded percentage of interest of Buildings 1, 2, 3 and 4 of the Condominium are set forth below.

<u>BUILDING/UNIT</u>	<u>SQUARE FEET</u>	<u>ALLOCATED FRACTIONAL INTEREST OR PERCENT IN INTEREST IN GENERAL COMMON ELEMENTS</u>
<u>Building 1</u>		
A	1,653	6.4406780%
B	1,473	5.7393337%
C	1,506	5.8679135%
<u>Building 2</u>		
A	1,039	4.0483148%
B	1,039	4.0483148%

C	1,007	3.9236314%
D	1,278	4.9795441%
E	865	3.3703487%
F	865	3.3703487%
G	899	3.5028249%
H	899	3.5028249%

Building 3

A	1,015	3.9548022%
B	1,161	4.5236704%
C	1,117	4.3522307%
D	1,117	4.3522307%
E	923	3.5963374%
F	559	2.1780635%
G	912	3.5534775%
H	912	3.5534775%

Building 4

A	5,426	21.1416326%
TOTAL	25,665	100%

* subject to the expansion provisions

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

IN WITNESS WHEREOF, the Declarant of the THIRD AVENUE CONDOMINIUMS has caused this to be made and executed on the 15th day of October, 2015.

DECLARANT:

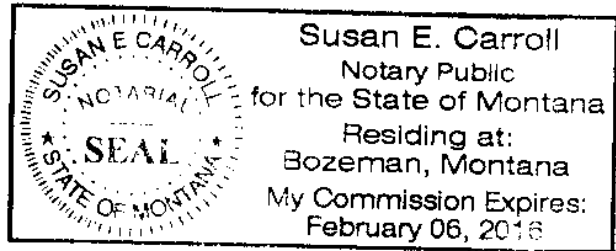
RSIC, LLC


By: 
Andy Rowe, Member

STATE OF MONTANA)
) ss.
County of Gallatin)

On this 15th day of October, 2015, before me, a Notary Public in and for the State of Montana, personally appeared Andy Rowe, the Member of RSIC, LLC, known to me to be the Declarant, and acknowledged to me that he executed the same on behalf of the LLC.

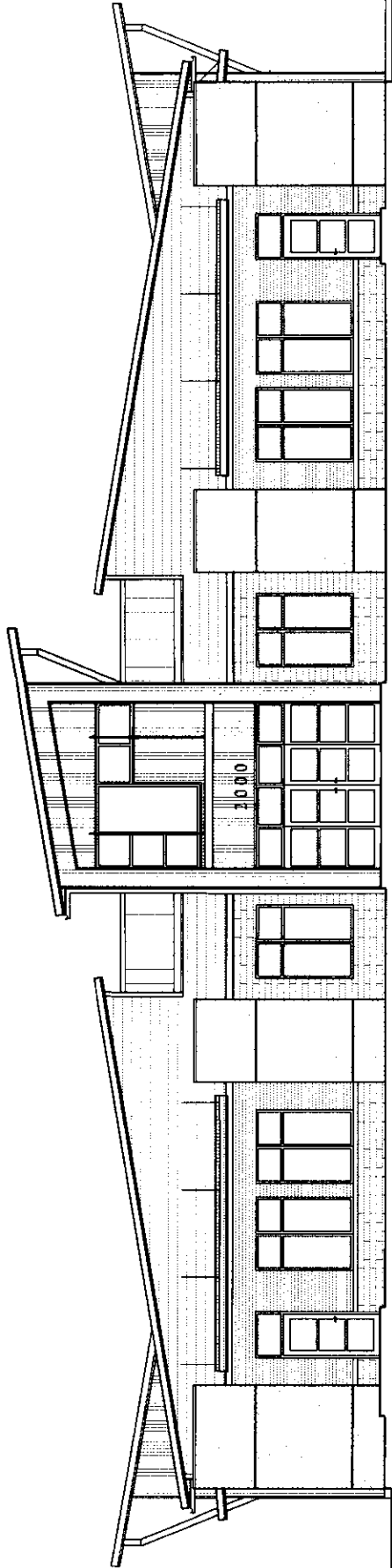
IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first above written.



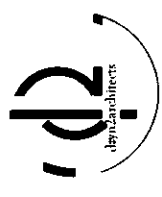

Notary Public for the State of Montana
Printed Name: Susan E. Carroll

THIRD AVENUE CONDOMINIUMS - BUILDING #4

2000 SOUTH 3RD AVENUE
BOZEMAN, MONTANA



COMPONENT ELEVATIONS, EXTERIORS.
SCALE: AS SHOWN.
DRAWINGS SHALL NOT BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT THE WRITTEN CONSENT OF THE ARCHITECTS, ALL RIGHTS RESERVED.
COPY SCALE AND DATE OF DRAWINGS AS SHOWN ON ALL APPLICABLE SHEETS.
BY LEASING



MICHAEL E. PENTECOST, AIA
P.O. BOX 10866
BOZEMAN, MT 59719
PHONE - 406-596-5896
FAX - 406-556-5782



3805 valley commons drive
suite #11
bozeman, mt 59718
406.556.6676 p
406.556.5782 f

