

**RESOLUTIONS OF THE MANAGERS OF SIMKINS HOLDINGS, LLC.**

The undersigned, being all the Managers of Simkins Holdings, LLC, ("Simkins") a Montana limited liability company, hereby adopt the following resolutions:

***BE IT RESOLVED*** that the Covenants applicable to Simkins' Town Center development located in Portions of Sections 1 and 2, Township 7 South, Range 3 East, Gallatin County, Montana, and a portion of Section 36, Township 6 South, Range 3 East, (as set forth on Exhibit A) are amended to read as set forth in the "Amended and Restated Big Sky Town Center Declaration of Covenants, Conditions and Restriction," dated October 1, 2004, a copy of which is attached hereto as Exhibit B;

***BE IT FURTHER RESOLVED***, that having received approval from the Gallatin County Commissioners to amend the covenants, that the manager(s) of the Limited Liability Company are authorized to record the Amended Covenants attached as Exhibit B with the Gallatin County Clerk and Recorder and in light of the fact that the Covenants have been recently recorded, the act of recording is hereby ratified and affirmed;

***BE IT FURTHER RESOLVED***, that the previously filed and recorded Covenants applicable to the Town Center Development (both the Master and Supplemental Covenants) are hereby withdrawn and terminated and replaced with the Amended and Restated Covenants, as attached as Exhibit B,

***BE IT FURTHER RESOLVED***, that the *Big Sky Town Center Design Standards and Guidelines*, attached hereto as Exhibit C, are hereby adopted by Simkins govern the design standards and permitting procedure for the Big Sky Town Center Development;

***BE IT FURTHER RESOLVED***, that the *Big Sky Town Center Master Signage Plan*, attached hereto as Exhibit D, is hereby adopted by Simkins to govern the design standards and permitting requirements for all project and building signs in the Big Sky Town Center Development;

***BE IT FURTHER RESOLVED***, that the *Big Sky Town Center Parking Regulation, Management Plan and Ordinance*, attached hereto as Exhibit E, is hereby adopted by Simkins to govern the parking regulation and parking management within the Big Sky Town Center development;

***BE IT FURTHER RESOLVED***, that to the extent that the directors and officers have executed these documents prior to the formal adoption of this Resolution, that such acts of the Manager(s) is/are hereby ratified and affirmed.

The undersigned waive any notice to which they may be entitled with respect to the matters addressed herein and sign this resolution in lieu of a meeting.

Dated this 18<sup>th</sup> day of October, 2004.

SIMKINS HOLDINGS, LLC.

By: [Signature]  
Thomas Simkins, Manager

By: [Signature]  
William Simkins, Manager

By: [Signature]  
John Simkins, Manager

STATE OF MONTANA     )  
                                  :  
COUNTY OF GALLATIN    )

This instrument was acknowledged before me on October 18<sup>th</sup>, 2004 by William G. Simkins, as Manager of Simkins Holdings, LLC.

[Signature]  
Signature  
Brenda L. Carrier  
Printed Name

(SEAL)

Notary Public for the State of Montana  
Residing at Belgrade, MT  
My Commission Expires: March 31, 2008

STATE OF MONTANA     )  
                                  :  
COUNTY OF GALLATIN    )

This instrument was acknowledged before me on October 18<sup>th</sup>, 2004, by Thomas Simkins, as Manager of Simkins Holdings, LLC.

[Signature]  
Signature  
Brenda L. Carrier  
Printed Name

(SEAL)

Notary Public for the State of Montana  
Residing at Belgrade, MT  
My Commission Expires: March 31, 2008

STATE OF MONTANA     )  
                                     :  
COUNTY OF GALLATIN    )

This instrument was acknowledged before me on October 18<sup>th</sup>, 2004, by John Simkins, as  
Manager of Simkins Holdings, LLC.

Brenda L. Carrier

Signature

Brenda L. Carrier

Printed Name

(SEAL)

Notary Public for the State of Montana

Residing at Belgrade, MT

My Commission Expires: March 31, 2008

**TOWN CENTER OWNERS ASSOCIATION  
BOARD OF DIRECTORS POLICY RESOLUTION**

**POLICY:** Collection of Assessments

Date of Board Adoption: 19 January 2005      Policy No.: 1

Effective Date: 19 January 2005      Date(s) Revised:  
October 1, 2008

---

---

**RESOLUTION**

- Whereas,      The Town Center Owners Association, Inc. (TCOA) is filed with the Montana Secretary of State as a public benefit, nonprofit Montana corporation; and
- Whereas,      The TCOA Bylaws give its Board of Directors the authority to levy assessments on its Members;
- Whereas,      Those same Bylaws give the Board the authority to impose interest charges and penalties on amounts that are overdue; and
- Whereas,      Those same Bylaws require that certain steps be taken in the collection of unpaid assessments; and
- Whereas,      It is in the best interests of the Association to collect its assessments in a timely manner;

Now, Therefore Be It Resolved That:

1.      Assessments are due biannually on October 1, and April 1, of each year. Bills will be mailed at least thirty (30) days prior to those due dates.
2.      If not received within thirty (30) days after the due dates above, assessments become delinquent. Delinquent Members will be notified of their status, and will be assessed a Ten Dollar (\$10.00) penalty, and will begin to accrue interest at the rate of one percent (1%) per month. Upon becoming delinquent Members, Members lose all membership rights in TCOA.

**TOWN CENTER OWNERS ASSOCIATION  
BOARD OF DIRECTORS POLICY RESOLUTION  
(Continued)**

3. Members remaining delinquent sixty (60) days after the due date will be warned that their debt is accruing interest, and that if not paid within ninety (90) days after the due date the Association will file a lien on their property. This warning will also indicate that foreclosure may be used to enforce the lien, and that any attorneys' fees, filing fees, or court costs will also be their responsibility. Any appeals of this action must be addressed, in writing, to the Board of Directors in a timely manner.
4. If still delinquent ninety (90) days past the due date, the Association will file a lien on the Member's property at the same time that a letter stating that fact has been sent to the Member. The Member will also be informed of the additional charges assessed in order to file the lien. The Board may choose to postpone action if a proper appeal is pending.
5. Every thirty (30) days thereafter, the Board will review delinquent accounts, and determine whether or not to proceed to foreclosure. The Member will be informed of this discussion, and continue to be warned and to accrue interest.
6. This Resolution supersedes all other Policies regarding the collection of assessments.

  
\_\_\_\_\_  
Chair, TCOA Board of Directors

Date JANUARY 19, 2005

  
\_\_\_\_\_  
Secretary TCOA Board of Directors

Date JANUARY 19, 2005

**JUNE, 2005 RESOLUTIONS OF THE DIRECTORS OF THE TOWN CENTER OWNERS' ASSOCIATION**

The undersigned, being the Directors and Officers of the Town Center Owners' Association (TCOA) a Montana non-profit corporation, hereby adopt the following resolutions:

***BE IT RESOLVED*** that the Covenants applicable to Simkins' Holdings, LLC's Town Center development located in Portions of Sections 1 and 2, Township 7 South, Range 3 East, Gallatin County, Montana, and a portion of Section 36, Township 6 South, Range 3 East, (as set forth on Exhibit A) are amended to read as set forth in the "Amended and Restated Big Sky Town Center Declaration of Covenants, Conditions and Restriction," dated JUNE 24, 2005, a copy of which is attached hereto as Exhibit A;

***BE IT FURTHER RESOLVED***, that the previously filed and recorded Covenants applicable to the Town Center Development are hereby withdrawn and terminated and replaced with the Amended and Restated Covenants, as attached as Exhibit A;

***BE IT FURTHER RESOLVED***, that the following parcels of real property, located in the "***Plat of Big Sky Town Center Subdivision, Phase 1, located in the NW1/4 of Section 1, T7S, R3E, and in the SW1/4 of Section 36, T6S, R3E, P.M.M., Gallatin County, Montana,***" according to the official plat [J- 336] thereof on file and of record in the office of the County Clerk and Recorder, Gallatin County, Montana, shall be transferred, granted and quit-claimed to Westland Enterprises, Inc., in accordance with an Amended Subdivision Plat (effecting the following real property) to be filed and recorded with the Gallatin County Clerk and Recorder:

- (1) ***Road Tract 5 ("FLATS DRIVE ROAD");***
- (2) ***Road Tract 6 ("JUNIPER DRIVE");***
- (2) ***Road Tracts 11, 11A and 11B ("SIMKINS STREET");***
- (3) ***Road Tracts 12 and 12A ("TAYLOR STREET");***
- (4) ***Road Tract 7 ("SAGE DRIVE"); and***
- (5) ***Block 9 ("TOWN SQUARE")***

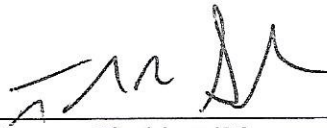
***of the "Plat of Big Sky Town Center Subdivision, Phase 1, located in the NW1/4 of Section 1, T7S, R3E, and in the SW1/4 of Section 36, T6S, R3E, P.M.M., Gallatin County, Montana," according to the official plat [J- 336] thereof on file and of record in the office of the County Clerk and Recorder, Gallatin County, Montana;***

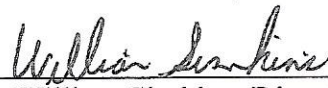
**BE IT FURTHER RESOLVED**, that to the extent that the Director(s) have executed these documents prior to the formal adoption of this Resolution, that such acts of the Directors is/are hereby ratified and affirmed.

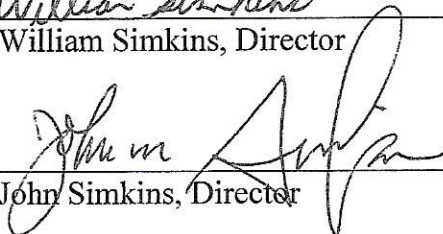
The undersigned waive any notice to which they may be entitled with respect to the matters addressed herein and sign this resolution in lieu of a meeting.

Dated this 30<sup>th</sup> day of June, 2005.

TOWN CENTER OWNERS' ASSOCIATION, INC

By:   
Thomas Simkins, Director

By:   
William Simkins, Director

By:   
John Simkins, Director

**AUGUST, 2007 RESOLUTION OF THE DIRECTORS OF THE TOWN CENTER OWNERS' ASSOCIATION, INC., ADOPTING AMENDED CC&RS**

The undersigned, being the Directors and Officers of the Town Center Owners' Association, Inc., (TCOA), a Montana non-profit corporation, having duly met on August 14, 2007, following proper notice of the same, and having considered and discussed proposed amendments to the Covenants, Conditions and Restrictions (CCRs), hereby adopt the following resolution:


***BE IT RESOLVED*** that the Covenants, Conditions and Restrictions, applicable to Simkins' Holdings, LLC's Town Center development located in Portions of Sections 1 and 2, Township 7 South, Range 3 East, Gallatin County, Montana, and a portion of Section 36, Township 6 South, Range 3 East, are amended to read as set forth in the "August, 2007 Amended and Restated Big Sky Town Center Declaration of Covenants, Conditions and Restrictions," dated August 15, 2007, a true and accurate copy of which is attached hereto as Exhibit A;


***BE IT FURTHER RESOLVED***, that the previously filed and recorded Covenants, Conditions and Restrictions applicable to the Town Center Development are hereby withdrawn and terminated and replaced with the Amended and Restated Covenants, Conditions and Restrictions, as attached as Exhibit A;

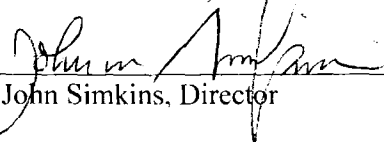
***BE IT FURTHER RESOLVED***, that to the extent that the Director(s) have executed these documents prior to the formal adoption of this Resolution, that such acts of the Directors is/are hereby ratified and affirmed.

Dated this 30<sup>th</sup> day of August, 2007.

TOWN CENTER OWNERS' ASSOCIATION, INC

By:   
Thomas Simkins, Director

By:   
William Simkins, Director

By:   
John Simkins, Director



STATE OF MONTANA     )  
                                  :  
COUNTY OF GALLATIN    )

This instrument was acknowledged before me on August 30, 2007 by William G. Simkins, as Director of Town Center Owners' Association, Inc.

(SEAL)

Brenda L. Carrier  
Signature  
Brenda L. Carrier  
Printed Name  
Notary Public for the State of Montana  
Residing at Belgrade, MT  
My Commission Expires: March 31, 2008

STATE OF MONTANA     )  
                                  :  
COUNTY OF GALLATIN    )

This instrument was acknowledged before me on August 30, 2007, by Thomas Simkins, as Director, of Town Center Owners' Association, Inc.

(SEAL)

Brenda L. Carrier  
Signature  
Brenda L. Carrier  
Printed Name  
Notary Public for the State of Montana  
Residing at Belgrade, MT  
My Commission Expires: March 31, 2008

STATE OF MONTANA     )  
                                  :  
COUNTY OF GALLATIN    )

This instrument was acknowledged before me on August 30, 2007, by John Simkins, as Director, of Town Center Owners' Association, Inc.

(SEAL)

Brenda L. Carrier  
Signature  
Brenda L. Carrier  
Printed Name  
Notary Public for the State of Montana  
Residing at Belgrade, MT  
My Commission Expires: March 31, 2008

AUGUST 30, 2007 RESOLUTIONS OF THE DIRECTORS OF THE TOWN  
CENTER OWNERS' ASSOCIATION, INC., ADOPTING AMENDED MASTER  
SIGNAGE PLAN AND REVISED PARKING REGULATION MANAGEMENT PLAN  
ORDINANCE

The undersigned, being the Directors and Officers of the Town Center Owners' Association, Inc. (TCOA), a Montana non-profit corporation, having duly met on \_\_\_\_\_, 2007, and considered proposed amendments to the Big Sky Town Center Master Signage and the Big Sky Town Center Parking Regulation, Management Plan Ordinance, and having determined that it is in the best interests of the Association to amend the Master Signage and Parking Regulations, hereby adopt the following resolutions:

**BE IT RESOLVED** that the October 20, 2005, Amended Master Signage Plan applicable to the Town Center Development, located in Portions of Sections 1 and 2, Township 7 South, Range 3 East, Gallatin County, Montana, and a portion of Section 36, Township 6 South, Range 3 E ("Exhibit A") and the 2006 Revised Big Sky Town Center Parking Regulation, Management Plan Ordinance, ("Exhibit B") are hereby adopted and shall apply to the Big Sky Town Center; and

**BE IT FURTHER RESOLVED**, that all prior Signage Plans and Parking Regulations applicable to the Big Sky Town Center are hereby withdrawn and terminated and replaced with and superceded by the Amended Master Signage Plan and Revised Big Sky Town Center Parking Regulation, Management Plan Ordinance;

**BE IT FURTHER RESOLVED**, that to the extent that the Director(s) have executed these documents prior to the formal adoption of this Resolution, that such acts of the Directors is/are hereby ratified and affirmed.

The undersigned waive any notice to which they may be entitled with respect to the matters addressed herein and sign this resolution in lieu of a meeting.

Dated this 30<sup>th</sup> day of AUGUST, 2007.

TOWN CENTER OWNERS' ASSOCIATION, INC.

By: Thomas Simkins  
Thomas Simkins, Director

By: William Simkins  
William Simkins, Director

By: John Simkins  
John Simkins, Director

STATE OF MONTANA     )  
                                     :  
COUNTY OF GALLATIN    )

This instrument was acknowledged before me on August 30, 2007, by  
William G. Simkins, as Director of Town Center Owners' Association, Inc.

Brenda L. Carrier

Signature

Brenda L. Carrier

Printed Name

Notary Public for the State of Montana

Residing at Belgrade, MT

My Commission Expires: March 31, 2008

(SEAL)

STATE OF MONTANA     )  
                                     :  
COUNTY OF GALLATIN    )

This instrument was acknowledged before me on August 30, 2007, by  
Thomas Simkins, as Director of Town Center Owners' Association, Inc.

Brenda L. Carrier

Signature

Brenda L. Carrier

Printed Name

Notary Public for the State of Montana

Residing at Belgrade, MT

My Commission Expires: March 31, 2008

(SEAL)

STATE OF MONTANA     )  
                                     :  
COUNTY OF GALLATIN    )

This instrument was acknowledged before me on August 30, 2007, by  
John Simkins, as Director of Town Center Owners' Association, Inc.

Brenda L. Carrier

Signature

Brenda L. Carrier

Printed Name

Notary Public for the State of Montana

Residing at Belgrade, MT

My Commission Expires: March 31, 2008

(SEAL)

**SEPTEMBER 2007 RESOLUTION OF THE DIRECTORS OF THE TOWN CENTER OWNERS' ASSOCIATION, INC., ADOPTING SPECIAL ASSESSMENT FOR COMMON MULTI-FAMILY OPEN SPACE NORTH AND OPEN SPACE SOUTH**

The undersigned, being the Directors and Officers of the Town Center Owners' Association, Inc., (TCOA), a Montana non-profit corporation, having duly met on SEPTEMBER 7, 2007, 2007, following proper notice of the same, and having considered and discussed the proposal to adopt and impose a annual special assessment on the Owners of certain property particularly benefited by the Town Center Multi-Family Open Space Parks to help defray the costs of improvements to those parks and maintenance of the same, and having determined it is in the best interests of the Association to impose a special, annual assessment for such parks, hereby adopt the following resolution:

***BE IT RESOLVED*** that the Town Center Owners' Association shall impose a special, annual assessment, in the amount of Fifty-Five Dollars and No Cents (\$55.00) on the following units that are appurtenant to Common Multi-Family Open Space North and Common Multi-Family Open Space South, and located in the Big Sky Town Center:

Block 5, Lot G;  
Block 13, Lot 1A;  
Block 13, Lot 2A;  
Block 17, Lot 1A;  
Block 17, Lot 2A;  
Block 17, Lot 3A; and  
Block 17, Lot 4A.

This annual assessment shall be used by the TCOA to defray the costs of improvements to, and maintenance of these Multi-Family Open Space Parks.

***BE IT FURTHER RESOLVED***, that

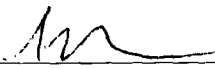
1. The Assessments shall be levied annually on March 1<sup>st</sup> and September 1<sup>st</sup> of each year, and shall be paid on or before April 1<sup>st</sup> and October 1<sup>st</sup> of each year. Notice of assessments will be mailed at least thirty (30) days prior to the April 1<sup>st</sup> and October 1<sup>st</sup> due dates.
2. If not received within thirty (30) days after the due dates above, assessments shall be deemed delinquent. Delinquent Owners will be notified of their status and assessed a \$10.00 penalty and will begin to accrue interest at the rate of one percent (1%) per month.
2. If the assessment remains delinquent after sixty days from the due date, the Owner will be notified, in writing, of the delinquency and that if not fully

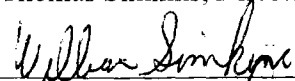
paid within thirty (30) days of the notice that the Association may elect to file a lien on the Owner's property. This warning shall also indicate that foreclosure may be used to enforce the lien and that attorneys' fees, filing fees and court costs will also be the responsibility of the delinquent Owner. Any appeals of this action must be addressed, in writing, to the Board of Directors in a timely manner.

