

Eagle Bend North Homeowners' Association

PO Box 9365 Kalispell, MT. 59904 (406) 257-1302

BOARD OF DIRECTORS MEETING

Thursday January 28, 2010

Western Montana Property Management Office 10:00 a.m.

Call to order and establish a quorum - the meeting was called to order at 10:00AM. Board members present were President, Barb Henry; Treasurer, Vince Taylor; Secretary, Buggy Yarbrough; and Tim Ryan. Also present was David Roberts from Western Mountain Property management. Present on conference call were, Myron Achenbach Vice President; Jack Parker; and John Horning.

This special Board meeting was called by President Barbara Henry. The purpose of the meeting was to discuss a resolution from Glacier Bank regarding property at Eagle Rock, in Bigfork, Montana. After much discussion and a positive recommendation from Ed Nolde, attorney for Eagle Bend North, the Board unanimously agreed to adopt the attached resolution. The Board also unanimously agreed that Glacier Bank will be responsible for any expense that Eagle Bend North has incurred to adopt this resolution. The meeting was adjourned at 10:20 a.m.

Return to:
Eagle Rock Homeowners Association
c/o Glacier Bank of Kalispell
P.O. Box 27
Kalispell, MT 59903-0027

RESOLUTION

The Board of Directors of Eagle Bend North Homeowners' Association, without any opposing votes, adopted the following Resolution:

WHEREAS, the Association is the owner of all roadways, natural areas and common areas known as Eagle Bend North, County of Flathead, State of Montana, described in the Subdivision Plat of Eagle Bend North and filed with the Clerk and Recorder of Flathead County, Montana, on February 29, 1994, filing No. 10-12-27.

WHEREAS, Eagle Bend Company, a Montana Corporation, the Declarant, caused to be filed/recorded among the land records of Flathead County, Montana, the *Declaration of Covenants, Conditions, and Restrictions of Eagle Bend North*, dated the 30th day of December, 1993, and recorded February 28, 1994, as Doc No. 1994-059-12120, and amended by instrument recorded January 12, 2001, as Doc No. 2001-012-13250, which *Covenants* affect all the Lots of Eagle Bend North; and,

WHEREAS, subsequent to the recordation of the *Declaration of Covenants, Conditions, and Restrictions of Eagle Bend North*, there was a boundary line adjustment survey and related deeds recorded among the land records of Flathead County, Montana, executed between Eagle Bend Golf Club, LLC, and H & H Development, LLC, which boundary line adjustment resulted in Lot 4 of the contiguous Eagle Rock Subdivision being subject to the *Covenants* of Eagle Bend North Subdivision; and,

WHEREAS, the result of Lot 4 of Eagle Rock Subdivision being subjected to the *Covenants* of Eagle Bend North Subdivision was not intended, nor agreed to by the Eagle Bend North Homeowners Association; and,

WHEREFORE, BE IT RESOLVED, that the Board of Directors of Eagle Bend North Homeowners Association, by this Resolution, formally approves and authorizes the removal of Lot 4 of Eagle Rock from the Declaration of Covenants, Conditions, and Restrictions of Eagle Bend North, recorded February 28, 1994, as Doc No. 1994-059-12120, and the Amendment recorded January 12, 2001, as Doc No. 2001-012-13250, records of Flathead County, Montana.

Adopted this 28 day of January, 2010.

EAGLE BEND NORTH HOMEOWNERS ASSOCIATION

By: Barbara H. Henry

President

ATTEST:

Cheryl Ann Yarbrough, Secretary

STATE OF MONTANA)
: ss.
County of Flathead)

On this 28 day of January, 2010, before me the undersigned, a Notary Public for the State of Montana, personally appeared ^{Barbara H. Henry} Cheryl Ann Yarbrough, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that (s)he executed the same.

Kathleen H Roberts
Kathleen H. Roberts [Printed
Name]

Montana
(Seal)

Notary Public for the State of
Kalispell
Residing at FLATHEAD County, Montana

My commission expires 1-23-2012
NOTARY SEAL

STATE OF MONTANA
RESIDING AT KALISPELL, MONTANA
MT COMMISSION EXPIRES JANUARY 23, 2012