THIRD AVENUE
CONDOMINIUMS
BUILDING #4
BOZEMAN, MT. 59715
0-9-15

REVISIONS:
7/27/2015 BUILDING DEPARTMENT
CORRECTIONS

ISSUED FOR PERMITTING
PROJECT NO. XXXX

DRAWINGS

ARCHITECTURAL

- A1.1 SITE PLAN
- A2.1 FIRST FLOOR PLAN
- A2.2 MEZZANINE FLOOR PLAN
- A2.3 ROOF PLAN
- A3.1 EXTERIOR ELEVATIONS
- A3.2 EXTERIOR ELEVATIONS

OWNER

RSIC, LLC
1871 SOUTH 22 AVENUE
BOZEMAN, MT 59718
PHONE:

CONTACTS:

DAVE SINTON
davesinton@hotmail.com

DESIGNER

LEGENDS STUDIO, INC.
3805 VALLEY COMMONS DRIVE
SUITE 11
BOZEMAN, MT 59718
PHONE: 406.556.6676
FAX: 406.556.5782

CONTACTS:

PROJECT MANAGER:
KIRA COLE
krc@legendsstudio.com

CONTRACTOR

ALFENLOW CUSTOM BUILDERS
885 LUXLEY DRIVE
BELGRADE, MT 59718
PHONE: 406.920.1029

CONTACTS:

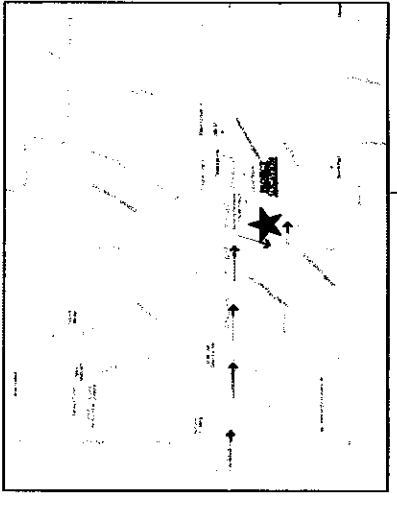
PROJECT MANAGER:
ANDY ROWE
andy@alfenlowbuild.com

STRUCTURAL ENGINEER

JOHNSON STRUCTURAL ENGINEERING
400 NORTH GRAND AVENUE
BOZEMAN, MT 59715
PHONE: 406.383.2939
FAX: 406.522.0820

CONTACTS:

LARRY JOHNSON
larry@johnsonengineer.com



VICINITY MAP & DELIVERY ROUTE
NTR

C:\P\1017\1017.DWG
DATE: 10/15/2015 3:50:35 PM
DRAWN BY: M. BOZEMAN
CHECKED BY: M. BOZEMAN
SCALE: AS SHOWN
PROJECT NO.: XXXX



MICHAEL E. PENECOST, AIA
P.O. BOX 10855
BOZEMAN, MT 59719
PHONE - 406-586-5896
FAX - 406-556-5782



3805 valley commons drive
suite #11
bozeman, mt 59718
406.536.6676 P
406.556.5782 F