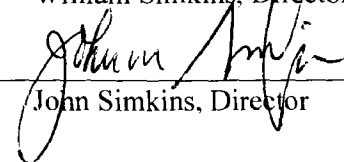
3. If still delinquent ninety (90) days past the due date, the Association will file a lien the Owner's property at the same time that a letter stating that fact has been sent to the Owner. The Owner will also be informed of the additional charges assessed in order to file the lien. The Board may, in its discretion, elect to postpone action if a proper appeal is pending.
4. Every thirty (30) days thereafter, the Board will review delinquent accounts and determine whether or not to proceed with foreclosure. The Owner will be informed of the discussion(s) and continue to be warned and the delinquency shall continue to accrue interest.

Dated this 7<sup>th</sup> day of SEPTEMBER, 2007.

TOWN CENTER OWNERS' ASSOCIATION, INC

By:   
Thomas Simkins, Director

By:   
William Simkins, Director

By:   
John Simkins, Director

STATE OF MONTANA     )  
                                      :  
COUNTY OF GALLATIN    )

~~August~~<sup>SEPTEMBER</sup> 7, 2007 by William G. Simkins, as Director of Town Center Owners' Association, Inc.

(SEAL)

Trava A. Simkins  
Signature  
Trava A. Simkins  
Printed Name  
Notary Public for the State of Montana  
Residing at Livingston  
My Commission Expires: 6-10-2009

STATE OF MONTANA     )  
                                      :  
COUNTY OF GALLATIN    )

~~August~~<sup>SEPTEMBER</sup> 7, 2007, by Thomas Simkins, as Director, of Town Center Owners' Association, Inc.

(SEAL)

Trava A. Simkins  
Signature  
Trava A. Simkins  
Printed Name  
Notary Public for the State of Montana  
Residing at Livingston  
My Commission Expires: 6-10-2009

STATE OF MONTANA     )  
                                      :  
COUNTY OF GALLATIN    )

~~August~~<sup>SEPTEMBER</sup> 7, 2007, by John Simkins, as Director, of Town Center Owners' Association, Inc.

(SEAL)

Trava A. Simkins  
Signature  
Trava A. Simkins  
Printed Name  
Notary Public for the State of Montana  
Residing at Livingston  
My Commission Expires: 6-10-2009

**TOWN CENTER OWNERS' ASSOCIATION, INC.**  
**BOARD OF DIRECTORS POLICY RESOLUTION**

**POLICY: Revised Assessment Rate**

Date of Board Adoption: March 1, 2008 Policy No.: 2

Effective Date: April 1, 2008 Date(s) Revised: \_\_\_\_\_

---

**RESOLUTION**

*Whereas*, The Town Center Owners' Association, Inc. (TCOA) is a public benefit, nonprofit Montana corporation; and

*Whereas*, The TCOA Bylaws grant to the Board of Directors the authority to levy assessments on its Members; and

*Whereas*, it is in the best interest of the TCOA to collect its assessments in a timely manner;

*Whereas*, the undersigned, being the Directors and Officers of the TCOA, having duly met on March 1, 2008 following proper notice of the same, and having considered and discussed a proposal to increase the assessment rate for both commercial and residential properties, and having determined it is in the best interest of the TCOA to increase the assessment rate to cover increasing costs associated with maintaining the Town Center infrastructure to an acceptable level, and having notified the TCOA membership, on two (2) occasions by US Mail, of the need to raise the assessment rate, hereby adopt the following resolution:

**Now, Therefore Be It Resolved That:**

1. Commercial Property in the Town Center Commercial (TCC) district zoning classification (Commercial District)
  - a. The Improved Property Assessment for commercial property shall be \$1.64/sf/year, as of the effective date above.
  - b. The Unimproved Property Assessment for commercial property remains unchanged at 20% of the Improved Property Assessment, per Policy # 1.

2. Residential Property in the Town Center Residential (TCR) zoning classification (Residential District)

- a. The Improved Property Assessment for residential property shall be \$790/unit/year, as of the effective date above.
- b. The Unimproved Property Assessment for residential property remains unchanged at 20% of the Improved Property Assessment, per Policy # 1.

Dated this 16<sup>th</sup> day of OCTOBER, 2008.

TOWN CENTER OWNERS' ASSOCIATION, INC

By: [Signature]  
Thomas Simkins, Director

By: [Signature]  
William Simkins, Director

By: [Signature]  
John Simkins, Director

STATE OF MONTANA     )  
                                     :  
COUNTY OF GALLATIN     )

This instrument was acknowledged before me on October 6<sup>th</sup>, 2008  
by William G. Simkins, as Director of Town Center Owners' Association, Inc.

Brenda L. Carrier  
Signature  
Brenda L. Carrier  
Printed Name

(SEAL)

Notary Public for the State of Montana  
Residing at Belgrade, MT  
My Commission Expires: March 31, 2012



STATE OF MONTANA     )  
                                     :  
COUNTY OF GALLATIN     )

This instrument was acknowledged before me on October 6<sup>th</sup>, 2008,  
by Thomas Simkins, as Director, of Town Center Owners' Association, Inc.

Brenda L. Carrier  
Signature

Brenda L. Carrier  
Printed Name

(SEAL)

Notary Public for the State of Montana  
Residing at Belgrade, MT  
My Commission Expires: March 31, 2012

STATE OF MONTANA     )  
                                     :  
COUNTY OF GALLATIN     )

This instrument was acknowledged before me on October 6<sup>th</sup>, 2008,  
by John Simkins, as Director, of Town Center Owners' Association, Inc.

Brenda L. Carrier  
Signature

Brenda L. Carrier  
Printed Name

(SEAL)

Notary Public for the State of Montana  
Residing at Belgrade, MT  
My Commission Expires: March 31, 2012

**TOWN CENTER OWNERS' ASSOCIATION, INC.**  
**BOARD OF DIRECTORS POLICY RESOLUTION**

**POLICY: Trigger of Annual Assessments from Unimproved to Improved**

Date of Board Adoption: APRIL 1, 2008 Policy No.: 3

Effective Date: APRIL 1, 2008 Date(s) Revised: \_\_\_\_\_

---

**RESOLUTION**

*Whereas*, The Town Center Owners' Association, Inc. (TCOA) is a public benefit, nonprofit Montana corporation; and

*Whereas*, The TCOA Bylaws grant to the Board of Directors the authority to levy assessments on its Members; and

*Whereas*, Those same Bylaws give the Board the authority to impose interest charges and penalties on amounts that are overdue; and

*Whereas*, it is in the best interest of the TCOA to collect its assessments in a timely manner;

*Whereas*, the undersigned, being the Directors and Officers of the TCOA, having duly met on APRIL 1, 2008 following proper notice of the same, and having considered and discussed a proposal to clarify the timing of the collection of annual assessments for Improved and Unimproved property, as well as the rate of such assessments on the owners and/or developers of that property, and having determined it is in the best interest of the TCOA to transition the assessment for Unimproved Property to that of Improved Property upon the installation and completion of certain improvements as defined below, hereby adopt the following resolution:

**Now, Therefore Be It Resolved That:**

A. Property in the Town Center Commercial (TCC) district zoning classification (Commercial District)

1. *Unimproved Property Assessment.*

The Unimproved Property Assessment is 20% of the Improved Property Assessment for each lot or unit within the Commercial District. The amount of the assessment is

calculated by first determining whether the proposed development on the unimproved property is commercial or residential in character, or a combination of both. If the proposed development is commercial, the amount of the assessment is based upon the square footage of the proposed commercial development, multiplied by the current assessment per square foot for commercial property. If the proposed development is residential, the amount of the assessment is based upon the number of residential units to be constructed on the unimproved property. Once calculated, the unimproved property assessment is due and payable on an annual basis due on October 1 of each calendar year. The first payment is due and payable upon the closing of the purchase of the unimproved real property, and shall be prorated based upon the date of closing in relation to the next due date of the annual assessment payment. For example, if the amount of the assessment is \$1,200 a year (\$100 a month) and closing occurs on September 1, the purchaser shall pay at closing the sum of \$100 (representing the pro rata share of the annual assessment between the closing of September 1 and the annual assessment due date of October 1). Using this example, the annual payment of \$1,200 would then be due on October 1 of that same year, and every year thereafter. This annual Unimproved Property Assessment shall continue until the Improved property assessment is triggered, pursuant to subsection A.2 below.

2. *Improved Property Assessment.*

The Improved Property Annual Assessment, which is 100% of the amount calculated under Section A.1., above, is triggered upon installation and completion of the paving of the parking lot serving the property, or the construction of a gravel surface parking lot, if such parking lot will likely require, at the sole discretion of TCOA, snowplow services during the winter months. The timing of the change from the Unimproved Property Assessment to the Improved Property Assessment is to ensure that the TCOA is able to collect the assessments necessary to cover the cost of snowplowing and otherwise maintaining the parking lot(s) before, or at the same time as, those services are required.

3. This Resolution supersedes all prior resolutions and/or Policies regarding the time and amount annual assessments for Unimproved to Improved.

B. Property in the Town Center Residential (TCR) zoning classification (Residential District)

1. The annual Unimproved Property Assessment, which is presently 20% of the Improved Property Assessment, shall be assessed on a per-unit basis at the closing of the lot, and the assessment shall be based upon the number of residential units that the purchaser plans to build on the lot. The assessment shall be prorated at closing, as explained above in A.1 for property within the Town Center Commercial District, with the purchaser paying to the TCOA the pro rata share of the Unimproved Assessment from the time of closing until the next annual installment due date (October 1 of each calendar year). This Unimproved Property Assessment shall continue at 20% of the Improvement Property Assessment, until the Improved Property Assessment is triggered, pursuant to subsection B.2 below.

2. The Improved Property Assessment shall be triggered upon the closing of a sale for a unit between the developer of the property and a third party purchaser, or issuance of an occupancy permit for the residential unit, whichever event occurs first.

Dated this 1<sup>st</sup> day of OCTOBER, 2008.

TOWN CENTER OWNERS' ASSOCIATION, INC

By: [Signature]  
Thomas Simkins, Director

By: [Signature]  
William Simkins, Director

By: [Signature]  
John Simkins, Director

STATE OF MONTANA     )  
                                     :  
COUNTY OF GALLATIN     )

This instrument was acknowledged before me on October 1<sup>st</sup>, 2008  
by William G. Simkins, as Director of Town Center Owners' Association, Inc.

Brenda L. Carrier  
Signature

Brenda L. Carrier  
Printed Name

(SEAL)

Notary Public for the State of Montana  
Residing at Belgrade, MT  
My Commission Expires: March 31, 2012

STATE OF MONTANA )

:

COUNTY OF GALLATIN )

This instrument was acknowledged before me on October 1<sup>st</sup>, 2008,  
by Thomas Simkins, as Director, of Town Center Owners' Association, Inc.

Brenda L. Carrier  
Signature

Brenda L. Carrier  
Printed Name

(SEAL)

Notary Public for the State of Montana

Residing at Belgrade, MT

My Commission Expires: March 31, 2012

STATE OF MONTANA )

:

COUNTY OF GALLATIN )

This instrument was acknowledged before me on October 1<sup>st</sup>, 2008,  
by John Simkins, as Director, of Town Center Owners' Association, Inc.

Brenda L. Carrier  
Signature

Brenda L. Carrier  
Printed Name

(SEAL)

Notary Public for the State of Montana

Residing at Belgrade, MT

My Commission Expires: March 31, 2012

**TOWN CENTER OWNERS' ASSOCIATION, INC.**  
**BOARD OF DIRECTORS POLICY RESOLUTION**

**POLICY:   Collection of Assessments (Amendment to Policy No. 1, adopted 1/19/05)**

Date of Board Adoption: April 1, 2008   Policy No.: 1A

Effective Date: October 1, 2008                      Date(s) Revised: \_\_\_\_\_

---

**RESOLUTION**

*Whereas*, The Town Center Owners' Association, Inc. (TCOA) is a public benefit, nonprofit Montana corporation; and

*Whereas*, The TCOA Bylaws give its Board of Directors the authority to levy assessments on its Members; and

*Whereas*, the undersigned, being the Directors and Officers of the TCOA, having duly met on April 1, 2008 following proper notice of the same, and having considered and discussed a proposal to change the assessment billing period (collection of assessments) from a biannual period to an annual period. This change is necessary to better match the timing of major expenditures with the timing of assessment revenue, which will now be due annually on October 1 of each calendar year. After having determined that it is in the best interest of the TCOA to make this change, as further defined below, the TCOA hereby adopts the following amendment to resolution Policy # 1. Except with respect to the foregoing amendment to Policy # 1, adopted 1/19/05, all other provisions of Policy # 1, set forth in paragraphs 2-6, remain in full force and effect:

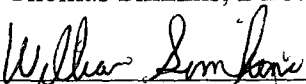
Now, Therefore Be It Resolved That:

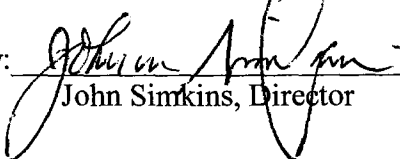
1. Payment of assessments are due on or before October 1 of each calendar year. Assessments will be mailed at least thirty (30) days prior to October 1.

Dated this 6<sup>th</sup> day of OCTOBER, 2008.

TOWN CENTER OWNERS' ASSOCIATION, INC

By:   
Thomas Simkins, Director

By:   
William Simkins, Director

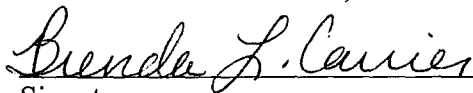
By:   
John Simkins, Director

STATE OF MONTANA )

:

COUNTY OF GALLATIN )

This instrument was acknowledged before me on October 6<sup>th</sup>, 2008 by  
William G. Simkins, as Director of Town Center Owners' Association, Inc.

  
Signature

Brenda L. Carrier  
Printed Name

(SEAL)

Notary Public for the State of Montana

Residing at Belgrade, MT

My Commission Expires: March 31, 2012

STATE OF MONTANA     )  
                                     :  
COUNTY OF GALLATIN     )

This instrument was acknowledged before me on October 6<sup>th</sup>, 2008, by  
Thomas Simkins, as Director, of Town Center Owners' Association, Inc.

Brenda L. Carrier  
Signature

Brenda L. Carrier  
Printed Name

(SEAL)

Notary Public for the State of Montana  
Residing at Belgrade, MT  
My Commission Expires: March 31, 2012

STATE OF MONTANA     )  
                                     :  
COUNTY OF GALLATIN     )

This instrument was acknowledged before me on October 6<sup>th</sup>, 2008, by  
John Simkins, as Director, of Town Center Owners' Association, Inc.

Brenda L. Carrier  
Signature

Brenda L. Carrier  
Printed Name

(SEAL)

Notary Public for the State of Montana  
Residing at Belgrade, MT  
My Commission Expires: March 31, 2012



**OCTOBER 2008 RESOLUTION OF THE**  
**DIRECTORS OF THE TOWN CENTER OWNERS' ASSOCIATION, INC.,**  
**ADOPTING AMENDED BYLAWS**

The undersigned, being the Directors and Officers of the Town Center Owners' Association, Inc., (TCOA), a Montana non-profit corporation, having duly met on October 8, 2008, following proper notice of the same, and having considered and discussed the proposed amendments to the October 2008 Amended and Restated Bylaws of the Town Center Owners' Association, Inc. (Bylaws) hereby adopt the following Resolution:

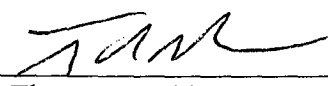
***BE IT RESOLVED***, that the previously filed and recorded September 2007 Amended and Restated Bylaws of the Town Center Owners' Association, Inc. (Doc # 2281028) are hereby withdrawn and terminated and replaced with the October 2008 Amended and Restated Bylaws of the Town Center Owners' Association, Inc. (Doc # 2340943);

***BE IT FURTHER RESOLVED***, that to the extent that the Director(s) have executed this document prior to the formal adoption of this Resolution, that such acts of the Directors is/are hereby ratified and affirmed.

Dated this 23<sup>rd</sup> day of October, 2008.

TOWN CENTER OWNERS' ASSOCIATION, INC

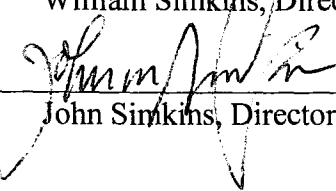
By: \_\_\_\_\_

  
Thomas Simkins, Director

By: \_\_\_\_\_

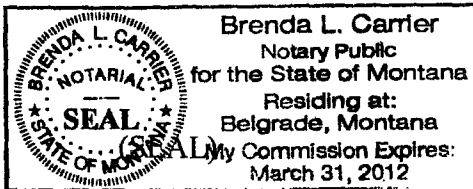
  
William Simkins, Director

By: \_\_\_\_\_

  
John Simkins, Director

STATE OF MONTANA )  
:  
COUNTY OF GALLATIN )

This instrument was acknowledged before me on October 6, <sup>2009</sup>~~2008~~ by William G. Simkins, as Director of Town Center Owners' Association, Inc.

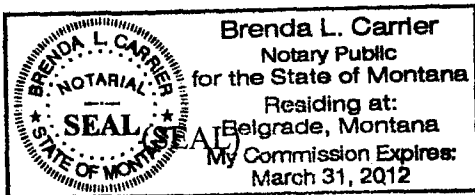


Brenda L. Carrier  
Signature

Printed Name  
Notary Public for the State of Montana  
Residing at \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

STATE OF MONTANA )  
:  
COUNTY OF GALLATIN )

This instrument was acknowledged before me on October 6, <sup>2009</sup>~~2008~~, by Thomas Simkins, as Director, of Town Center Owners' Association, Inc.

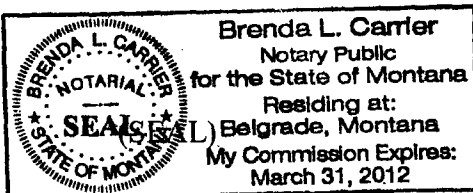


Brenda L. Carrier  
Signature

Printed Name  
Notary Public for the State of Montana  
Residing at \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

STATE OF MONTANA )  
:  
COUNTY OF GALLATIN )

This instrument was acknowledged before me on October 6, <sup>2009</sup>~~2008~~, by John Simkins, as Director, of Town Center Owners' Association, Inc.



