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**FIFTH AMENDMENT TO  
DECLARATION OF CONDOMINIUM  
FOR  
COPPER BLOOM CONDOMINIUM HOMES**

This Fifth Amendment to Declaration of Condominium for Copper Bloom Condominium Homes (the "Fifth Amendment") is made by, and with the consent of RDG Investments, Inc., which as of the date of recording of this Fifth Amendment is the sole owner of the development rights (the Development Rights") to create 83 additional condominium units within the Condominium Regime as established pursuant to that certain Declaration of Condominium for Copper Bloom Condominium Homes (the "Original Declaration") dated July 11, 2002, and recorded with the Gallatin County Clerk and Recorder on July 22, 2002, as Document No. 2075515 and as amended by that certain First Amendment to Declaration of Condominium for Copper Bloom Condominium Homes recorded with the Gallatin County Clerk and Recorder on November 22, 2002, as Document No. 2088447 (the "First Amendment"), and that certain Second Amendment to Declaration of Condominium for Copper Bloom Condominium Homes recorded with the Gallatin County Clerk and Recorder on December 13, 2002 as Document No. 2090868 (the "Second Amendment"), that certain Third Amendment to Declaration of Condominium for Copper Bloom, Condominium Homes recorded with the Gallatin County Clerk and Recorder on July 26, 2003 as Document No. 2113074 (the "Third Amendment"), that certain Fourth Amendment to Declaration of Condominium for Copper Bloom, Condominium Homes recorded with the Gallatin County Clerk and Recorder on ~~11-19-2003~~ as Document No. ~~2132462~~ (the "Fourth Amendment"). The Original Declaration, the First Amendment, the Second Amendment, the Third Amendment, the Fourth Amendment, and this Fifth Amendment together constitute the "Declaration".

Unless otherwise defined differently in this Fifth Amendment, the definitions set forth in the Original Declaration apply to the terms used herein. This Fifth Amendment amends the Original Declaration as follows:

**ARTICLE I**

Article I, Paragraph 1 is amended and restated to read in its entirety as follows:

1. Purpose. The purpose of this Declaration is to submit and convey the lands described in this Declaration, and the buildings and other improvements constructed or to be constructed on the lands, to the condominium form of ownership and use pursuant to Montana law. Development shall proceed in one or more phases (each, a "Phase") as described in this Fifth Amendment. Phases 1 and 2 have been completed as of the date of the filing of this Fifth Amendment. The second two



Phases to be constructed and submitted to condominium ownership are described in Article II, Paragraph 2A. The Developer reserves the right to develop the condominium in Phases as this Declaration permits so that if all Phases are developed, Developer will have constructed nine (9) Buildings: one (1) Building with eight (8) Units, one (1) Building with eleven (11) Units, and seven (7) Buildings with twelve (12) Units, along with eight (8) Garage Structures containing a total of one hundred twenty (120) garage stalls, all in accordance with the terms of this Declaration, as amended. Developer is not required to develop or construct any Phase of this development other than Phases 1 through 4, as described in this Declaration, as amended.

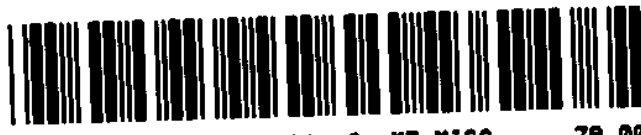
**ARTICLE II**

A. Article II, Paragraph 2A, is amended to read in its entirety as follows:

2. A. (i) The Condominium, Phases 1 through 4. The condominium created by this Declaration, as amended, are Phases 1 through 4 of the Copper Bloom Condominium Homes. Phase 1 has been completed and consisted of twelve (12) units in Building 51, as depicted on the Site Development Plan attached as Amended Exhibit A to this Fifth Amendment to the Declaration Plan. Phase 2 has been completed and consisted of eight (8) units in Building 31, as depicted on the Site Development Plan attached as Amended Exhibit A to this Fifth Amendment to the Declaration Plan. Phase 3 consists of twelve (12) Units in Building 61, as depicted on the Site Development Plan attached as Amended Exhibit A to this Fifth Amendment to the Declaration. Phase 4 consists of twelve (12) Units in Building 21, as depicted on the Site Development Plan attached as Amended Exhibit A to this Fifth Amendment to the Declaration. At the completion of Phase 3 and Phase 4, each Unit shall have appurtenant to it an undivided percentage of ownership in the common elements of the condominium of two and twenty-seven one hundredths percent (2.2727%), or 1/44<sup>th</sup> when expressed as a fraction, all as more particularly described in Article V of the Declaration. The designation of Buildings and Units in Phase 1, Phase 2, Phase 3 and Phase 4 and appurtenant fractional interest and percentage of ownership of each Unit in the common elements is as follows:

