

2640994

Page: 1 of 10 03/28/2019 02:27:44 PM Fee: \$80.00
Eric Semerad - Gallatin County, MT MISC



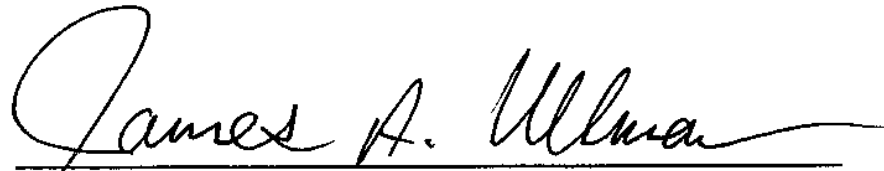
**FIFTH AMENDMENT TO THE DECLARATION
FOR
THE LINKS CONDOMINIUMS**

CERTIFICATE OF FLOOR PLAN

The undersigned, being a duly registered professional engineer in the State of Montana, herewith certifies the following:

That the floor plans and site plan for 2411A and 2411B Birdie Drive of THE LINKS CONDOMINIUMS, are 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 this Fifth Amendment to the Declaration hereof, fully and accurately depict the layout, location, unit designation and dimensions as built of THE LINKS CONDOMINIUMS, and that such floor plans and site plan are accurate copies of the plans filed with and approved by the officials and officers of the City of Bozeman, having jurisdiction to issue land use permits.

DATED this 4th day of March, 2019.


REGISTERED PROFESSIONAL ENGINEER
Number: MT 10539 P.E.

BOZEMAN^{MT}

Community Development

CONDOMINIUM REVIEW DECISION

APPLICATION

Date: March 27, 2019

File Number: 19-093 Original Project File Number, If applicable: 16374

Condominium Name: The Links Condominiums, Fifth Amendment

Legal Description: Lot 57A of the Amended Plat of Lots 56, 57, 58A of Bridger Creek Subdivision, Phase 1 located in the SE 1/4 of Section 31, Township 1 South, Range 6 East, P.M.M., City of Bozeman, Gallatin County, Montana.

STATUTE

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:

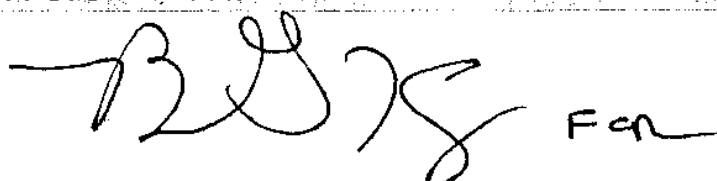
- (1) the approval of the original subdivision of land expressly contemplated the construction of the condominiums and any applicable park dedication requirements in 76-3-621 are complied with; or
- (2) the condominium proposal is in conformance with applicable local zoning regulations when local zoning regulations are in effect."

FINDINGS

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.

DIRECTOR SIGNATURE



Martin Matsen, AICP, Director, City of Bozeman Department of Community Development

CONTACT US

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

**FIFTH AMENDMENT TO THE DECLARATION FOR
THE LINKS CONDOMINIUMS**

By this Fifth Amendment to the Declaration for THE LINKS CONDOMINIUMS made this ____ day of February, 2019, THE GOLF COURSE PARTNERS INCORPORATED, a Montana corporation, with address of P.O. Box 1113, Bozeman, Montana 59771, the undersigned Declarant, supplements the prior Declaration for THE LINKS CONDOMINIUMS filed on August 1, 2008 as Document No. 2307174, the Amendment to THE LINKS CONDOMINIUMS filed on July 13, 2009 as Document No. 2336405, the Second Amendment to the Declaration for THE LINKS CONDOMINIUMS filed on September 23, 2009 as Document No. 2342813, the Third Amendment to the Declaration for THE LINKS CONDOMINIUMS filed on March 9, 2017 as Document No. 2574086, and the Addendum to the Declaration for THE LINKS CONDOMINIUMS filed on May 21, 2018 as Document No. 2614252, all in the office of the County Clerk and Recorder of Gallatin County, Montana. This Fifth Amendment is made pursuant to Articles IV and VII and other appropriate provisions of said Declaration, and approval of 100% of the owners of the declared units, the following amendments are declared and approved as appropriate:

1. The second paragraph of Article II., Real Estate, subparagraph 1. Description, shall be amended as follows:

The condominium units in Phase 1 consist of four (4) separate units numbered 2413A and 2413B Birdie Drive, and 2415A and 2415B Birdie Drive. The condominium units in Phase 2 consist of two (2) separate units numbered 2411A and 2411B Birdie Drive. Both Phases 1 and 2 are subject to the expansion provisions in Article IV., below. The provisions of this Declaration and Bylaws shall be construed to be covenants running with the land, and shall include every unit and shall be binding upon the unit owners, their heirs, personal representatives and assigns for as long as THE LINKS CONDOMINIUMS' Declaration and Bylaws are in effect.

2. Article II., Real Estate, subparagraph 4. Buildings, shall be amended as follows:

Buildings: The units comprising THE LINKS CONDOMINIUMS, Phase 1, are contained in two (2) buildings, and the units comprising Phase 2 are contained in one (1) building, and are subject to the expansion provisions of Article IV. below.

3. In Article IV., Ownership and Voting – Exhibits – Use, subparagraph 1. Percentage of Interest, shall be amended as follows:

Percentage of Interest: Each Unit Owner shall be entitled to the exclusive ownership, use and possession of his Unit. Additionally, each Unit Owner shall have his percentage of undivided interest in the general common elements of THE LINKS CONDOMINIUMS. Such percentage represents his ownership interest in the general common elements. The percentage of interest in the general common elements for the respective owners shall be computed by taking the square footage of each Unit at the date of filing this Declaration and dividing it by the then combined square footage of all the units having an interest in the general common elements of THE LINKS CONDOMINIUMS. Such percentage of interest owned by each of the Units in THE LINKS CONDOMINIUMS shall be according to the percentages set forth below:

UNIT	SQUARE FOOTAGE	PERCENTAGE OF INTEREST IN GENERAL COMMON ELEMENTS
<u>Phase 1</u>		
2413A Birdie Drive	1876	16.666%
2413B Birdie Drive	1876	16.666%
2415A Birdie Drive	1876	16.666%
2415B Birdie Drive	1876	16.666%
<u>Phase 2</u>		
2411A Birdie Drive	1876	16.666%
2411B Birdie Drive	<u>1876</u>	<u>16.666%</u>
TOTALS	11,256	99.996%*

* subject to the expansion provision below.

4. In Article IV., Ownership and Voting – Exhibits – Use, subparagraph 2. Voting Interest shall be amended as follows:

Voting Interest: For the purposes of this Declaration and the expanded Declaration as set forth below, the voting interest of the Unit Owner or Owners in all matters concerning the Association shall be equal to the other units in accordance with the Bylaws of the Association. For the present, each of the six (6) units shall have one vote per unit, for a total of six (6) votes, unless the Montana Unit Ownership Act demands differently.

5. In Article IV., Ownership and Voting – Exhibits – Use, subparagraph 4. Floor Plans and Exhibits, shall be amended as follows:

Floor Plans and Exhibits: THE LINKS CONDOMINIUMS, Phases 1 and 2 presently consist of three (3) buildings, with six (6) separate, residential dwelling units. THE LINKS CONDOMINIUMS is planned to be expanded to include a total of eighteen (18) separate, residential dwelling units on the Property, and possibly up to an additional eighteen (18) separate, residential dwelling units on the Additional Property, for a total number of units not to exceed thirty-six (36) separate, residential dwelling units. For identification and descriptive purposes, the following exhibits are attached and by reference hereto incorporated into and made a part of this Declaration:

Exhibit A: showing the site plan of THE LINKS CONDOMINIUMS, the location of the buildings containing THE LINKS CONDOMINIUMS' units on the Property, and the designation for each Unit.

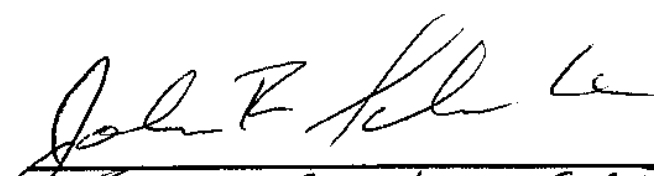
Exhibit B: showing the floor plans for the Units of THE LINKS CONDOMINIUMS, the area of each, and the dimensions for each Unit.