Brenda L. Carrier  
Signature

Printed Name  
Notary Public for the State of Montana  
Residing at \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

**TOWN CENTER OWNERS' ASSOCIATION, INC.**  
**BOARD OF DIRECTORS POLICY RESOLUTION**

**POLICY:**    **Revised Assessment Rate**

Date of Board Adoption: August 17,, 2009    Policy No.: 2A

Effective Date: September 1, 2009

Date(s) Revised: \_\_\_\_\_

---

**RESOLUTION**

*Whereas,* The Town Center Owners' Association, Inc. (TCOA) is a public benefit, nonprofit Montana corporation; and

*Whereas,* The TCOA Bylaws grant to the Board of Directors the authority to levy assessments on its Members; and

*Whereas,* it is in the best interest of the TCOA to collect its assessments in a timely manner;

*Whereas,* the undersigned, being the Directors and Officers of the TCOA, having duly met on August 5, 2009 following proper notice of the same, and having considered and discussed a proposal to increase the assessment rate for commercial properties only, and having determined it is in the best interest of the TCOA to increase the assessment rate to cover increasing costs associated with maintaining the Town Center infrastructure to an acceptable level, and having notified the TCOA membership, on one (1) occasion by US Mail, of the increased assessment rate, hereby adopt the following resolution:

**Now, Therefore Be It Resolved That:**

1. Commercial Property in the Town Center Commercial (TCC) district zoning classification (Commercial District)
  - a. The Improved Property Assessment for commercial property shall be \$1.80/sf/year, as of the effective date above.
  - b. The Unimproved Property Assessment for commercial property remains unchanged at 20% of the Improved Property Assessment, per Policy # 3.

Dated this 17<sup>th</sup> day of August, 2009.

TOWN CENTER OWNERS' ASSOCIATION, INC

By: [Signature]  
Thomas Simkins, Director

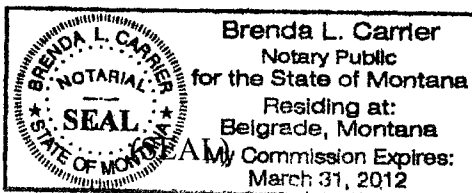
By: [Signature]  
William Simkins, Director

By: [Signature]  
John Simkins, Director

STATE OF MONTANA )

COUNTY OF GALLATIN )

This instrument was acknowledged before me on August 17<sup>th</sup>, 2009  
by William G. Simkins, as Director of Town Center Owners' Association, Inc.



Brenda L. Carrier  
Signature

Brenda L. Carrier  
Printed Name

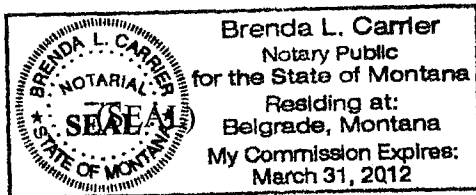
Notary Public for the State of Montana  
Residing at Belgrade, MT

My Commission Expires: March 31, 2012

STATE OF MONTANA )

COUNTY OF GALLATIN )

This instrument was acknowledged before me on August 17<sup>th</sup>, 2009  
by Thomas Simkins, as Director, of Town Center Owners' Association, Inc.



Brenda L. Carrier  
Signature

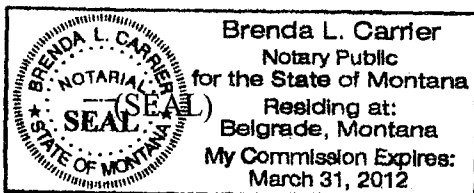
Brenda L. Carrier  
Printed Name

Notary Public for the State of Montana  
Residing at Belgrade, MT  
My Commission Expires: March 31, 2012

STATE OF MONTANA )

COUNTY OF GALLATIN )

This instrument was acknowledged before me on August 17<sup>th</sup>, 2009  
by John Simkins, as Director, of Town Center Owners' Association, Inc.



Brenda L. Carrier  
Signature

Brenda L. Carrier  
Printed Name

Notary Public for the State of Montana  
Residing at Belgrade, MT  
My Commission Expires: March 31, 2012

**TOWN CENTER OWNERS' ASSOCIATION, INC.**  
**BOARD OF DIRECTORS POLICY RESOLUTION**

**POLICY: \$25 Fee for Big Sky Trail Maintenance (Donation to BSCC)**

Date of Board Adoption: August 17, 2009 Policy No.: 4

Effective Date: September 1, 2009

Date(s) Revised: \_\_\_\_\_

---

**RESOLUTION**

*Whereas*, The Town Center Owners' Association, Inc. (TCOA) is a public benefit, nonprofit Montana corporation; and

*Whereas*, The TCOA Bylaws give its Board of Directors the authority to levy assessments on its Members; and

*Whereas*, the undersigned, being the Directors and Officers of the TCOA, having duly met on August 5, 2009 following proper notice of the same, and having considered and discussed a proposal to assess each Town Center unit/lot a Twenty-Five Dollar (\$25) fee to be donated to the non-profit Big Sky Community Corporation (BSCC) for the maintenance of trails in the Big Sky area. With the present membership, the \$25 annual fee will result in a yearly donation of about Two Thousand One Hundred Dollars (\$2,100) from the TCOA to the BSCC.

Now, Therefore Be It Resolved That:

1. Each unit/lot owner in the Big Sky Town Center, whether residential or commercial, shall be assessed a \$25 annual fee that will be donated to the BSCC for Big Sky trail maintenance. For each assessment period, this fee shall be levied on each Improved unit, and only one (1) time for all Unimproved unit(s) owned by a single entity.

Dated this 17 day of August, 2009.

TOWN CENTER OWNERS' ASSOCIATION, INC

By: [Signature]  
Thomas Simkins, Director

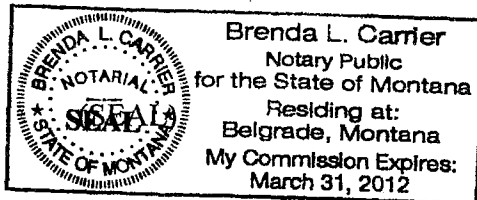
By: [Signature]  
William Simkins, Director

By: [Signature]  
John Simkins, Director

STATE OF MONTANA )

COUNTY OF GALLATIN )

This instrument was acknowledged before me on August 17<sup>th</sup>, 2009 by William G. Simkins, as Director of Town Center Owners' Association, Inc.



Brenda L. Carrier  
Signature

Brenda L. Carrier  
Printed Name

Notary Public for the State of Montana

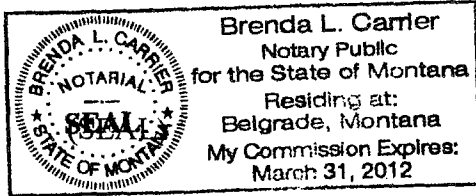
Residing at Belgrade, MT

My Commission Expires: March 31, 2012

STATE OF MONTANA )

COUNTY OF GALLATIN )

This instrument was acknowledged before me on August 17<sup>th</sup>, 2009 by  
Thomas Simkins, as Director, of Town Center Owners' Association, Inc.



Brenda L. Carrier  
Signature

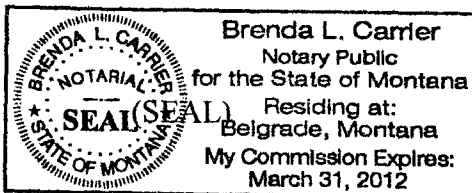
Brenda L. Carrier  
Printed Name

Notary Public for the State of Montana  
Residing at Belgrade, MT  
My Commission Expires: March 31, 2012

STATE OF MONTANA )

COUNTY OF GALLATIN )

This instrument was acknowledged before me on August 17<sup>th</sup>, 2009 by  
John Simkins, as Director, of Town Center Owners' Association, Inc.



Brenda L. Carrier  
Signature

Brenda L. Carrier  
Printed Name

Notary Public for the State of Montana  
Residing at Belgrade, MT  
My Commission Expires: March 31, 2012



**TOWN CENTER OWNERS' ASSOCIATION, INC.**  
**BOARD OF DIRECTORS POLICY RESOLUTION**

**POLICY: Restrictions for Medical Marijuana Dispensaries and other Marijuana-Related Businesses**

Date of Board Adoption: January 6, 2010 Policy No.: 5

Effective Date: January 6, 2010 Date(s) Revised: \_\_\_\_\_

---

**RESOLUTION**

*Whereas*, The Town Center Owners' Association, Inc. (TCOA) is a public benefit, nonprofit Montana corporation; and

*Whereas*, the undersigned, being the Directors and Officers of the TCOA, having duly met on January 6, 2010 following proper notice of the same, and having considered and discussed the possible geographical locations and other restrictions for Medical Marijuana Dispensaries and other Marijuana-Related Businesses within the Town Center Planned Unit Development area, hereby adopt the following resolution:

Now, Therefore Be It Resolved That:

1. Medical Marijuana Dispensaries may only be located on the second or subsequent stories of a building in the Town Center Commercial (TCC) zone of the Gallatin Canyon/Big Sky Zoning District.
2. Medical Marijuana Dispensaries are prohibited from locating in the Town Center Residential (TCR) zone of the Gallatin Canyon/Big Sky Zoning District.
3. Other Marijuana-Related Businesses are prohibited from locating in the Town Center Planned Unit Development area, specifically the Town Center Commercial (TCC) and the Town Center Residential (TCR) zones of the Gallatin Canyon/Big Sky Zoning District.
4. Medical Marijuana Dispensaries shall comply with all applicable Federal, State, and Local laws.
5. As with all proposed businesses in the Town Center, all proposed Medical Marijuana Dispensaries shall submit a *Tenant and Business Pre-Approval Application* to the Town Center Owners' Association, Inc. (TCOA). The applicant shall receive approval from the TCOA for their proposed use prior to purchasing space or signing a lease for space in the Town Center.

Dated this 6<sup>th</sup> day of January, 2010.

TOWN CENTER OWNERS' ASSOCIATION, INC

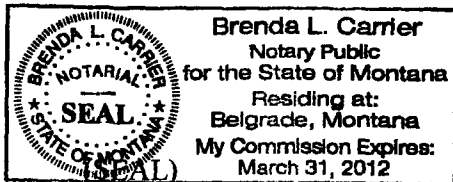
By: [Signature]  
Thomas Simkins, Director

By: [Signature]  
William Simkins, Director

By: [Signature]  
John Simkins, Director

STATE OF MONTANA     )  
                                  :  
COUNTY OF GALLATIN     )

This instrument was acknowledged before me on January 12, 2010 by William G. Simkins, as Director of the Town Center Owners' Association, Inc.



Brenda L. Carrier  
Signature

Printed Name \_\_\_\_\_  
Notary Public for the State of Montana  
Residing at \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

STATE OF MONTANA     )  
                                     :  
COUNTY OF GALLATIN     )

This instrument was acknowledged before me on January 12, 2010 by  
Thomas Simkins, as Director of the Town Center Owners' Association, Inc.

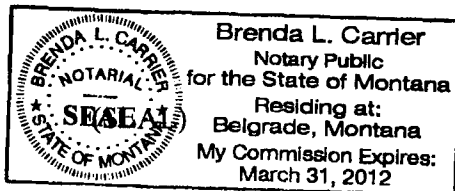


Brenda L. Carrier  
Signature

Printed Name \_\_\_\_\_  
Notary Public for the State of Montana  
Residing at \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

STATE OF MONTANA     )  
                                     :  
COUNTY OF GALLATIN     )

This instrument was acknowledged before me on January 12, 2010 by  
John Simkins, as Director of the Town Center Owners' Association, Inc.



Brenda L. Carrier  
Signature

Printed Name \_\_\_\_\_  
Notary Public for the State of Montana  
Residing at \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

**TOWN CENTER OWNERS' ASSOCIATION, INC.**  
**BOARD OF DIRECTORS POLICY RESOLUTION**

**POLICY: Revised Assessment Rate**

Date of Board Adoption: 8/31/12, 2012 Policy No.: 6

Effective Date: 8/31/12, 2012 Date(s) Revised: \_\_\_\_\_

---

**RESOLUTION**

*Whereas*, The Town Center Owners' Association, Inc. (TCOA) is a public benefit, nonprofit Montana corporation; and

*Whereas*, The TCOA Bylaws grant to the Board of Directors the authority to levy assessments on its Members; and

*Whereas*, it is in the best interest of the TCOA to collect its assessments in a timely manner;

*Whereas*, the undersigned, being the Directors and Officers of the TCOA, having duly met on 8/31/12, 2012 following proper notice of the same, and having considered and discussed a proposal to increase the assessment rate for commercial and residential properties, and having determined it is in the best interest of the TCOA to increase the assessment rate to cover increasing costs associated with maintaining the Town Center site and infrastructure to an acceptable level, and having notified the TCOA membership, on one (1) occasion by US Mail (TCOA Newsletter Fall 2012), of the increased assessment rate, hereby adopt the following resolution:

**Now, Therefore Be It Resolved That:**

1. Commercial Property in the Town Center Commercial (TCC) district zoning classification (Commercial District)
  - a. The Improved Property Assessment for commercial property shall be \$2.08/sf/year, as of the effective date above.
  - b. The Unimproved Property Assessment for commercial property remains unchanged at 20% of the Improved Property Assessment, per Policy # 3.

2. Residential Property in the Town Center Residential (TCR) district zoning classification (Residential District)

- a. The Improved Property Assessment for residential property shall be \$912/unit/year, as of the effective date above.
- b. The Unimproved Property Assessment for residential property remains unchanged at 20% of the Improved Property Assessment, per Policy # 3.

Dated this 30<sup>th</sup> day of OCTOBER, 2012.

TOWN CENTER OWNERS' ASSOCIATION, INC

By: [Signature]  
Thomas Simkins, Director

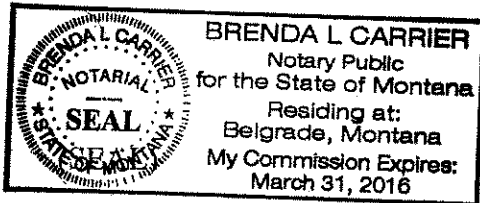
By: [Signature]  
William Simkins, Director

By: [Signature]  
John Simkins, Director

STATE OF MONTANA )

COUNTY OF GALLATIN )

This instrument was acknowledged before me on October 30, 2012  
by William G. Simkins, as Director of Town Center Owners' Association, Inc.

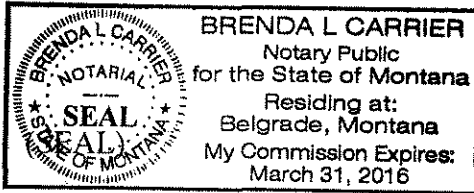


Brenda L. Carrier  
Signature

Printed Name \_\_\_\_\_  
Notary Public for the State of Montana  
Residing at \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

STATE OF MONTANA     )  
                                     :  
COUNTY OF GALLATIN     )

This instrument was acknowledged before me on October 30, 2012  
by Thomas Simkins, as Director, of Town Center Owners' Association, Inc.

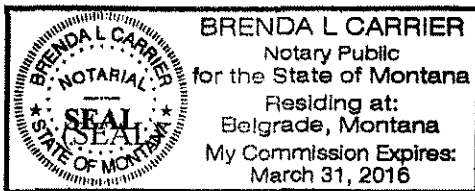


Brenda L. Carrier  
Signature

\_\_\_\_\_  
Printed Name  
Notary Public for the State of Montana  
Residing at \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

STATE OF MONTANA     )  
                                     :  
COUNTY OF GALLATIN     )

This instrument was acknowledged before me on October 30, 2012  
by John Simkins, as Director, of Town Center Owners' Association, Inc.



Brenda L. Carrier  
Signature

\_\_\_\_\_  
Printed Name  
Notary Public for the State of Montana  
Residing at \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

***Big Sky Town Center Parking District***

**RESOLUTION 2013-1**

---

**A RESOLUTION OF THE BIG SKY TOWN CENTER PARKING DISTRICT,  
ADOPTING THE 2013 REVISED BIG SKY TOWN CENTER PARKING REGULATION,  
MANAGEMENT PLAN AND ORDINANCE.**

**WHEREAS**, the Big Sky Town Center Owners' Association, Inc., created the Town Center Parking District ("Parking District") and through its Board of Directors, delegated by resolution the authority and power to adopt, administer and enforce the Town Center Parking Regulation, Management Plan and Ordinance to the Parking District;

**WHEREAS**, the Parking District desires to clarify provisions in the existing Parking Regulation, Management Plan and Ordinance with respect to parking structures and the use of certain parking spaces;

**WHEREAS**, the Directors of the Parking District have deliberated and determined that certain changes are necessary and proper to the Parking Regulation, Management Plan and Ordinance with respect to parking structures and use of certain parking spaces;

**NOW THEREFORE, THE TOWN CENTER PARKING DISTRICT, THROUGH  
ITS BOARD OF DIRECTORS, DOES RESOLVE AS FOLLOWS:**

1. The Big Sky Town Center Parking District adopts by reference the *2013 Revised Big Sky Town Center Parking Regulation, Management Plan and Ordinance*;
2. A copy of this Resolution and the *2013 Revised Big Sky Town Center Parking Regulation, Management Plan and Ordinance*, shall be submitted to the Gallatin County Planning Office and a matter of public record with that Office.

PASSED BY THE BOARD OF DIRECTORS, AT A SPECIAL MEETING THEREOF, ON  
THE 22<sup>nd</sup> DAY OF MAY, 2013.

TOWN CENTER PARKING DISTRICT

William Simkins  
William Simkins, President.

ATTEST:

XXXX

Gary Hamilton  
Project Mgr

**TOWN CENTER OWNERS' ASSOCIATION, INC.**  
**BOARD OF DIRECTORS POLICY RESOLUTION**

**POLICY: Revised Assessment Rate**

Date of Board Adoption: August 21, 2015 Policy No.: 7

Effective Date: September 1, 2015 Date(s) Revised: \_\_\_\_\_

---

**RESOLUTION**

*Whereas*, The Town Center Owners' Association, Inc. (TCOA) is a public benefit, nonprofit Montana corporation; and

*Whereas*, The TCOA Bylaws grant to the Board of Directors the authority to levy assessments on its Members; and

*Whereas*, it is in the best interest of the TCOA to collect its assessments in a timely manner;

*Whereas*, the undersigned, being the Directors and Officers of the TCOA, having duly met on August 21, 2015 following proper notice of the same, and having considered and discussed a proposal to increase the assessment rate for commercial and residential properties, and having determined it is in the best interest of the TCOA to increase the assessment rate to cover increasing costs associated with maintaining the Town Center site and infrastructure to an acceptable level, and having notified the TCOA membership, on one (1) occasion by US Mail (TCOA Newsletter Fall 2015), of the increased assessment rate, hereby adopt the following resolution:

**Now, Therefore Be It Resolved That:**

1. Commercial Property in the Town Center Commercial (TCC) district zoning classification (Commercial District)
  - a. The Improved Property Assessment for commercial property shall be \$2.15/sf/year, as of the effective date above.
  - b. The Unimproved Property Assessment for commercial property remains unchanged at 20% of the Improved Property Assessment, per Policy # 3.
  - c. The \$25 annual fee that will be donated to the BSCC for Big Sky trail maintenance will remain the same.