Phase 1

<u>Building 51, Units</u>	<u>Fractional Interest</u>	<u>Percentage of Interest</u>
1	1/44 <sup>th</sup>	2.2727%
2	1/44 <sup>th</sup>	2.2727%
3	1/44 <sup>th</sup>	2.2727%



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4	1/44 <sup>th</sup>	2.2727%
5	1/44 <sup>th</sup>	2.2727%
6	1/44 <sup>th</sup>	2.2727%
7	1/44 <sup>th</sup>	2.2727%
8	1/44 <sup>th</sup>	2.2727%
9	1/44 <sup>th</sup>	2.2727%
10	1/44 <sup>th</sup>	2.2727%
11	1/44 <sup>th</sup>	2.2727%
12	1/44 <sup>th</sup>	2.2727%

Phase 2

<u>Building 31, Units</u>	<u>Fractional Interest</u>	<u>Percentage of Interest</u>
1	1/44 <sup>th</sup>	2.2727%
2	1/44 <sup>th</sup>	2.2727%
3	1/44 <sup>th</sup>	2.2727%
4	1/44 <sup>th</sup>	2.2727%
5	1/44 <sup>th</sup>	2.2727%
6	1/44 <sup>th</sup>	2.2727%
7	1/44 <sup>th</sup>	2.2727%
8	1/44 <sup>th</sup>	2.2727%

Phase 3

<u>Building 61, Units</u>	<u>Fractional Interest</u>	<u>Percentage of Interest</u>
1	1/44 <sup>th</sup>	2.2727%
2	1/44 <sup>th</sup>	2.2727%
3	1/44 <sup>th</sup>	2.2727%
4	1/44 <sup>th</sup>	2.2727%
5	1/44 <sup>th</sup>	2.2727%
6	1/44 <sup>th</sup>	2.2727%
7	1/44 <sup>th</sup>	2.2727%
8	1/44 <sup>th</sup>	2.2727%
9	1/44 <sup>th</sup>	2.2727%
10	1/44 <sup>th</sup>	2.2727%
11	1/44 <sup>th</sup>	2.2727%
12	1/44 <sup>th</sup>	2.2727%

Phase 4

<u>Building 21, Units</u>	<u>Fractional Interest</u>	<u>Percentage of Interest</u>
1	1/44 <sup>th</sup>	2.2727%
2	1/44 <sup>th</sup>	2.2727%
3	1/44 <sup>th</sup>	2.2727%
4	1/44 <sup>th</sup>	2.2727%



5	1/44 <sup>th</sup>	2.2727%
6	1/44 <sup>th</sup>	2.2727%
7	1/44 <sup>th</sup>	2.2727%
8	1/44 <sup>th</sup>	2.2727%
9	1/44 <sup>th</sup>	2.2727%
10	1/44 <sup>th</sup>	2.2727%
11	1/44 <sup>th</sup>	2.2727%
12	1/44 <sup>th</sup>	2.2727%

B. Article II, Paragraph 3, is amended to read in its entirety as follows:

3. Site Plan and Description. Exhibit A to the original Declaration is hereby withdrawn, and substituted in its place is Amended Exhibit A, which is attached to this Fifth Amendment and incorporated by reference. Amended Exhibit A is the Site Development Plan which shows the nine (9) Buildings, each identified by number and street address (all of which are in Belgrade, Montana, 59714), along with a designation of the number of Units to be contained in each Building and the number of levels in each Building, as follows:

<u>Building #</u>	<u>Address</u>	<u># of Units</u>	<u># of Levels</u>
21	North Shore Drive	12	3
31	North Shore Drive	8	2
51	North Shore Drive	12	3
61	North Shore Drive	12	3
71	North Shore Drive	12	3
81	North Shore Drive	11	3
91	North Shore Drive	12	3
101	North Shore Drive	12	3
111	North Shore Drive	12	3

None of the Buildings will have a basement. In addition, there are eight (8) Garage Structures that contain spaces for eight (8), sixteen (16), or twenty (20) stalls, as set forth on the Site Development Plan that is attached as Amended Exhibit A, for a total of one hundred twelve (120) stalls.



C. Article II, Paragraph 6, is amended to read in its entirety as follows:

6. Particulars of Units; Certificate of Architect. Attached to this Declaration as Exhibit B-1 and Amended Exhibit B-2 are the floor plans and layouts for the Units that are contained in Buildings 1-10. Exhibit B-1 (consisting of 2 pages) shows the floor plans and layouts for the Units to be contained in Building 2 (an 8-plex). Amended Exhibit B-2 (consisting of 5 pages) shows the floor plans, layouts, and elevations for the Units to be contained in Buildings 21, 61, 71, 81, 91, 101, and 111 (the 11-plex and 12-plexes). The square footages of the Units are set forth on Exhibit B-1 and Amended Exhibit B-2 accordingly.

