

Please return to:
Longshot Equity, LLC
PO Box 10025
Bozeman, MT 59719



SECOND SUPPLEMENT TO DECLARATION FOR EASTBOUND COMMERCIAL CONDOMINIUM

WHEREAS, LONGSHOT EQUITY, LLC, a Montana limited liability company of PO Box 10025, Bozeman, Montana 59719 ("Longshot"), is the owner of Unit 770 of the Eastbound Commercial Condominium, located on Lot 1A-5A of Minor Subdivision No. 41C, being the Amended Plat of Lot 3A of Minor Subdivision No. 41A and Lot 1A-5 of Minor Subdivision No. 41B, situated in the SW¼ of Section 9, and the NW¼ of Section 16, Township 2 South, Range 6 East, P.M.M., City of Bozeman, Gallatin County, Montana, according to the official plat thereof on file and of record in the office of the County Clerk and Recorder of Gallatin County, Montana, Declaration and Bylaws for which were recorded on March 29, 2019 as Document No. 2641189, Supplement to Declaration recorded May 16, 2019 as Document No. 2644885, First Amendment to Declaration recorded March 8, 2021 as Document No. 2723735, all in the office of the Clerk and Recorder of Gallatin County, Montana;

WHEREAS, Longshot wishes to subdivide Unit 770 of Eastbound Commercial Condominium into five (5) Units, to be known as Unit 770A, Unit 770B, Unit 770C, Unit 770D, and Unit 770E;

WHEREAS, the Declaration for Eastbound Commercial Condominium provides that the signatures of the Unit Owners for any Unit not being subdivided shall not be required for the Unit Owner of the Unit being subdivided to file the Supplemental Declaration subdividing his or her Unit.

COMES NOW, Longshot, as the Owner of Unit 770 and does hereby supplement the said Declaration and First Amendment to Declaration as follows:

1. Unit 770 of Eastbound Commercial Condominium shall be subdivided into five (5) Units, to be known as Unit 770A, Unit 770B, Unit 770C, Unit 770D, and Unit 770E.
2. The Floor Plans for Unit 770A, Unit 770B, Unit 770C, Unit 770D, and Unit 770E of Eastbound Commercial Condominium are attached hereto as Exhibit A.
3. Attached hereto as Exhibit B is the Certificate of Floor Plans for Unit 770A,

Unit 770B, Unit 770C, Unit 770D, and Unit 770E of Eastbound Commercial Condominium.

4. Article IV of the Declaration, OWNERSHIP AND VOTING - EXHIBITS - USE, is amended by the substitution of the percentage of undivided ownership of the specific Units as follows:

<u>UNIT NO.</u>	<u>SQUARE FOOTAGE[†]</u>	<u>PERCENTAGE OF INTEREST IN GENERAL COMMON ELEMENTS*</u>
760	10,500 ^{†*}	44.71%*
770A	3,361 ^{†*}	14.31%*
770B	2,407 ^{†*}	10.25%*
770C	2,407 ^{†*}	10.25%*
770D	2,407 ^{†*}	10.25%*
770E	2,403 ^{†*}	10.23%*
TOTAL	23,485^{†*}	100.00%

*Subject to the Unit Subdivision provisions in Article IV of the Declaration.

† The actual dimensions and boundaries of the Units are set forth above in Article II, Unit Boundaries. The square footage measurements set forth in this Article IV may not be the actual square footage measurements of the Units as said Units are defined in Article II, Unit Boundaries. The square footage measurements set forth in this Article IV are used only for the purposes of determining each Unit Owner's percentage interest in the General Common Elements and liability for Common Expenses. No representation or warranty of any kind whatsoever is made that the square footage measurements set forth above are the actual square footage measurements of any Unit.

5. The use of Unit 770A, Unit 770B, Unit 770C, Unit 770D, and Unit 770E of EASTBOUND COMMERCIAL CONDOMINIUM shall be for commercial use only as limited by the Declaration and Bylaws. Residential use is prohibited.

6. The Municipal Facilities Exemption recorded with the First Amendment to the Declaration for Eastbound Commercial Condominium recorded on March 8, 2021 as Document No. 2723735 in the office of the Clerk and Recorder of Gallatin County, Montana, permits a total of 16 Units and this Second Supplement to the Declaration complies with the said Municipal Facilities Exemption.

Declarant certifies that Eastbound Commercial Condominium is excluded from review by the Department of Environmental Quality pursuant to 76-4-125 and 76-3-203, MCA.

76-4-125. **Land divisions excluded from review** (1) A subdivision excluded from the provisions of chapter 3 must be submitted for review according to the provisions

of this part, except that the following divisions or parcels, unless the exclusions are used to evade the provisions of this part, are not subject to review:

(d) as certified pursuant to 76-4-127 (iii) divisions or parcels of land that are exempt from the Montana Subdivision and Platting Act review under 76-3-203.