2. Public/Quasi-Public Property in the Town Center Commercial (TCC) district zoning classification (Commercial District)

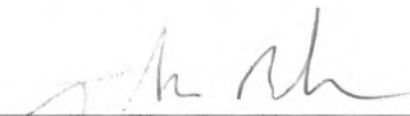
- a. The Improved Property Assessment for public/quasi-public property shall be \$2.15/sf/year, as of the effective date above.
- b. The Unimproved Property Assessment for public/quasi-public property remains unchanged at 20% of the Improved Property Assessment, per Policy # 3.
- c. The \$25 annual fee that will be donated to the BSCC for Big Sky trail maintenance will remain the same.

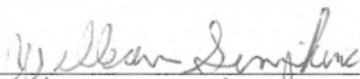
3. Residential Property in the Town Center Residential (TCR) district zoning classification (Residential District)

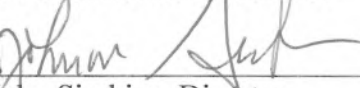
- a. The Improved Property Assessment for residential property shall be \$940/unit/year, as of the effective date above.
- b. The Unimproved Property Assessment for residential property remains unchanged at 20% of the Improved Property Assessment, per Policy # 3.
- c. The \$25 annual fee that will be donated to the BSCC for Big Sky trail maintenance will remain the same.

Dated this 21<sup>st</sup> day of AUGUST, 2015.

TOWN CENTER OWNERS' ASSOCIATION, INC

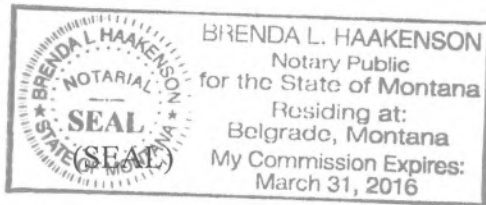
By:   
Thomas Simkins, Director

By:   
William Simkins, Director

By:   
John Simkins, Director

STATE OF MONTANA     )  
                                     :  
COUNTY OF GALLATIN    )

This instrument was acknowledged before me on Aug. 21<sup>st</sup>, 2015  
by William Simkins, as Director of Town Center Owners' Association, Inc.



Brenda L. Haakenson  
Signature

\_\_\_\_\_  
Printed Name

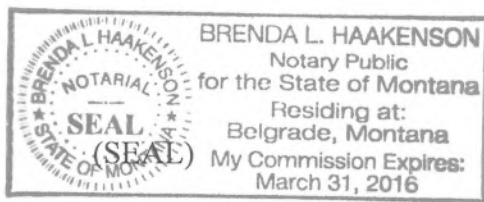
\_\_\_\_\_  
Notary Public for the State of Montana

\_\_\_\_\_  
Residing at

\_\_\_\_\_  
My Commission Expires:

STATE OF MONTANA     )  
                                     :  
COUNTY OF GALLATIN    )

This instrument was acknowledged before me on Aug. 21<sup>st</sup>, 2015  
by Thomas Simkins, as Director, of Town Center Owners' Association, Inc.



Brenda L. Haakenson  
Signature

\_\_\_\_\_  
Printed Name

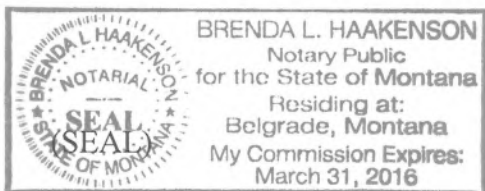
\_\_\_\_\_  
Notary Public for the State of Montana

\_\_\_\_\_  
Residing at

\_\_\_\_\_  
My Commission Expires:

STATE OF MONTANA     )  
                                     :  
COUNTY OF GALLATIN    )

This instrument was acknowledged before me on Aug. 21<sup>st</sup>, 2015  
by John Simkins, as Director, of Town Center Owners' Association, Inc.



Brenda L. Haakenson  
Signature

\_\_\_\_\_  
Printed Name

Notary Public for the State of Montana

Residing at \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

**TOWN CENTER OWNERS' ASSOCIATION, INC.**  
**BOARD OF DIRECTORS POLICY RESOLUTION**

**POLICY:** Revised Common Multi-Family Open Space North and Open Space South  
Assessment Rate

Date of Board Adoption: August 21, 2015 Policy No.: 8

Effective Date: September 1, 2015 Date(s) Revised: \_\_\_\_\_

---

**RESOLUTION**

*Whereas*, The Town Center Owners' Association, Inc. (TCOA) is a public benefit, nonprofit Montana corporation; and

*Whereas*, The TCOA Bylaws grant to the Board of Directors the authority to levy assessments on its Members; and

*Whereas*, it is in the best interest of the TCOA to collect its assessments in a timely manner;

*Whereas*, The undersigned, being the Directors and Officers of the Town Center Owners' Association, Inc., (TCOA), a Montana non-profit corporation, having duly met on August 21, 2015, following proper notice of the same, and having considered and discussed the proposal to increase the annual special assessment on the Owners of certain property particularly benefited by the Town Center Multi-Family Open Space Parks to help defray the costs of improvements to those parks and maintenance of the same, and having determined it is in the best interests of the Association to impose a special, annual assessment for such parks, hereby adopt the following resolution:

***BE IT RESOLVED***, that the special annual assessment, in the amount of Sixty-Five Dollars and No Cents (\$65.00) on the following units that are appurtenant to Common Multi-Family Open Space North and Common Multi-Family Open Space South, and located in the Big Sky Town Center:

Block 13, Lot 1A;  
Block 13, Lot 2A;  
Block 17, Lot 1A;  
Block 17, Lot 2A;  
Block 17, Lot 3A; and  
Block 17, Lot 4A.

***BE IT FURTHER RESOLVED***, that the special annual assessment will no longer be levied on:

Block 5, Lot G.

**BE IT FURTHER RESOLVED**, that

1. The Assessments shall be levied annually on September 1<sup>st</sup> of each year, and shall be paid on or before October 1<sup>st</sup> of each year. Notice of assessments will be mailed at least thirty (30) days prior to the October 1<sup>st</sup> due date.

Dated this 21<sup>st</sup> day of AUGUST, 2015.

TOWN CENTER OWNERS' ASSOCIATION, INC

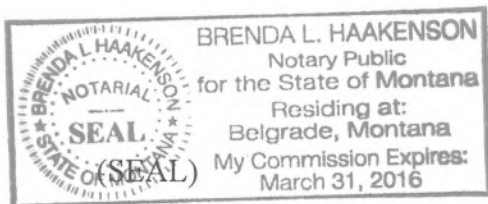
By: [Signature]  
Thomas Simkins, Director

By: [Signature]  
William Simkins, Director

By: [Signature]  
John Simkins, Director

STATE OF MONTANA     )  
                                     :  
COUNTY OF GALLATIN     )

This instrument was acknowledged before me on August 21<sup>st</sup>, 2015 by William G. Simkins, as Director of Town Center Owners' Association, Inc.



Brenda L. Haakenson  
Signature

\_\_\_\_\_  
Printed Name  
Notary Public for the State of Montana  
Residing at \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

STATE OF MONTANA     )  
   :  
COUNTY OF GALLATIN     )

This instrument was acknowledged before me on August 21<sup>st</sup>, 2015, by Thomas Simkins,  
as Director, of Town Center Owners' Association, Inc.

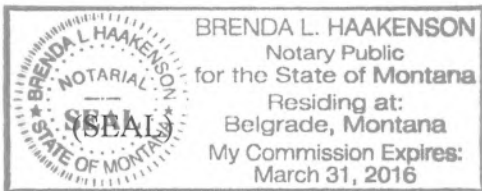


Brenda L. Haakenson  
Signature

\_\_\_\_\_  
Printed Name  
Notary Public for the State of Montana  
Residing at \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

STATE OF MONTANA     )  
   :  
COUNTY OF GALLATIN     )

This instrument was acknowledged before me on August 21<sup>st</sup>, 2015, by John Simkins, as  
Director, of Town Center Owners' Association, Inc.



Brenda L. Haakenson  
Signature

\_\_\_\_\_  
Printed Name  
Notary Public for the State of Montana  
Residing at \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

**AUGUST 2015 RESOLUTION OF THE DIRECTORS OF THE**  
**TOWN CENTER OWNERS' ASSOCIATION, INC.,**  
**ADOPTING AND IMPOSING A SPECIAL ASSESSMENT**  
**FOR THE BIG SKY MEDICAL CENTER ON LOTS 4A & 6 IN BLOCK 9**

The undersigned, being the Board of Directors and Officers of the Town Center Owners' Association, Inc., (TCOA), a Montana non-profit corporation, having duly met on August 21, 2015, following proper notice of the same, and having considered and discussed the proposal to adopt and impose a special assessment for the Big Sky Medical Center, (BSMC), its successors and assigns, hereby adopt the following resolution:

**WHEREAS**, pursuant to the Bylaws of the TCOA, the Board of Directors shall establish and levy assessments, the amount of which may be established by the Board;

**WHEREAS**, the Board of Directors may determine that an assessment amount other than a fixed and uniform rate is more equitable;

**WHEREAS**, the BSMC occupies Lots 4A and 6 in Block 9 (Lots) of Town Center and is subject to TCOA Assessments;

**WHEREAS**, the BSMC, as a medical facility, including commercial and public/quasi-public development, has special and additional requirements and needs related to lighting, trash disposal, power, and snow removal, among others;

**WHEREAS**, given those special and additional requirements and needs, the BSMC will be responsible for maintenance of the Lots, and may hire and contract with their own site services company for such services, including, but not limited to snow removal and maintenance of all parking lots, driveways, sidewalks, and walkways; trash pickup; dog waste cleanup; site lighting installation and maintenance; parking lot maintenance including striping; noxious weed management; mowing of lawns within the Lots; lawn weed control and fertilization; irrigation water, maintenance and repair; and holiday lighting installation and removal (Maintenance);

**WHEREAS**, the BSMC cannot participate in the TCOA light lease program with NorthWestern Energy due to special and additional needs of the medical facility, thus BSMC will maintain its own parking lot and site lighting within the Lots, and may hire and contract with their own site services company and NorthWestern Energy to maintain the same;

**WHEREAS**, the BSMC benefits from the snowplowing on accessory roadways, landscaping maintenance on the common open space areas, trail maintenance, weed control, accounting, copier/printing, events, contract labor, advertising, insurance, legal, licenses, permits, memberships, professional review, utilities and other general business of the TCOA in the Big Sky Town Center (Incidental Benefits), payment for which is included in Assessments for Lots, Units or Tracts equally;

**WHEREAS**, the BSMC is providing its own Maintenance, and is not contributing to the

shared costs provided by TCOA Assessments for those Incidental Benefits described above, thus the Board has determined that a special assessment for those Incidental Benefits provided by TCOA is more equitable than the fixed and uniform Assessment paid by other Lots, Units or Tracts; and

**WHEREAS**, the Board of Directors has determined that an equitable amount for such a special assessment would be based upon the Unimproved Property Assessment Rate;

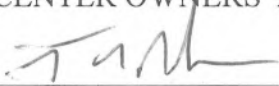
**NOW THEREFORE, BE IT RESOLVED** that the TCOA shall impose a special assessment annually at the Unimproved Property Assessment Rate, which currently is 20% of the Improved Property Assessment for each lot or unit within the Commercial District, and which may change from time to time at the discretion of the Board of Directors. The BSMC development is commercial and public/quasi-public development, thus the amount of the assessment is based upon the square footage of the proposed commercial and public/quasi-public development, multiplied by the current assessment per square foot for commercial or public/quasi-public property.


Once calculated, the Unimproved Property Assessment is due and payable on an annual basis due on October 1 of each calendar year.

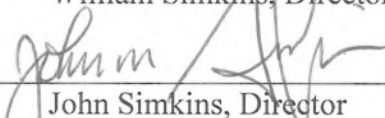
The special assessment will be assessed on the following commercial and public/quasi-public space that is appurtenant to Lot 4A and Lot 6 in Block 9 of the Big Sky Town Center Subdivision Huntley's Second Addition Phase, located in the NW ¼ and the NE ¼ of Section 1 Township 7 South, Range 3 East, and in the SW ¼ and SE ¼ of Section 36, Township 6 South, Range 3 East, P.M.M., Gallatin County, Montana, according to the official plat J-517 thereof on file and of record in the office of the County Clerk and Recorder, Gallatin County, Montana.

Dated this 21 day of August, 2015.

TOWN CENTER OWNERS' ASSOCIATION, INC

By:   
Thomas Simkins, Director

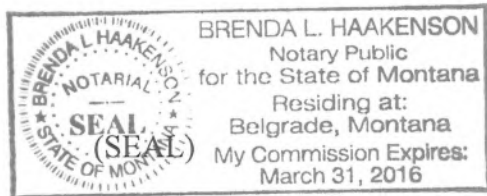
By:   
William Simkins, Director

By:   
John Simkins, Director



STATE OF MONTANA )  
:  
COUNTY OF GALLATIN )

This instrument was acknowledged before me on August 21<sup>st</sup>, 2015 by William Simkins,  
as Director of Town Center Owners' Association, Inc.



Brenda L. Haakenson  
Signature

\_\_\_\_\_  
Printed Name

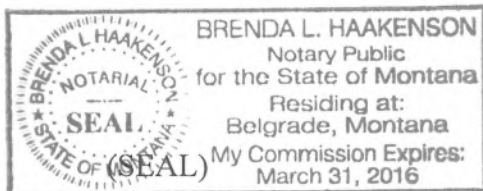
\_\_\_\_\_  
Notary Public for the State of Montana

\_\_\_\_\_  
Residing at

\_\_\_\_\_  
My Commission Expires:

STATE OF MONTANA )  
:  
COUNTY OF GALLATIN )

This instrument was acknowledged before me on August 21<sup>st</sup>, 2015, by Thomas Simkins,  
as Director, of Town Center Owners' Association, Inc.



Brenda L. Haakenson  
Signature

\_\_\_\_\_  
Printed Name

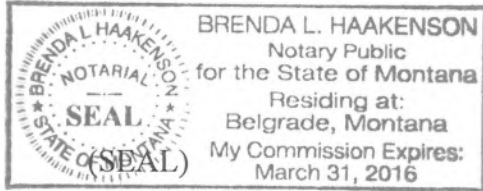
\_\_\_\_\_  
Notary Public for the State of Montana

\_\_\_\_\_  
Residing at

\_\_\_\_\_  
My Commission Expires:

STATE OF MONTANA                    )  
  :  
COUNTY OF GALLATIN                )

This instrument was acknowledged before me on August 21<sup>st</sup>, 2015, by John Simkins, as Director, of Town Center Owners' Association, Inc.



Brenda L. Haakenson  
Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Notary Public for the State of Montana

\_\_\_\_\_  
Residing at

\_\_\_\_\_  
My Commission Expires:

**TOWN CENTER OWNERS' ASSOCIATION, INC.**  
**CONSENT OF BOARD TO ACTION WITHOUT MEETING**

**RESOLUTION OF THE BOARD OF DIRECTORS**

**ACTION:** Replacement of Director John M. Simkins with Town Center Owners' Association Member Ryan Hamilton

Date of Board Adoption: July 19, 2016

Effective Date: July 19, 2016

Date(s) Revised: \_\_\_\_\_

---

**RESOLUTION**

**WHEREAS**, on April 21, 2016, Town Center Owners' Association, Inc. ("TCOA") Board of Directors ("Board") Vice President and Treasurer John M. Simkins passed away;

**WHEREAS**, a seat on the Board was made vacant;

**WHEREAS**, pursuant to the October 2008 Amended and Restated Bylaws ("Bylaws") (Document No. 2340943), Article IV Section 9, the Board shall have the right to take any action in absence of notice or formally convened meeting which could be taken at a meeting by obtaining a written approval of the action taken by all Directors and a representative of either Westland and/or the Developer so long as either entity is a member of the Corporation, and filing such approval with the Minutes of the proceedings of the Board within ten (10) days of the action so taken without a meeting;

**WHEREAS**, pursuant to the Bylaws Article IV Section 10, vacancies occurring in the Board for any reason, shall be filled by Westland/Developer or by the remaining members of the Corporation; a Director elected to fill a vacancy caused by resignation, death or removal shall be elected to hold office for the unexpired term of his or her predecessor;

**WHEREAS**, pursuant to Montana Code Annotated Section 35-2-428<sup>1</sup>, and the TCOA's Articles

---

<sup>1</sup> **35-2-428. Action without meeting.** (1) Unless the articles or bylaws provide otherwise, action required or permitted by this chapter to be taken at a board of directors' meeting may be taken without a meeting if the action is taken by all members of the board. The action must be evidenced by one or more written consents describing the action taken, be signed by each director, and be included in the minutes filed with the corporate records reflecting the action taken.

and Bylaws not providing otherwise, the undersigned being all of the remaining members of the Board, after the passing of John M. Simkins, hereby consent to the following actions of the TCOA without a formal meeting of the Directors being held; and

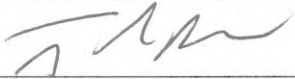
**WHEREAS**, upon execution, this unanimous written consent of all Directors to the administrative action described below will be filed with the TCOA's Special Meeting of the Board of Directors minutes.


**NOW THEREFORE, LET IT BE RESOLVED THAT:**

1. The following actions will be taken by the Board of the TCOA without a formal meeting being held:
  - a. Acknowledgement of passing John M. Simkins, Vice – President and Treasurer
  - b. Election of New Board Member Ryan Hamilton
  - c. Election of Officers
    - i. President – Bill Simkins
    - ii. Vice President & Secretary – Tom Simkins
    - iii. Treasurer – Ryan Hamilton
  - d. Delegation of Responsibility of Preparation of Minutes and Authenticating Records to One Officer – Bill Simkins

Dated this 19<sup>th</sup> day of July, 2016.

TOWN CENTER OWNERS' ASSOCIATION, INC

By:   
Thomas Simkins, Director

By:   
William Simkins, Director

---

(2) Action taken under this section is effective when the last director signs the consent unless the consent specifies a different effective date.

(3) A consent signed under this section has the effect of a meeting vote and may be described as a vote in any document.

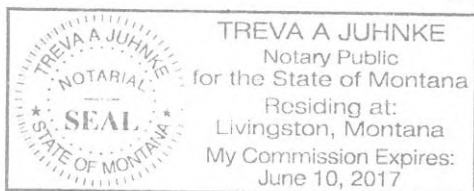
STATE OF MONTANA     )  
                                      :  
COUNTY OF GALLATIN    )

This instrument was acknowledged before me on July 20<sup>th</sup>, 2016 by William Simkins, as Director of Town Center Owners' Association, Inc.

Treva A Juhnke  
Signature Treva A Juhnke

Printed Name  
Notary Public for the State of Montana  
Residing at Livingston  
My Commission Expires: June 10, 2017

(SEAL)



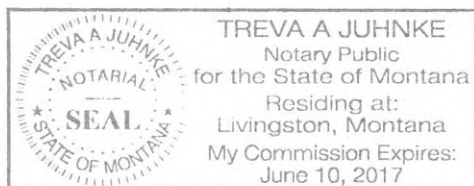
STATE OF MONTANA     )  
                                      :  
COUNTY OF GALLATIN    )

This instrument was acknowledged before me on July 20<sup>th</sup>, 2016, by Thomas Simkins, as Director, of Town Center Owners' Association, Inc.