D. Article II, Paragraph 6, is amended to add new provisions in a subparagraph to it, as follows:

6.2 Revised Exhibit B-2. Exhibit B-2 to the original Declaration, consisting of two (2) pages, is hereby withdrawn, and substituted in its place is Amended Exhibit B-2, consisting of five (5) pages, which is attached to this Fifth Amendment and incorporated herein by reference. Amended Exhibit B-2 contains the floor plans, layouts, elevations and designations of the Units that are or will be contained in 12-plex Buildings to be constructed as part of the Condominium.

**ARTICLE V**

A. Paragraph 1.2A of Article V of the Declaration is amended to read in its entirety as follows:

1.2. Fractional Interest and Percentage of Undivided Ownership.

A. Phases 1 through 4 of the Condominium Regime. At the completion of Phase 3 and Phase 4 of the condominium regime as described in this Declaration, each Unit owner of Units 1 through 12 in Building 21, Units 1 through 8 in Building 31, Units 1 through 12 in Building 51, and Units 1 through 12 in Building 61, shall have a 1/44 fractional interest (or 2.2727 percent) of undivided ownership in the land and other common elements, and each Unit shall be conclusively presumed to be of equal value with all other Units in the condominium.

B. Paragraph 2 of Article V is amended and restated in its entirety as follows:

2. Voting Rights. Upon completion of Phases 3 and 4, the total number of votes outstanding and entitled to be cast by owners of Units in



Phase I through Phase 4 of the condominium will be forty-four (44), which is equal to the number of Units in the completed Phases I through 4 of this condominium regime. The owner or owners (collectively) of each Unit added to the condominium regime in subsequent Phases shall also be entitled to cast one (1) vote for each Unit owned. Developer is entitled to cast one (1) vote for each unsold Unit and one (1) vote for any Unit in any declared Phase that has not yet been completed.

Except as amended herein, the Original Declaration, as amended by the First, Second, Third, and Forth Amendments, remains in full force and effect.

Dated as of this 21 day of June, 2004.

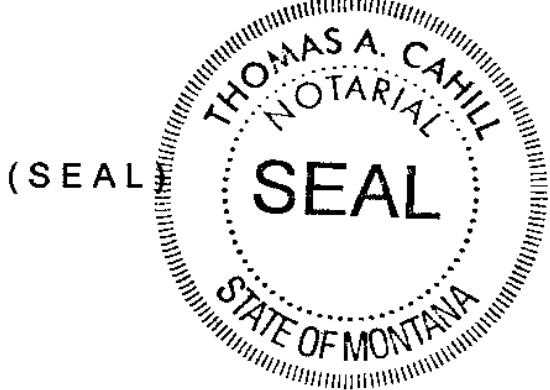
By:

Ruth Del Grande  
RDG Investments, Inc.  
Declarant and Developer

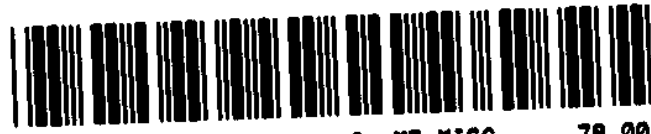
Its: President

STATE OF MONTANA )  
County of Gallatin ) :ss

This instrument was acknowledged before me on the 21 day of June, 2004, by Ruth Del Grande, President of RDG Investments, Inc., a Montana corporation.



Notary Public for the State of MONTANA  
Printed Name: THOMAS A CAHILL  
Residing at: Bozeman MT  
My Commission Expires: 8-18-2004



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### CERTIFICATE OF ARCHITECT

The undersigned, being a duly registered architect in the State of Montana, and who prepared the floor plans for the *COPPERBLOOM CONDOMINIUMS*, herewith certifies that the floor plans for said condominium units #1-12 in buildings 21 & 61 attached to the Amended Declaration are an accurate copy of the plans filed with and approved by the State of Montana and its duly authorized officers, agents and employees having jurisdiction to issue building permits.

