

RECORDING REQUESTED BY, AND
WHEN RECORDED RETURN TO:

Prescott Ranch Community Association
Attn: President
9460 Double R. Blvd., Suite 103
Reno, Nevada 89521

SECOND AMENDMENT
TO
MASTER DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS
AND RESERVATION OF EASEMENTS FOR PRESCOTT RANCH

THIS SECOND AMENDMENT TO MASTER DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS AND RESERVATION OF EASEMENTS FOR PRESCOTT RANCH ("Second Amendment"), which shall be effective as the date it is recorded in the Office of the County Recorder of Gallatin County, Montana, is made by the Prescott Ranch Community Association, a Montana nonprofit mutual benefit corporation (the "Association"), with reference to the following facts and is as follows:

RECITALS

A. Reference is hereby made to that certain Master Declaration of Covenants, Conditions, and Restrictions and Reservation of Easements for Prescott Ranch, which document was recorded in the Office of the County Recorder of Gallatin County, Montana, on September 27, 2019, as Document No. 2659507 (such Declaration, together with all amendments, supplements, annexations, and addenda thereto, is herein referred to as the "Declaration"). Any capitalized term used herein not otherwise defined herein shall have the meaning assigned thereto in the Declaration.

B. The Declaration creates a common-interest community upon the Property, which common-interest community is known as Prescott Ranch Community.

C. Section 16.1 of the Declaration provides that, except in certain circumstances not applicable to this Second Amendment, the Declaration may be amended by vote or agreement of a majority of the Voting Power of the Association.

D. The undersigned hereby acknowledges and certifies that, by vote or agreement, a

majority of the Voting Power of the Association desires to amend the Declaration as set forth in this Second Amendment.

NOW, THEREFORE, the Declaration shall be amended as follows:

1. Recitals Incorporated. The Recitals above are incorporated into this Second Amendment.

2. Amendment to Declaration. Section 15.6 of the Declaration shall have the following language inserted at the end of the fourth (4th) paragraph in Section 15.6, as follows:

Lot owners are further aware that standard agricultural practices utilize water which may be conveyed in ditches or other conveyance facilities. Such ditches and conveyance facilities naturally percolate into the surrounding ground and may also be susceptible to flooding during heavy precipitation events and Lot owners are aware of the hazards posed by these occurrences. Lot owners and their guests assume any and all risks regarding their health and well-being if they choose to access a ditch or conveyance facility, as the owner of the ditch or conveyance facility has no duty to prevent access to the public. Without approval from the State of Montana or the owner of the water, a Lot owner cannot remove water from a ditch or conveyance facility, cause water to be added into a ditch or conveyance facility, or take action to change a ditch or conveyance facility. A Lot owner is aware that the owners of a ditch or conveyance facility can enter the property to take action for repairs or maintenance of the ditch or conveyance facility as they deem necessary.

3. Ratification of Declaration. Except as expressly provided in this Second Amendment, the Declaration shall remain in full force and effect, unmodified hereby.

4. Governing Law; Effective Date. This Second Amendment shall be subject to and enforced in accordance with the laws of the State of Montana, and shall be effective when Recorded.

[SIGNATURE PAGES FOLLOW]

IN WITNESS WHEREOF, the undersigned has executed this Second Amendment as of the date of notarization of the signature of Declarant's authorized representative as set forth below, but to be effective as of the date this Second Amendment is Recorded in the Office of the County Recorder of Gallatin County, Montana. The undersigned hereby certifies that this Second Amendment was provided to the Members for action, that as of the date hereof the total number of votes allocated to all Units in the Community pursuant to Section 7.3(c)(ii) of the Declaration is ~~118~~ and that the Members holding ~~138~~ of these votes, constituting ~~82%~~ of the Voting Power of the Association, approved of this Second Amendment by written consent in accordance with the Declaration, the Association's Bylaws, and MCA 35-2-529. *FB 04/05*

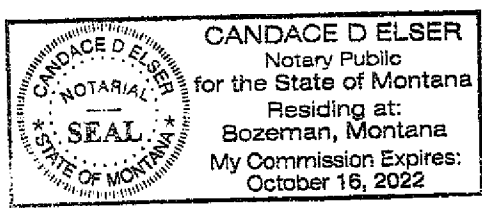
**219 FB 04/05*
ASSOCIATION: *3/12/21*

177 FB 04/05* *81% 3/12/21*
3/12/21
Prescott Ranch Community Association,
a Montana nonprofit mutual benefit
corporation

By: *Frederick M. Bates*
Frederick M. Bates
Its: President

STATE OF *Montana*)
)
COUNTY OF *Gallatin*)

This instrument was acknowledged before me on *March 11, 2021*, by Frederick M. Bates as President of the Prescott Ranch Community Association, a Montana nonprofit mutual benefit corporation.



Candace D Elser
Notary Public
My Commission Expires: *Oct 16, 2022*