Treva A Juhnke  
Signature Treva A Juhnke

Printed Name  
Notary Public for the State of Montana  
Residing at Livingston  
My Commission Expires: June 10, 2017

(SEAL)



**TOWN CENTER OWNERS' ASSOCIATION, INC.**  
**BOARD OF DIRECTORS POLICY RESOLUTION**

**POLICY:**    Revised Common Multi-Family Open Space North and Open Space South  
                  Assessment Rate

Date of Board Adoption: August 5<sup>th</sup>, 2016    Policy No.: \_\_\_\_\_

Effective Date: September 1<sup>st</sup>, 2016                      Date(s) Revised: \_\_\_\_\_

---

**RESOLUTION**

*Whereas*, The Town Center Owners' Association, Inc. (TCOA) is a public benefit, nonprofit Montana corporation; and

*Whereas*, The TCOA Bylaws grant to the Board of Directors the authority to levy assessments on its Members; and

*Whereas*, it is in the best interest of the TCOA to collect its assessments in a timely manner;

*Whereas*, The undersigned, being the Directors and Officers of the Town Center Owners Association, Inc., (TCOA), a Montana non-profit corporation, having duly met on July 27, 2016, and having considered and discussed the proposal to increase the annual special assessment on the Owners of certain property particularly benefited by the Town Center Multi-Family Open Space Parks to help defray the costs of improvements to those parks and maintenance of the same, and having determined it is in the best interests of the Association to impose a special, annual assessment for such parks, hereby adopt the following resolution:

***BE IT RESOLVED***, that the special annual assessment be raised from the amount of Sixty-Five Dollars and No Cents (\$65.00) to the amount of Seventy-Five Dollars and No Cents (\$75.00) on the following units that are appurtenant to Common Multi-Family Open Space North and Common Multi-Family Open Space South, and located in the Big Sky Town Center:

Block 13, Lot 1A;  
Block 13, Lot 2A;  
Block 17, Lot 1A;  
Block 17, Lot 2A;  
Block 17, Lot 3A; and  
Block 17, Lot 4A.

Dated this 5<sup>th</sup> day of August, 2016.



TOWN CENTER OWNERS ASSOCIATION, INC

By: *Thomas Simkins*  
Thomas Simkins, Director

By: *William Simkins*  
William Simkins, Director

By: *Ryan Hamilton*  
Ryan Hamilton, Director

STATE OF MONTANA )

COUNTY OF GALLATIN )

This instrument was acknowledged before me on August 5<sup>th</sup>, 2016 by William G. Simkins, as Director of Town Center Owners' Association, Inc.



*Brenda L. Haakenson*  
Signature

\_\_\_\_\_  
Printed Name  
Notary Public for the State of Montana  
Residing at \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

STATE OF MONTANA )

COUNTY OF GALLATIN )

This instrument was acknowledged before me on August 5<sup>th</sup>, 2016, by Thomas Simkins, as Director, of Town Center Owners' Association, Inc.



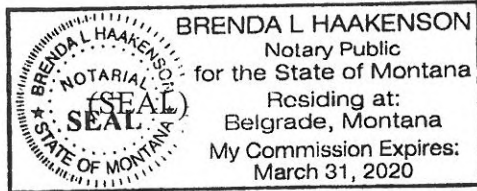
*Brenda L. Haakenson*  
Signature

\_\_\_\_\_  
Printed Name  
Notary Public for the State of Montana  
Residing at \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

STATE OF MONTANA     )  
                                     :  
COUNTY OF GALLATIN    )

This instrument was acknowledged before me on August 5<sup>th</sup> 2016,  
by Ryan Hamilton, as Director, of Town Center Owners' Association, Inc.

Brenda L. Haakenson  
Signature



\_\_\_\_\_  
Printed Name  
Notary Public for the State of Montana  
Residing at \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_



**TOWN CENTER OWNERS' ASSOCIATION, INC.**  
**CONSENT OF BOARD TO ACTION WITHOUT MEETING**

**RESOLUTION OF THE BOARD OF DIRECTORS**

**ACTION: Hotel Room Assessment Rate**

Date of Board Adoption: JUNE 19, 2017

Effective Date: JUNE 20, 2017

Date(s) Revised: \_\_\_\_\_

---

**RESOLUTION**

*WHEREAS*, Article IX of the October 2008 Amended and Restated Bylaws ("Bylaws") (Document No. 2340943) grants to the Board of Directors the authority to levy assessments, the amount of which may be established by the Board;

*WHEREAS*, pursuant to the Bylaws, Article IV Section 9, the Board shall have the right to take any action in absence of notice or formally convened meeting which could be taken at a meeting by obtaining a written approval of the action taken by all Directors and a representative of either Westland and/or the Developer so long as either entity is a member of the Corporation, and filing such approval with the Minutes of the proceedings of the Board within ten (10) days of the action so taken without a meeting;

*WHEREAS*, pursuant to Montana Code Annotated Section 35-2-428<sup>1</sup>, and the TCOA's Articles and Bylaws not providing otherwise, the undersigned being all of the members of the Board, hereby consent to the following actions of the TCOA without a formal meeting of the Directors being held; and

*WHEREAS*, upon execution, this unanimous written consent of all Directors to the administrative action described below will be filed with the TCOA's Special Meeting of the Board of Directors minutes.

---

<sup>1</sup> **35-2-428. Action without meeting.** (1) Unless the articles or bylaws provide otherwise, action required or permitted by this chapter to be taken at a board of directors' meeting may be taken without a meeting if the action is taken by all members of the board. The action must be evidenced by one or more written consents describing the action taken, be signed by each director, and be included in the minutes filed with the corporate records reflecting the action taken.

(2) Action taken under this section is effective when the last director signs the consent unless the consent specifies a different effective date.

(3) A consent signed under this section has the effect of a meeting vote and may be described as a vote in any document.

**Now, Therefore Be It Resolved That:**

1. Hotel rooms in the Town Center Commercial (TCC) district zoning classification (Commercial District)
  - a. The Improved Property Assessment for hotel rooms shall be \$600/room/year, as of the effective date above.
  - b. The Unimproved Property Assessment for hotel rooms shall be 20% of the Improved Property Assessment, per Policy # 3 dated April 1, 2008.
  - c. Any commercial property within a hotel building shall be assessed the commercial property assessment rate current at the time of the assessment.
  - d. The \$25 annual fee that will be donated to the BSCO for Big Sky trail maintenance will remain in place for the commercial property, and will be assessed one \$25 annual fee for the hotel operation.

Dated this 19<sup>th</sup> day of JUNE, 2017.

TOWN CENTER OWNERS' ASSOCIATION, INC

By: William G. Simkins  
William Simkins, Director

By: Thomas Simkins  
Thomas Simkins, Director

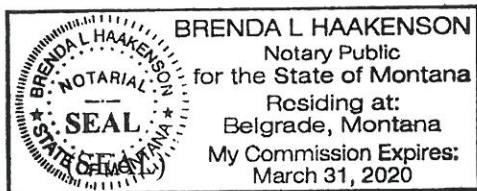
By: Ryan Hamilton  
Ryan Hamilton, Director

STATE OF MONTANA )

:

COUNTY OF GALLATIN )

This instrument was acknowledged before me on June 19<sup>th</sup>, 2017  
by William Simkins, as Director of Town Center Owners' Association, Inc.



Brenda L. Haakenson  
Signature

Printed Name

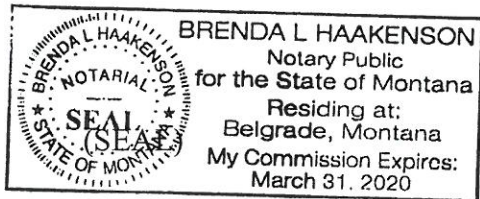
Notary Public for the State of Montana

Residing at \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

STATE OF MONTANA     )  
                                      :  
COUNTY OF GALLATIN    )

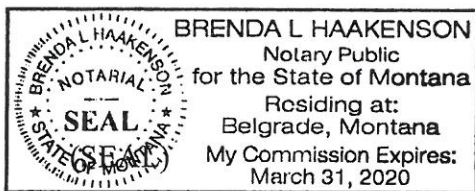
This instrument was acknowledged before me on June 19<sup>th</sup>, 2017  
by Thomas Simkins, as Director, of Town Center Owners' Association, Inc.



Brenda L. Haakenson  
Signature  
\_\_\_\_\_  
Printed Name  
Notary Public for the State of Montana  
Residing at \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

STATE OF MONTANA     )  
                                      :  
COUNTY OF GALLATIN    )

This instrument was acknowledged before me on June 19<sup>th</sup>, 2017  
by Ryan Hamilton, as Director, of Town Center Owners' Association, Inc.



Brenda L. Haakenson  
Signature  
\_\_\_\_\_  
Printed Name  
Notary Public for the State of Montana  
Residing at \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

**TOWN CENTER OWNERS' ASSOCIATION, INC.**  
**BOARD OF DIRECTORS POLICY RESOLUTION**

**POLICY: Revised Assessment Rate**

Date of Board Adoption: August 26, 2019 Policy No.: \_\_\_\_\_

Effective Date: August 26, 2019 Date(s) Revised: \_\_\_\_\_

---

**RESOLUTION**

*Whereas*, The Town Center Owners' Association, Inc. (TCOA) is a public benefit, nonprofit Montana corporation; and

*Whereas*, The TCOA Bylaws grant to the Board of Directors the authority to levy assessments on its Members; and

*Whereas*, it is in the best interest of the TCOA to collect its assessments in a timely manner and in an amount sufficient to carry out the purposes provided for in the most current versions of the TCOA Bylaws and Big Sky Town Center Declaration of Covenants, Conditions and Restrictions and for payment of the cost for maintenance, snow removal, and lawn care services, among other obligations of TCOA; and

*Whereas*, Rocky Mountain Townworks (RMT), who has provided lawn care, snow removal, and maintenance services to TCOA for approximately ten (10) years, is scaling back their business and will no longer provide snow removal and lawn care services to TCOA; and

*Whereas*, TCOA prepared a Request for Proposal (RFP) to invite bids from qualified contractors which was emailed to sixteen (16) businesses and posted classified ad(s) in the Lone Peak Lookout and Explore Big Sky newspapers; and

*Whereas*, TCOA received bid responses which proposed a significantly higher cost than what TCOA was paying for similar site services offered by RMT; and

*Whereas*, the Directors and Officers of the TCOA, last signed a resolution to increase the assessment rate on August 21, 2015, which became effective on September 1, 2015; and

*Whereas*, the undersigned, being the Directors and Officers of the TCOA, having duly met on August 26, 2019 following proper notice of the same, and having considered and discussed a proposal to increase the assessment rate for commercial property, public/quasi-public property, residential property, and hotel rooms, and having determined it is in the best interest of the TCOA to increase the assessment rate to cover increasing costs associated with maintaining

the Town Center site and infrastructure to an acceptable level, and having notified the TCOA membership, on one (1) occasion by US Mail (Notice of Annual Assessment Increase, Dated August 6, 2019), of the increased assessment rate, hereby adopt the following resolution:

**Now, Therefore Be It Resolved That:**

1. Commercial Property in the Town Center Commercial (TCC) district zoning classification (Commercial District)
  - a. The Improved Property Assessment for commercial property shall be \$2.80/sf/year, as of the effective date above.
  - b. The Unimproved Property Assessment for commercial property remains unchanged at 20% of the Improved Property Assessment, per Policy # 3, dated April 1, 2008.
  - c. The \$25 annual fee that will be donated to the BSCO for Big Sky trail maintenance will remain the same.
2. Public/Quasi-Public Property in the Town Center Commercial (TCC) district zoning classification (Commercial District)
  - a. The Improved Property Assessment for public/quasi-public property shall be \$2.80/sf/year, as of the effective date above.
  - b. The Unimproved Property Assessment for public/quasi-public property remains unchanged at 20% of the Improved Property Assessment, per Policy # 3, dated April 1, 2008.
  - c. The \$25 annual fee that will be donated to the BSCO for Big Sky trail maintenance will remain the same.
3. Residential Property in the Town Center Residential (TCR) district zoning classification (Residential District)
  - a. The Improved Property Assessment for residential property shall be \$1,504/unit/year, as of the effective date above.
  - b. The Unimproved Property Assessment for residential property remains unchanged at 20% of the Improved Property Assessment, per Policy # 3, dated April 1, 2008.
  - c. The \$25 annual fee that will be donated to the BSCO for Big Sky trail maintenance will remain the same.
4. Hotel Rooms in the Town Center Commercial (TCC) district zoning classification (Commercial District)
  - a. The Improved Property Assessment for hotel rooms shall be \$780/room/year, as of the effective date above.
  - b. The Unimproved Property Assessment for hotel rooms remains unchanged at 20% of the Improved Property Assessment, per Policy # 3, dated April 1, 2008.
  - c. Any commercial property within a hotel building shall be assessed the commercial

- property assessment rate current at the time of the assessment.
- d. The \$25 annual fee that will be donated to the BSCO for Big Sky trail maintenance will remain the same and will be assessed one \$25 annual fee for the hotel operation.

Dated this 26 day of August, 2019.

TOWN CENTER OWNERS' ASSOCIATION, INC

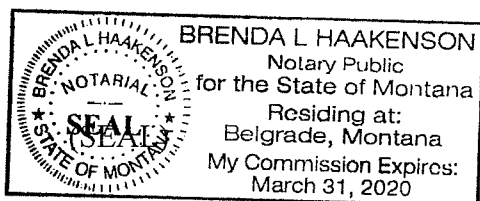
By: [Signature]  
Thomas Simkins, Director

By: [Signature]  
William Simkins, Director

By: [Signature]  
Ryan Hamilton, Director

STATE OF MONTANA     )  
                                     :  
COUNTY OF GALLATIN    )

This instrument was acknowledged before me on August 26<sup>th</sup>, 2019  
by William Simkins, as Director of Town Center Owners' Association, Inc.



Brenda L. Haakenson  
Signature

Brenda L. Haakenson  
Printed Name

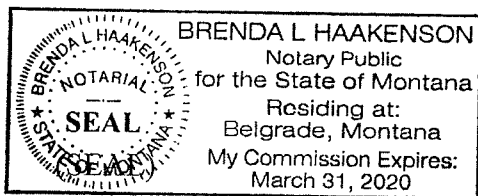
Notary Public for the State of Montana

Residing at Belgrade, MT

My Commission Expires: March 31, 2020

STATE OF MONTANA     )  
                                      :  
COUNTY OF GALLATIN    )

This instrument was acknowledged before me on August 26<sup>th</sup>, 2019  
by Thomas Simkins, as Director, of Town Center Owners' Association, Inc.



Brenda L. Haakenson  
Signature  
Brenda L. Haakenson  
Printed Name  
Notary Public for the State of Montana  
Residing at Belgrade, MT  
My Commission Expires: March 31, 2020

STATE OF MONTANA     )  
                                      :  
COUNTY OF GALLATIN    )

This instrument was acknowledged before me on August 26<sup>th</sup>, 2019  
by Ryan Hamilton, as Director, of Town Center Owners' Association, Inc.



Brenda L. Haakenson  
Signature  
Brenda L. Haakenson  
Printed Name  
Notary Public for the State of Montana  
Residing at Belgrade, MT  
My Commission Expires: March 31, 2020

**TOWN CENTER OWNERS' ASSOCIATION, INC.**  
**BOARD OF DIRECTORS POLICY RESOLUTION**

**ACTION: Revised Design and Land Use Permit Fee Schedule**

Date of Board Adoption: August 26, 2019 Policy No.: \_\_\_\_\_

Effective Date: August 26, 2019 Date(s) Revised: \_\_\_\_\_

---

**RESOLUTION**

*Whereas*, pursuant to Article III, Sections 3.1 and 3.2, and Article VII, Section 7.1 of the Big Sky Town Center Declaration of Covenants, Conditions and Restrictions (CCRs), all buildings, structures, improvements, lighting, and landscaping, including any modification to any building or site, shall strictly comply with the *Big Sky Town Center Design Standards and Guidelines*, which also governs the procedure for issuance of all Big Sky Town Center Design and Land Use Permits; and

*Whereas*, pursuant to Article IV of the CCRs, the Town Center Owners Association ("TCOA"), has sole authority for implementation, interpretation, administration and enforcement of the CCRs, and the *Big Sky Town Center Design Standards and Guidelines*, with the Town Center Architectural Committee; and

*Whereas*, the undersigned, being the Directors and Officers of TCOA, having duly met on August 26, 2019, and having determined it is in the best interest of the TCOA to continue to impose Big Sky Town Center Design and Land Use Permit fees to cover costs associated with administering those Permits and to ratify, and affirm the previous actions and approvals of Directors and Officers of TCOA in adopting and imposing such fees; and,

*Whereas*, the undersigned Directors and Officers of TCOA having further determined it is in the best interest of the TCOA to increase the Big Sky Town Center Design and Land Use Permit fees to cover increasing costs associated with administering those Permits, hereby adopt the following resolution:

***NOW THEREFORE, BE IT RESOLVED***, that the Big Sky Town Center Design and Land Use Permit Fee Schedule is hereby adopted, ratified, affirmed and revised, as attached as Exhibit A.

Dated this 26 day of August, 2019.



TOWN CENTER OWNERS' ASSOCIATION, INC

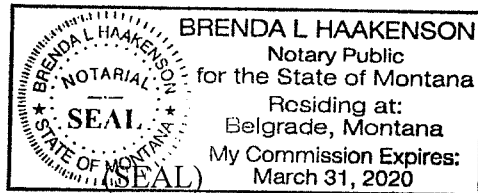
By: [Signature]  
Thomas Simkins, Director

By: [Signature]  
William Simkins, Director

By: [Signature]  
Ryan Hamilton, Director

STATE OF MONTANA     )  
                                     :  
COUNTY OF GALLATIN    )

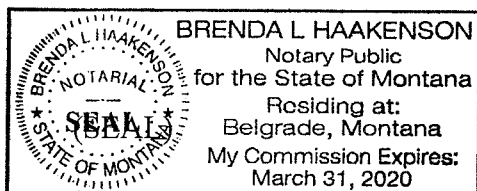
This instrument was acknowledged before me on August 26<sup>th</sup>, 2019  
by William Simkins, as Director of Town Center Owners' Association, Inc.



Brenda L. Haakenson  
Signature  
Brenda L. Haakenson  
Printed Name  
Notary Public for the State of Montana  
Residing at Belgrade, MT  
My Commission Expires: March 31, 2020

STATE OF MONTANA     )  
                                     :  
COUNTY OF GALLATIN    )

This instrument was acknowledged before me on August 26<sup>th</sup>,  
2019, by Thomas Simkins, as Director, of Town Center Owners' Association, Inc.



Brenda L. Haakenson  
Signature  
Brenda L. Haakenson  
Printed Name  
Notary Public for the State of Montana  
Residing at Belgrade, MT  
My Commission Expires: March 31, 2020

STATE OF MONTANA     )  
                                     :  
COUNTY OF GALLATIN    )

This instrument was acknowledged before me on August 26<sup>th</sup> 2019,  
by Ryan Hamilton, as Director, of Town Center Owners' Association, Inc.