6. Except as amended and clarified as set forth above, the Declaration for THE LINKS CONDOMINIUMS shall be in full force and effect.

IN WITNESS WHEREOF, the undersigned has caused this Fifth Amendment to the Declaration to be made and executed according to and under the provisions of the Unit Ownership Act, Title 70, Section 23, M.C.A., and the Declaration for THE LINKS CONDOMINIUMS.

DECLARANT:

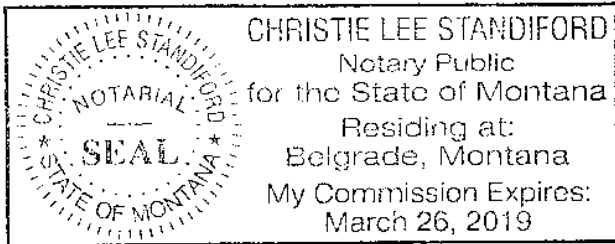
THE GOLF COURSE PARTNERS
INCORPORATED

By: 
Its: Corp. Secretary - GCP

STATE OF MONTANA)
 : ss.
County of Gallatin)

On this 28th day of February, 2019, before me, a Notary Public in and for the State of Montana, personally appeared John R. Schenke, known to me to be the Corporate Secretary - GCP of THE GOLF COURSE PARTNERS INCORPORATED, the Declarant, and acknowledged to me that he executed the same on behalf of the corporation.

