

Legacy Properties
2504 W Main St Ste 2B
Bozeman MT 59718

✓
2583529

Page: 1 of 6 06/22/2017 12:38:02 PM Fee: \$42.00
Charlotte Mills - Gallatin County, MT MISC



THIRD AMENDMENT TO THE SUPPLEMENTAL DECLARATION AND SECOND
AMENDMENT TO THE SUPPLEMENTAL BYLAWS

FOR THE

WILLOW CREEK CONDOMINIUM

The Third Amendment to the March 1st, 1997 Supplemental Declaration, Film 177, Page 2293, filed with the Gallatin County Clerk and Recorder's office, is made and entered into this 22 day of May, 2017, by a vote of the condominium owners pursuant to Section VI, Amendment of the Supplemental Declaration and other applicable provisions of the Supplemental Declaration and its other amendments.

This Second Amendment to the Supplemental Bylaws, Film 177, Page 2328, filed with the Gallatin County Clerk and Recorder's office, is made and entered into this 22 day of May, 2017, by a vote of the condominium owners pursuant to Section XII, Amendment of the Supplemental Bylaws and other applicable provisions of the Supplemental Bylaws and its other amendments.

Whereas, the Owners wish to amend the Supplemental Declaration and the Supplemental Bylaws to bring them in line with 21st century practices and allow for more flexibility in managing the COA.

This Third Amendment to the March 1st, 1997, Supplemental Declaration and Amendment to the Supplemental Bylaw only amends the Supplemental Declaration and Supplemental Bylaws as stated in this Amendment. Other than the language herein amended, the Supplement Declaration and Supplemental Bylaws continue to have full force and effect.

AMENDMENTS TO THE SUPPLEMENTAL DECLARATION:

The March 1st, 1997 Supplemental Declaration, Amendment to the Supplemental Declaration of December 28, 2011 and the Second Amendment to the Supplemental Declaration of October 10, 2013, are amended as follows:

1. Section V – The Association, page 11 – Payment of Assessments, first sentence (only the first sentence is amended) now reads as follows:

All assessments shall be due ten (10) days from the date of mailing or emailing (at the option of the Owner) such assessment following the meeting at which time assessments are levied by the Association, any may be payable in one annual payment or in quarterly installments, at the option of the Unit Owner.

2. Section V – The Association, page 12 – Levying Assessments – When Made – Purposes, Section a, now reads as follows:

Assessments shall be made as a part of the regular business of the Association at any regular or special meeting thereof as provided in the Supplemental Bylaws of the Association. Notice of the assessment, amount thereof, and the purpose for which it is made whether regular or special, including an annual budget for expenditures and operation, shall be served on all Unit Owners affected by delivering a copy of the same to the Owner personally or by mailing or emailing (at the option of the Owner) a copy of the notice to the Owners at their mail or email addresses of record at least ten (10) days prior to the date for such meeting.

3. Section XIII – MISCELLANEOUS, page 20, Expenditures, now reads:

No single expenditure or debt in excess of \$1,000 over the figure appearing in the annual budget approved by the Association may be made or incurred by the Association or Manager without the prior approval of seventy-five percent (75% of the Unit Owners, according to their percentile interest.

The secretary and president of the Willow Creek Condo Owners Association verify that quorum was met. 80% of the association membership voted. Of the 80% that voted, 100% voted for the above amendments and 0% voted against. Therefore, the amendment passed pursuant to the amendment provisions of the Supplement Declarations.

AMENDMENTS TO THE SUPPLEMENTAL BYLAWS

The March 1st, 1997 Supplemental Bylaws and Amendment to the Supplemental Bylaws of August 2, 2002 are amended as follows:

1. ARTICLE IV, MEETING AND VOTING – Section A, Notice, page 2 is amended to read:
 - a. Notice

Notice of all meetings, regular or special, shall be mailed or emailed (at the option of the Owner) by the Association's Secretary to every Unit Owner or record at his mail or email address of record at least ten (10) days prior to the time for holding such meeting. Such notice shall specify the date, time and place of the meeting and shall make provisions to allow for the voting of each Unit Owner's interest by proxy at the discretion of the owner. The mailing or emailing of a notice in the manner provided in this paragraph or the personal delivery of such notice by the Secretary of the Association shall be considered as notice served.