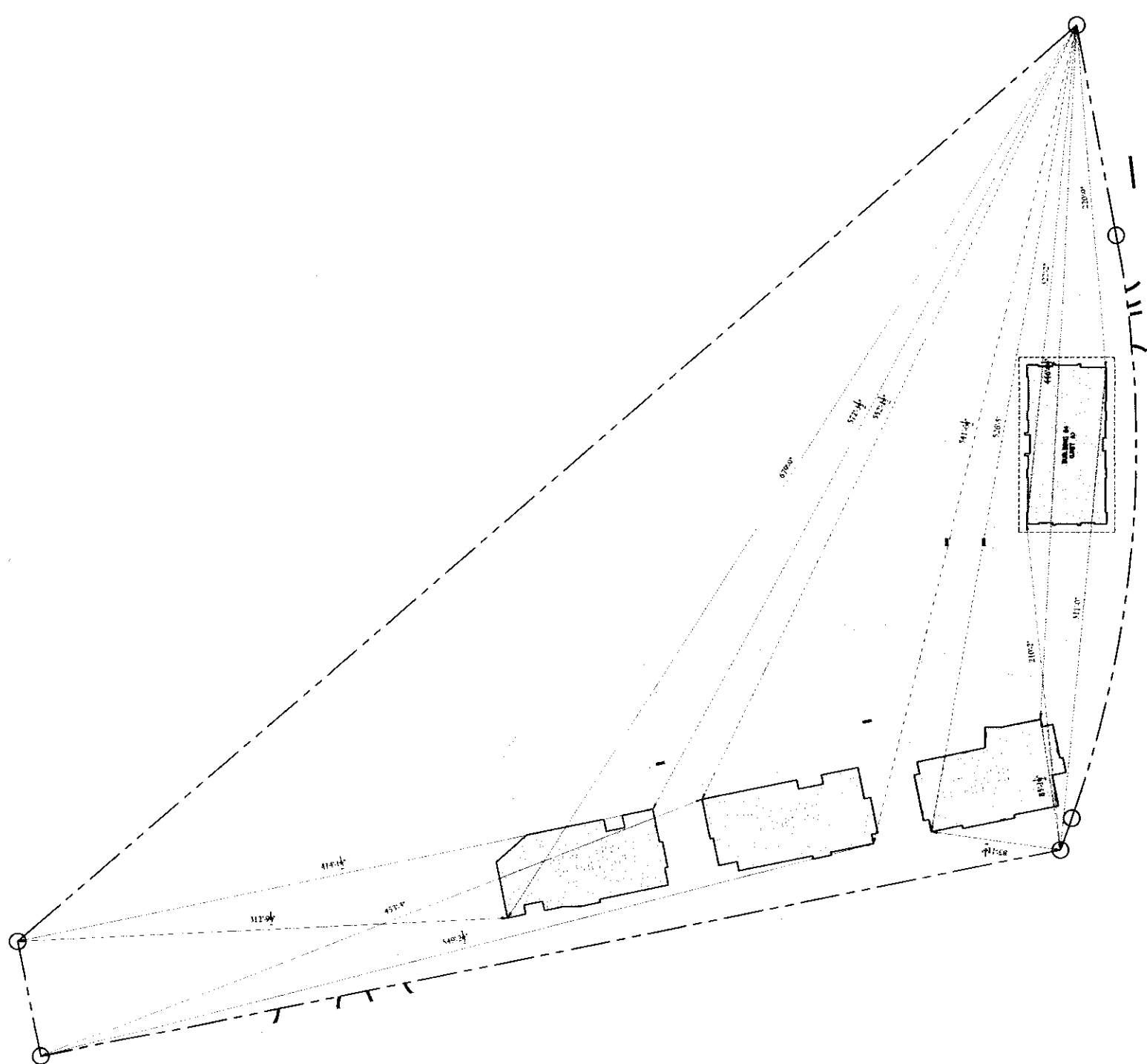
THIRD AVENUE
CONDOMINIUMS
BUILDING #4
BOZEMAN, MT. 59715
9-9-15

REVISIONS:
A APPROX BUILDING
DEPARTMENT
CORRECTIONS

BUILDING 04
SITE PLAN
ISSUED FOR PERMITTING

PROJECT NO.
XXXX

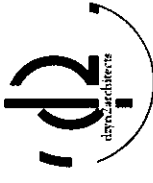
AI.1



800th 8th AVENUE



COPYRIGHT 2014 BY THE ARCHITECTS, LLC
 DRAWINGS SHALL NOT BE REPRODUCED, COPIED, OR USED FOR ANY OTHER PURPOSES WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECTS, LLC.
 THESE DRAWINGS ARE THE PROPERTY OF THE ARCHITECTS, LLC.



MICHAEL E. PENTECOST, AIA
 P.O. BOX 10806
 BOZEMAN, MT 59719
 PHONE 406-586-5896
 FAX 406-586-5782



3805 valley commons drive
 suite #11
 bozeman, mt 59718
 406.556.6676 p
 406.556.5782 f

THIRD AVENUE
 CONDOMINIUMS
 BUILDING #4
 BOZEMAN, MT, 59715
 9-9-15

REVISIONS:
 1. 7/7/2015 BUILDING DEPARTMENT CORRECTIONS

BUILDING OR FIRST FLOOR PLAN
 ISSUED FOR PERMITTING

PROJECT NO. XXXX

A2.1



SQUARE FOOTAGE CALC.
 UNIT 1 (054-400) 420 SF
 UNIT 2 (054-400) 420 SF
 TOTAL 840 SF
 TOTAL GARAGE 945 SF
 TOTAL GARAGE 945 SF

1. 2.11
 2. 11
 FIRST FLOOR PLAN
 SCALE: 1/8" = 1'-0"

COPYRIGHT 2014 BY THE ARCHITECTS, PLLC.
 DRAWINGS SHALL NOT BE REPRODUCED, COPIED, OR USED FOR ANY PURPOSES OTHER THAN THAT FOR WHICH THEY WERE ORIGINALLY PREPARED WITHOUT THE WRITTEN CONSENT OF THE ARCHITECTS, PLLC.
 EVERY SCALE NOTE IN DRAWINGS ARE TO BE REPRODUCED AND APPLIED TO ALL DRAWINGS.