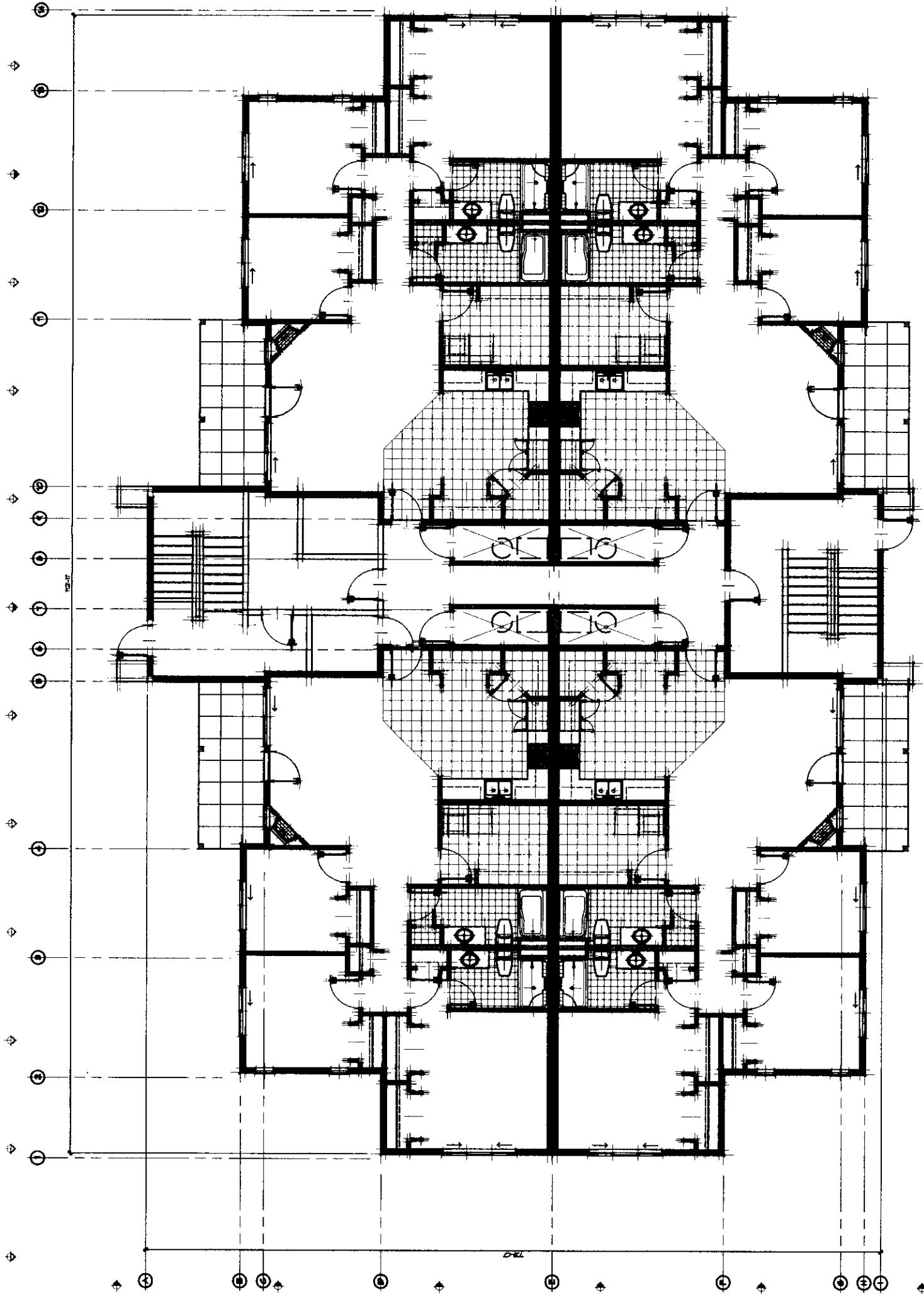
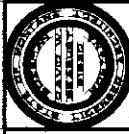
DATED this 21 day of June, 2004