2. ARTICLE XI MANAGERS – Section A, Accounts, page 5 is amended to read as follows:
 - A. Accounts: The receipts and expenditures of the Association shall be under the direction of the Manager and be classified as appropriate into general common expenses and limited common expenses, and shall include a provision for current expenses which shall include all receipts and expenditures to be made within the year for which the budget is made, including a reasonable allowance for contingencies and working funds, except expenditures chargeable to reserves or for betterments. The balance in this fund at the end of each year shall be applied to reduce the assessments for current expenses for the succeeding year or added to reserves, at the discretion of the Board. Other budget items may be provided for in the discretion of the Manager.

3. ARTICLE XI MANAGERS – Section B, Budget, page 6, second paragraph (only the second paragraph is amended) is amended to read as follows:
 - B. Budget

Copies of the budget and proposed assessments shall be transmitted to each member at least 10 days in advance of the date of the Annual Meeting. If the budget is subsequently amended, a copy of the amended budget shall be furnished to each member.

4. ARTICLE XI MANAGERS – Section C, Financial Report, page 6 is amended to read as follows:
 - C. Financial Report:

An audit or compilation, as determined by the Board, and financial report of the accounts of the Association shall be made annually by a Certified Public Accountant, and a copy of the report shall be furnished to each member by mail, email or personally, no later than 120 days after the end of the fiscal year for which the audit or compilation is made.

5. ARTICLE XIII ASSESSMENTS – page 6, last sentence (only last sentence is amended) is amended to read:

Notice of each owner's assessments shall be mailed or emailed (at the option of the Owner) to said owner at this address of record.

The secretary and president of the Willow Creek Condo Owners Association verify that quorum was met. 80% of the association membership voted. Of the 80% that voted, 100% voted for the above amendments to the Supplemental Bylaws and 0% voted against. Therefore, the amendments passed pursuant to the amendment provisions of the Supplement Bylaws.

So Sworn and Subscribed by Noah Leckie Secretary and Catherine Macaulay,
President of the Willow Creek Condominium Owners Association, Inc.

DATED this 20 day of June, 2017.

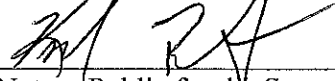
Willow Creek Owners Association, Inc.



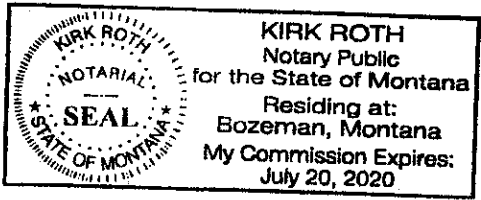
Noah Leckie, Secretary

STATE OF MONTANA)
) ss.
County of Gallatin)

On this 20 day of June, 2017, before me a Notary Public in and for said State, personally appeared Noah Leckie, Secretary of the Willow Creek Condominium Owners Association, Inc., known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he has executed the same.



Notary Public for the State of Montana
Residing in: Bozeman
My Commission Expires: 7/20/20



DATED this 22 day of May, 2017.

Willow Creek Owners Association, Inc.

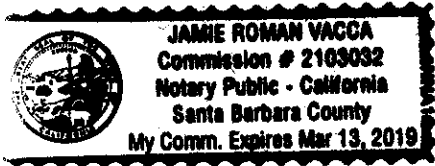
Catherine H Macaulay
Catherine Macaulay, President

California

STATE OF ~~MONTANA~~)

County of Santa Barbara) ss.

On this 22nd day of May, 2017, before me a Notary Public in and for said State, personally appeared Catherine H. Macaulay President of the Willow Creek Condominium Owners Association, Inc., known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he has executed the same.



J. Vacca
Notary Public for the State of ~~Montana~~
Residing in: California
My Commission Expires:

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

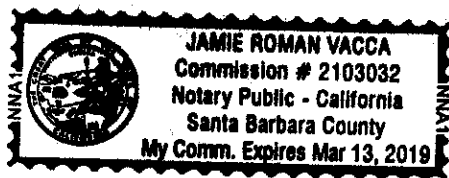
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of Santa Barbara)
On May 22nd 2017 before me, Jamie Roman Vacca, Notary Public,
Date Here Insert Name and Title of the Officer
personally appeared Catherine H. Macaulay
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature [Handwritten Signature]
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Condo Declaration Docs. Document Date: _____
Number of Pages: _____ Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: Catherine H. Macaulay
 Corporate Officer — Title(s): Pres.
 Partner — Limited General
 Individual Attorney in Fact
 Trustee Guardian or Conservator
 Other: _____
Signer Is Representing: Self

Signer's Name: N/A
 Corporate Officer — Title(s): _____
 Partner — Limited General
 Individual Attorney in Fact
 Trustee Guardian or Conservator
 Other: _____
Signer Is Representing: _____