76-3-203. Exemption for certain condominiums and townhouses. Condominiums, townhomes, townhouses, or conversions, as those terms are defined in 70-23-102, constructed on land subdivided in compliance with parts 5 and 6 of this chapter or on lots within incorporated cities and towns are exempt from the provisions of this chapter if:

(2) the condominium, townhome, or townhouse proposal is in conformance with applicable local zoning regulations when local zoning regulations are in effect.

7. Except as supplemented as set forth above, the Declaration and Bylaws for Eastbound Commercial Condominium and any Supplements or Amendments thereto remain in full force and effect. In the event of any conflict between the terms of said Declaration and Bylaws (and any Supplements or Amendments thereto) and the terms of this Second Supplement, the terms of this Second Supplement shall control. This Second Supplement shall run with the land and shall bind the heirs, successors, and assigns of the owners of the above described property.

DATED this 9th day of February, 2021

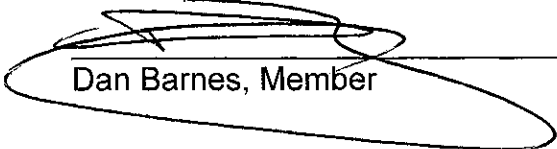
[signatures on following page]

OWNER OF UNIT 770:

LONGSHOT EQUITY, LLC, a Montana limited liability company, by



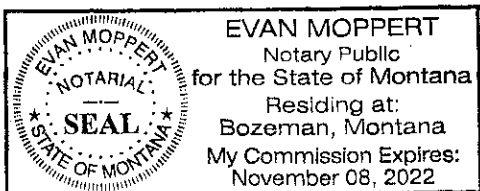
Donnie Olsson, Member

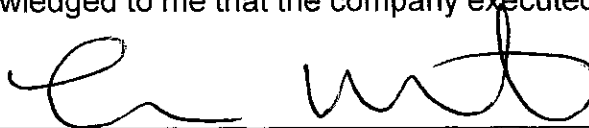


Dan Barnes, Member

STATE OF MONTANA)
 : ss.
County of Gallatin)

On this 9th day of February, 2021, before me, a Notary Public in and for said State, personally appeared DONNIE OLSSON, Member of LONGSHOT EQUITY, LLC, a Montana limited liability company, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that the company executed the same.

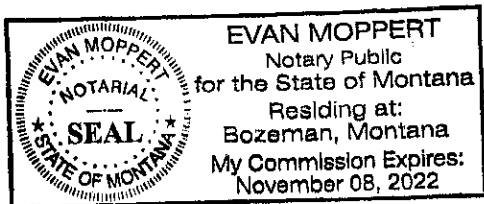


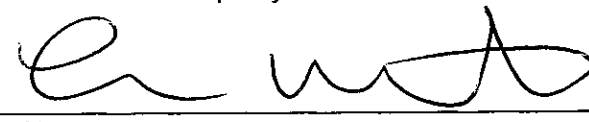


Printed Name: _____
Notary Public for the State of Montana
Residing at _____, Montana
My commission expires: _____

STATE OF MONTANA)
 : ss.
County of Gallatin)

On this 9th day of February, 2021, before me, a Notary Public in and for said State, personally appeared DAN BARNES, Member of LONGSHOT EQUITY, LLC, a Montana limited liability company, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that the company executed the same.





Printed Name: _____
Notary Public for the State of Montana
Residing at _____, Montana
My commission expires: _____

