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Page 1 of 9 04/15/2020 12:52:42 PM Fee: \$63.00
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STC# 62020

SEVENTH AMENDMENT TO THE DECLARATION

FOR

THE LINKS CONDOMINIUMS

A RESIDENTIAL DEVELOPMENT

CERTIFICATE OF SITE PLAN

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

That the site plan for THE LINKS CONDOMINIUMS which is according to the official plat thereof on file and of record in the office of the County Clerk and Recorder of Gallatin County, Montana, and as duly filed with this Seventh Amendment to the Declaration hereof, fully and accurately depicts the layout, location, unit designation and dimensions as built of THE LINKS CONDOMINIUMS, and that such site plan is an accurate copy of the plan filed with and approved by the officials and officers of the City of Bozeman, having jurisdiction to issue land use permits.

DATED this 14th day of April, 2020.


REGISTERED PROFESSIONAL ENGINEER
Number: 10539 PE

**SEVENTH AMENDMENT TO THE DECLARATION FOR
THE LINKS CONDOMINIUMS
A RESIDENTIAL DEVELOPMENT**

By this Seventh Amendment to the Declaration for THE LINKS CONDOMINIUMS made this 14 day of April, 2020, THE GOLF COURSE PARTNERS INCORPORATED, a Montana corporation, with address of P.O. Box 1113, Bozeman, Montana 59771, the undersigned Declarant, and 100% of owners of the declared units, supplement 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, the Addendum to the Declaration for THE LINKS CONDOMINIUMS filed on May 21, 2018 as Document No. 2614252, the Fifth Amendment (there is no Fourth Amendment) to the Declaration for THE LINKS CONDOMINIUMS filed on March 28, 2019 as Document No. 2640994, and the Sixth Amendment to the Declaration for THE LINKS CONDOMINIUMS filed on February 4, 2020 as Document No. 2672117, all in the office of the County Clerk and Recorder of Gallatin County, Montana. This Seventh 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:

Municipal Facilities Exclusion

Declarant certifies that THE LINKS CONDOMINIUMS is excluded from review by the Department of Environmental Quality pursuant to §76-4-125 and §76-3-203, M.C.A.

76-4-125. Land divisions excluded from review (1) A subdivision excluded from the provisions of chapter 3 must be submitted for review according to the provisions of this part, except that the following divisions or parcels, unless the exclusions are used to evade the provisions of this part, are not subject to review:

(d) as certified pursuant to 76-4-127(iii) divisions or parcels of land that are exempt from the Montana Subdivision and Platting Act review under 76-3-203.

76-3-203. Exemption for certain condominiums and townhouses. Condominiums, townhomes, townhouses, or conversions, as those terms are defined in 70-23-102, 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:

(2) the condominium, townhome, or townhouse proposal is in conformance with applicable local zoning regulations when local zoning regulations are in effect.

Attached hereto is the letter from the Montana Department of Environmental Quality, dated March 5, 2020 certifying that THE LINKS CONDOMINIUMS is excluded from review.

Subdivision Exemption Review

Attached hereto is the Condominium Review Decision from the Bozeman Community Development Office, dated November 25, 2019 stating that THE LINKS CONDOMINIUMS does not require subdivision review and has satisfied the exemption criteria.

1. Article II., Real Estate, subparagraph 1. Description, shall be modified and amended to read as follows:

Lot 57A-1 of the Amended Plat of Lot 57A of the Amended Plat of Lots 56, 57, and 58A of Bridger Creek Subdivision, Phase 1, City of Bozeman, 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.

On or about March 20, 2020, the lot underlying THE LINKS CONDOMINIUMS was re-configured with the recording of the amended plat of Lot 57A-1, recorded in the office of the Gallatin County Clerk and Recorder as Document No. 2676355 (Plat Reference: J-200K). All such re-configured land is subject to THE LINKS CONDOMINIUMS' regime.

2. Except as amended and modified 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 Seventh 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.

[Signatures to commence on next page.]

DECLARANT:

THE GOLF COURSE PARTNERS
INCORPORATED

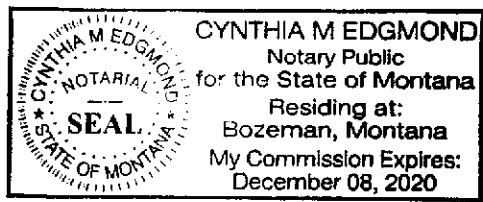
By: Jack Schunke Jack Schunke
Its: Corp Sec.

STATE OF MONTANA)
) : ss.
County of Gallatin)

On this 14th day of April, 2020, before me, a Notary Public in and for the State of Montana, personally appeared Jack Schunke, known to me to be the Corporate Secretary of THE GOLF COURSE PARTNERS INCORPORATED, the Declarant, and acknowledged to me that he executed the same on behalf of the corporation.