Seabury Design Associates, P.C.  
STATE OF MONTANA #1630







SECOND LEVEL FLOOR PLAN

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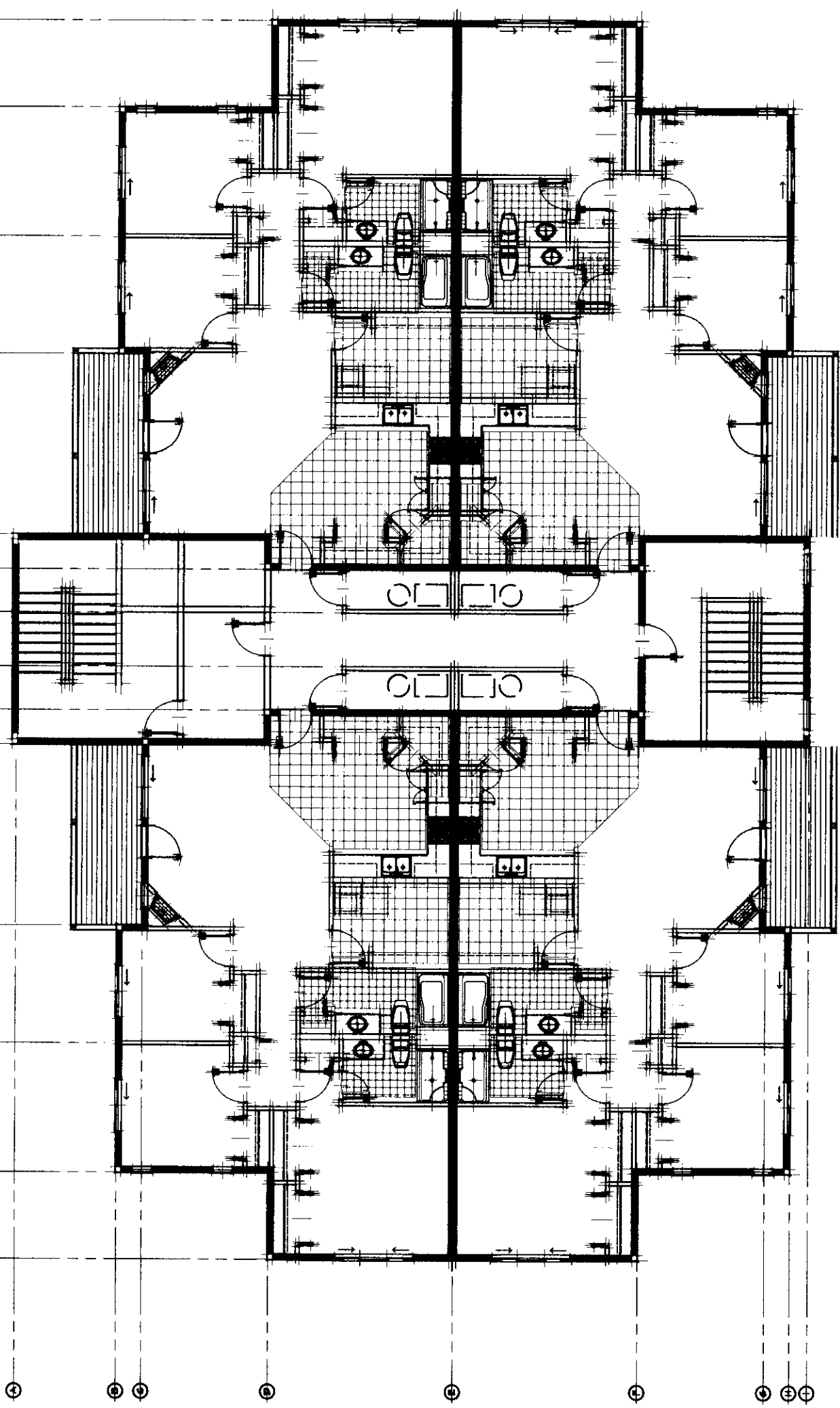