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



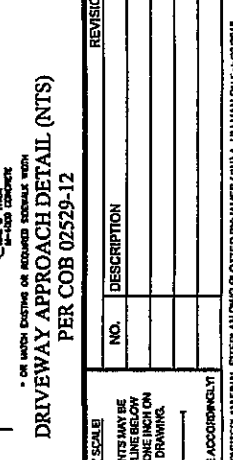
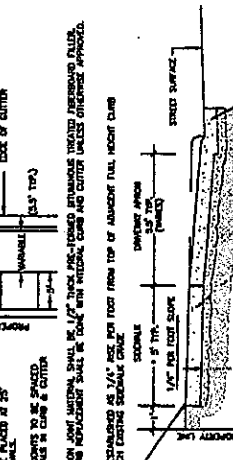
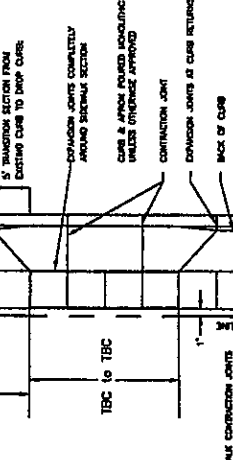
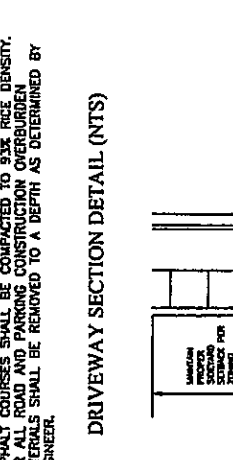
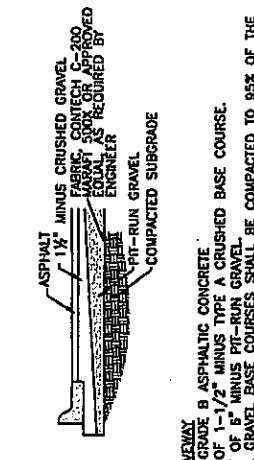
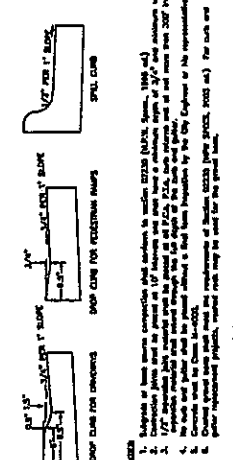
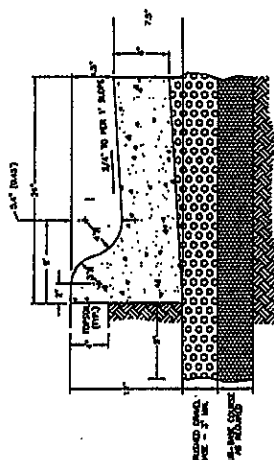
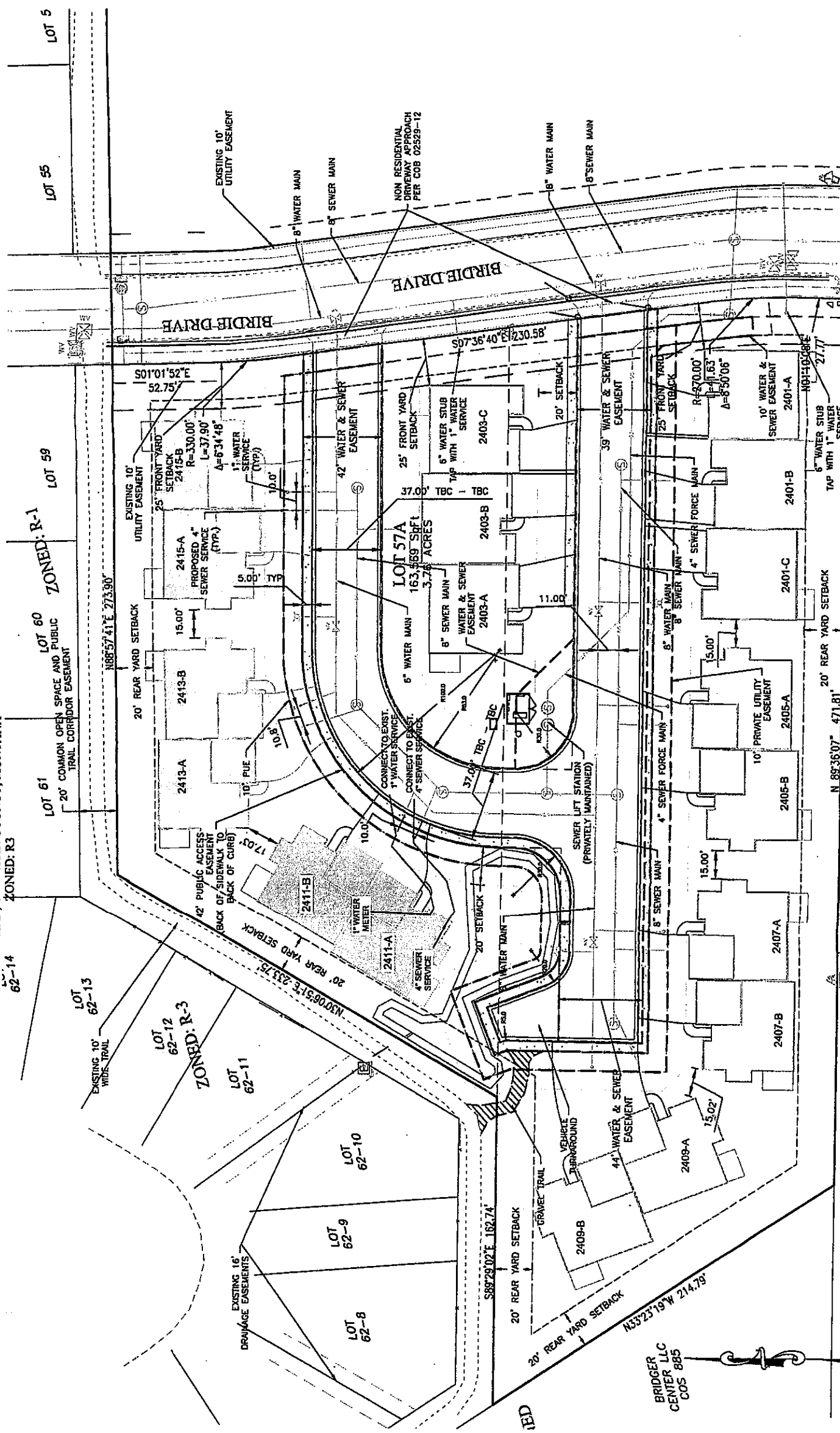
Christie Lee Standiford
Notary Public for the State of Montana
Printed Name: CHRISTIE LEE STANDIFORD

