

84310/6340

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FIRST AMENDMENT OF MERGER OF CONDOMINIUMS,
AMENDED DECLARATION, AND STATEMENT OF COVENANTS,
CONDITIONS AND RESTRICTIONS OF
BAY POINT ESTATES

THIS DECLARATION made and entered into this 30 day
of October, 1984, by and between RUSSELL C. STREET
and MARY JANE STREET, husband and wife, of Whitefish, Montana
hereinafter referred to as "DEVELOPER", and BAY POINT OWNERS
ASSOCIATION, INC., a Montana Non-Profit Corporation, hereinafter
referred to as "ASSOCIATION".

W I T N E S S E T H:

WHEREAS, by a merger of condominiums, amended declaration,
and statements of covenants, conditions and restrictions of
Bay Point Estates, recorded the 13th day of April, 1982,
in the office of the Clerk and Recorder of Flathead County,
Montana, as Document No. 4872, in Book 737, Page 417 (the
"Declaration") the Developer and Association merged certain
declarations of unit ownership set forth therein and collectively
known as Bay Point Estates; and

WHEREAS, paragraph 6 of said declaration reserved the
power and right of the Developer to annex additional property
to Bay Point Estates with the result that the undivided
percentage of each unit owner in Bay Point Estates would be
adjusted to provide for equal ownership interest after said
annexation; and

WHEREAS, Developer is owner of the real property described
in Exhibit "A" attached hereto and by this reference incorporated
herein; and

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WHEREAS, the Developer has constructed thereon one building containing four condominium units to be annexed to Bay Point Estates as set forth in said Declaration; the floor plans and specifications of which are set forth in Exhibit "B" attached hereto and by this reference made a part hereof and which Exhibit has included the certificate of the architect or engineer required by Section 70-23-306, MCA.

NOW THEREFORE, the Developer and the Association hereby declare that the Declaration be and hereby is amended as follows:

1. The property described in Exhibit "A" attached hereto is hereby annexed to the property as defined in paragraph one of the Declaration and is hereby submitted to the provisions of the Unit Ownership Act of Montana as a part of Bay Point Estates in accordance with, and shall be deemed to be governed in all aspects by, the terms and provisions of the Declaration.
2. The legal description of the units developed on the real property set forth in Exhibit "A" are as follows:
Units 19A, 19B, 19C, and 19D of Bay Point Estates.
3. The "limited common elements" shall include the hot water tank, space within which the hot water tank is located, and deck immediately adjacent to each unit. Each unit owner shall be entitled to a one hundred percent (100%) right to use the limited common elements appertaining exclusive to his or her unit, provided that those limited common elements used by more than one unit shall have an equal ownership interest appertaining to each unit using the limited common element. The cost of maintenance, repair and replacement of the limited common elements shall be borne by the unit owners to which they are appurtenant.

84310/6310

IN WITNESS WHEREOF, the parties hereto have executed
this Amendment personally or by its authorized representative
they day and year first above written.

DEVELOPER:


RUSSELL C. STREET


MARY JANE STREET

ASSOCIATION:

By 
Its: President

Beginning at the NE corner of Deed Exhibit 525/95, of record on file in the Clerk and Recorder's Office of Flathead County, Montana; thence South along the East boundary of said Deed Exhibit, 443.41 feet to a point; thence S 89° 50' 29" W, 37.23 feet to a found iron pin, which is the P.C. of a 215.00 foot radius curve concave Northeasterly (having a radial bearing of N 05° 43' 29" E); thence Northwesterly through a central angle of 53° 33' 49" an arc length of 201.00 feet to a found iron pin; thence N 01° 45' 33" E, 45.57 feet to a found iron pin, the P.C. of a 95.00 foot radius curve concave Westerly (having a radial bearing of N 77° 35' 15" W); thence Northwesterly through a central angle of 49° 35' 13" an arc length of 82.22 feet to a found iron pin; thence N 61° 46' 22" E, 75.84 feet to a found iron pin; thence N 81° 22' 59" W, 36.51 feet to a found iron pin; thence N 22° 28' 39" E, 103.80 feet to a found iron pin; thence N 14° 09' 24" E, 30.51 feet to a found iron pin; thence N 03° 15' 30" E, 22.46 feet to a found iron pin; the P.C. of a 35.00 foot radius curve concave Southwesterly; thence Northeasterly and Southwesterly through a central angle of 93° 15' 30" an arc length of 56.97 feet to a point; thence N 00° 00' 00" E, 0.75 feet to a point on the North boundary of said Deed Exhibit; thence S 89° 58' 00" E along said North boundary 99.92 feet to the place of beginning and containing 1.407 acres of land more or less. Subject to and together with all existing easements of record.

84310 16790

FLATHEAD COUNTY AGENT OF THE
DEPARTMENT OF REVENUE OF THE
STATE OF MONTANA
APPROVAL

The undersigned, being the duly authorized agent in Flathead
County, Montana, of the Department of Revenue of the State of
Montana, does hereby approve the Declaration of Unit Ownership of
Bay Forest Estates Unit A, B, C, D
_____, as, approved and requested by
Section 67-2317, R.C.M. 1947.

