



After recording return to:

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**FOURTH AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS,
RESTRICTIONS AND EASEMENTS FOR FOREST HILLS
RAVALLI COUNTY, MONTANA**

THIS FOURTH AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR FOREST HILLS RAVALLI COUNTY, MONTANA (this “**Amendment**”) is made and entered into this 5th day of December, 2023 (the “**Effective Date**”) by THE EDINGER FAMILY LIMITED PARTNERSHIP, a Montana limited partnership (“**Declarant**”).

RECITALS

WHEREAS, reference is hereby made to that certain Declaration of Covenants, Conditions, Restrictions, and Easements for Forest Hills Ravalli County, Montana recorded on November 29, 2018 as Document 726663 in the records of the Ravalli County Clerk and Recorder, as amended by a First Amendment recorded on March 16, 2020 as Document 741579 in the records of the Ravalli County Clerk and Recorder, as amended by a Second Amendment recorded on October 7, 2020 as Document 749970 in the records of the Ravalli County Clerk and Recorder, as amended by a Third Amendment recorded on June 15, 2022 as Document 776803 in the records of the Ravalli County Clerk and Recorder (as so amended, the “**Declaration**”); and,

WHEREAS, all definitions set forth in the Declaration shall have the same meaning in this Amendment except as otherwise specifically provided herein; and,

WHEREAS, Declarant still owns an interest in part of the Property and therefore continues reserving the sole right to amend, modify, or supplement the Declaration pursuant to Section 9.1 therein; and,

WHEREAS, Declarant desires to amend the Declaration by establishing an amendment process and eliminating his sole right to amend, modify, or supplement the Declaration.

NOW, THEREFORE, Declarant hereby declares the following amendment to the Declaration:



FIRST: Section 9.1 shall state: “**9.1. Amendments.**

A. All amendments to this Declaration shall only be proposed by an Owner in good standing. Proposed amendments shall only be submitted on an annual basis by written submission to the Board as a new business item at least twenty-one (21) days in advance of the annual meeting held pursuant to Section 4.1 of the Bylaws of the Forest Hills Homeowners’ Association, Inc. Proposals for amendments to this Declaration shall not be considered or acted upon by the Board unless made in writing by an Owner in good standing at least twenty-one (21) days in advance of the annual meeting.

B. The Board may accept or reject each proposed amendment in its sole discretion upon a majority vote. Accepted proposed amendments may then be subject to a Board initiated review and investigation process during which the Board, or its agents, designees, or representatives, shall reasonably identify potential impacts of the proposed amendment to the Association, its Owners, and/or the Forest Hills community at large. The review and investigation period may last as long as reasonably necessary, in the Board’s sole discretion, for the proposed amendment to be fully vetted and for mitigation of impacts to be identified. The Board reserves the right, by majority vote, to rescind a prior acceptance of a proposed amendment if sufficient mitigation does not adequately address identified impacts in the Board’s sole discretion following the review and investigation process.

C. The Board shall publish to the Owners the full text of the proposed amendment, along with information and records regarding the review process, potential impacts, and mitigation options, no later than six (6) months following the annual meeting. Within thirty (30) days of publishing to the Owners, the Board shall call a special meeting of the Owners to discuss the proposed amendments.

D. Owners shall vote by mail with respect to adoption of the proposed amendment pursuant to the Vote by Mail process set forth in Section 5.4 of Bylaws.

E. This Declaration may be amended, modified, or supplemented only by a vote of eighty percent (80%) of the Owners of the Lots.

SECOND: The Declaration otherwise remains in full force and effect, as hereby amended.

IN WITNESS WHEREOF the Declarant has caused this Amendment to the Declaration to be executed as of the day and year first written above.