The Links Condominiums

Site Plan - Utility Plan

LOT 57A OF THE AMENDED PLAT OF LOTS 56, 57, & 58A OF BRIDGER CREEK SUBDIVISION PHASE I SITUATED IN THE SE1/4 SECTION 31, T1S, R6E, P.M.M., CITY OF BOZEMAN, GALLATIN COUNTY, MONTANA
 ZONED: R3

- NOTES:
1. SITE PLAN (#Z-07158) WAS PREVIOUSLY APPROVED ON 11/16/07.
 2. WATER, SANITARY SEWER, STORM SEWER, CURB, GUTTER, ASPHALT AND SIDEWALK WERE INSTALLED AND ACCEPTED ON 8/8/08.
 3. ALL EXISTING WATER SERVICES ARE 1"
 4. ALL EXISTING SEWER SERVICES ARE 4"



NO.	DESCRIPTION	DATE	BY

Morrison Maierle
 engineers • surveyors • planners • scientists

2890 Technology Blvd West
 Bozeman, MT 59718
 Phone: 406.587.0721
 Fax: 406.522.0721

PROJECT: THE LINKS CONDOMINIUMS
 2411 BIRDIE DRIVE
 BOZEMAN, MT

DATE: 01/20/19
 DRAWN BY: JAU
 DESIGNED BY: JAU
 APPROVED BY: JRS
 CHECKED BY: JRS
 DATE: 01/20/19
 DATE: 01/20/19

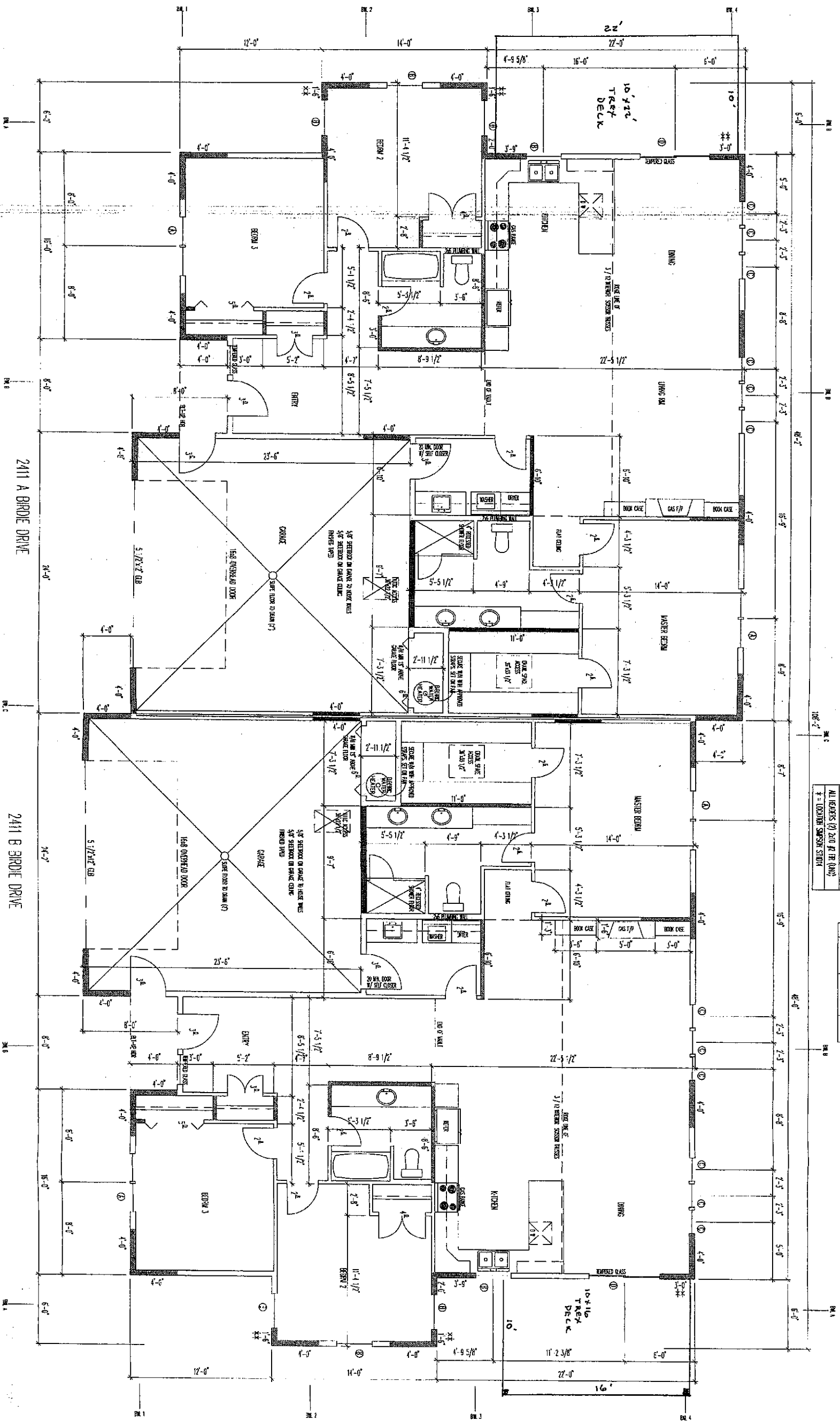
PROJECT NUMBER: 20892018
 SHEET NUMBER: 1
 DRAWING NUMBER: C-2

MINOR SUB. 202 LOT 2 SEOB LLC