MICHAEL E. PENTECOST, AIA
 P.O. BOX 10865
 BOZEMAN, MT 59719
 PHONE - 406-586-5596
 FAX - 406-556-5782

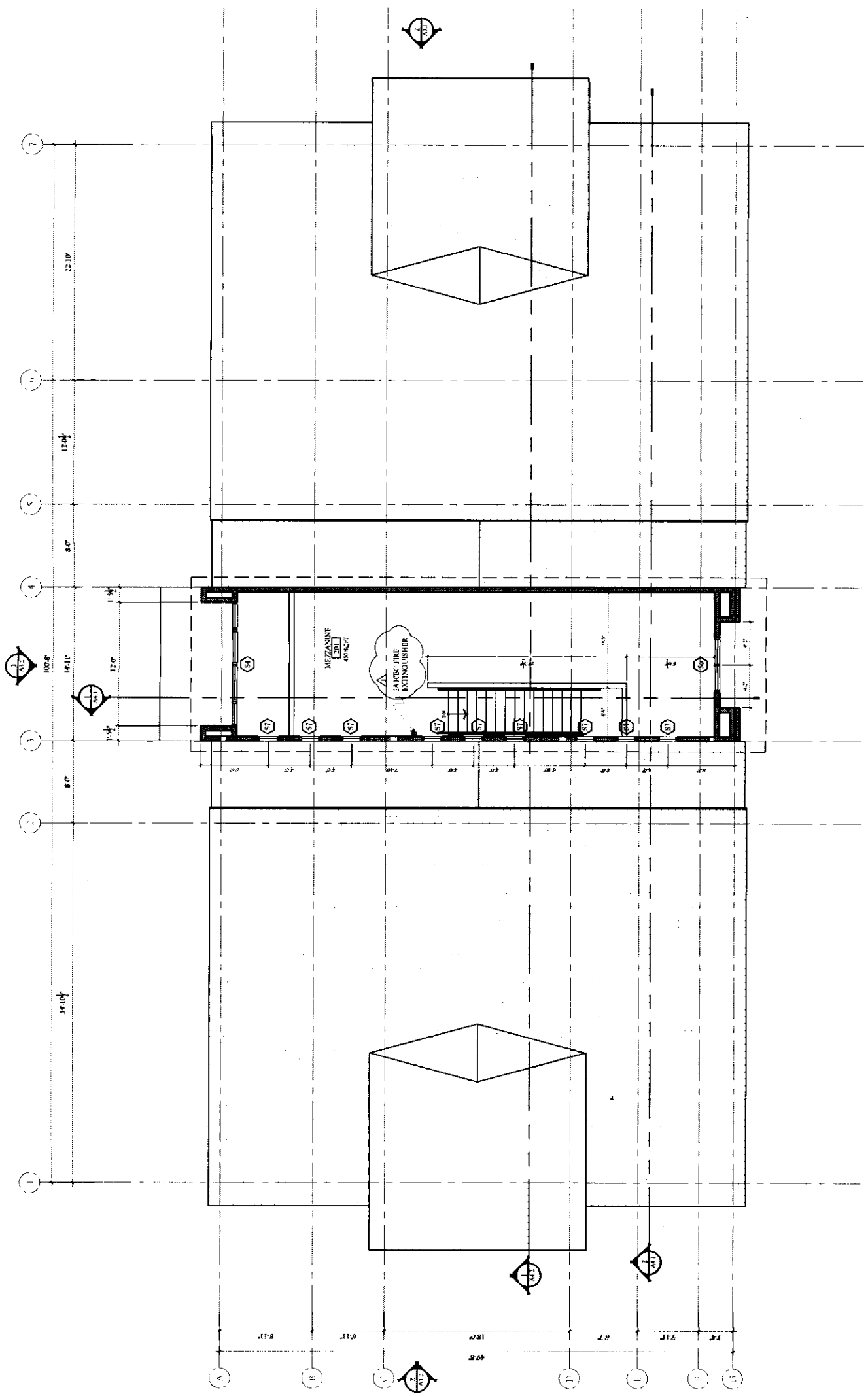


3805 valley commons drive
 suite #11
 bozeman, mt 59718
 406.556.6676 p
 406.556.5782 f

THIRD AVENUE
 CONDOMINIUMS
 BUILDING #4
 BOZEMAN, MT. 59715
 9-9-15

REVISIONS:
77472015 BUILDING DEPARTMENT CORRECTIONS
BUILDING OR MEZZANINE FLOOR PLAN
ISSUED FOR PERMITTING
PROJECT NO. XXXX

A2.2



MEZZANINE FLOOR PLAN
 SCALE: 1/8" = 1'-0"

COMPONENT SHALL BEING ASSEMBLED.
 ALL
 DRAWINGS SHALL BE FOR INFORMATION ONLY. NO USE FOR WORKS. THESE DRAWINGS ARE NOT TO BE USED FOR CONSTRUCTION OR FOR ANY OTHER PURPOSE WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT.
 ANY SCALE NOTED ON DRAWING IS FOR INFORMATION ONLY. ALL DIMENSIONS SHALL BE TO UNLESS OTHERWISE NOTED.



