

Return to: Waterside Development  
c/o Peak Development, LLP  
27 Meridian Court, Suite 117  
Kalispell, MT 59901



Paula Robinson, Flathead County MT by NC

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APPROVED 4/17/09 JR

**FIFTH AMENDMENT TO THE DECLARATION OF  
CONDOMINIUM FOR WATERSIDE CONDOMINIUM  
UNDER THE MONTANA UNIT OWNERSHIP ACT**

This Fifth Amendment to Declaration of Condominium for Waterside Condominium under the Montana Unit Ownership Act is executed this 16<sup>th</sup> day of April, 2009, by Waterside Development, LLC, a Montana Limited Liability Company in Kalispell, Montana (hereinafter referred to as "Declarant").

**WHEREAS**, Declarant caused to be filed that Declaration of Condominium for Waterside Condominium with the Flathead County Clerk and Recorder as Document No. 200521713500 (hereinafter sometimes "Original Declaration"); and

**WHEREAS**, pursuant to said Declaration, Declarant specifically reserved unto itself the right to amend said Declaration to, among other things, expand the number of Units to be included within said Declaration of Condominium; and

**WHEREAS**, Declarant previously amended said Declaration pursuant to that First Amendment to Declaration of Condominium for Waterside Condominium dated February 14, 2006 and recorded with the Flathead County Clerk and Recorder as Document No. 200604516100; and

**WHEREAS**, Declarant also previously amended said Declaration pursuant to that Second Amendment to the Declaration of Condominium for Waterside Condominium dated December 8, 2006 and recorded with the Flathead County Clerk and Recorder as Document No. 200634611490; and

**WHEREAS**, Declarant also previously amended said Declaration pursuant to that Third Amendment to the Declaration of Condominium for Waterside Condominium dated August 7, 2007 and recorded with the Flathead County Clerk and Recorder as Document No. 200700027233; and

**WHEREAS**, Declarant also previously amended said Declaration pursuant to that Fourth Amendment to the Declaration of Condominium for Waterside Condominium dated November 21, 2007 and recorded with the Flathead County Clerk and Recorder No. 200700035567; and

**WHEREAS**, Declarant desires to amend said Declaration of Condominium to delete Section 7(i), consistent with Section 13 of the Rules and Regulations adopted by the Board of Directors of Waterside Condominium Owners Association, Inc.

**NOW, THEREFORE**, in consideration of the foregoing recitals and the amendment powers reserved unto Declarant as set forth in the Declaration of Condominium on file and of record in the office of the Flathead County Clerk and Recorder as Document 200521713500, as amended, Declarant hereby amends said Declaration as follows:

Section 7(i) is hereby redacted and no Unit Owner shall be entitled to cause any signs to be placed in or on the exterior portion of any building or on any other Common and/or Limited Common Element, and no Unit Owner shall be entitled to place any advertisement, including a "for sale" sign on the inside of the windows of any Unit.

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0012162 0012168; 0011362 HMC 0011382



IN WITNESS WHEREOF, the Declarant has caused this Fifth Amendment to the Declaration of Condominium for Waterside Condominium to be executed this 16<sup>th</sup> day of April, 2009.

WATERSIDE DEVELOPMENT, LLC  
BY PEAK DEVELOPMENT, LLP

By: [Signature]  
Matthew J. Waatti, Partner

STATE OF MONTANA     )  
  ) ss.  
County of Flathead     )

This instrument was acknowledged before me on the 16<sup>th</sup> day of April, 2009 by **Matthew J. Waatti** as a **Partner of Peak Development, LLP, a Member of Waterside Development, LLC.**



[Signature]  
V. Gay Plympton (printed name)  
Notary Public for the State of Montana  
Residing at KalisPELL  
My Commission expires 12/1/2009