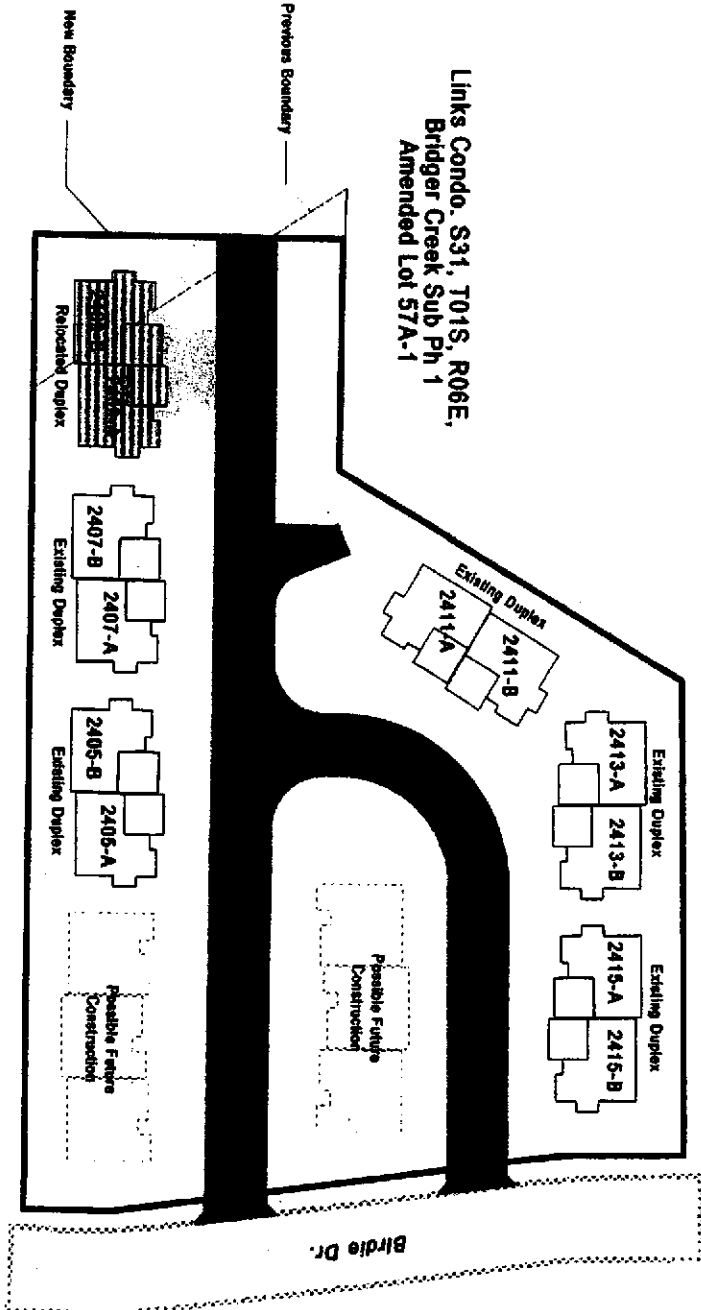
IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first above written.

Cynthia M Edmond
Notary Public for the State of Montana
Printed Name: Cynthia M. Edmond



EX 'A'

The Links Condominiums Site Plan with Realignment of Boundary and 2409 Birdie Drive- Units A & B



<p>THE LINKS CONDOMINIUMS 2409 BIRDIE DRIVE Newly Constructed Duplexes - 2020</p>	<p>OWNER: MORRISON MAIERLE</p>	<p>ARCHITECT: MORRISON MAIERLE</p>	<p>DATE: 04/15/2020</p>	<p>PROJECT NO: 2019-0001</p>	<p>SCALE: AS SHOWN</p>
<p>PROJECT LOCATION: 2409 BIRDIE DRIVE</p>	<p>OWNER'S REPRESENTATIVE: MORRISON MAIERLE</p>	<p>ARCHITECT'S REPRESENTATIVE: MORRISON MAIERLE</p>	<p>DATE: 04/15/2020</p>	<p>PROJECT NO: 2019-0001</p>	<p>SCALE: AS SHOWN</p>
<p>PROJECT LOCATION: 2409 BIRDIE DRIVE</p>	<p>OWNER'S REPRESENTATIVE: MORRISON MAIERLE</p>	<p>ARCHITECT'S REPRESENTATIVE: MORRISON MAIERLE</p>	<p>DATE: 04/15/2020</p>	<p>PROJECT NO: 2019-0001</p>	<p>SCALE: AS SHOWN</p>



March 5, 2020

Jonathan Roen PE
Morrison Maierle
PO Box 1113
Bozeman MT 59771

RE: The Amended Plat of Lot 57A of the
Amended Plat of Lots 56, 57 and 58A of
Bridger Creek Subdivision Phase 1
Municipal Facilities Exclusion
EQ# 20-1872
City of Bozeman
Gallatin County

Dear Mr. Roen;

This is to certify that the information and fees received by the Department of Environmental Quality relating to this subdivision are in compliance with 76-4-127, MCA. Under 76-4-125(1)(d), MCA, this subdivision is not subject to review, and the Declaration can be filed with the county clerk and recorder.