MINOR SUB. 202 LOT 1 FARGUHAMON, INC.

THE LINKS CONDOMINIUMS
 2411 BIRDIE DRIVE

SITE PLAN/UTILITY PLAN



BRACED WALL PANEL NUMBER	STAY-IN-PLACE CONCRETE	FORMWORK TYPE	BRACED WALL SYSTEM	BRACED WALL SYSTEM HEIGHT (FT)	BRACED WALL SYSTEM WIDTH (FT)	BRACED WALL SYSTEM AREA (SQ FT)
1	C	4	1	5.5	2.2	12.1
2	C	5	4	5.5	2.2	12.1
3	C	5	4	5.5	2.2	12.1
4	C	5	4	5.5	2.2	12.1
5	C	5	4	5.5	2.2	12.1
6	C	5	4	5.5	2.2	12.1
7	C	5	4	5.5	2.2	12.1
8	C	5	4	5.5	2.2	12.1
9	C	5	4	5.5	2.2	12.1
10	C	5	4	5.5	2.2	12.1

NOTES

- 1/2" SCHED 40 CHANNEL TO HOLD WALLS PER TYPE 5/8" SCHED 40 CHANNEL CHANNEL PER TYPE ROSS SYSTEMS REMOVAL AND COUPLER TO BE 20 MIN. BORED
- SEPAR WALL, 1/2" APA SAND SHIP BE HANDLED AT END AND BE HANDLED 1/2" O.C. IN IN FIELD. SOLID BLOCK AT END 9" MIN.
- 1/2" SCHED 40 CHANNEL PER WALL AT ALL SIDES & RAFTERS.
- ALL HEADERS (2) 2X12 PER (MIN)
- ± = LOCATION SCHEDULE SHOWN

NO.	TYPE	SIZE	NOTES
A	CASHEW	5'-0" x 4'-6"	1/2" REBAR
B	CASHEW	2'-6" x 4'-6"	1/2" REBAR
C	CASHEW	2'-0" x 4'-6"	1/2" REBAR
D	PIPING	6'-0" x 4'-6"	1/2" REBAR