Dated this 31 day of Oct, 1984

FLATHEAD COUNTY AGENT
DEPARTMENT OF REVENUE

By: [Signature]

8-1310/6390

Flathead County Treasurer

Idella SMITHERS
County Treasurer

800 South Main
Kalispell, Mont. 59901
(406) 755-6300

Motor Vehicle Ext. 272
Court House Off. Ext. 219

TO WHOM IT MAY CONCERN:

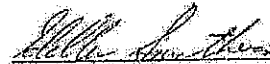
RE: UNIT 19 A B C & D of BAY POINT ESTATES

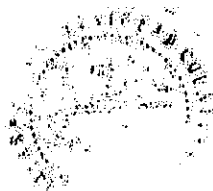
THIS IS TO CERTIFY THAT ON THE FOLLOWING DESCRIBED PROPERTY, ALL
TAXES LEVIED AND ASSESSED THROUGH THE YEAR 1984, INCLUDING THE SECOND
INSTALLMENT OF THE 1984 TAXES, ARE PAID IN FULL AND THERE ARE NO
DELINQUENT TAXES OWING:

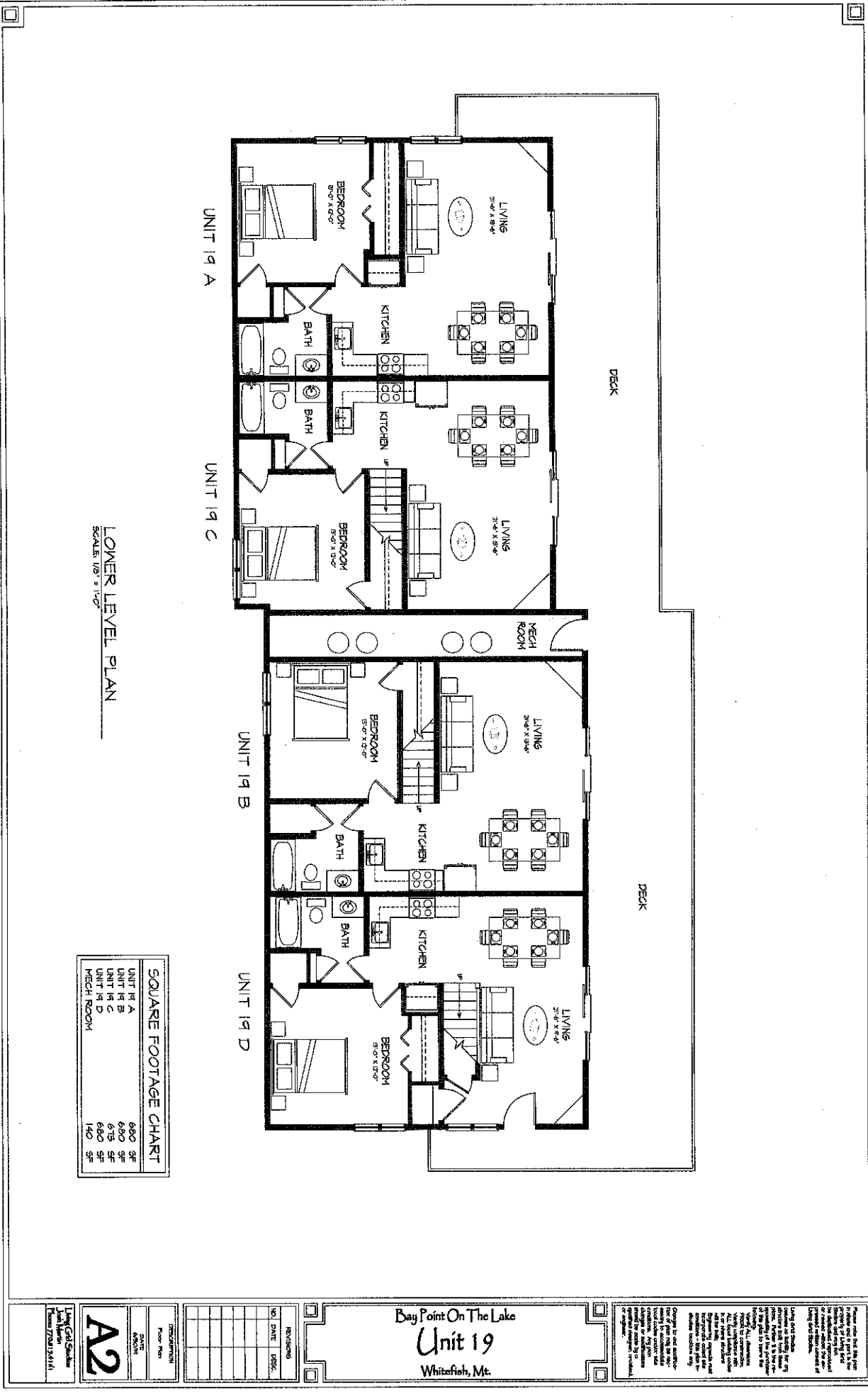
TR 7HC In Lot 3, Section 25, Township 31 North,
Range 22 West, Flathead County, Montana. School
District 44, Assessor No. 0837360.

DATED THIS 5th Day of November, 1984.

FLATHEAD COUNTY TREASURER


Idella Smithers





LOWER LEVEL PLAN
SCALE: 1/8" = 1'-0"

SQUARE FOOTAGE CHART

UNIT 19 A	660 SF
UNIT 19 B	660 SF
UNIT 19 C	675 SF
UNIT 19 D	660 SF
MECH ROOM	140 SF

Bay Point On The Lake
Unit 19
Whitefish, Mt.

REVISIONS

NO.	DATE	DESC.

DESCRIPTION

Floor Plan

DATE

SCALE

A2

Unit 19
Whitefish, Mt.

Legend:
 - Living Room
 - Kitchen
 - Bath
 - Bedroom
 - Deck
 - Mech Room

Notes:
 1. All dimensions are in feet and inches.
 2. All areas are approximate.
 3. All areas are subject to change without notice.
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 7. All areas are subject to change without notice.
 8. All areas are subject to change without notice.
 9. All areas are subject to change without notice.
 10. All areas are subject to change without notice.