Plans and specifications must be submitted when extensions of municipal facilities for the supply of water or disposal of sewage are proposed 76-4-131. Construction of water or sewer extensions prior to DEQ, Public Water Supply Section's approval is prohibited, and is subject to penalty as prescribed in Title 75, Chapter 6 and Title 76, Chapter 4.

Sincerely,

Rachel Clark
Department of Environmental Quality
Engineering Bureau
Public Water & Subdivision Review
(406) 444-6722
email rclark@mt.gov

cc: City Engineer
County Sanitarian
Owner
file



**MONTANA DEPARTMENT OF ENVIRONMENTAL QUALITY
MUNICIPAL FACILITIES EXCLUSION**

Subdivision Name: Bridger Creek Subdivision, Phase 1 - C.O.S 885 Number of lots/parcels/units: 2 Lots

Geocode 08-0905-31-4-08-01-7000 / 08-0905-31-4-12-01-0000 (this can be found at <http://svc.mt.gov/msl/mfcadastral>)

Are main extensions necessary to serve the subdivision? Yes No If yes, have plans for the mains been submitted for review? Yes No

How will construction of the facilities be financed? No Financing

Owner Information:

Owner(s) Name: Golf Course Partner, Inc. / Bridger Center, LLC

Print name of owner(s)

John R. Schulte
Signature of all owners of record

Address: P.O. Box 3229, Bozeman, MT 59712 / 1450 Cherry Drive, Bozeman, MT 59715

Street or P.O. Box, City, State, Zip Code

Email: jschulte@m-m.net

Phone: 408-922-8789

Engineer Information:

Company and Address: Morrison-Maierle, Inc. P.O. Box 1113, Bozeman, MT 59711

Email: jmaier@m-m.net

Phone: 408-922-8825

Eligibility Requirements: All of the following criteria must be met:

- The project must be provided with adequate municipal water and sewer, solid waste disposal and the municipality must review storm water plans.
- All the mains necessary to serve the subdivision must be municipally owned, operated and maintained. Privately owned mains or lift stations make the project ineligible for this exemption.
- The municipality must be a 1st or 2nd class municipality as described in MCA 7-4-111 or covered under a growth policy pursuant to Title 76, chapter 1.

The project must be one of the following (check applicable box):

- A new division subject to review under the Montana Subdivision and Platting Act,
- previously divided parcels recorded with Sanitary Restrictions prior to July 1, 1973 or
- divisions or parcels of land that are exempt from Montana Subdivision and Platting Act review under 76-3-203 or 76-3-207 (1) (a), (b), (d), (e), or (f)

Submittal requirements: All of the following items must be submitted:

- This form, signed by the property owner, and the municipalities' representative
- Copy of Preliminary Plat, COS, Amended Plat or Unit Declaration. The Plat, COS, Am Plat or Unit Declaration must contain the exemption 76-4-125 (1)(d)(i), (ii) or (iii). If using item (iii), the Plat, COS, Am Plat or Unit Declaration must also contain the appropriate Platting Act exemption.
- Vicinity map showing project location.
- Applicable zoning ordinances in effect. On file
- Copy of growth policy, if applicable. On file
- \$100 processing fee

Certification: I hereby certify that I am authorized to sign on behalf of the municipality and that:

1. the existing water and wastewater systems are in compliance with the provisions of Title 75, chapters 5 and 6,
2. the systems have adequate capacity to meet the needs of the project, and
3. the municipality has or will review plans to ensure adequate storm water drainage and adequate solid waste disposal.

Printed Name: Mich Reister

Signature: *Mich Reister*

Date: 4/16/20

Department: Public Works

City: Bozeman

Phone: 406-562-2273

Send to: MTDEQ - Subdivisions PO Box 200901 Helena MT 59620-0901

BOZEMAN

Community Development

CONDOMINIUM REVIEW DECISION

APPLICATION

Date: November 25, 2019

File Number: 19465 Original Project File Number, If applicable: 16374

Condominium Name: The Links Condominiums, Sixth 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

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