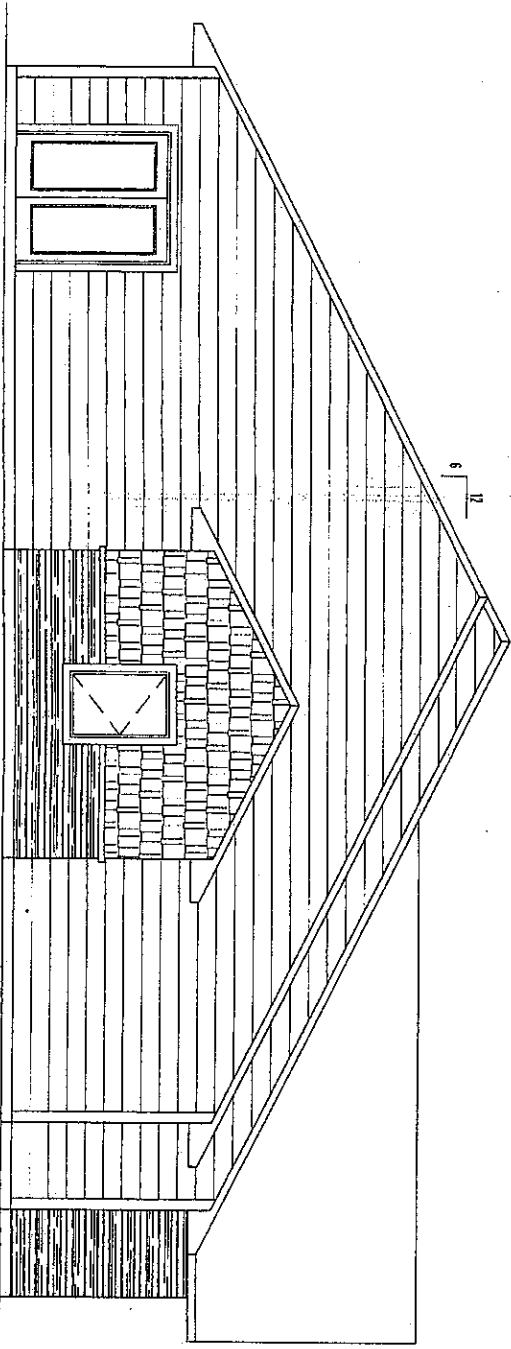
SCALE 1/4" = 1'-0"
1075 2017 (LIVING SPACE) PER UNIT

2411 A+B BIRDIE

2411 A BIRDIE DRIVE

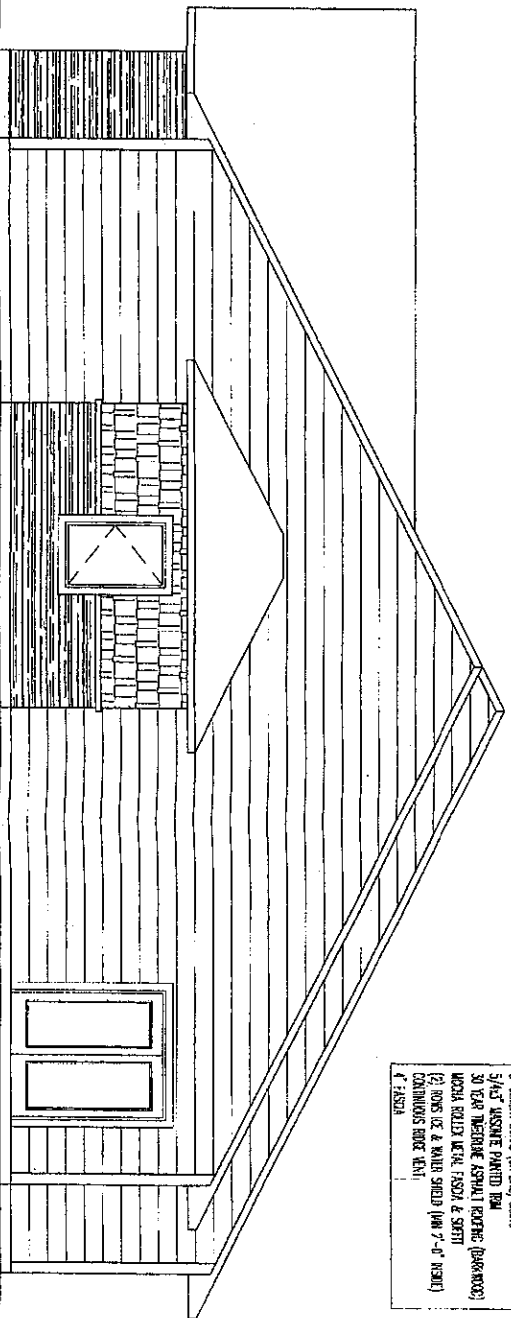
2411 B BIRDIE DRIVE

LEFT ELEVATION
SCALE 1/4" = 1'-0"