MICHAEL E. PENTECOST, AIA
 P.O. BOX 10866
 BOZEMAN, MT 59719
 PHONE - 406-586-5896
 FAX - 406-556-5782



3805 valley commons drive
 suite # 11
 bozeman, mt 59718
 406.556.6676 p
 406.556.5782 f

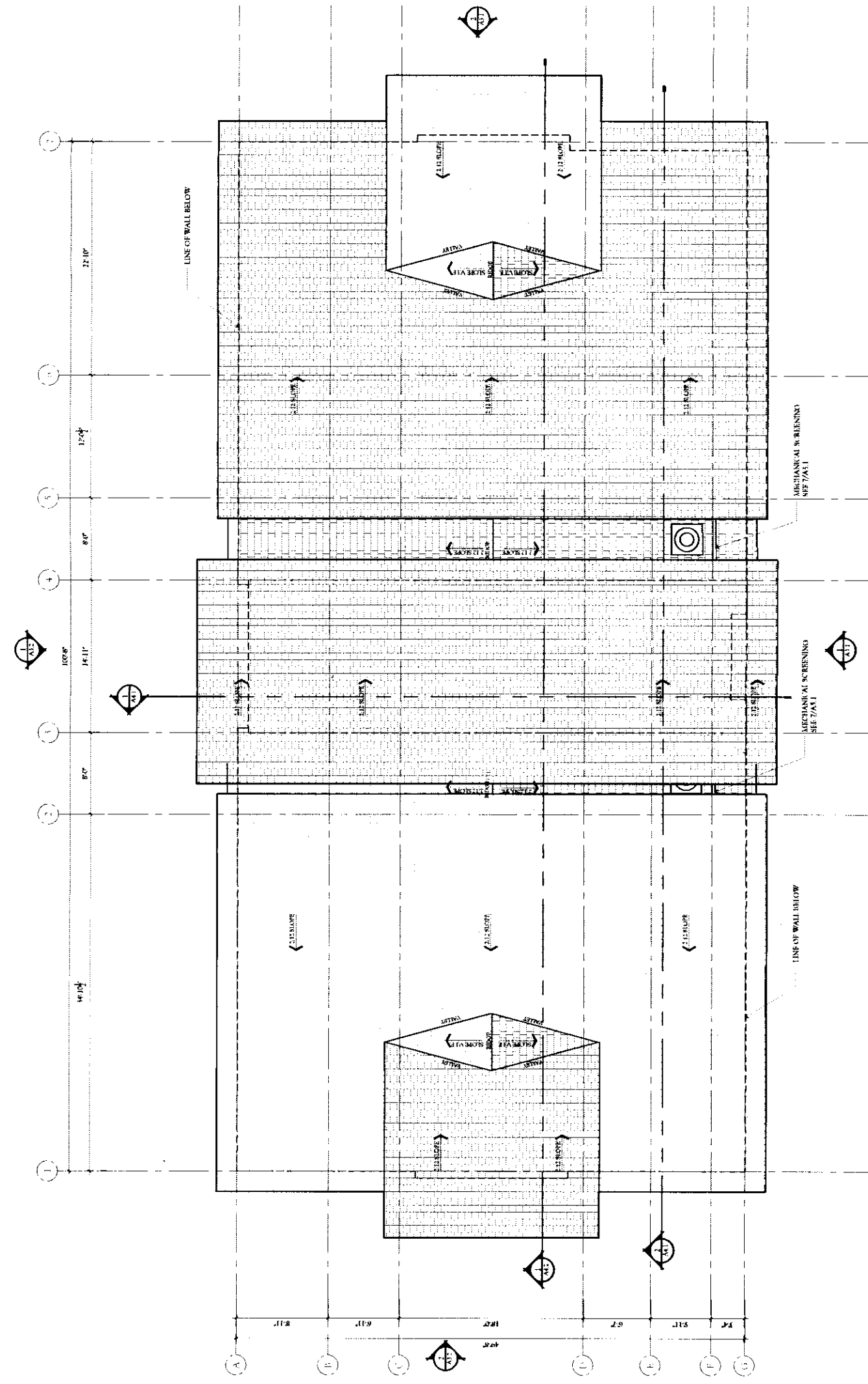
THIRD AVENUE
 CONDOMINIUMS
 BUILDING #4
 BOZEMAN, MT. 59715
 9-9-15

REVISIONS:
 1. APPROX BUILDING DEPARTMENT CORRECTIONS

BUILDING (IA)
 ROOF PLAN
 ISSUED FOR PERMITTING

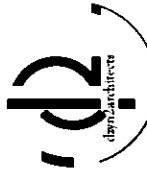
PROJECT NO.
 XXXX

A2.3



ROOF PLAN
 SCALE: 1/8" = 1'-0"

COPYRIGHT 2015 DENNEY ARCHITECTS, PLLC
 DRAWINGS SHALL NOT BE REPRODUCED, COPIED, OR USED FOR PURPOSES OTHER THAN THOSE INTENDED HEREON, WITHOUT THE WRITTEN CONSENT OF DENNEY ARCHITECTS, PLLC
 EXCEPT AS SPECIFICALLY INDICATED ON DRAWINGS, ALL SIZE DIMENSIONS SHALL CORRESPOND TO THE SIZE OF THE DRAWING



