

Mission Bay HOA
312 Montana Landing
Polson, MT 59860

580602 COVENANTS Pages: 3

STATE OF MONTANA LAKE COUNTY

RECORDED: 09/03/2020 11:47 KOI: COVENANTS

PAULA A HOLLE CLERK AND RECORDER

FEE: \$21.00 BY: Wanda R Roat, Dep
TO: ,

**SECOND AMENDMENT TO THE FIRST AMENDED RESTATED DECLARATION
OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR FAIRWAY
PROPERTIES II, MISSION BAY PHASES I, II, III, IV, V, VI, VII, VIII and IX,
BROWN'S LAKEVIEW LOTS 5-14 AND MISSION BAY VILLAGE**

RECITALS

WHEREAS, Declarants, Patricia A. DiStefano ("DiStefano"), as to an undivided one-half (½) interest, and Katherine M. Gayvert ("Gayvert"), as to an undivided one-half (½) interest, remain the owners of more than one (1) lot within the properties described above; and

WHEREAS, Declarants, in consultation with the Mission Bay Homeowners Association, desire to amend the covenants, conditions and restrictions set forth in that document described above recorded under Microfile No. 509198, records of Lake County, Montana in the following respects:

AMENDMENT

NOW THEREFORE, Declarants and Association hereby amend the First Amendment to the First Amended Restated Declaration above described, which Amendment shall be binding upon all present owners of the real property and upon all parties having or acquiring any right, title or interest in the real property or any part thereof, and shall inure to the benefit of and be binding upon each successor in interest to the owners thereof, as follows:

Section 13. Vehicles. There shall be no repairing of vehicles in the streets or designated parking areas. Vehicle maintenance or repairs being conducted on any Lot and not occurring inside of a garage, shall be limited to 24 hours. Each Lot shall contain a sufficient area for two off-street parking spaces, excluding the garage. There shall be no parking of vehicles on the street fronting any Lot. There shall be no overnight parking on any street. Guest parking is permitted only on driveways and on the designated parking areas on Lot 104 (the Community Center Lot). No motor homes, trailers, trucks exceeding one ton capacity, pickups carrying campers, campers, boats, boat trailers, or unsightly vehicles shall be parked or allowed to remain on any of the Lots or the adjoining streets. No vehicle shall be placed on Mission Bay designated parking areas for the sole purpose of advertising or announcing the vehicle is for sale, without prior approval from the Board of Directors. Parking in Mission Bay designated parking areas shall be limited to 72 hours. Vehicle

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STATE OF MONTANA LAKE COUNTY
RECORDED: 09/03/2020 11:50 KOI: COVENANTS
PAULA A HOLLE CLERK AND RECORDER
FEE: \$21.00 BY: Wanda R Root, Dep
To: ,

**SECOND AMENDMENT TO THE FIRST AMENDMENT TO THE FIRST AMENDED
RESTATED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR FAIRWAY PROPERTIES II, MISSION BAY PHASES I, II, III, IV, V, VI, VII, VIII
and IX, BROWN'S LAKEVIEW LOTS 5-14 AND MISSION BAY VILLAGE**

RECITALS

WHEREAS, Declarants, Patricia A. DiStefano ("DiStefano"), as to an undivided one-half (½) interest, and Katherine M. Gayvert ("Gayvert"), as to an undivided one-half (½) interest, remain the owners of more than one (1) lot within the properties described above; and

WHEREAS, Declarants, in consultation with the Mission Bay Homeowners Association, desires to amend the covenants, conditions and restrictions set forth in that document described above as recorded under Microfile No. 539418, records of Lake County, Montana in the following respects:

AMENDMENT

NOW THEREFORE, Declarants and Association hereby amend the First Amendment to the First Amended Restated Declaration above described, which Amendment shall be binding upon all present owners of the real property and upon all parties having or acquiring any right, title or interest in the real property or any part thereof, and shall inure to the benefit of and be binding upon each successor in interest to the owners thereof, as follows:

3. Article IX, Section 6(a) of the First Amended Restated Declaration shall be amended to read as follows:

Section 6. Exterior Maintenance. (A) Single Family Residence. The Owner of each lot upon which a single family residential structure may or is located shall provide exterior maintenance upon such Lot and structures, if any, to include painting and repairing the structures; maintaining the lawn and grounds including trimming to preclude weeds, underbrush, and other unsightly growths; and not permitting refuse piles or other unsightly objects to accumulate or remain on the grounds. In providing such exterior maintenance, the Owner shall maintain the exterior color, design and appearance, including landscaping, as originally approved by the MBDRC. In the event

Said Amendment shall be binding upon all present owners of the real property and upon all parties having or acquiring any right, title or interest in the real property or any part thereof, and shall inure to the benefit of and be binding upon each successor in interest to the owners thereof.

In all other respects the remaining terms and conditions of that Declaration of Protective Covenants, recorded under Microfile No. 539418, records of Lake County, Montana, remain unchanged and are hereby affirmed by Declarants.

Patricia A. DiStefano, Declarant

Patricia A. DiStefano
Katherine M. Gayvert, by Patricia A.
DiStefano her Attorney in fact, Declarant

Mission Bay Homeowners Association

By D. R. D
Its: President

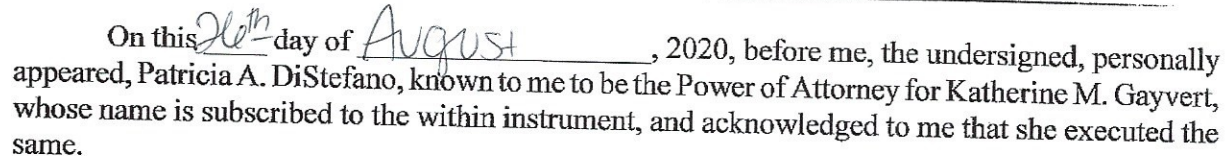
STATE OF

County of _____

On this 28th day of August, 2020, before me, the undersigned, personally appeared, Patricia A. DiStefano, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

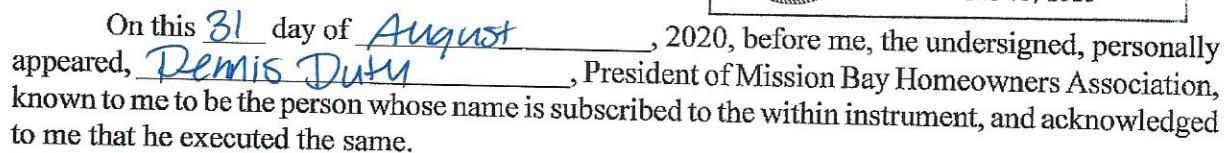
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year in this certificate first above written.

STATE OF)
)
 : ss
County of)



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

STATE OF Montana)
 : ss
County of Lake)



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

