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Amendment to Woodland Park Master Covenants

August *28*,
2018

Amendment to Master Declaration of Protective Covenants,
Conditions and Restrictions for Woodland Park Major Subdivision

**AMENDMENT TO MASTER DECLARATION OF PROTECTIVE COVENANTS, CONDITIONS,
AND RESTRICTIONS FOR WOODLAND PARK MAJOR SUBDIVISION**

THIS AMENDMENT (“Amendment”), is made this ____ day of _____, 2018, by Gooch Hill West, LLC, a Montana limited liability company, and RBS Development, LLC, a Montana limited liability company (collectively referred to herein as the “Declarant”).

WHEREAS, pursuant to the Master Declaration of Protective Covenants, Conditions and Restrictions for Woodland Park Major Subdivision, recorded as Document Number 2465132 on October 9, 2013, records of the Gallatin County Clerk and Recorder (hereinafter “Covenants”), the Declarant may unilaterally amend the Covenants for any purpose provided the amendment has no material adverse effect on the right of any Owner; and

WHEREAS, the Declarant desires to amend the Covenants; and

WHEREAS, the amendments to the Covenants made in this Amendment will have no material adverse effect on the right of any Owner.

NOW, THEREFORE, the Declarant amends the Covenants as herein provided.

Section 12.03 of the Covenants shall be amended and restated as follows:

“SECTION 12.03 BUSINESS PARK LAND USES

Only those uses which are stipulated as allowed or conditional in both the Gallatin County / Bozeman Area Zoning Regulation and in this Section 12.03 shall be permitted within the M-1 zoned areas. Allowed and conditional uses listed herein shall also comply with, and be subject to, the requirements of the Gallatin County / Bozeman Area Zoning Regulation:

Allowed Principal Uses shall include:

1. Banks and Other Financial Institutions
2. Food Stores, such as Grocery Stores, Bakeries, etc.
3. Community Center or Meeting Hall
4. Convenience Uses
5. Drive-In Facilities
6. Emergency Service Facilities
7. Essential Services (Type I)
8. Hotel or Motel
9. Manufacturing, Light, and Completely Indoors
10. Medical Offices, Clinics and Centers
11. Offices
12. Off-site parking
13. Public buildings
14. Radio and Television Studio, without Transmission Towers
15. Research Laboratories
16. Restaurants
17. Sports and Fitness Facilities
18. Trade Schools

Allowed Accessory Uses shall include:

1. Accessory Buildings
2. Any residential use which is clearly incidental to the operation of an Allowed Principal or Conditional Use.
3. Garbage Enclosures
4. Other Accessory Uses, Accessory and Minor Accessory Structures incidental to Manufacturing and Industrial activities.
5. Personnel service facilities providing services, education, recreation, entertainment, food and convenience goods primarily for those personnel employed in the Allowed Principal Use.
6. Signs

Conditional Uses shall include:

1. Amusement and Recreational Facilities
2. Automobile, Boat or Recreational Vehicle Sales, Service and/or Rental
3. Automobile Parking Lot or Garage (public or private)
4. Automobile Service Station
5. Bars
6. Day Care Centers registered by the Department of Public Health and Human Services § 52-2-7 MCA
7. Essential Services (Type II)
8. Fireworks Sales Stands, Temporary
9. Food Processing Plants
10. Machine Shops
11. Outside storage if accessory to an Allowed Principal Use and if screened from the Street and surrounding properties by a solid fence or dense plantings at least six feet (6') high.
12. Planned Unit Developments
13. Repair and Service Establishment for Light Consumer Goods, such as Office Equipment, Appliances and Furniture
14. Restaurants serving Alcoholic Beverages
15. Retail Establishments other than those listed under Allowed Principal Uses
16. Special Events
17. Personal Wireless Service Facility
18. Veterinary Clinics
19. Warehouses

Any uses prohibited by the Gallatin County / Bozeman Area Zoning Regulation, or prohibited by this Section 12.03, shall be prohibited within the M-1 zoned areas.

Prohibited Uses shall include:

1. Adult Business
2. Animal Shelters
3. Automotive Repair Facilities
4. Automobile Washing Establishment
5. Building Materials Sales
6. Flour and Feed Mills
7. Junk Salvage Yard
8. Garbage Transfer Station

- 9. Grain Elevators
- 10. Kennels
- 11. Marijuana Facilities – Cultivation, Dispensary, and Memorabilia Sale and/or Manufacturing
- 12. Messenger or Telegraph Service Station
- 13. Nursery, Plant
- 14. Places of Worship
- 15. Production Manufacturing and Generation Facilities (electric and gas)
- 16. Sand and Gravel Operations, including Mixing of Concrete and Asphalt Batching
- 17. Solid Waste Landfill
- 18. Truck, Bus and Rail Terminal Facilities
- 19. Truck Repair Facilities
- 20. Truck Stop and/or Service Station
- 21. Truck Washing Establishment
- 22. Warehouses, Residential Storage (mini-warehouse)

All structures shall be constructed in compliance with Montana State adopted codes for construction, including codes for Seismic Zone 3, and the National Fire Protection Association Codes."

Except as herein amended, the Covenants shall remain in full force and effect and is incorporated herein by this reference.

IN WITNESS WHEREOF, Declarant has hereunto set its hand as of this 28th day of August, 2018.

RBS Development, LLC
a Montana limited liability company

Gooch Hill West, LLC
a Montana limited liability company

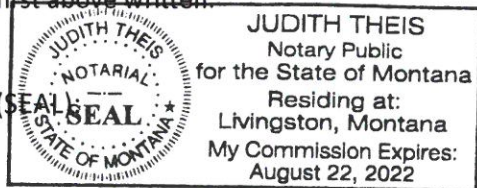
By: [Signature]
Kevin Cook, its Managing Member

By: [Signature]
Kevin Cook, its Managing Member

STATE OF MONTANA)
 : ss.
County of Gallatin)

On this 28th day of August, 2018, personally appeared Kevin Cook, being the Managing Member of GOOCH HILL WEST, LLC, and the Managing Member of RBS DEVELOPMENT, LLC; known to me to be the person that executed the within instrument and acknowledged to me he executed the same in his authorized capacity.

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



Judith Theis
NOTARY PUBLIC for the State of Montana
Residing at LIVINGSTON, MT
My Commission expires: 8-22-2022