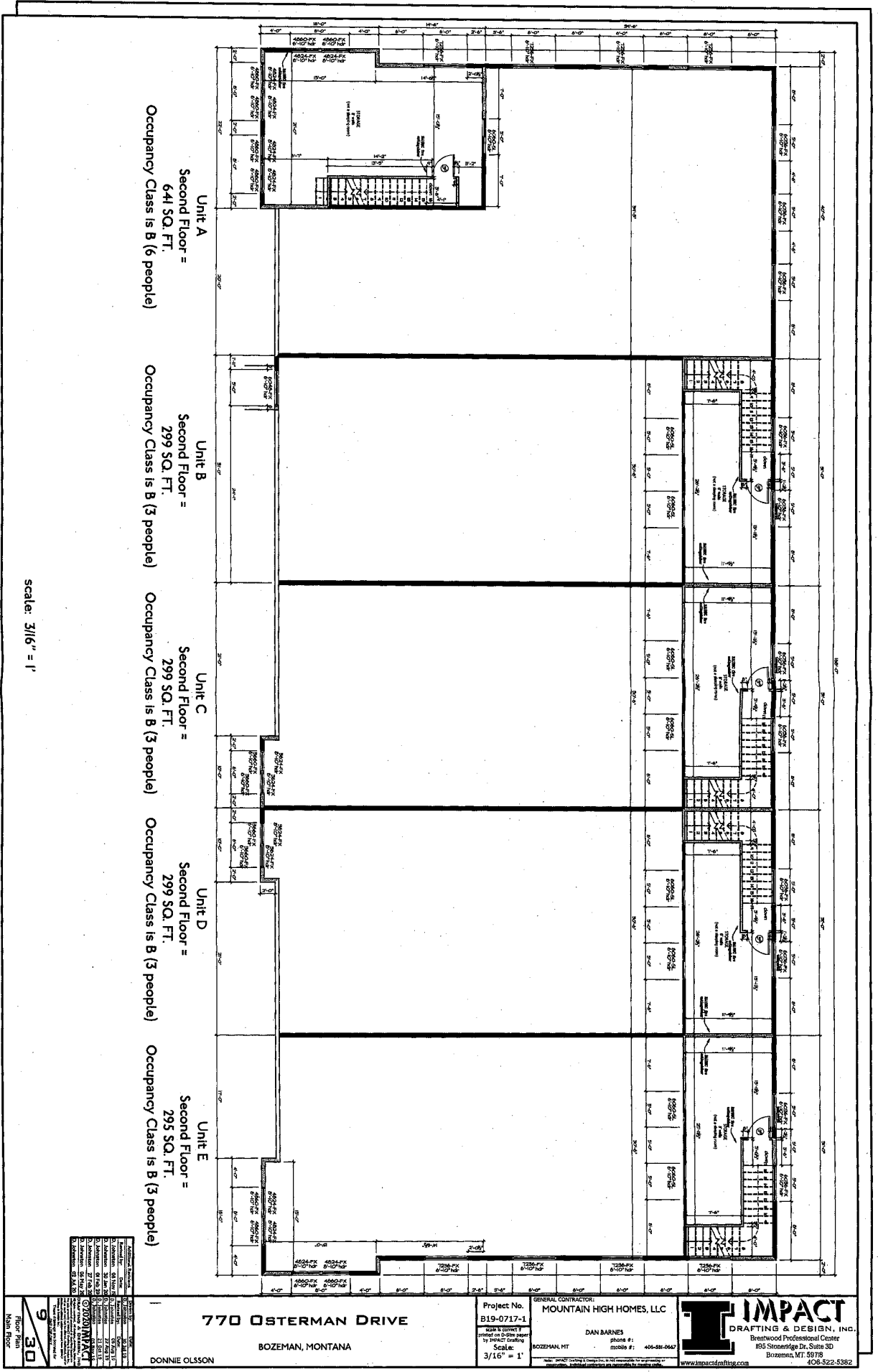


Exhibit A

770 OSTERMAN DRIVE

BOZEMAN, MONTANA

DONNIE OLSSON

Project No.
B19-0717-1
printed on D-Size paper
by IMPACT Drafting
Scale:
3/16" = 1'

GENERAL CONTRACTOR:
MOUNTAIN HIGH HOMES, LLC

DAN BARNES
phone #: 406-881-0447
mobile #: 406-881-0447
BOZEMAN, MT

IMPACT
DRAFTING & DESIGN, INC.
Brewerwood Professional Center
155 Stoneridge Dr. Suite 3D
Bozeman, MT 59718
406-522-5382
www.impactdrafting.com

DATE	DESCRIPTION
03/08/21	ISSUED FOR PERMIT
03/08/21	ISSUED FOR CONSTRUCTION
03/08/21	ISSUED FOR RECORD
03/08/21	ISSUED FOR ARCHIVE
03/08/21	ISSUED FOR CLOSURE
03/08/21	ISSUED FOR FINAL REVIEW
03/08/21	ISSUED FOR FINAL APPROVAL
03/08/21	ISSUED FOR FINAL RECORD
03/08/21	ISSUED FOR FINAL ARCHIVE
03/08/21	ISSUED FOR FINAL CLOSURE
03/08/21	ISSUED FOR FINAL FINAL REVIEW
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03/08/21	ISSUED FOR FINAL FINAL FINAL ARCHIVE
03/08/21	ISSUED FOR FINAL FINAL FINAL CLOSURE

9
30
Floor Plan
Main Floor

Unit A
 First Floor = 2720 SQ. FT.
 Occupancy Class Is B (27 people)

Unit B
 First Floor = 2108 SQ. FT.
 Occupancy Class Is B (21 people)

Unit C
 First Floor = 2108 SQ. FT.
 Occupancy Class Is B (21 people)

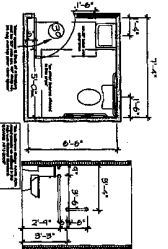
Unit D
 First Floor = 2108 SQ. FT.
 Occupancy Class Is B (21 people)

Unit E
 First Floor = 2108 SQ. FT.
 Occupancy Class Is B (21 people)

Scale: 3/16" = 1'