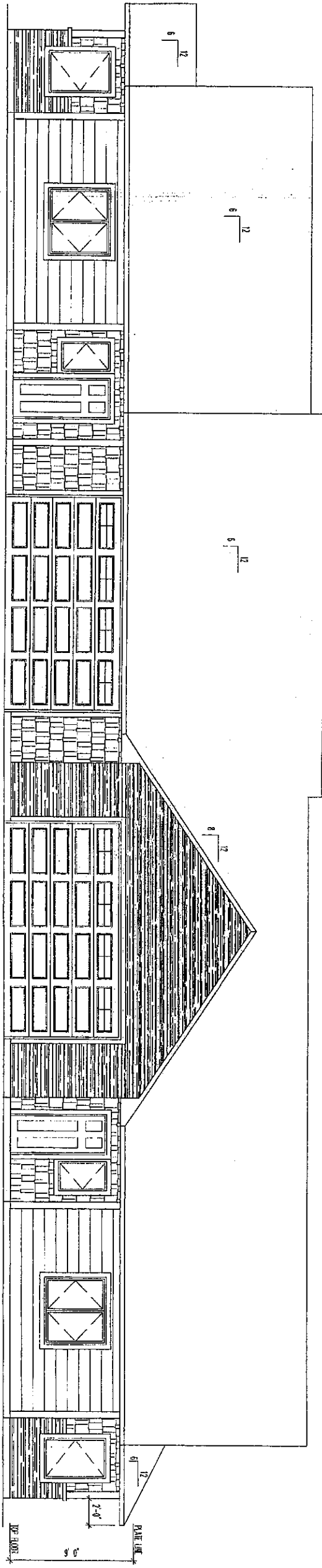


2411 A+B BIRDIE

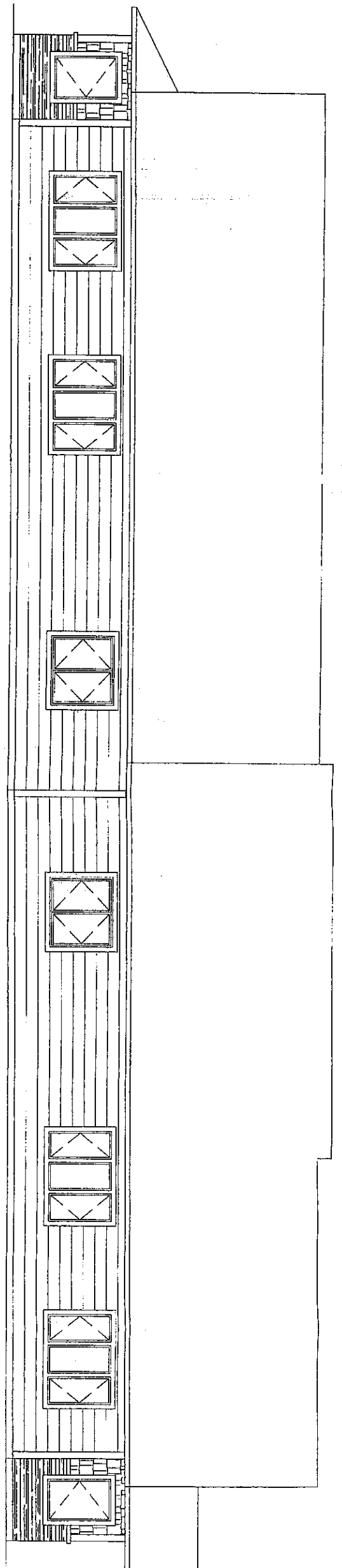
RIGHT ELEVATION
SCALE 1/4" = 1'-0"



FRONT ELEVATION
SCALE 1/4" = 1'-0"



BACK ELEVATION
SCALE 1/4" = 1'-0"



SHINGLES TO BE BROWN
HARD CROWN AND GREENISH GREY
WOOD SHAKES (SEE SPECIFICATIONS)
THE SHINGLES SHOULD BE
A CARBON FIBRE (OR LAM) SHINGLES
SHOULD BE INSTALLED PER THE
MANUFACTURER'S INSTRUCTIONS
WOOD SHAKES SHALL BE ASH, SPICE & SWEET
OR OTHER LOCAL WOOD SPECIES
CONFORMANCE WITH THE
C.I.B.A. & F.A.S.A.