MICHAEL E. PENTECOST, AIA
 P.O. Box 08566
 BOZEMAN, MT 59719
 PHONE: 406-556-5896
 FAX: 406-556-5782



3805 valley commons drive
 suite #11
 bozeman, mt 59718
 406-556-6676 p
 406-556-5783 f

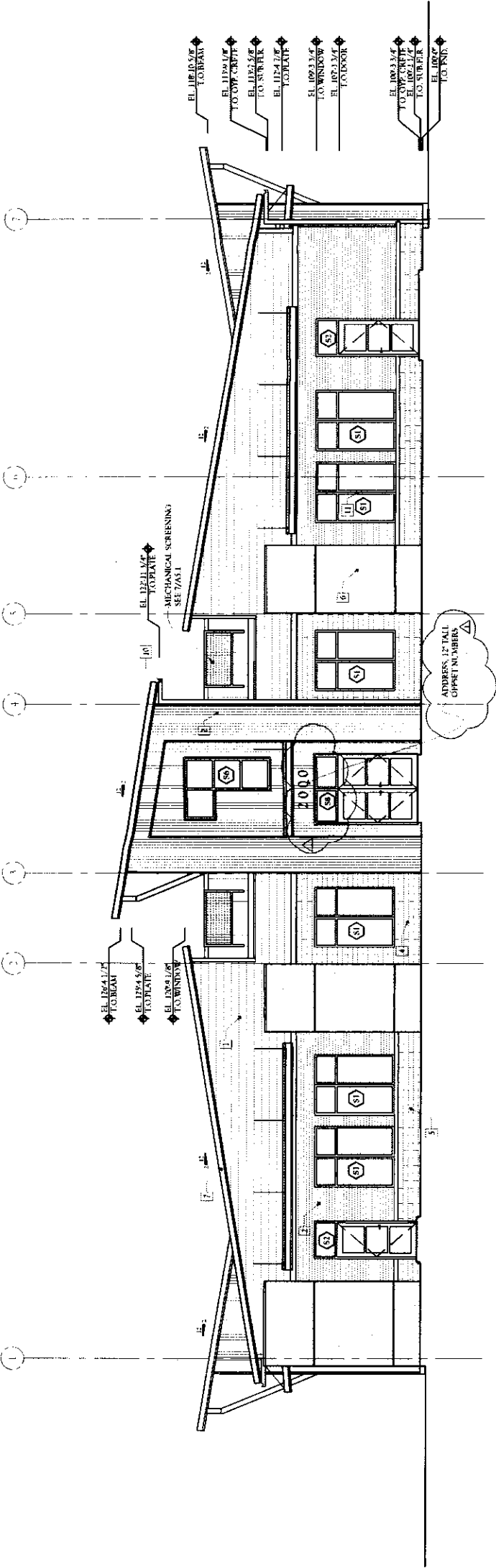
THIRD AVENUE
 CONDOMINIUMS
 BUILDING #4
 BOZEMAN, MT. 59715
 9-9-15

REVISIONS:
 A APPROVALS BUILDING DEPARTMENT
 B CORRECTIONS

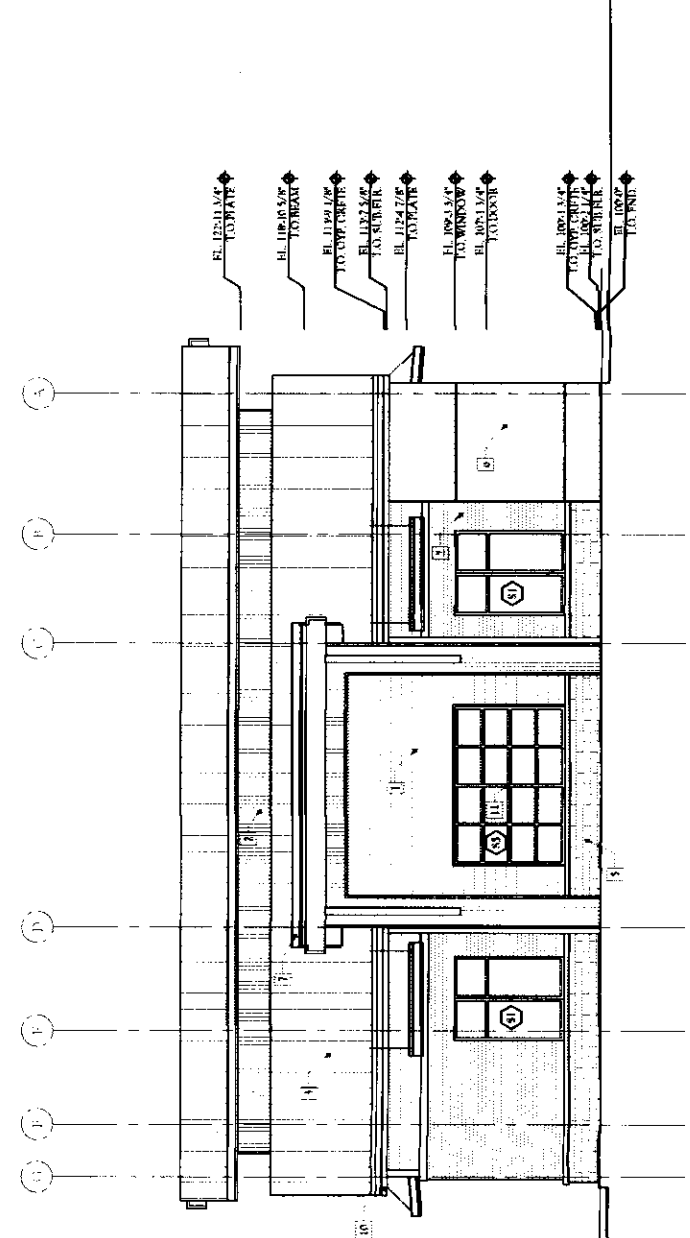
BUILDING OR ELEVATIONS
 ISSUED FOR PERMITTING

