



Return To:
Pedersen & Hardy, P.C.
1001 S. 24th Street West, Suite 315
Billings MT 59102
File No. 40156

**FIRST AMENDMENT TO THE DECLARATION OF CONDITIONS,
COVENANTS AND RESTRICTIONS
FOR JOSEPHINE CROSSING**

McCALL DEVELOPMENT, INC., the Developer of Josephine Crossing Subdivision, pursuant to the provisions contained in the Declaration of Conditions, Covenants and Restrictions for Josephine Crossing, recorded March 21, 2007, under Document No. 3414948, records of Yellowstone County, Montana, (the Original Declaration), hereby amends the above described Original Declaration. The following amendments shall be binding on all Lots described on the attached Exhibit B:

1. The following additional Lots in Josephine Crossing Subdivision, 2nd Filing, in Yellowstone County, Montana, are hereby subject to and are bound by the provisions of the Original Declaration described above, as amended herein:

Lots 1 through 17 inclusive, Block 8, and Lots 1 through 11 inclusive, Block 6, of Josephine Crossing Subdivision, 2nd Filing, in the City of Billings, Yellowstone County, Montana, according to the official plat thereof on file and of record in the office of the Clerk and Recorder of said County, under Document No. 3627576.

2. Exhibit "B", attached hereto, replaces Exhibit "B" attached to the Original Declaration and identifies all Lots now subject to the provisions of the Original Declaration, as amended herein.

3. "Common Property" as described in Section 1. d. of the Original Declaration shall include the private park located on Lot 5, Block 7 of Josephine Crossing Subdivision,



2nd Filing, and any other park which has or will be conveyed to the Josephine Crossing Owners Association (the Association).

4. The following is hereby added to Section 3 of the Original Declaration:

Parks owned by the Association shall be maintained and managed by the Association, The Board or the Management Company shall obtain liability insurance for all parks owned by the Association. The cost of that insurance and the costs of park maintenance shall be included in the Common Expense and paid as part of the general assessments for each Lot subject to the Original Declaration, as amended from time to time.

5. Section 4.1. Signs is amended to provide that the area of signs identifying the occupant of a home or a home business shall not exceed three square feet; the following provision is hereby added to Section 4.1:

Owners of a Lot subject to the Original Declaration, as amended, may display signs advocating the election, appointment or defeat of a candidate for public office of the passage or defeat of a ballot issue on that owner's Lot. Such signs may be displayed no more than 60 days prior to the election date and must be removed within one week following the election. Signs shall be no larger than three square feet in area.

The first sentence of Section 4.q Fences is hereby deleted and replaced with the following:

All fences must be vinyl or ornamental iron or ornamental aluminum; no chain link fences are permitted.

The balance of Section 4 shall remain as written.

6. The following is hereby added to the Original Declaration:

3A NEIGHBORHOOD EVENTS.

The Association may fund neighborhood events within Josephine Crossing Subdivision if the event and the budget for the event is approved by resolution of the members of the Association at the annual meeting preceding the event. Voting shall conform to the requirements of Section 3 of the Bylaws of Josephine Crossing Owners Association. The cost of each approved Neighborhood Event shall be a common

RES

3638201

09/12/2012 04:22 PM Pages: 3 of 5 Fees: 35.00
Jeff Martin Clerk & Recorder, Yellowstone MT



Expense, payable as a General Assessment or a Special Assessment, and shall be subject to all of the provisions of Section 3, Maintenance of Common Property, as amended from time to time.

7. Exhibit "A", attached hereto, replaces Exhibit "A" attached to the original Declaration.

All other provisions in the Original Declaration shall remain as written.

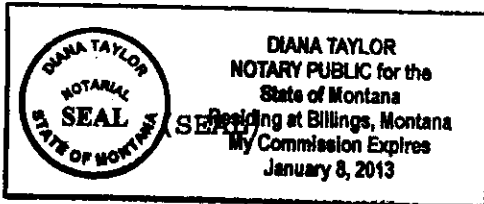
DATED this 11th day of September, 2012.

MCCALL DEVELOPMENT, INC.

By: Bradley McCall
Its: Treasurer

STATE OF MONTANA)
) ss.
County of Yellowstone)

This instrument was acknowledged before me on September 11, 2012, by Bradley McCall, as Treasurer of McCALL DEVELOPMENT, INC.



Diana Taylor
Diana Taylor
(print or type name of notary)
Notary Public for the State of Montana
Residing at Billings, Montana
My Commission Expires 1-8-2013



**ALL LOTS IN JOSEPHINE CROSSING SUBDIVISION
FIRST AND SECOND FILINGS**

Block 1: Lots 1 through 24, inclusive,

Block 2: Lots 1 through 4, inclusive,

Park, and

Parks 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11,

Block 3: Lots 1 through 40, inclusive,

Block 4: Lots 1 through 40, inclusive,

Block 5: Lots 1 through 18, inclusive,

all in Josephine Crossing Subdivision, in the City of Billings, Yellowstone County, Montana, according to the official plat thereof on file and of record in the office of the Clerk and Recorder of said County, under Document No. 3402833.

and

Block 6: Lots 1 through 12,

Block 7: Lots 1 through 5,

Block 8: Lots 1 through 17,

of Josephine Crossing Subdivision, 2nd Filing, in the City of Billings, Yellowstone County, Montana, according to the official plat thereof on file and of record in the office of the Clerk and Recorder of said County, under Document No. 3627576.

EXHIBIT "A"

RES

3638201

09/12/2012 04:22 PM Pages: 5 of 5 Fees: 35.00
Jeff Martin Clerk & Recorder, Yellowstone MT



LOTS SUBJECT TO COVENANTS, CONDITIONS & RESTRICTIONS

Block 1: Lots 1 through 24, inclusive,

Block 3: Lots 1 through 40, inclusive,

Block 4: Lots 1 through 40, inclusive,

Block 5: Lots 1 through 18, inclusive,

all in Josephine Crossing Subdivision, in the City of Billings, Yellowstone County, Montana, according to the official plat thereof on file and of record in the office of the Clerk and Recorder of said County, under Document No. 3402833.

and

Block 6: Lots 1 through 11, inclusive,

Block 8: Lots 1 through 17, inclusive,

of Josephine Crossing Subdivision, 2nd Filing, in the City of Billings, Yellowstone County, Montana, according to the official plat thereof on file and of record in the office of the Clerk and Recorder of said County, under Document No. 3627576.

EXHIBIT "B"