



15246799



**STATE OF MONTANA**  
**SECRETARY OF STATE**  
**AMENDMENT FOR DOMESTIC NONPROFIT CORPORATION**

For Office Use Only  
STATE OF MONTANA  
**-FILED-**  
SECRETARY OF STATE  
File Number: 15246799  
Date Filed: 4/12/2022 11:34:33 AM

FILING FEE: \$15.00

Filing Fees & Processing Options	
Fees and Processing Options	Standard Processing - \$15.00 - Up to 7 - 10 business days processing
Filing Effective Date	
The corporation will be effective:	when filed with the Secretary of State
Entity Details	
The name of the business entity is:	TOWN CENTER OWNERS ASSOCIATION, INC.
Montana File Number:	D115605
Entity Type:	Domestic Non-Profit Corporation
Entity Subtype:	Mutual Benefit Corporation with members
Entity Status:	Active-Good Standing
Formation Date:	04/25/2002
Corporate Type	
Type Of Corporation	Mutual Benefit Corporation with members
Corporate Name	
Do you need to amend your entity name or provide name consent?	No
Entity name	TOWN CENTER OWNERS ASSOCIATION, INC.
Term	
Term Expiration	Perpetual / Ongoing
Business Purpose	
Purpose	ANY LAWFUL BUSINESS
Business Mailing Address of Principal Office	
Address	HOLLY GALEN 3805 VALLEY COMMONS DRIVE #7 BOZEMAN, MT 59718
Business Physical Address of Principal Office	
Address	HOLLY GALEN 3805 VALLEY COMMONS DRIVE #7 BOZEMAN, MT 59718
IRS 501(c)(3) Status	
This Nonprofit Corporation	a) Is not applying through the IRS for 501(c)(3) status and upon dissolution, the assets shall be distributed in the following manner:
Manner of Asset Distribution on Dissolution	Upon dissolution, the assets of the Corporation shall be distributed, subject to any contractual or legal requirements, to any successor non-profit entity formed for substantially the same purposes of this Corporation, and in the absence thereof, to the Developer, or default successor, formed for the purpose, among others, of administering and enforcing the Declaration.
Amendment Approval and Vote Details	



☒ The number of votes cast for the amendment was sufficient for approval.

Amendment Approval:

Approval of the members was required.

Total Number of Memberships Outstanding	Number of Votes Entitled to be Cast by Each Class Entitled to Vote Separately on the Amendment	Number of votes cast for the amendment by each class	Number of votes cast against the amendment by each class	Total number of undisputed votes cast for the amendment by each class
45	45	42	0	42

Other Details

Other Amendment Details:

Date of amendment's adoption:

04/05/2022

The registered agent on record is:

Registered Agent

WILLIAM SIMKINS  
Non-Commercial Registered Agent

Agent Number

RA00258213

Email Address

Website

Physical Address

326 NORTH BROADWAY  
BOZEMAN, MT 59771

Mailing Address

P.O. BOX 938  
BOZEMAN, MT 59771

Amend the appointed registered agent?

No, keep the current agent information listed above

Directors

Full Name	Business Mailing Address	Position	Email Address
Ryan Hamilton	326 N Broadway Bozeman, MT 59715	Director	
WILLIAM G SIMKINS	326 NORTH BROADWAY BOZEMAN, MT 59715	Director	
TOM SIMKINS	326 NORTH BROADWAY BOZEMAN, MT 59715	Director	

Officers

Full Name	Business Mailing Address	Position	Email Address
Tom Simkins	326 N Broadway Bozeman, MT 59715	Vice-president	
Ryan Hamilton	326 N Broadway Bozeman, MT 59715	Treasurer	
WILLIAM SIMKINS	326 NORTH BROADWAY BOZEMAN, MT 59715	President	
THOMAS SIMKINS	326 NORTH BROADWAY BOZEMAN, MT 59715	Secretary	

Declarations

☒ I understand that the information I enter into the online system is public information and will appear online and on copy requests exactly as I key it into the system.

☒ I have been authorized by the business entity to file this document online.



☒ I, HEREBY SWEAR AND/OR AFFIRM, under penalty of law, including criminal prosecution, that the facts contained in this document are true. I certify that I am signing this document as the person(s) whose signature is required, or as an agent of the person(s) whose signature is required, who has authorized me to place his/her signature on this document.