PROJECT NO.
 XXXX

A3.1



WEST ELEVATION
 SCALE 1/8" = 1'-0"



SOUTH ELEVATION
 SCALE 1/8" = 1'-0"

EXTERIOR MATERIALS LEGEND								
MARK	DESCRIPTION	MATL.	FINISH	TYPE	DIRECTION	MANUF.	COLOR	
1	SIBING #1	CEMENT RD.	PREFINISHED	FORMGORE	HORIZONTAL	HARDI PLANK	TRU	
2	SIBING #2	METAL		3/4" CORRUGATED	SEE ELEVATIONS		GALVANIZED	
3	ROOF #1	ASPHALT/SHINGLES		FLD.			HEADER BEND	
4	BRICK VENER	BRICK/VENER					T.B.F.	
5	SLATE TILE		SEALED				T.B.F.	
6	PIERS	STEEL SKIN						
7	PANCA	METAL	PREFINISHED				DARK BRONZE	
8	SCOTT	METAL	PREFINISHED			ROLEX	DARK BRONZE	
9	FLASHING	METAL	PREFINISHED				DARK BRONZE	
10	CUTTERS/WINDOWS/UTS	METAL					DARK BRONZE	
11	STUBFRONT WINDOWS/UTS & EXPOS.	ALUM.					DARK BRONZE	
12	HARDIE PANEL W/ BRICK-FIRE EXTERIOR	CEMENT BOARD	PAINTED			JAMES HARDIE PYRECLITE	DARK BROWN	

QUANTITY LISTED IN SCHEDULE, SEE SHEET FOR NOTES AND OTHER INFORMATION. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.



MICHAEL E. PENTECOST, AIA
P. O. BOX 10866
BOZEMAN, MT 59719
PHONE - 406-566-5896
FAX - 406-556-5782



3805 valley commons drive
suite #11
bozeman, mt 59718
406.556.6676 p
406.556.5782 f

THIRD AVENUE
CONDOMINIUMS
BUILDING #4
BOZEMAN, MT. 59715
9-9-15

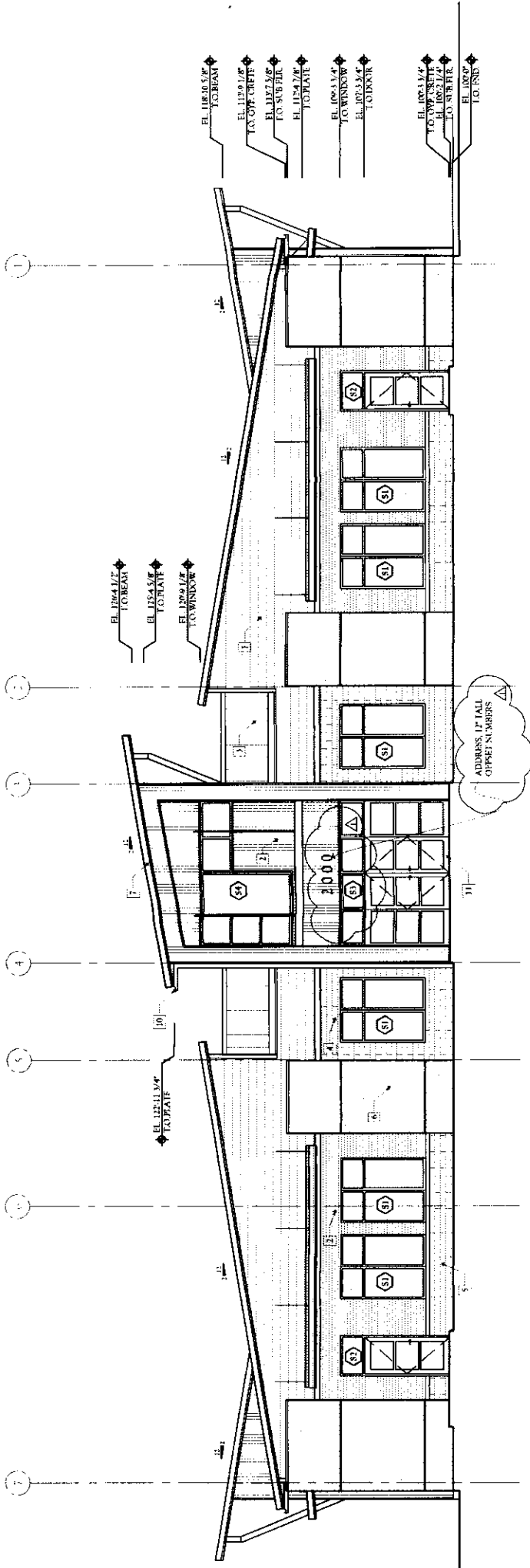
REVISIONS:
7/27/2015 BUILDING DEPARTMENT CORRECTIONS

