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**WAIVER OF REQUIREMENT OF APPROVAL FOR AMENDMENT  
OF COVENANTS**

1. The Restrictive Covenants of Tamarack Woods Subdivision Phase I was recorded in the office of the Clerk and Recorder of Flathead County, Montana, on July 1, 1980 in Book 694 at Page 960. Article 24 of the Covenants provides, in part, as follows:

"Alterations or additions may be made to this Declaration by the Declarant as long as he owns 25% or more of the lots, providing no less than 75% of the new owners of the other lots agree thereto, with approval of the Flathead County Commissioners."

2. The above-described Covenants affects the following described real property:

"TAMARACK WOODS SUBDIVISION PHASE I, according to the plat or map thereof on file and of record in the office of the County Clerk and Recorder, Flathead County, Montana."

3. The Board of Commissioners of Flathead County desires that the requirement of approval of the Board of Commissioners to amend the Covenants be waived except as it pertains to an amendment of any article in the Covenants that was a condition of subdivision plat approval.

TREAS  
THEREFORE, by their signatures below, the Board of Commissioners of Flathead County, Montana, hereby waives the requirement of approval of the Board of Commissioners, contained in Article 24 of the Covenants, for amendment of the Covenants EXCEPT as it pertains to an amendment of any article in the Covenants that was a condition of subdivision plat approval.

Dated this 15th day of December, 1997.

BOARD OF COUNTY COMMISSIONERS  
Flathead County, Montana

By Robert W. Watne  
Robert W. Watne, Chairman

By Howard W. Gipe  
Howard W. Gipe, Member

By Dale W Williams  
Dale W Williams, Member

ATTEST:  
Susan J. Haverfield, Clerk

By [Signature], Deputy

## SECOND ADDENDUM TO RESTRICTIVE COVENANTS

This addendum to Restrictive Covenants is made this 15<sup>th</sup> day of December, 1997 by the undersigned owners of the real property described herein, hereinafter referred to as Declarants.

## WITNESSETH:

WHEREAS Declarants are the owners of real property situated in Section 18, Township 26 N., 20, Flathead County Montana known as Tamarack Woods Phase I subdivision according to the map or plat thereof recorded at Flathead County, Montana; and

WHEREAS a Restrictive Covenants was executed on July 1, 1980 affecting said real property, a copy of which was recorded at the office of the Clerk and Recorder of Flathead County, Montana as recorder's fee no. 8300, book 694, page 960; and

WHEREAS since that time the Declarants desire to amend said Restrictive Covenants; and

WHEREAS the undersigned are owners of at least 75% of the parcels; and

WHEREAS the ballots for the written amendment are on file with the Secretary of the Tamarack Woods Homeowners Association; and

NOW, THEREFORE the Declarants agree and hereby declare this Amendment of Restrictive Covenants:

1. Under Article one, page 1, is found the following restriction:

1. No lot shall be used except for residential purposes, provided, however, that one room in any residence may be used for office work in relation to the owner's operation. Said paragraph shall be deleted in its entirety and amended to read as follows:
1. Tamarack Woods is intended to be primarily a residential community. However, the number of home-based businesses is growing and these businesses contribute to Flathead Valley's economy.
- A. Lots within the development may be used for low impact, non-industrial business purposes provided that such businesses are conducted in an unintrusive, noninvasive manner with respect to neighbors and the development in general and that they:
  - 1) Maintain the residential appearance of the lot; and its structures (e.g., no business signs, no visible stockpiles of materials, structures that would not normally be part of a residential community, treatments to a structure that alter its residential purpose and or appearance);
  - 2) Use no processes or materials that create a health, safety, or environmental hazard;
  - 3) Use no processes that produce noise levels or frequency of noise occurrence greater than that associated with residential areas;
  - 4) Create no appreciable increase in traffic into the development.

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0969438 to 0969478  
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B. All business activities within the development must meet the tests described above and be approved on a case-by-case basis by the Board of Directors.

In all other respects, the Restrictive Covenants dated July 1, 1980 remain in full force and effect.

EXECUTED the day and year first above written.

  
George Short, President  
Tamarack Woods Homeowners Assn.

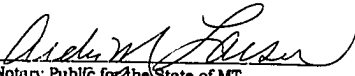
STATE OF MONTANA )

County of Flathead )

On this 14<sup>th</sup> day of December, 1997, before me a Notary Public for the State of Montana, personally appeared George Short, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year first above written.



  
Notary Public for the State of MT  
Residing at Schadysburg  
My Commission Expires: 3/8/99

Mail: Tamarack Woods Subdivision  
PO Box 97  
Lakeside, MT 59922.

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COMPARED	

STATE OF MONTANA )  
County of Flathead )  
Recorded at the request of Sen Suevik / Tamarack Woods  
this 16 day of Dec, 1997, at 11:15 o'clock AM  
and recording in the records of Flathead County, State of Montana.  
Per 18 Ardis M. Larsen  
Deborah L. Gage  
Deputy

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