Brenda L. Haakenson  
Signature

Brenda L. Haakenson  
Printed Name

Notary Public for the State of Montana

Residing at Belgrade, MT

My Commission Expires: March 31, 2020

**AUGUST 2019 RESOLUTION OF THE DIRECTORS OF THE TOWN CENTER  
OWNERS' ASSOCIATION, INC. ADOPTING AMENDED CC&Rs**

The undersigned, being the Directors and Officers of the Town Center Owners' Association, Inc., (TCOA), a Montana non-profit corporation, having duly met on August 26, 2019, following proper notice of the same, and having considered and discussed proposed amendments to the November 2018 Superseded and Replaced Big Sky Town Center Declaration of Covenants, Conditions and Restrictions ("CCRs" or "Covenants, Conditions, and Restrictions"), hereby unanimously adopt the following resolution:

**WHEREAS**, pursuant to Article XVIII of the CCRs, the CCRs may be amended by two-thirds vote of the majority of the Board of Directors of TCOA at a meeting specially called for such purpose;

**WHEREAS**, a special meeting for the purposes of consideration and approval of the proposed amendments was noticed for Monday, August 26, 2019 at the Simkins-Hallin, 326 North Broadway, Bozeman, Montana, 59715, and such special meeting was held on that date and at that location and time for the noticed purpose;

**NOW THEREFORE, BE IT RESOLVED** that the Covenants, Conditions and Restrictions, applicable to Simkins Holdings, LLC's Town Center development located in portions of Sections 1 and 2, Township 7 South, Range 3 East, Gallatin County, Montana, and a portion of Section 36, Township 6 South, Range 3 East, are amended to read as set forth in the *August 2019 Superseded and Replaced Big Sky Town Center Declaration of Covenants, Conditions, and Restrictions*, dated August 26, 2019, a true and accurate copy of which is attached hereto as Exhibit A;

**BE IT FURTHER RESOLVED**, that the previously filed and recorded Covenants, Conditions and Restrictions applicable to the Town Center Development are hereby withdrawn and terminated and superseded and replaced with the *August 2019 Superseded and Replaced Big Sky Town Center Declaration of Covenants, Conditions and Restrictions*, which is attached hereto as Exhibit A;

**BE IT FURTHER RESOLVED**, that to the extent that the Director(s) have executed these documents prior to the formal adoption of this Resolution, that such acts of the Directors is/are hereby ratified and affirmed.

Dated this 26 day of August 2019.

TOWN CENTER OWNERS' ASSOCIATION, INC

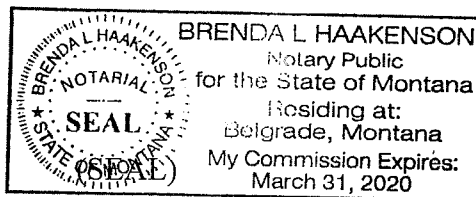
By: [Signature]  
Thomas Simkins, Director

By: [Signature]  
William Simkins, Director

By: [Signature]  
Ryan Hamilton, Director

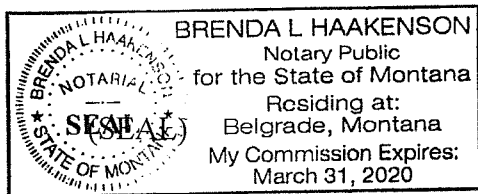
STATE OF MONTANA     )  
                                      :SS  
COUNTY OF GALLATIN    )

This instrument was acknowledged before me on August 26<sup>th</sup>, 2019 by William Simkins, as Director of Town Center Owners' Association, Inc.



Brenda L. Haakenson  
Signature  
Brenda L. Haakenson  
Printed Name  
Notary Public for the State of Montana  
Residing at Belgrade, MT  
My Commission Expires: March 31, 2020

This instrument was acknowledged before me on August 26<sup>th</sup>, 2019, by Thomas Simkins, as Director, of Town Center Owners' Association, Inc.



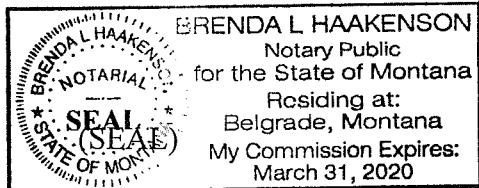
Signature Brenda L. Haakenson

Signature Brenda L. Haakenson

Notary Public for the State of Montana

Residing at Belgrade, MT  
My Commission Expires: March 31, 2020

This instrument was acknowledged before me on August 26<sup>th</sup>, 2019, by Ryan Hamilton, as Director, of Town Center Owners' Association, Inc.



Signature Brenda L. Haakenson

Signature  
Brenda L. Haakenson

Notary Public for the State of Montana

Residing at Belgrade, MT  
My Commission Expires: March 31, 2020

**DECEMBER 2019 RESOLUTION OF THE DIRECTORS OF THE**  
**TOWN CENTER OWNERS' ASSOCIATION, INC.,**  
**APPROVING THE CONDOMINIUM SUBDIVISION**

The undersigned, being the Board of Directors and Officers of the Town Center Owners' Association, Inc., (TCOA), a Montana non-profit corporation, having duly met on December 16, 2019, 2019, following proper notice of the same, and having considered and discussed the proposal to approve the condominium subdivision proposed herein, hereby adopt the following resolution:

**WHEREAS**, pursuant to Section 7.2 of the August 2019 Superseded and Replaced Big Sky Town Center Declaration of Covenants, Conditions and Restrictions ("CC&Rs"), as recorded on September 4, 2019 with the office of the Clerk and Recorder of Gallatin County, Montana, as Document No. 2656826, written approval of the Town Center Owners' Association is required for subdivision of property within Big Sky Town Center;

**WHEREAS**, pursuant to Article IV of the CC&Rs, "Subdivision" is defined to include any condominium;

**WHEREAS**, TC Building 3 LLC, a Delaware limited liability company, is the owner of certain real property which is located within the Town Center (the "Property"), more particularly described as follows:

Lot 15A of the Amended Plat of Lots 15, 16, and 17 in Block 3, Big Sky Town Center Subdivision – Town Center Avenue North, according to the official plat thereof on file and of record in the office of the Gallatin County Clerk and Recorder, Montana, as recorded on May 22, 2019 in Book J of Plats, on Page 561F, as Document No. 2645372, records of Gallatin County, Montana

**WHEREAS**, TC Building 3 LLC has constructed the Plaza Lofts building on the Property, and it intends to subject the Property to a Declaration for Plaza Lofts Condominium, which Declaration will initially contain one (1) building, one (1) commercial unit, and three (3) residential units, though the initial units may be further subdivided in the future pursuant to the terms of the Declaration;

**WHEREAS**, the Board of Directors has determined that it is reasonable to approve the condominiumization and subdivision of the Property as requested by TC Building 3 LLC;

**NOW THEREFORE, BE IT RESOLVED** that the TCOA, by and through its Board of Directors, hereby approves the c condominiumization and subdivision of the Property as requested by TC Building 3 LLC.

[SIGNATURE PAGES TO FOLLOW]

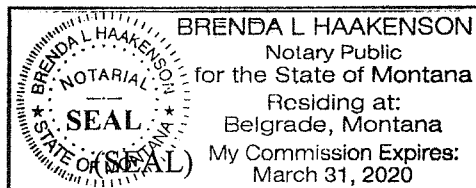
Dated this 16<sup>th</sup> day of DECEMBER, 2019.

TOWN CENTER OWNERS' ASSOCIATION, INC

By: William Simkins  
William Simkins, Director

STATE OF MONTANA                     )  
  :SS  
COUNTY OF GALLATIN                )

This instrument was acknowledged before me on December 16, 2019 by William Simkins, as Director of Town Center Owners' Association, Inc.



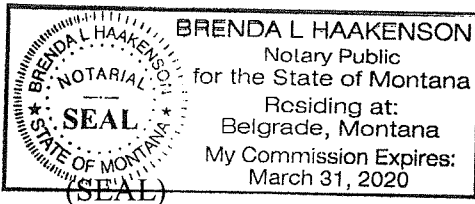
Brenda L. Haakenson  
Signature  
Brenda L. Haakenson  
Printed Name  
Notary Public for the State of Montana  
Residing at Belgrade, MT  
My Commission Expires: March 31<sup>st</sup>, 2020

TOWN CENTER OWNERS' ASSOCIATION, INC

By:   
Thomas Simkins, Director

STATE OF MONTANA                     )  
  :SS  
COUNTY OF GALLATIN                )

This instrument was acknowledged before me on December 16, 2019, by Thomas Simkins, as Director, of Town Center Owners' Association, Inc.



Brenda L. Haakenson  
Signature  
Brenda L. Haakenson  
Printed Name  
Notary Public for the State of Montana  
Residing at Belgrade, MT  
My Commission Expires: March 31<sup>st</sup>, 2020



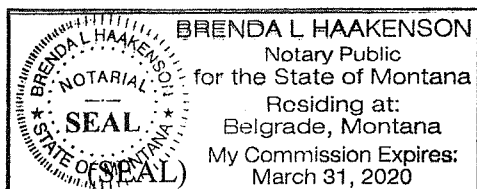
TOWN CENTER OWNERS' ASSOCIATION, INC

By:

Ryan Hamilton  
Ryan Hamilton, Director

STATE OF MONTANA                     )  
  :SS  
COUNTY OF GALLATIN                )

This instrument was acknowledged before me on December \_\_, 2019, by Ryan Hamilton, as Director, of Town Center Owners' Association, Inc.



Brenda L. Haakenson  
Signature  
Brenda L. Haakenson  
Printed Name  
Notary Public for the State of Montana  
Residing at Belgrade, MT  
My Commission Expires: March 31<sup>st</sup>, 2020

**SUBDIVISION/CONDOMINIUM APPROVAL  
TOWN CENTER OWNERS' ASSOCIATION, INC.**

The undersigned officers, being the duly elected and authorized President and Secretary of the Town Center Owners' Association, Inc., a Montana nonprofit corporation ("TCOA"), herein provide to TC Building 3 LLC, a Delaware limited liability company ("TC Building 3"), those approvals on behalf of TCOA as set forth in the Approvals section below, as of the date also set forth below.

**RECITALS**

WHEREAS, TCOA was formed for the purpose of, among other things, acting as the owners' association for owners of property located in the Big Sky Town Center subdivision in Gallatin County, Montana ("Town Center").

WHEREAS, TC Building 3 is the owner of certain real property which is located within the Town Center (the "Property"), more particularly described as follows:

Lot 15A of the Amended Plat of Lots 15, 16, and 17 in Block 3, Big Sky Town Center Subdivision – Town Center Avenue North, according to the official plat thereof on file and of record in the office of the Gallatin County Clerk and Recorder, Montana, as recorded on May 22, 2019 in Book J of Plats, on Page 561F, as Document No. 2645372, records of Gallatin County, Montana.

WHEREAS, the Property is subject to the August 2019 Superseded and Replaced Big Sky Town Center Declaration of Covenants, Conditions and Restrictions ("CC&Rs"), as recorded on September 4, 2019 with the office of the Clerk and Recorder of Gallatin County, Montana, as Document No. 2656826, and Section 7.2 of the CC&Rs provides that "no further Subdivision of the Property is permitted without the prior, written approval of the Town Center Owners' Association" and the CC&Rs define the term "Subdivision" to include any condominium.

WHEREAS, TC Building 3 presently intends to make and enter a Declaration for Plaza Lofts Condominium (as supplemented, amended or restated from time to time, the "Declaration"), whereby the property described therein (which includes the Property and the "Plaza Lofts Condominium" Project, as defined in the Declaration) will be submitted and subject to the Montana Unit Ownership Act pursuant to Chapter 23, Title 70, MCA (2017), as amended (the "Act").

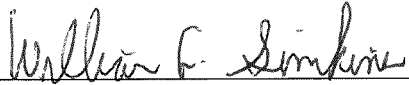
WHEREAS, the mixed-used Project currently proposed to be submitted under the Declaration and established in accordance with the Act will initially contain one (1) building, one (1) commercial unit, and three (3) residential units, though the initial units may be further subdivided in the future pursuant to the terms of the Declaration.

### APPROVALS


NOW THEREFORE, in consideration of the above, TCOA, acting by and through its duly authorized and elected President and Secretary, hereby approves:

1. The proposed mixed-use condominium Project as described above, including, without limitation, the recording of the Declaration with the office of the Clerk and Recorder of Gallatin County, Montana; and
2. The right of the owner(s) of the units the Project to further subdivide such units to create additional units on the terms and conditions set forth in the Declaration.

IN WITNESS WHEREOF, TCOA has executed this written approval as of the date below.

  
\_\_\_\_\_  
William G. Simkins, President

Dated: 12/16/19

  
\_\_\_\_\_  
Ryan Hamilton, Secretary

**JULY 2020 RESOLUTION OF THE DIRECTORS OF THE**  
**TOWN CENTER OWNERS' ASSOCIATION, INC.,**  
**APPROVING THE CONDOMINIUM SUBDIVISION**

The undersigned, being the Board of Directors and Officers of the Town Center Owners' Association, Inc., (TCOA), a Montana non-profit corporation, having duly met on July 2, 2020, following proper notice of the same, and having considered and discussed the proposal to approve the condominium subdivision proposed herein, hereby adopt the following resolution:

**WHEREAS**, pursuant to Section 7.2 of the August 2019 Superseded and Replaced Big Sky Town Center Declaration of Covenants, Conditions and Restrictions ("CC&Rs"), as recorded on September 4, 2019 with the office of the Clerk and Recorder of Gallatin County, Montana, as Document No. 2656826, written approval of the TCOA is required for subdivision of property within the Big Sky Town Center;

**WHEREAS**, pursuant to Article IV of the CC&Rs, "Subdivision" is defined to include any condominium;

**WHEREAS**, Dream Land, LLC, a Montana limited liability company ("Dream Land"), is the owner of certain real property which is located within the Town Center (the "Property") described as follows:

Lot 1, in Block 6, of Plat of Big Sky Town Center Subdivision - Residential North, Ousel Falls Trail West, in 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. (Plat reference: J-666);

**WHEREAS**, Dream Land has caused the Declaration for the Uplands View Condominiums to be filed with the County Clerk and Recorder, Gallatin County, Montana, as Document No. 2684902, on June 11, 2020 (as may be supplemented, amended, or restated from time to time, the "Declaration"), including the signed Certificate of Floor Plans certifying the following Units:

Units, as set out below, of Uplands View Condominiums, located on Lot 1, in Block 6, of Plat of Big Sky Town Center Subdivision - Residential North, Ousel Falls Trail West, in 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, recorded in Book J of Plats, Page 666, records of Gallatin County, Montana. Together with an undivided % interest, as set out below, in and to the general common elements, as set out and established in the Declaration for the Uplands View Condominiums, recorded June 11, 2020, Document No. 2684902, records of Gallatin County, Montana. Said units are to be for residential purposes only.

<u>Unit No.</u>	<u>% Interest in general common elements</u>
3A	10.59%
3B	10.59%
4A	10.59%
4B	10.59%
5A	7.64%
5B	7.64%
6A	10.59%
6B	10.59%
7A	10.59%
7B	10.59%

**WHEREAS**, Dream Land plans to construct the Uplands View Condominiums on the Property, and has subjected the Property to the Declaration, which Declaration contains the foregoing ten (10) residential condominium units to be located in five (5) duplex buildings, though additional units may be added in the future by further subdivision pursuant to the terms of the Declaration, subject to approval by Gallatin County, and the TCOA Board of Directors as required by the CC&Rs; and,

**WHEREAS**, the Board of Directors has determined that it is reasonable to approve the condominiumization and subdivision of the Property as requested by Dream Land.

**NOW THEREFORE, BE IT RESOLVED** that the TCOA, by and through its Board of Directors, hereby approves the condominiumization and subdivision of the Property as requested by Dream Land.

Dated this 2<sup>nd</sup> day of July, 2020.

[SIGNATURE PAGES TO FOLLOW]

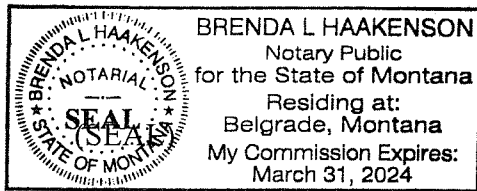
TOWN CENTER OWNERS' ASSOCIATION, INC .

By: William Simkins  
William Simkins, Director

**ACKNOWLEDGEMENT**

STATE OF MONTANA                    )  
  :SS  
COUNTY OF GALLATIN            )

This instrument was acknowledged before me on this 6<sup>th</sup> day of July,  
2020 by William Simkins, as Director of Town Center Owners' Association, Inc.



Brenda L. Haakenson  
Signature

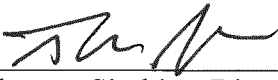
Brenda L. Haakenson  
Printed Name

Notary Public for the State of Montana

Residing at Belgrade, MT

My Commission Expires: March 31, 2024 (bc)

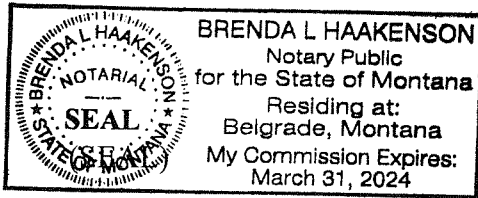
TOWN CENTER OWNERS' ASSOCIATION, INC.

By:   
Thomas Simkins, Director

ACKNOWLEDGEMENT

STATE OF MONTANA                     )  
  :SS  
COUNTY OF GALLATIN                )

This instrument was acknowledged before me on this 6<sup>th</sup> day of July, 2020, by Thomas Simkins, as Director of Town Center Owners' Association, Inc.



Brenda L. Haakenson  
Signature  
Brenda L. Haakenson  
Printed Name  
Notary Public for the State of Montana  
Residing at Belgrade, MT  
My Commission Expires: March 31, 2024

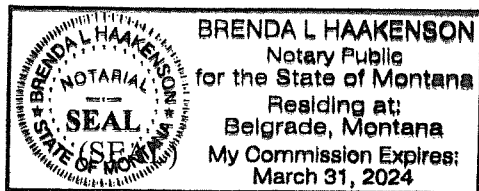
TOWN CENTER OWNERS' ASSOCIATION, INC.

By: Ryan Hamilton  
Ryan Hamilton, Director

ACKNOWLEDGEMENT

STATE OF MONTANA                     )  
  :SS  
COUNTY OF GALLATIN                )

This instrument was acknowledged before me on this 6<sup>th</sup> day of July, 2020, by Ryan Hamilton, as Director of Town Center Owners' Association, Inc.