BUILDING DEPARTMENT ELEVATIONS

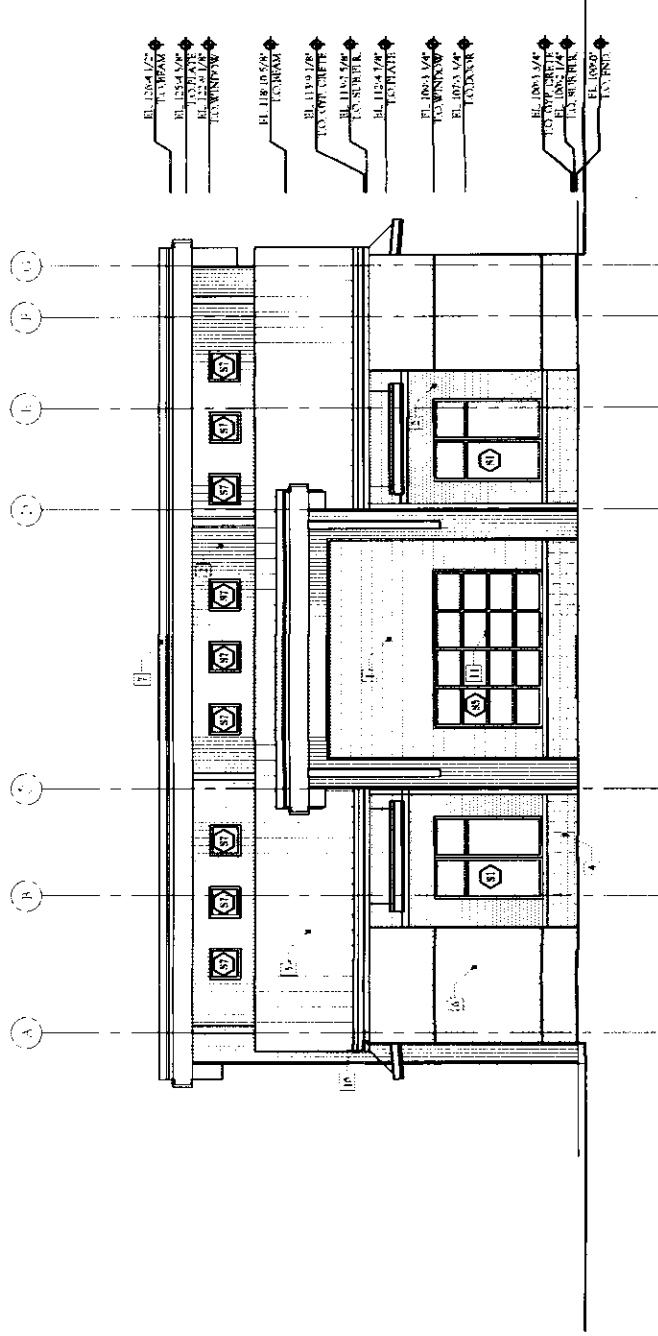
ISSUED FOR PERMITTING

PROJECT NO. XXXX

A3.2



EAST ELEVATION
SCALE: 1/8" = 1'-0"



NORTH ELEVATION
SCALE: 1/8" = 1'-0"

EXTERIOR MATERIALS LEGEND

MARK	DESCRIPTION	MATL.	FINISH	TYPE	DIRECTION	MANUF.	COLOR
1	SHINGLES	CEMENT BR.	PREPARED	# EXPOSURE	HORIZONTAL	BARDI PLANK	TBD
2	SHINGLES	METAL		3/4" CORRUGATED	VERTICAL		GALVANIZED
3	ROOFING	ASPHALT SHINGLES		T.B.A.			HEATHER BLEND
4	BRICK VENEER	BRICK VENEER					T.B.D.
5	SLATE TILE		SLATED				T.B.D.
6	PIERS	STEEL SKIN					
7	PASCIA	METAL	PREPARED				DARK BRONZE
8	ROOF	METAL	PREPARED			ROLEX	DARK BRONZE
9	FLASHING	METAL	PREPARED				DARK BRONZE
10	CUTTERS/LAWS/STAIN	METAL					DARK BRONZE
11	STORAGE/STAIN/STAIN	ALUM.					DARK BRONZE
12	HARDWARE/STAIN/STAIN	CEMENT BR.	PAINTED			JAMES HARDWARE	DARK ORBY MIST