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SHAWBY DESIGN ASSOCIATES, P.C.  
OPERATOR CONDENSERS

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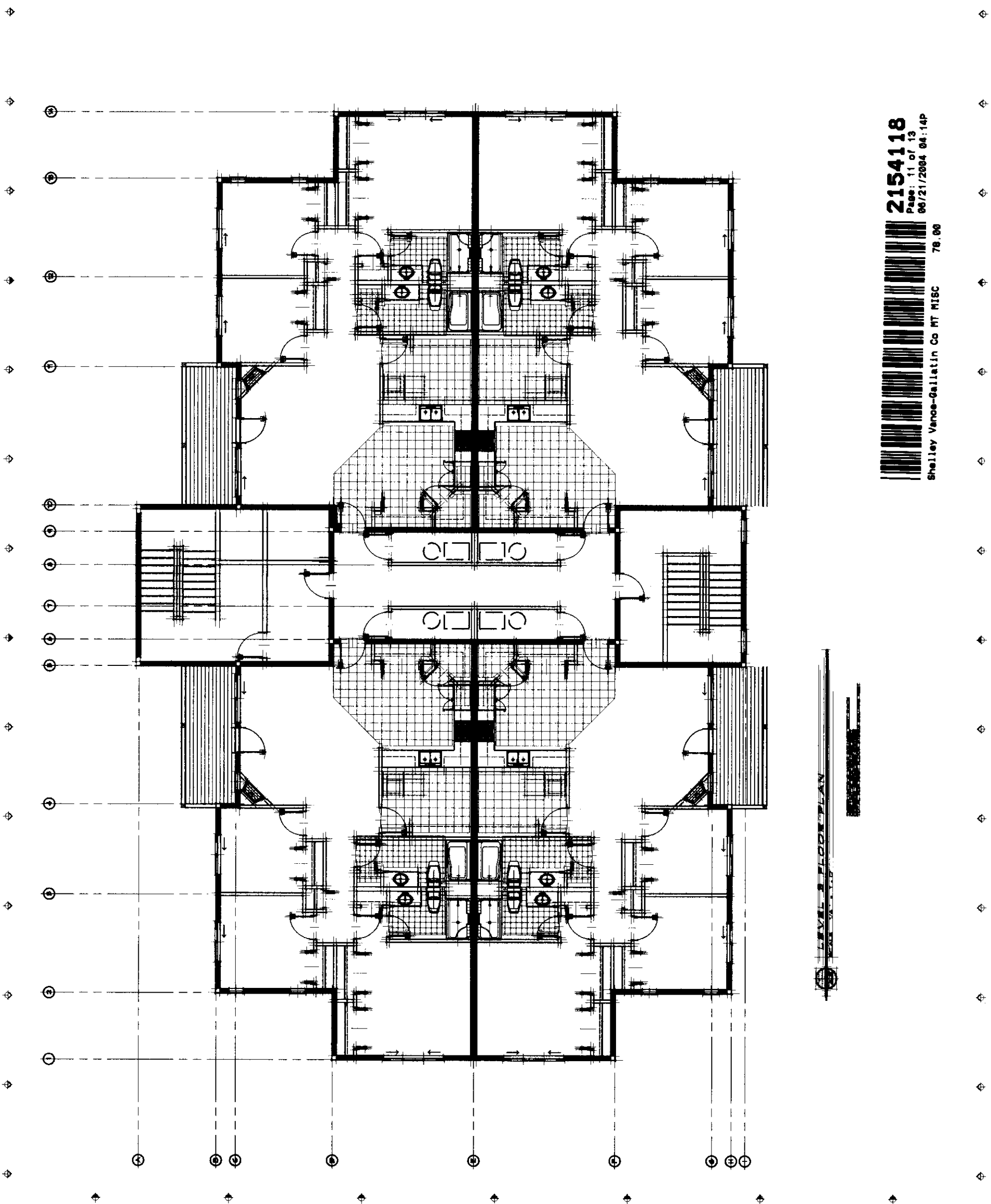


LEVEL 2 FLOOR PLAN  
DATE: 06/21/04

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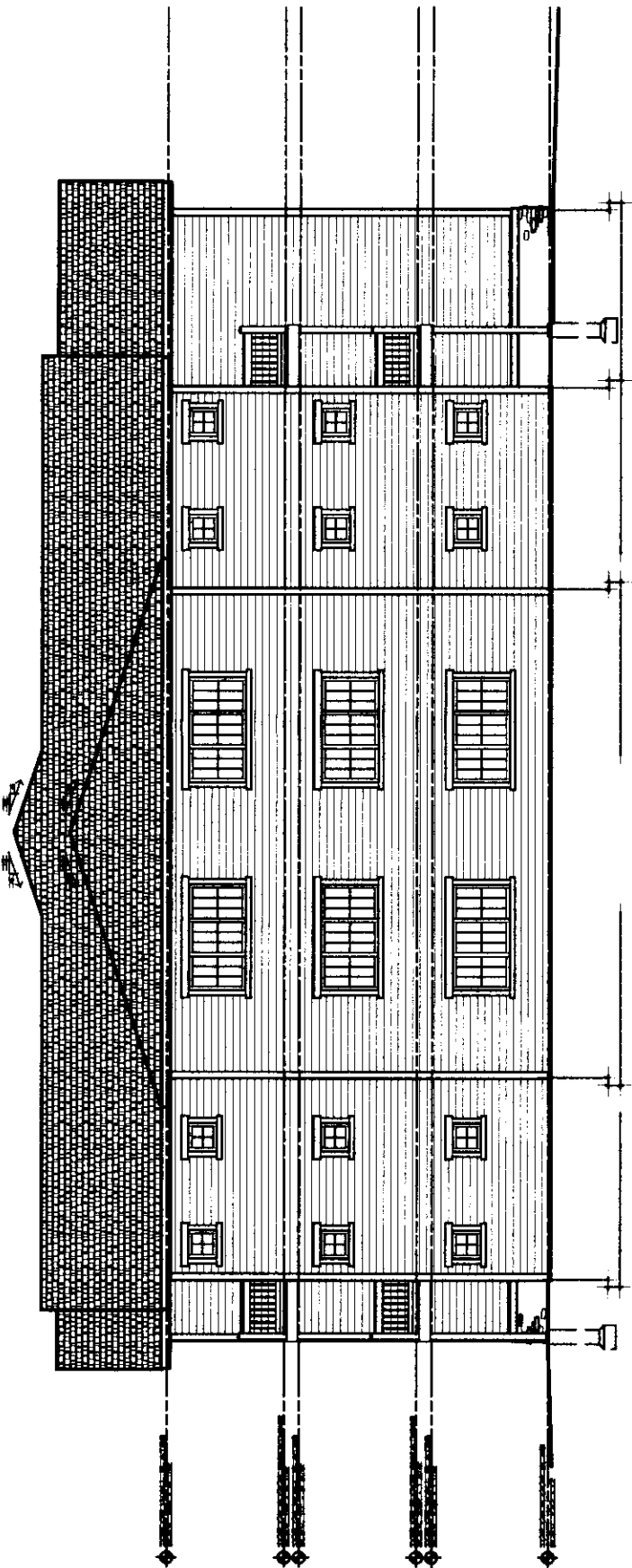
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LEVEL FLOOR PLAN  
SCALE: 1/8" = 1'-0"

