

Cabin Creek HOA  
166 Wright Way  
Marion MT 59925



Paula Robinson, Flathead County MT by DJ

200900011434  
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Fees: \$62.00  
4/24/2009 10:02 AM

**FIRST AMENDMENT TO  
CABIN CREEK LANDING  
DECLARATION OF COVENANTS,  
CONDITIONS AND RESTRICTIONS**

**THIS FIRST AMENDMENT TO DECLARATION** of Covenants, Conditions and Restrictions is dated this 16th day of August, 2008, by the undersigned officers who represent owners of at least seventy-five percent (75%) of the Lots in Cabin Creek Landing.

**WHEREAS**, the Declaration of Covenants, Conditions and Restrictions for Cabin Creek Landing dated January 29, 2003 was recorded on the public records of Flathead County, Montana on February 7, 2003 under Document No. 200303811090. Said Declaration pertains to certain real property situated in Flathead County, Montana described on those plats entitled "Cabin Creek Landing" and "Cabin Creek Landing Addition No. 1," on file and of record in the office of the Flathead County Clerk and Recorder;

**WHEREAS**, pursuant to Section 6 of said Declaration of Covenants, Conditions and Restrictions may be made upon approval of Members owning at least seventy-five percent (75%) of the number of lots in Cabin Creek Landing desire to amend said Declaration.

**NOW, THEREFORE**, in consideration of the foregoing recitals and the amendment powers set forth in the Declaration, the following provisions of the Declaration of Covenants, Conditions and Restrictions for Cabin Creek Landing are hereby amended and completely restated as follows:

**Section 13. Architectural Guidelines**

13.1. The goal of these architectural guidelines is to protect and nurture the value of individuals Lots by encouraging buildings that will fit the rustic Montana vernacular of the surroundings, while allowing individual property Owners the freedom to be creative with their designs.

**Amended to read:**

13.1. The goal of these architectural guidelines is to protect and nurture the value of individuals Lots by encouraging buildings that will fit the rustic Montana vernacular of the surroundings, while allowing individual property Owners the freedom to be creative with their designs. All homes must be constructed on site. Any exception to this condition must be approved by the Committee prior to the start of any and all construction.

[Approved by 96% of the owners.]

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3.2.2. Airplane hangars not to exceed 1,000 square feet in gross square footage.

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**Amended to read:**

13.2.2. Airplane hangar square footage in building footprint may be any size desired. However, the foregoing shall not be constructed to alter any building setback requirements.

[Approved by 100% of the owners.]

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13.7.2. Wood siding, either rough-sawn or planed, stained to blend in with the surrounding landscape.

**Amended to read:**

13.7.2. Wood siding, either rough-sawn or planed, shall be stained to blend in with the surrounding landscape. Any siding other than wood or stone must be approved by the Committee prior to application.

[Approved by 92% of the owners.]

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13.7.3. Stone or faux stone accents, walls, fireplaces and chimneys in a rough river rock or ledgerstone style per historic projects in the area.

**Amended to read:**

13.7.3. Stone or faux stone accents, walls, fireplaces and chimneys in a rough river rock or ledgerstone style per historic projects in the area. Any siding other than wood or stone must be approved by the Committee prior to application.

[Approved by 92% of the owners.]

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13.7.8. Any and all fencing constructed shall be of wood construction or wood and wire construction, commensurate with historic fencing in the surrounding area. All fencing construction shall be approved by the Committee before construction proceeds.



**Amended to read:**

13.7.8. Any and all fencing constructed shall be of wood construction or wood and wire construction, or steel post and wire construction, commensurate with historic fencing in the surrounding area. All fencing construction shall be approved by the Committee before construction proceeds.

[Approved by 100% of the owners.]

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13.9. In the event a lot Owner wishes to build an airplane hangar where said hangar does not include a guest apartment above, the hangar may be constructed using metal siding. However, color of the metal siding must be approved by the Committee and must be a color that blends with the surrounding landscape.

**Amended to read:**

13.9. In the event a lot Owner wishes to build an airplane hangar where said hangar does not include a guest apartment above, the hangar may be constructed using metal siding. However, color of the metal siding must be approved by the Committee and must be a color that blends with the surrounding landscape. Colors for metal siding that have been approved by the Committee are Light Stone, Tan, Hickory Moss, Evergreen, and Light Gray as shown on the Fabral Color Chart for Metal Wall and Roof Systems.

[Approved by 96% of the owners.]

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**Except as amended by the First Amendment,** all of the terms and conditions of the Declaration of Covenants, Conditions and Restrictions for Cabin Creek Landing shall be and remain the same and in full force and effect.



**CABIN CREEK LANDING  
HOMEOWNERS ASSOCIATION  
OFFICERS**

*Maurice Wood*, Maurice Wood, President, Cabin Creek Landing  
Association, Inc.

STATE OF \_\_\_\_\_ )  
County of \_\_\_\_\_ )

This instrument was acknowledged before me on the \_\_\_\_\_ day of \_\_\_\_\_, 2009  
by \_\_\_\_\_.

*See attached*

\_\_\_\_\_  
(print name)  
Notary Public for the State of \_\_\_\_\_  
Residing at \_\_\_\_\_  
My Commission expires \_\_\_\_\_

*Peter Gross*, Peter Gross, Vice-President, Cabin Creek Landing  
Association, Inc.

STATE OF Montana )  
County of Flathead )

This instrument was acknowledged before me on the 3 day of April, 2009  
by Peter Gross.



*Brenda Hamblin*  
Brenda Hamblin (print name)  
Notary Public for the State of Montana  
Residing at Kalispell  
My Commission expires June 9, 2012



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Paula Robinson, Flathead County MT by DJ

Carolyn Hurst

Carolyn Hurst, Secretary/Treasurer, Cabin Creek Landing Association, Inc.

STATE OF MONTANA )

County of FLATHEAD )

This instrument was acknowledged before me on the 31 day of MARCH, 2009 by CAROLYN HURST



Notary Public for the State of Montana  
RESIDING AT MARION, MONTANA  
My Commission Expires  
August 25, 2012

Cristina M. Miller  
CRISTINA M. MILLER (print name)  
Notary Public for the State of MONTANA  
Residing at MARION  
My Commission expires AUG 25, 2012

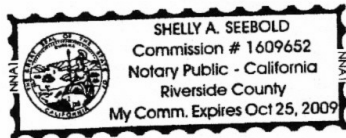


Paula Robinson, Flathead County MT by DJ

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

State of California  
County of Riverside }  
On March 23, 2009 before me, Shelly A. Seebold, Notary Public  
Date Here Insert Name and Title of the Officer  
personally appeared Maurice Wood  
Name(s) of Signer(s)

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



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

WITNESS my hand and official seal.

Signature [Signature]  
Signature of Notary Public

Place Notary Seal Above

**OPTIONAL**

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

**Description of Attached Document**

Title or Type of Document: \_\_\_\_\_

Document Date: \_\_\_\_\_ Number of Pages: \_\_\_\_\_

Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer(s)**

Signer's Name: \_\_\_\_\_

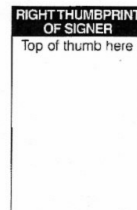
- Individual
- Corporate Officer — Title(s): \_\_\_\_\_
- Partner —  Limited  General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: \_\_\_\_\_



Signer Is Representing: \_\_\_\_\_

Signer's Name: \_\_\_\_\_

- Individual
- Corporate Officer — Title(s): \_\_\_\_\_
- Partner —  Limited  General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: \_\_\_\_\_



Signer Is Representing: \_\_\_\_\_