ADA CODES

101	102	103	104	105	106	107	108	109	110
111	112	113	114	115	116	117	118	119	120



Scale: 1/4" = 1'

NO.	REVISION	DATE	BY	CHKD.
1	ISSUED FOR PERMIT	03/08/2021	DM	DM
2	REVISION	03/08/2021	DM	DM
3	REVISION	03/08/2021	DM	DM
4	REVISION	03/08/2021	DM	DM
5	REVISION	03/08/2021	DM	DM
6	REVISION	03/08/2021	DM	DM
7	REVISION	03/08/2021	DM	DM
8	REVISION	03/08/2021	DM	DM
9	REVISION	03/08/2021	DM	DM
10	REVISION	03/08/2021	DM	DM

770 OSTERMAN DRIVE

BOZEMAN, MONTANA

DONNIE OLSSON

Project No.
 B19-0717-1
 Scale: 3/16" = 1'

GENERAL CONTRACTOR:
 MOUNTAIN HIGH HOMES, LLC

DAN BARNES
 phone #: 406-561-0667
 BOZEMAN, MT mobile #: 406-561-0667

IMPACT
 DRAFTING & DESIGN, INC.
 Bremwood Professional Center
 355 Stoneridge Dr., Suite 30
 Bozeman, MT 59718
 406-522-5382
 www.impactdrafsng.com


Exhibit A

CERTIFICATE OF FLOOR PLANS

The undersigned, being a duly registered professional engineer in the State of Montana, herewith certifies the following:

That the floor plans for Unit 770A, Unit 770B, Unit 770C, Unit 770D, and Unit 770E of EASTBOUND COMMERCIAL CONDOMINIUM, situated on Lot 1A-5A of Minor Subdivision No. 41C, being the Amended Plat of Lot 3A of Minor Subdivision No. 41A and Lot 1A-5 of Minor Subdivision No. 41B, situated in the SW¼ of Section 9, and the NW¼ of Section 16, Township 2 South, Range 6 East, P.M.M., City of Bozeman, Gallatin County, Montana, according to the official plat thereof on file and of record in the office of the County Clerk and Recorder of Gallatin County, Montana, as duly filed with the First Amendment to the Declaration thereof, fully and accurately depict the layout, location, unit designation and dimensions of Unit 770A, Unit 770B, Unit 770C, Unit 770D, and Unit 770E of EASTBOUND COMMERCIAL CONDOMINIUM as of this date, and that such floor plans are an accurate copy of the plans filed with and approved by the officials and officers of the City of Bozeman, Montana having jurisdiction to issue building permits. Such floor plans for Unit 770A, Unit 770B, Unit 770C, Unit 770D, and Unit 770E render hand representation of Unit 770A, Unit 770B, Unit 770C, Unit 770D, and Unit 770E as built.

Dated: 2/12/2021



Jeremy May
Registered Professional Engineer
License No. 17579

Exhibit B

CONSENT OF MORTGAGEE


COMES NOW, OPPORTUNITY BANK OF MONTANA, as the Beneficiary/Lender under that certain Contruction Deed of Trust wherein LONGSHOT EQUITY, LLC, a Montana limited liability company was Grantor, AMERICAN LAND TITLE COMPANY was Trustee, recorded on November 12, 2020 as Document No. 2708540 in the office of the Clerk and Recorder of Gallatin County, Montana against the following described real property:

Lot 1A-5A of Minor Subdivision No. 41C, being the Amended Plat of Lot 3A of Minor Subdivision No. 41A and Lot 1A-5 of Minor Subdivision No. 41B, situated in the SW¼ of Section 9, and the NW¼ of Section 16, Township 2 South, Range 6 East, P.M.M., City of Bozeman, Gallatin County, Montana, according to the official plat thereof on file and of record in the office of the County Clerk and Recorder of Gallatin County, Montana

AND HEREBY CONSENTS to the submission of the above described real property to the recording of the Second Supplement to the Declaration for EASTBOUND COMMERCIAL CONDOMINIUM set forth herein.

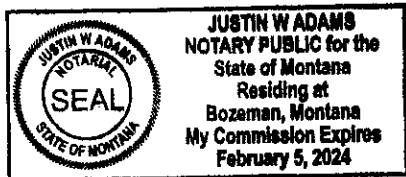
DATED this 9th day of February, 2021.


OPPORTUNITY BANK OF MONTANA,
by


Dustin Barber, VP/SLO

STATE OF MONTANA)
 : ss.
County of Gallatin)

On this 9 day of February, 2021, before me, a Notary Public in and for said State, personally appeared Dustin Barber, VP/SLO of OPPORTUNITY BANK OF MONTANA, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that the corporation executed the same.




Printed Name: Justin Adams
Notary Public for the State of Montana.
Residing at Bozeman, Montana.
My commission expires: 2/5/24