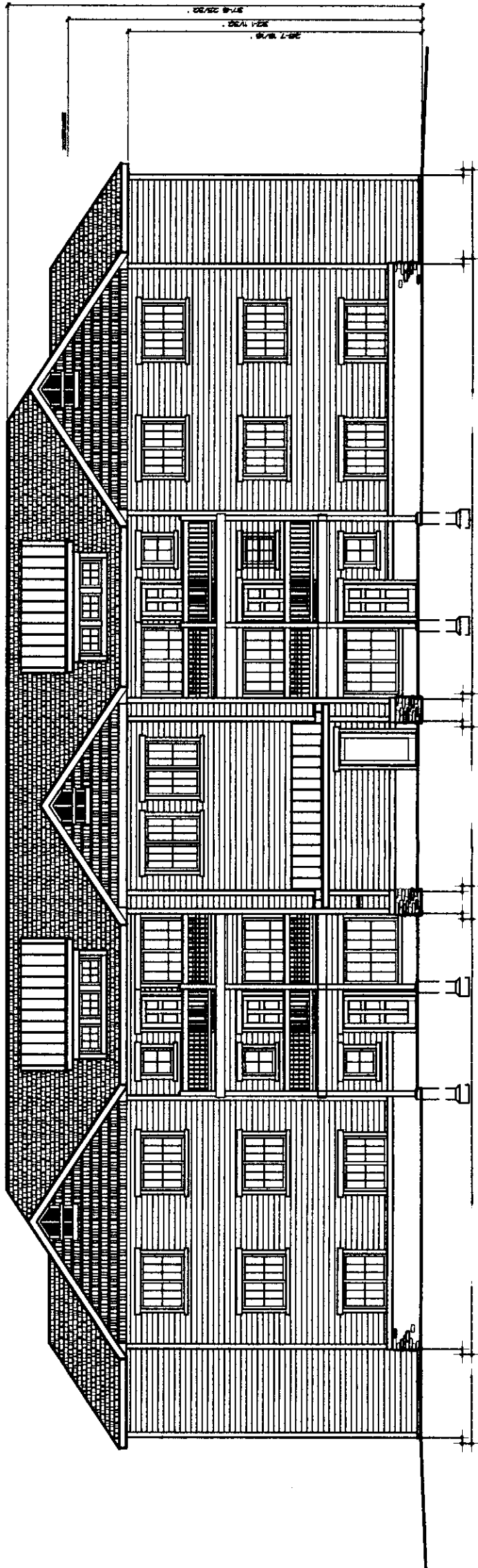


SHAW-WHITE ARCHITECTS  
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NORTH ELEVATION  
SCALE 1/8" = 1'-0"