Brenda L. Haakenson  
Signature  
Brenda L. Haakenson  
Printed Name  
Notary Public for the State of Montana  
Residing at Belgrade, MT  
My Commission Expires: March 31, 2024



**AUGUST 2020 RESOLUTION OF THE DIRECTORS OF THE**  
**TOWN CENTER OWNERS' ASSOCIATION, INC.,**  
**APPROVING THE CONDOMINIUM SUBDIVISION FOR**  
**UPLANDS VIEW CONDOMINIUMS**

The undersigned, being the Board of Directors and Officers of the Town Center Owners' Association, Inc., (TCOA), a Montana non-profit corporation, having duly met on August 14, 2020, following proper notice of the same, and having considered and discussed the proposal to approve the condominium subdivision proposed herein, hereby adopt the following resolution:

**WHEREAS**, pursuant to Section 7.2 of the August 2019 Superseded and Replaced Big Sky Town Center Declaration of Covenants, Conditions and Restrictions ("CC&Rs"), as recorded on September 4, 2019 with the office of the Clerk and Recorder of Gallatin County, Montana, as Document No. 2656826, written approval of the TCOA is required for subdivision of property within the Big Sky Town Center;

**WHEREAS**, pursuant to Article IV of the CC&Rs, "Subdivision" is defined to include any condominium;

**WHEREAS**, Dream Land, LLC, a Montana limited liability company ("Dream Land"), is the owner of certain real property which is located within the Town Center (the "Property") described as follows:

Lot 1, in Block 6, of Plat of Big Sky Town Center Subdivision - Residential North, Ousel Falls Trail West, in 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. (Plat reference: J-666);

**WHEREAS**, Dream Land has caused the Declaration for the Uplands View Condominiums to be recorded with the County Clerk and Recorder, Gallatin County, Montana, as Document No. 2684902, on June 11, 2020 (as may be supplemented, amended, or restated from time to time, the "Declaration"), including the signed Certificate of Floor Plans certifying the following Units:

Units, as set out below, of Uplands View Condominiums, located on Lot 1, in Block 6, of Plat of Big Sky Town Center Subdivision - Residential North, Ousel Falls Trail West, in 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, recorded in Book J of Plats, Page 666, records of Gallatin County, Montana. Together with an undivided % interest, as set out below, in and to the general common elements, as set out and established in the Amended Declaration for the Uplands View Condominiums, to be recorded in the records of Gallatin County, Montana. Said units are to be used for residential purposes only.

Unit Designation	Address	% of Interest
1A	20 Copper John Loop	4.12%
1B	24 Copper John Loop	4.12%
2A	38 Copper John Loop	4.12%
2B	42 Copper John Loop	4.12%
3A	48 Copper John Loop	4.12%
3B	52 Copper John Loop	4.12%
4A	56 Copper John Loop	4.12%
4B	60 Copper John Loop	4.12%
5A	78 Copper John Loop	2.94%
5B	82 Copper John Loop	2.94%
6A	94 Copper John Loop	4.12%
6B	98 Copper John Loop	4.12%
7A	110 Copper John Loop	4.12%
7B	114 Copper John Loop	4.12%
8A	120 Copper John Loop	4.12%
8B	124 Copper John Loop	4.12%
9A	138 Copper John Loop	4.12%
9B	142 Copper John Loop	4.12%
10A	23 Copper John Loop	4.12%
10B	19 Copper John Loop	4.12%
11A	75 Copper John Loop	2.94%
11B	71 Copper John Loop	2.94%
12A	87 Copper John Loop	2.94%
12B	83 Copper John Loop	2.94%
13A	145 Copper John Loop	4.12%
13B	141 Copper John Loop	4.12%

**WHEREAS**, Dream Land plans to construct the Uplands View Condominiums on the Property, and has subjected the Property to the Declaration, which Declaration contains the foregoing twenty-six (26) residential condominium units to be located in thirteen (13) duplex buildings, though additional units may be added in the future by further subdivision pursuant to the terms of the Declaration, subject to approval by Gallatin County, and the TCOA Board of Directors as required by the CC&Rs; and,

**WHEREAS**, the Board of Directors has determined that it is reasonable to approve the condominiumization and subdivision of the Property as requested by Dream Land.

**NOW THEREFORE, BE IT RESOLVED** that the TCOA, by and through its Board of Directors, hereby approves the condominiumization and subdivision of the Property as requested by Dream Land.

Dated this 20<sup>th</sup> day of AUGUST, 2020.

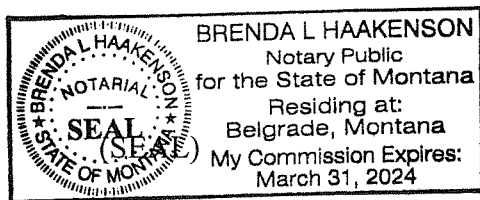
**TOWN CENTER OWNERS' ASSOCIATION, INC .**

By: William Simkins  
William Simkins, Director

**ACKNOWLEDGEMENT**

STATE OF MONTANA                     )  
  :SS  
COUNTY OF GALLATIN                )

This instrument was acknowledged before me on this 20<sup>th</sup> day of August, 2020 by William Simkins, as Director of the Town Center Owners' Association, Inc.



Brenda L. Haakenson  
Signature  
Brenda L. Haakenson  
Printed Name  
Notary Public for the State of Montana  
Residing at Belgrade, MT  
My Commission Expires: March 31<sup>st</sup>, 20 24

By: TS  
Thomas Simkins, Director

STATE OF MONTANA )  
 )  
 ) :ss  
COUNTY OF GALLATIN )

**BRENDA L. HAAKENSON**  
Notary Public  
for the State of Montana  
Residing at:  
Belgrade, Montana  
My Commission Expires:  
March 31, 2024

File Date: August 11, 2020

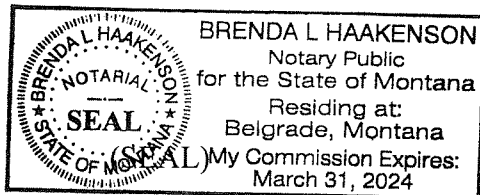
TOWN CENTER OWNERS' ASSOCIATION, INC.

By: *Ryan Hamilton*  
Ryan Hamilton, Director

ACKNOWLEDGEMENT

STATE OF MONTANA                     )  
  :SS  
COUNTY OF GALLATIN             )

This instrument was acknowledged before me on this 19<sup>th</sup> day of August, 2020, by Ryan Hamilton, as Director of the Town Center Owners' Association, Inc.



*Brenda L. Haakenson*  
Signature  
Brenda L. Haakenson  
Printed Name  
Notary Public for the State of Montana  
Residing at Belgrade, MT  
My Commission Expires: March 31,, 2024

**SEPTEMBER 2020 RESOLUTION OF THE DIRECTORS OF THE**  
**TOWN CENTER OWNERS' ASSOCIATION, INC.,**  
**APPROVING THE CHANGE OF SIGNATORY AUTHORITY ON ITS BANK**  
**ACCOUNTS AT FIRST SECURITY BANK**

The undersigned, being the Board of Directors and Officers of the Town Center Owners' Association, Inc., (TCOA), a Montana non-profit corporation, having duly met on September 30 2020, following proper notice of the same, and having considered and discussed the proposal to approve the replacement of Jodi Procunier, CPA at Rudd & Company, with Scott Holton, CPA at Rudd & Company, for signatory authority on TCOA bank accounts at First Security Bank:

***WHEREAS***, in order to change signatory authority at First Security Bank, the bank is requiring this Resolution from TCOA;

***WHEREAS***, the change in signatory authority is necessitated due to the departure of Jodi Procunier from Rudd & Company, and her replacement of Aimee Hokanson for the TCOA account.

***NOW THEREFORE, BE IT RESOLVED*** that the TCOA, by and through its Board of Directors, hereby approves the replacement of Jodi Procunier, CPA at Rudd & Company, with Scott Holton, CPA at Rudd & Company, for signatory authority on TCOA bank accounts at First Security Bank:

Dated this 30th day of September, 2020.

[SIGNATURE PAGES TO FOLLOW]

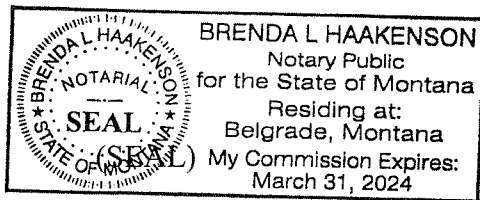
TOWN CENTER OWNERS' ASSOCIATION, INC .

By: William Simkins  
William Simkins, Director

ACKNOWLEDGEMENT


STATE OF MONTANA                     )  
  :SS  
COUNTY OF GALLATIN             )

This instrument was acknowledged before me on this 29<sup>th</sup> day of September, 2020 by William Simkins, as Director of Town Center Owners' Association, Inc.



Brenda L. Haakenson  
Signature  
Brenda L. Haakenson  
Printed Name  
Notary Public for the State of Montana  
Residing at Belgrade, MT  
My Commission Expires: March 31, 2024

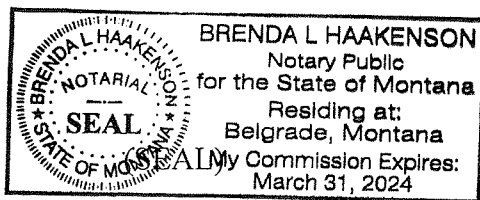
TOWN CENTER OWNERS' ASSOCIATION, INC.

By:   
Thomas Simkins, Director

ACKNOWLEDGEMENT

STATE OF MONTANA                     )  
  :SS  
COUNTY OF GALLATIN                )

This instrument was acknowledged before me on this 25<sup>th</sup> day of September, 2020, by Thomas Simkins, as Director of Town Center Owners' Association, Inc.



Brenda L. Haakenson  
Signature  
Brenda L. Haakenson  
Printed Name  
Notary Public for the State of Montana  
Residing at Belgrade, MT  
My Commission Expires: March 31, 2024



TOWN CENTER OWNERS' ASSOCIATION, INC.

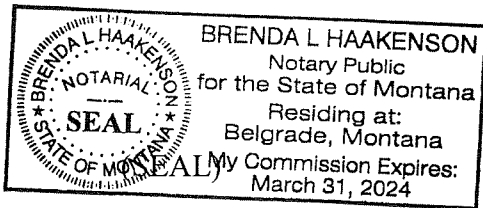
By: \_\_\_\_\_

Ryan Hamilton, Director

ACKNOWLEDGEMENT

STATE OF MONTANA )  
 )  
COUNTY OF GALLATIN )

This instrument was acknowledged before me on this 29<sup>th</sup> day of September, 2020, by Ryan Hamilton, as Director of Town Center Owners' Association, Inc.



Brenda L. Haakenson  
Signature  
Brenda L. Haakenson  
Printed Name  
Notary Public for the State of Montana  
Residing at Belgrade, MT  
My Commission Expires: March 31, 2024

**OCTOBER 2020 RESOLUTION OF THE DIRECTORS OF THE**  
**TOWN CENTER OWNERS' ASSOCIATION, INC.,**  
**APPROVING THE CONDOMINIUM SUBDIVISION**

The undersigned, being the Board of Directors and Officers of the Town Center Owners' Association, Inc., (TCOA), a Montana non-profit corporation, having duly met on October 23, 2020, following proper notice of the same, and having considered and discussed the proposal to approve the condominium subdivision proposed herein, hereby adopt the following resolution:

**WHEREAS**, pursuant to Section 7.2 of the August 2019 Superseded and Replaced Big Sky Town Center Declaration of Covenants, Conditions and Restrictions ("CC&Rs"), as recorded on September 4, 2019 with the office of the Clerk and Recorder of Gallatin County, Montana, as Document No. 2656826, written approval of the TCOA is required for subdivision of property within the Big Sky Town Center;

**WHEREAS**, pursuant to Article IV of the CC&Rs, "Subdivision" is defined to include any condominium;

**WHEREAS**, TNG, LLC, a Montana limited liability company ("TNG"), is the owner of certain real property which is located within the Town Center (the "Property") described as follows:

BIG SKY TOWN CENTER PH I, S01, T07 S, R03 E, BLOCK 5, Lot D1, ACRES 0.136,  
PLAT J-336-D PLUS OPEN SPACE & ROAD TRACTS.

**WHEREAS**, TNG wishes to file a Declaration for the 32 TC Condominiums with the County Clerk and Recorder, Gallatin County, Montana. (as may be supplemented, amended, or restated from time to time, the "Declaration"), including the signed Certificate of Floor Plans certifying the following Units:

<b>Unit Designation</b>	<b>Square Feet*</b>	<b>Percentage of Interest</b>
Unit A1	1,363	15%
Unit B1	1,552	17%
Unit C1	1,272	14%
Unit A2	1,435	16%
Unit B2	972	11%

Unit C2	967	11%
Unit D2	1,415	16%
<b>Total</b>	<b>8,976 sq. ft.</b>	<b>100%</b>

Units, as set out above, of 32 TC Condominiums, together with an undivided % interest, as set out above, in and to the general common elements, as set out and established in the proposed Declaration for the 32 TC Condominiums, to be recorded in the records of Gallatin County, Montana. Said units are to be for residential and commercial purposes.

**WHEREAS**, TNG plans to construct the 32 TC Condominiums on the Property, and has subjected the Property to the Declaration, which Declaration contains the foregoing three (3) commercial units and four (4) residential condominium units to be located in one (1) building, though additional units may be added in the future by further subdivision pursuant to the terms of the Declaration, subject to approval by Gallatin County, and the TCOA Board of Directors as required by the CC&Rs; and,

**WHEREAS**, the Board of Directors has determined that it is reasonable to approve the condominiumization and subdivision of the Property as requested by TNG.

**NOW THEREFORE, BE IT RESOLVED** that the TCOA, by and through its Board of Directors, hereby approves the condominiumization and subdivision of the Property as requested by TNG.

Dated this 23<sup>rd</sup> day of October, 2020.

[SIGNATURE PAGES TO FOLLOW]

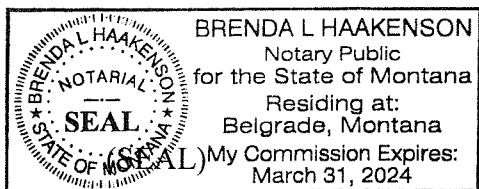
TOWN CENTER OWNERS' ASSOCIATION, INC .

By: William Simkins  
William Simkins, Director

ACKNOWLEDGEMENT

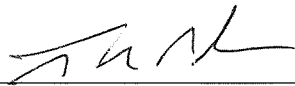
STATE OF MONTANA                     )  
  :SS  
COUNTY OF GALLATIN                )

This instrument was acknowledged before me on this 26<sup>th</sup> day of October,  
2020 by William Simkins, as Director of Town Center Owners' Association, Inc.



Brenda L. Haakenson  
Signature  
Brenda L. Haakenson  
Printed Name  
Notary Public for the State of Montana  
Residing at Belgrade, MT  
My Commission Expires: March 31, 20 24

TOWN CENTER OWNERS' ASSOCIATION, INC.

By:   
Thomas Simkins, Director

ACKNOWLEDGEMENT

STATE OF MONTANA                     )  
  :SS  
COUNTY OF GALLATIN             )

This instrument was acknowledged before me on this 26<sup>th</sup> day of October, 2020, by Thomas Simkins, as Director of Town Center Owners' Association, Inc.



Brenda L. Haakenson  
Signature  
Brenda L. Haakenson  
Printed Name  
Notary Public for the State of Montana  
Residing at Belgrade, MT  
My Commission Expires: March 31, 2024

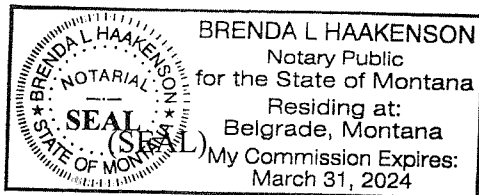
TOWN CENTER OWNERS' ASSOCIATION, INC.

By: Ryan Hamilton  
Ryan Hamilton, Director

ACKNOWLEDGEMENT

STATE OF MONTANA                    )  
  :SS  
COUNTY OF GALLATIN            )

This instrument was acknowledged before me on this 26<sup>th</sup> day of October, 2020, by Ryan Hamilton, as Director of Town Center Owners' Association, Inc.



Brenda L. Haakenson  
Signature  
Brenda L. Haakenson  
Printed Name  
Notary Public for the State of Montana  
Residing at Belgrade, MT  
My Commission Expires: March 31, 2024

**JANUARY 2021 RESOLUTION OF THE DIRECTORS OF THE**  
**TOWN CENTER OWNERS' ASSOCIATION, INC.,**  
**APPROVING THE CHANGE OF SIGNATORY AUTHORITY ON ITS BANK**  
**ACCOUNTS AT FIRST SECURITY BANK**

The undersigned, being the Board of Directors and Officers of the Town Center Owners' Association, Inc., (TCOA), a Montana non-profit corporation, having duly met on January 21, 2021, following proper notice of the same, and having considered and discussed the proposal to approve the replacement of Aimee Hokanson, CPA at Rudd & Company, with Holly Galen, CPA at Rudd & Company, for signatory authority on TCOA bank accounts at First Security Bank:

***WHEREAS***, in order to change signatory authority at First Security Bank, the bank is requiring this Resolution from TCOA;

***WHEREAS***, the change in signatory authority is necessitated due to the departure of Aimee Hokanson from Rudd & Company, and her replacement of Holly Galen for the TCOA account.

***NOW THEREFORE, BE IT RESOLVED*** that the TCOA, by and through its Board of Directors, hereby approves the replacement of Aimee Hokanson, CPA at Rudd & Company, with Holly Galen, CPA at Rudd & Company, for signatory authority on TCOA bank accounts at First Security Bank:

Dated this 21<sup>st</sup> day of January, 2021.

[SIGNATURE PAGES TO FOLLOW]

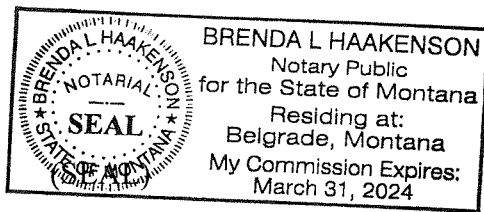
TOWN CENTER OWNERS' ASSOCIATION, INC .

By: William Simkins  
William Simkins, Director

ACKNOWLEDGEMENT

STATE OF MONTANA                    )  
  :SS  
COUNTY OF GALLATIN            )

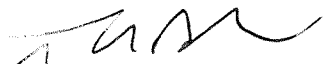
This instrument was acknowledged before me on this 22<sup>nd</sup> day of January, 2021 by William Simkins, as Director of Town Center Owners' Association, Inc.



Brenda L. Haakenson  
Signature  
Brenda L. Haakenson  
Printed Name  
Notary Public for the State of Montana  
Residing at Belgrade, MT  
My Commission Expires: March 31, 2024



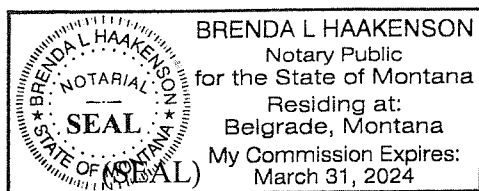
TOWN CENTER OWNERS' ASSOCIATION, INC.