Signature

*Self*

*william simkins*

*04/12/2022*

Signer's Capacity

Sign Here

Date

Position

President

Daytime Contact

Phone Number

(406) 586-9629

Email

info@bigskytowncenter.com

B0624-0462 04/12/2022 11:34 AM Received by MT Secretary of State Christi Jacobsen

**ARTICLES OF AMENDMENT  
TO ARTICLES OF INCORPORATION  
OF  
TOWN CENTER OWNERS' ASSOCIATION, INC.**

Pursuant to Montana Code Annotated § 35-2-225, Town Center Owners' Association, Inc., a Montana nonprofit corporation (the "Association"), hereby amends the Articles of Incorporation of the Association as set forth herein.

A. The Association was formed pursuant to Articles of Incorporation filed with the Montana Secretary of State on April 25, 2002, which Articles of Incorporation were restated and replaced by Restated Articles of Incorporation filed with the Montana Secretary of State on January 26, 2005 (the "Restated Articles").

B. Pursuant to these Articles of Amendment, the Restated Articles are hereby amended as set forth in these Articles of Amendment.

1. Amendment to References. All references in the Restated Articles to Westland Enterprises, Inc., a Montana corporation (or Westland), and/or Simkins Holdings, LLC, a Montana limited liability company (or Developer), are hereby deleted and replaced with references to the Declarants (as that term is defined in the August 2019 Superseded and Replaced Big Sky Town Center Declaration of Covenants, Conditions and Restrictions, recorded on September 4, 2019 with the Office of the Clerk and Recorder of Gallatin County, Montana as Document No. 2656826 (as the same may be amended, supplemented or replaced from time to time, the "Declaration")), together with any successor or assignee Declarant, who becomes the Declarants under the Declaration, as set forth in a written instrument recorded with the office of the Clerk and Recorder of Gallatin County, Montana.

2. Town Center Property. All references in the Restated Articles to the Town Center Property shall hereafter refer to the "Property" (as defined in the Declaration) which is subject to the Declaration from time to time.

3. Date of Amendment. These Articles of Amendment and the amendments set forth herein were adopted effective as of April 5, 2022.

4. Board and Member Approval. These Articles of Amendment have been (i) unanimously approved by the Board of Directors of the Association, (ii) approved by the members of the Association in accordance with Montana Code Annotated § 35-2-223 and the Restated Articles, and (iii) approved by Westland and the Developer in accordance with Article IX of the Restated Articles. In accordance with Montana Code Annotated § 35-2-225(5), the following information is provided:

- (a) As of the date of the adoption of these Articles of Amendment there were forty-five (45) memberships outstanding and entitled to vote.
- (b) The members entitled to vote on these Articles of Amendment collectively cast forty-two (42) votes for these Articles of Amendment and zero (0) votes against these Articles of Amendment.

- (c) The number of votes cast by the members for these Articles of Amendment was sufficient for approval by the members of the Association.

5. Effect of Articles of Amendment. These Articles of Amendment amend the Restated Articles as set forth herein and shall be incorporated into and made a part of the Restated Articles. Unless the context requires otherwise, capitalized terms used but not defined in these Articles of Amendment shall have the meanings given to them in the Restated Articles. Except as specifically amended or supplemented herein, all terms of the Restated Articles shall remain in full force and effect. In the event the terms of these Articles of Amendment and the terms of the Restated Articles conflict or are inconsistent, the terms of these Articles of Amendment shall control.

*[Remainder of page intentionally left blank]*

IN WITNESS WHEREOF, the undersigned officers of the Town Center Owners' Association, Inc. hereby sign these Articles of Amendment as of April 5, 2022.

**Town Center Owners' Association, Inc.**

By: William G. Simkins  
Name: William G. Simkins  
Title: Director and President

By: Thomas R. Simkins  
Name: Thomas R. Simkins  
Title: Director and Vice President/Secretary

By: Ryan J. Hamilton  
Name: Ryan J. Hamilton  
Title: Director and Treasurer

APPROVED BY Westland Enterprises, Inc. and Simkins Holdings, LLC

**Simkins Holdings, LLC**

By: William G. Simkins  
Name: William G. Simkins  
Title: Manager

By: Thomas R. Simkins  
Name: Thomas R. Simkins  
Title: Manager

**Westland Enterprises, Inc.**

By: William G. Simkins  
Name: William G. Simkins  
Title: President

By: Thomas R. Simkins  
Name: Thomas R. Simkins  
Title: Vice President

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