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

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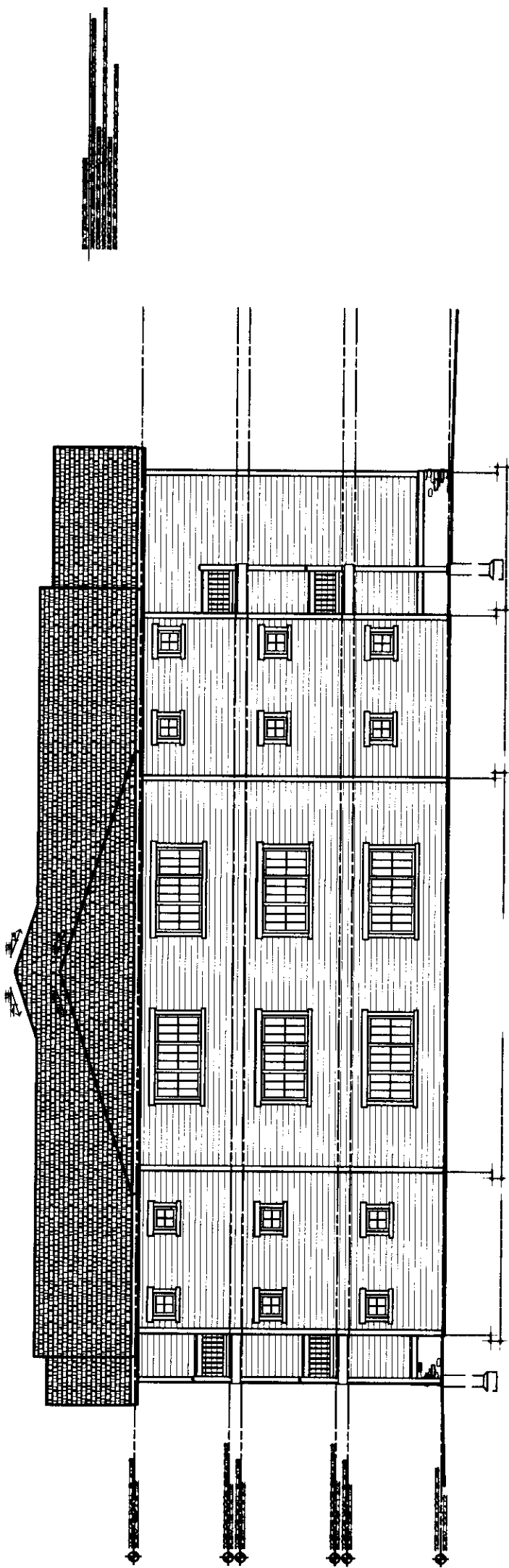


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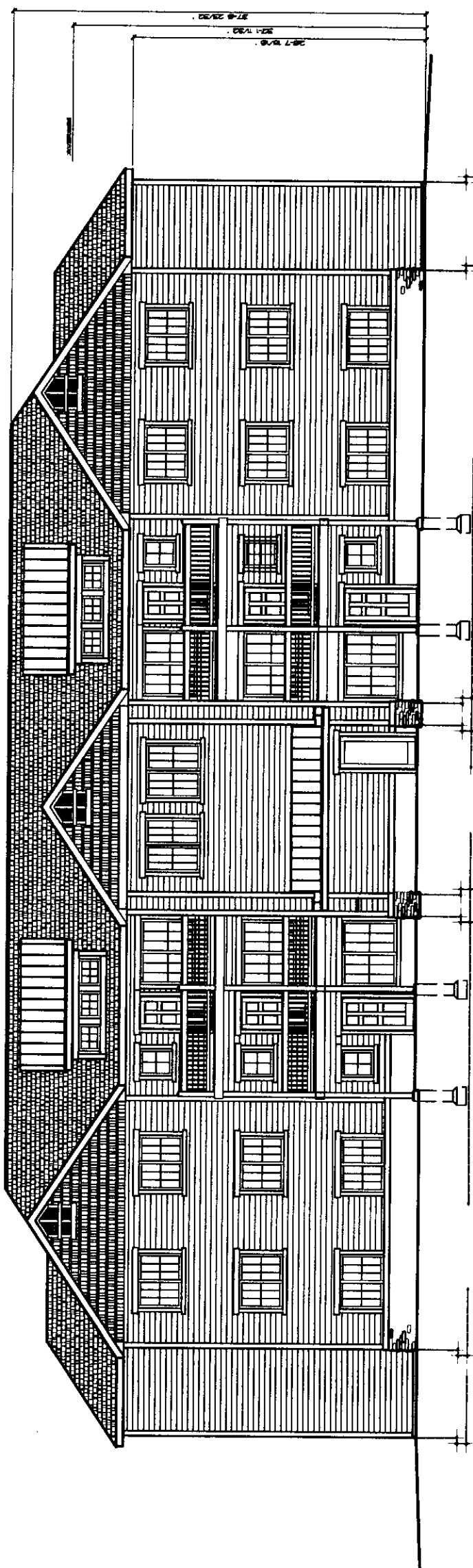


BEAUBERT DESIGN ASSOCIATES, P.C.  
 ARCHITECTS  
 1000 W. 10TH AVENUE, SUITE 1000, DENVER, CO 80202  
 TEL: 303.733.1100 FAX: 303.733.1101  
 WWW.BEAUBERTDESIGN.COM

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NORTH ELEVATION  
 EAST VALLEY



EAST ELEVATION  
 EAST VALLEY

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