By:   
Thomas Simkins, Director

ACKNOWLEDGEMENT

STATE OF MONTANA                    )  
  :SS  
COUNTY OF GALLATIN            )

This instrument was acknowledged before me on this 26<sup>th</sup> day of January, 2021, by Thomas Simkins, as Director of Town Center Owners' Association, Inc.



Brenda L. Haakenson  
Signature  
Brenda L. Haakenson  
Printed Name  
Notary Public for the State of Montana  
Residing at Belgrade, MT  
My Commission Expires: March 31, 2024

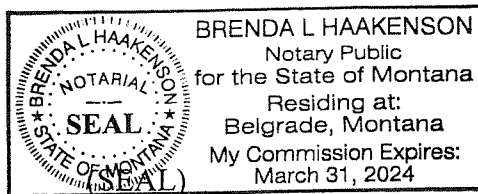
TOWN CENTER OWNERS' ASSOCIATION, INC.

By: Ryan Hamilton  
Ryan Hamilton, Director

ACKNOWLEDGEMENT

STATE OF MONTANA                     )  
  :SS  
COUNTY OF GALLATIN             )

This instrument was acknowledged before me on this 26<sup>th</sup> day of January, 2021, by Ryan Hamilton, as Director of Town Center Owners' Association, Inc.



Brenda L. Haakenson  
Signature  
Brenda L. Haakenson  
Printed Name  
Notary Public for the State of Montana  
Residing at Belgrade, MT  
My Commission Expires: March 31, 2024

**TOWN CENTER OWNERS' ASSOCIATION, INC.**  
**BOARD OF DIRECTORS POLICY RESOLUTION**

**POLICY: Revised Common Multi-Family Open Space North and Common Multi-Family Open Space South Assessment Rate**

Date of Board Adoption: August 27, 2021 Policy No.:       

Effective Date: September 1, 2021 Date(s) Revised:       

---

**RESOLUTION**

*Whereas*, The Town Center Owners' Association, Inc. (TCOA) is a public benefit, nonprofit Montana corporation;

*Whereas*, The TCOA Bylaws grant to the Board of Directors the authority to levy assessments on its Members;

*Whereas*, the Directors and Officers of the TCOA last signed a resolution to increase the assessment rate for Common Multi-Family Open Space North and Common Multi-Family Open Space South on August 5, 2016, which became effective on September 1, 2016;

*Whereas*, it is in the best interest of the TCOA to collect its assessments in a timely manner; and

*Whereas*, The undersigned, being the Directors and Officers of the Town Center Owners Association, Inc., (TCOA), a Montana non-profit corporation, having duly met on August 27, 2021, and having considered and discussed the proposal to increase the annual special assessment on the Owners of certain property particularly benefited by the Town Center Multi-Family Open Space Parks to help defray the costs of improvements to those parks and maintenance of the same, and having determined it is in the best interests of the Association to impose a special, annual assessment for such parks, hereby adopt the following resolution:

***BE IT RESOLVED***, that the special annual assessment be raised from the amount of Seventy-Five Dollars and No Cents (\$75.00) per unit per year to the amount of One Hundred Dollars and No Cents (\$100.00) per unit per year on the following lots, upon which exist ninety (90) residential properties that are appurtenant to the Common Multi-Family Open Space North and Common Multi-Family Open Space South (aka Golden Stone Parks), and located in the Big Sky Town Center:

Block 13, Lot 1A;  
Block 13, Lot 2A;  
Block 17, Lot 1A;  
Block 17, Lot 2A;  
Block 17, Lot 3A; and  
Block 17, Lot 4A.

Dated this 27<sup>th</sup> day of AUGUST, 2021.

TOWN CENTER OWNERS' ASSOCIATION, INC

By: William Simkins  
William Simkins, Director

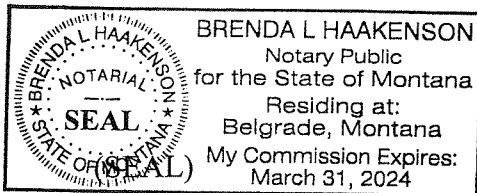
By: Thomas Simkins  
Thomas Simkins, Director

By: Ryan Hamilton  
Ryan Hamilton, Director

### ACKNOWLEDGEMENT

STATE OF MONTANA     )  
  :SS  
COUNTY OF GALLATIN    )

This instrument was acknowledged before me on August 27<sup>th</sup>, 2021 by  
William G. Simkins, as Director of Town Center Owners' Association, Inc.



Brenda L. Haakenson  
Signature

Brenda L. Haakenson  
Printed Name

Notary Public for the State of Montana

Residing at Belgrade, MT

My Commission Expires: March 31, 2024

### ACKNOWLEDGEMENT

STATE OF MONTANA     )  
                                     :  
COUNTY OF GALLATIN    )

This instrument was acknowledged before me on August 26<sup>th</sup>, 2021, by  
Thomas Simkins, as Director, of Town Center Owners' Association, Inc.

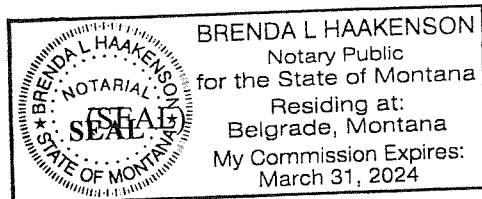


Brenda L. Haakenson  
Signature  
Brenda L. Haakenson  
Printed Name  
Notary Public for the State of Montana  
Residing at Belgrade, MT  
My Commission Expires: March 31, 2024

### ACKNOWLEDGEMENT

STATE OF MONTANA     )  
                                     :  
COUNTY OF GALLATIN    )

This instrument was acknowledged before me on August 27<sup>th</sup>, 2021,  
by Ryan Hamilton, as Director, of Town Center Owners' Association, Inc.



Brenda L. Haakenson  
Signature  
Brenda L. Haakenson  
Printed Name  
Notary Public for the State of Montana  
Residing at Belgrade, MT  
My Commission Expires: March 31, 2024

**TOWN CENTER OWNERS' ASSOCIATION, INC.**  
**BOARD OF DIRECTORS POLICY RESOLUTION**

**POLICY: Revised Assessment Rates**

Date of Board Adoption: August 27, 2021 Policy No.: ✓

Effective Date: September 1, 2021

Date(s) Revised: ✓

---

**RESOLUTION**

*Whereas*, The Town Center Owners' Association, Inc. (TCOA) is a public benefit, nonprofit Montana corporation;

*Whereas*, The TCOA Bylaws grant to the Board of Directors the authority to levy assessments on its Members;

*Whereas*, it is in the best interest of the TCOA to collect its assessments in a timely manner and in an amount sufficient to carry out the purposes provided for in the most current versions of the TCOA Bylaws and Big Sky Town Center Declaration of Covenants, Conditions and Restrictions and for payment of the cost for maintenance, snow removal, and lawn care services, among other obligations of TCOA;

*Whereas*, the Directors and Officers of the TCOA last signed a resolution to increase the assessment rate on August 26, 2019, which became effective on September 1, 2019; and

*Whereas*, the undersigned, being the Directors and Officers of the TCOA, having duly met on August 27, 2021 following proper notice of the same, and having considered and discussed a proposal to increase by approximately eight percent (8%) the assessment rate for commercial property, public/quasi-public property, residential property (units), and hotel rooms, and having determined it is in the best interest of the TCOA to increase the assessment rate to cover increasing labor and material costs associated with maintaining the Town Center site and infrastructure to an acceptable level, and having notified the TCOA membership, on one (1) occasion by US Mail (Notice of Annual Assessment Increase, Dated August 20, 2021), of the increased assessment rate, hereby adopt the following resolution:

**Now, Therefore Be It Resolved That:**

1. Commercial Property in the Town Center Commercial (TCC) district zoning classification (Commercial District):
  - a. The Improved Property Assessment for commercial property shall be \$3.03/sf/year, as of the effective date above.
  - b. The Unimproved Property Assessment for commercial property remains unchanged at 20% of the Improved Property Assessment, per Policy # 3, dated April 1, 2008.
  - c. The \$25 annual fee that will be donated to the BSCO for Big Sky trail maintenance will remain the same.
2. Public/Quasi-Public Property in the Town Center Commercial (TCC) sub-district Gallatin Canyon/Big Sky Zoning District:
  - a. The Improved Property Assessment for public/quasi-public property shall be \$3.03/sf/year, as of the effective date above.
  - b. The Unimproved Property Assessment for public/quasi-public property remains unchanged at 20% of the Improved Property Assessment, per Policy # 3, dated April 1, 2008.
  - c. The \$25 annual fee that will be donated to the BSCO for Big Sky trail maintenance will remain the same.
3. Residential Property (units) in the Town Center Residential (TCR) sub-district of the Gallatin Canyon/Big Sky Zoning District, and each residential "apartment" unit in the Town Center Commercial (TCC) sub-district of the Gallatin Canyon/Big Sky Zoning District:
  - a. The Improved Property Assessment for each residential property (unit) shall be \$1,625/unit/year, as of the effective date above.
  - b. The Unimproved Property Assessment for each residential property (unit) remains unchanged at 20% of the Improved Property Assessment, per Policy # 3, dated April 1, 2008.
  - c. The \$25 annual fee that will be donated to the BSCO for Big Sky trail maintenance will remain the same.
4. Hotel Rooms in the Town Center Commercial (TCC) sub-district of the Gallatin Canyon/Big Sky Zoning District:
  - a. The Improved Property Assessment for each hotel room shall be \$843/room/year, as of the effective date above.
  - b. The Unimproved Property Assessment for each hotel room remains unchanged at 20% of the Improved Property Assessment, per Policy # 3, dated April 1, 2008.
  - c. Any commercial property within a hotel building shall be assessed the commercial property assessment rate current at the time of the assessment.
  - d. The \$25 annual fee that will be donated to the BSCO for Big Sky trail maintenance

will remain the same and will be assessed one \$25 annual fee for the hotel operation.

Dated this 27<sup>th</sup> day of August, 2021.

TOWN CENTER OWNERS' ASSOCIATION, INC

By: William Simkins  
William Simkins, Director

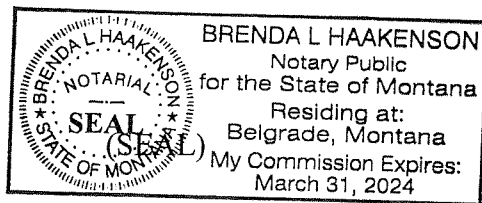
By: Thomas Simkins  
Thomas Simkins, Director

By: Ryan Hamilton  
Ryan Hamilton, Director

#### ACKNOWLEDGEMENT

STATE OF MONTANA     )  
  :SS  
COUNTY OF GALLATIN    )

This instrument was acknowledged before me on August 27<sup>th</sup>, 2021  
by William Simkins, as Director of Town Center Owners' Association, Inc.



Brenda L. Haakenson  
Signature

Brenda L. Haakenson  
Printed Name

Notary Public for the State of Montana

Residing at Belgrade, MT

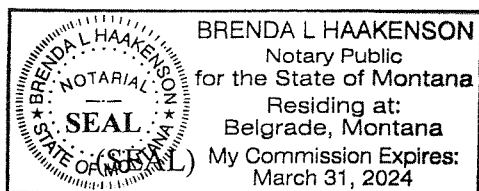
My Commission Expires: March 31, 2024



## ACKNOWLEDGEMENT

STATE OF MONTANA     )  
  :SS  
COUNTY OF GALLATIN    )

This instrument was acknowledged before me on August 26, 2021  
by Thomas Simkins, as Director, of Town Center Owners' Association, Inc.



Brenda L. Haakenson  
Signature

Brenda L. Haakenson  
Printed Name

Notary Public for the State of Montana

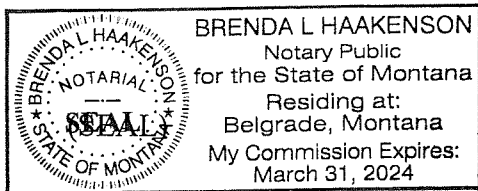
Residing at Belgrade, MT

My Commission Expires: March 31, 2024

## ACKNOWLEDGEMENT

STATE OF MONTANA     )  
  :SS  
COUNTY OF GALLATIN    )

This instrument was acknowledged before me on August 27<sup>th</sup>, 2021  
by Ryan Hamilton, as Director, of Town Center Owners' Association, Inc.



Brenda L. Haakenson  
Signature

Brenda L. Haakenson  
Printed Name

Notary Public for the State of Montana

Residing at Belgrade, MT

My Commission Expires: March 31, 2024

**DECEMBER 2021 RESOLUTION OF THE DIRECTORS OF THE**  
**TOWN CENTER OWNERS' ASSOCIATION, INC.,**  
**APPROVING THE CONDOMINIUM SUBDIVISION**  
**FOR THE FRANKLIN RESIDENCES CONDOMINIUM**

The undersigned, being the Board of Directors and Officers of the Town Center Owners' Association, Inc., (TCOA), a Montana non-profit corporation, having duly met on December 21, 2021, following proper notice of the same, and having considered and discussed the proposal to approve the condominium subdivision proposed herein, hereby adopt the following resolution:

***WHEREAS***, pursuant to Section 7.2 of the August 2019 Superseded and Replaced Big Sky Town Center Declaration of Covenants, Conditions and Restrictions ("CC&Rs"), as recorded on September 4, 2019 with the office of the Clerk and Recorder of Gallatin County, Montana, as Document No. 2656826, written approval of the TCOA is required for subdivision of property within the Big Sky Town Center;

***WHEREAS***, pursuant to Article IV of the CC&Rs, "Subdivision" is defined to include any condominium;

***WHEREAS***, MJ Development, LLC, a Montana limited liability company ("MJ"), is the owner of certain real property which is located within the Big Sky Town Center (the "Property") described as follows:

Lot 7A, in Block 3, of The Amended Plat of Lot 8A & Lot 14A in Block 3, Big Sky Town Center Subdivision – Town Center Avenue North as Amended; & Lots 5, 6, & 7 in Block 3 of the Plat of Big Sky Town Center Subdivision – Huntley's Second Addition, in 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. (Plat Reference: J-561-C) (approximately 7,566 square feet)

Lot 9, in Block 3, of the "Plat of Big Sky Town Center Subdivision - Town Center Avenue North", said plat being an amended plat of Lot 8, Block 3 of the Plat of the Big Sky Town Center Subdivision – Huntley's Second Addition, and also including a portion of Tract 1 of Certificate of Survey No. 2343, located in the NW 1/4 of Section 1, Township 7 South, Range 3 East, and in the SW 1/4 of Section 36, Township 6 South, Range 3 East, P.M.M., Gallatin County, Montana, according to the official Plat J-561 thereof on file and of record in the office of the County Clerk and Recorder, Gallatin County, Montana. (approximately 9,475 square feet)

Lot 10, in Block 3, of the "Plat of Big Sky Town Center Subdivision - Town Center Avenue North", said plat being an amended plat of Lot 8, Block 3 of the Plat of the Big Sky Town Center Subdivision – Huntley's Second Addition, and also including a portion of Tract 1 of Certificate of Survey No. 2343, located in the NW 1/4 of

Section 1, Township 7 South, Range 3 East, and in the SW 1/4 of Section 36, Township 6 South, Range 3 East, P.M.M., Gallatin County, Montana, according to the official Plat J-561 thereof on file and of record in the office of the County Clerk and Recorder, Gallatin County, Montana. (approximately 3,710 square feet)

**WHEREAS**, MJ wishes to file a Declaration for the following condominiums with the County Clerk and Recorder, Gallatin County, Montana (as may be supplemented, amended, or restated from time to time, the "Declaration"):

One (1) building with seven (7) commercial units, eighteen (18) residential units, twenty-seven (27) parking space units, and eighteen (18) storage space units. Additional units may be declared at a later date.

**WHEREAS**, MJ plans to construct The Franklin Residences Condominiums on the Property, and wishes to subject the Property to the Declaration, which Declaration contains the foregoing units, and which additional units may be declared at a later date by further subdivision pursuant to the terms of the Declaration, subject to approval by Gallatin County and the TCOA Board of Directors as required by the CC&Rs; and

**WHEREAS**, the Board of Directors has determined that it is reasonable to approve the condominiumization and subdivision of the Property as requested by MJ.

**NOW THEREFORE, BE IT RESOLVED** that the TCOA, by and through its Board of Directors, hereby approves the condominiumization and subdivision of the Property as requested by MJ.

Dated this 21<sup>st</sup> day of December, 2021.

[SIGNATURE PAGES TO FOLLOW]

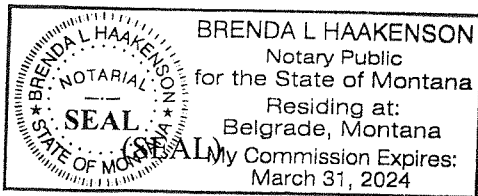
TOWN CENTER OWNERS' ASSOCIATION, INC.

By: William Simkins  
William Simkins, Director

ACKNOWLEDGEMENT

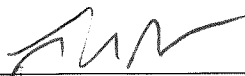
STATE OF MONTANA                     )  
  :SS  
COUNTY OF GALLATIN             )

This instrument was acknowledged before me on this 22<sup>nd</sup> day of December, 2021 by William Simkins, as Director of Town Center Owners' Association, Inc.



Brenda L. Haakenson  
Signature  
Brenda L. Haakenson  
Printed Name  
Notary Public for the State of Montana  
Residing at Belgrade  
My Commission Expires: March 31, 2024

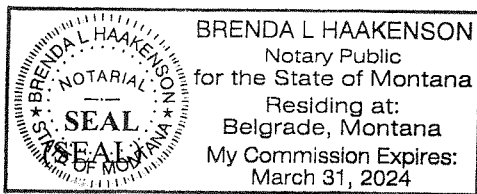
**TOWN CENTER OWNERS' ASSOCIATION, INC.**

By:   
Thomas Simkins, Director

**ACKNOWLEDGEMENT**

STATE OF MONTANA                     )  
  :SS  
COUNTY OF GALLATIN             )

This instrument was acknowledged before me on this 22<sup>nd</sup> day of Dec.,  
2021, by Thomas Simkins, as Director of Town Center Owners' Association, Inc.



Brenda L. Haakenson  
Signature  
Brenda L. Haakenson  
Printed Name  
Notary Public for the State of Montana  
Residing at Belgrade, MT  
My Commission Expires: March 31, 2024

TOWN CENTER OWNERS' ASSOCIATION, INC.

By:

Ryan Hamilton  
Ryan Hamilton, Director

ACKNOWLEDGEMENT

STATE OF MONTANA                     )  
  :SS  
COUNTY OF GALLATIN                )

This instrument was acknowledged before me on this 29<sup>th</sup> day of December, 2021, by Ryan Hamilton, as Director of Town Center Owners' Association, Inc.



Brenda L. Haakenson  
Signature  
Brenda L. Haakenson  
Printed Name  
Notary Public for the State of Montana  
Residing at Belgrade, MT  
My Commission Expires: March 31, 2024