

Please return to:

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M. 30667

FOURTH AMENDMENT TO DECLARATION FOR THE GRAN CIELO MASTER
SUBDIVISION: ADDING STORMWATER MAINTENANCE PLAN AND OTHER
AMENDMENTS RELATED TO PARKING

This Fourth Amendment to the Declaration of Covenants, Conditions and Restrictions
For Gran Cielo Master Subdivision (Amendment) is hereby made this 16 day
of April 2026, and entered into by Bozeman Haus, LLC, the Declarant. This
Amendment amends the following:

| Document Title | Date Recorded | Document No. |
|---|-------------------|--------------|
| Declaration of Covenants, Conditions and Restrictions For Gran Cielo Master Subdivision | August 25, 2020 | 2697022 |
| First Amended Declaration of Covenants, Conditions and Restrictions For Gran Cielo Master Subdivision | December 12, 2020 | 2712468 |
| Second Amendment to Declaration for the Gran Cielo Master Subdivision Amending Property Restrictions Related to Leasing | June 30, 2022 | 2779845 |
| Third Amendment to Declaration for the Gran Cielo Master Subdivision: Correcting County Required Covenants | July 1, 2025 | 2853999 |

The purpose of this Fourth Amendment to the Declaration is to add the Stormwater Drainage and Maintenance Plan to the Declaration; to add defined parking restrictions; and to clarify roadways and parking enforcement within the subdivision by the Gran Cielo Community Association.

RECITALS

WHEREAS, the First Amended Declaration of Covenants, Conditions and Restrictions For Gran Cielo Master Subdivision dated the December 12, 2020 (the "Covenants"), which governs the Gran Cielo Master Subdivision, more particularly described as set forth on Exhibit A, attached hereto and incorporated herein by reference, was recorded in the Office of the Gallatin County Clerk and Recorder on December 12, 2020 filed at Document Number 2712468;

WHEREAS, fewer than seventy-five percent (75%) of the maximum number of residential units permitted by the Plat and Condominium Plans have been conveyed to a Person other than the Declarant, meaning the Declarant Control Period has not terminated;

WHEREAS, the Declarant may unilaterally amend the Covenants during the Declarant Control Period;

WHEREAS, except as specifically amended by this Fourth Amendment to the Covenants, the Covenants shall remain in full force and effect as written, and

WHEREAS, Declarant has approved the following four (4) amendments.

Amendment One: The following shall be **added** as **Exhibit D:**

**Stormwater Facility Operation, Inspection
and Maintenance Plan**

Gran Cielo Block 4 Minor Subdivision

Application Number: 16463

November 2025

**GRAN CIELO BLOCK 4 MINOR SUBDIVISION
STORMWATER FACILITY OPERATION, INSPECTION, AND
MAINTENANCE PLAN**

Please see the responses to the requirements outlined in the City of Bozeman Design Standards and Specifications Sec. 6.2.3.

- a) A description of the responsible party or entity for operation, inspection, and maintenance as well as replacement of storm drainage facilities and the legal mechanism for succession/assignment.

Response: The property owners' association will be responsible for operation, inspection, maintenance, and replacement of all storm drainage facilities located outside of public right-of-way. The POA will also be responsible for ensuring continuity of these obligations through its governing documents.

- b) A list of contact names and contact information (phone number, e-mail address, mailing address).

**Response: HOA + COA Contact
Urban Nook Management LLC.
Phone: 406.595.8531
Email: urbannookbozeman@gmail.com
Mailing Address: P.O Box 10512. Bozeman, MT 59719**

- c) Site plan illustrating the storm drainage facility and system components.

Response: A stormwater Maintenance exhibit is included identifying all facilities. Please refer to Appendix A: Stormwater Maintenance Exhibit.

- d) A detailed list of required maintenance and inspection activities, schedule, and frequency for the various system components.

Response: A detailed summary of required maintenance and inspection activities, schedule, and frequency for the stormwater collection system and retention/infiltration facilities is outlined below:

- **Curb Inlets & Pipes:**
 - **Keep the curb inlets of the facility free of leaves, rocks, and other debris. Inspect the curb inlets every 3 months and after heavy rains that deliver 0.5 inches of rainfall. Clean sediment from curb inlets with a Vac Truck when sediment at the bottom of basin exceeds 6". Operators need to be properly trained in catch basin maintenance. Maintain a log of the amount of sediment collected and the date of cleaning.**
 - **Keep the stormwater drainage piping free of leaves, rocks, and other debris. Inspect the piping bi-annually. Clean sediment from stormwater drainage piping**

with a Jet/Vac Truck when sediment at the bottom of stormwater drainage piping exceeds 3". Operators must be properly trained in catch basin maintenance. Maintain a log of the amount of sediment collected and the date of cleaning.

- Owner to maintain and fund inspection and maintenance of curb inlets and storm water drainage piping.
 - **Retention/Infiltration Basin:**
 - The storm water retention basin is to be mowed regularly. During the summer months, mow approximately every two weeks. Unless visibly tainted, dispose of lawn clippings in the same manner as yard waste. Otherwise, bag and dispose of at sanitary landfill.
 - Remove sediment by hand with a flat bottom shovel during the summer months whenever sediment covers vegetation. Have the grass cut short in that particular location so that the bed can be made as level as possible.
 - Re-sod damaged or disturbed areas immediately, or use grass plugs from the adjacent up-slope area.
 - Inspect the facilities periodically, especially after heavy rains (preferably monthly and after each storm that delivers 0.5 inches of rainfall).
 - Inspect flow control outlet semi-annually and clean it when soil and vegetation buildup interfere with flow introduction.
 - See that litter and other debris are removed from retention basins and swales.
 - Owner to maintain and fund Operation and Maintenance of stormwater facilities.
- e) Stormwater Facility Inspection Form with exhibit illustrating maintenance inspection requirements (see Attachment E).

Response: The Stormwater Facility Inspection Forms are included in Appendix B of this narrative. A stormwater maintenance exhibit is included as in Appendix A, which identifies the stormwater facilities.

- f) Expected design life and replacement schedule for each component of the facility.

Response: The proposed stormwater system will include curb inlets, manholes, PVC storm drain piping, and a surface retention/infiltration basin. Assuming proper maintenance and installation, all facilities are anticipated to last more than 75 years, unless maintenance inspections indicate a need for replacement sooner. Refer to Appendix A: Stormwater Maintenance Exhibit

- g) Itemized cost estimates for recurring operation, inspection, and maintenance activities and planned facility replacement.

Response:

- **Recurring Operation:** The surface retention/infiltration basins and stormwater collection systems are passive systems that require minimal maintenance to ensure ongoing operation.
- **Inspection:**
 - **Curb Inlet and Storm Piping Inspection** – This inspection is a visual inspection that will require very little time by the facility maintenance person. It is anticipated no cost will be incurred for this inspection.
 - **Retention/Infiltration Basins** – Inspection of surface ponds does not require any equipment and requires very little time. The visual inspection is not anticipated to incur any cost.
- **Maintenance Activities:**
 - **Curb Inlet and Storm Piping Maintenance** – The required maintenance is completely dependent on the accumulation of sediment in the basin and piping. It is anticipated that Jat-Vac cleaning will be required once every 5 years to remove the sediment at an estimated cost of \$750.00.
 - **Retention/Infiltration Basins** – Maintenance for the surface retention/infiltration basins will require regular mowing, removing debris, lawn clippings, and sediment, re-sodding damaged areas.

h) A financial plan and funding mechanism for funding the recurring operation, inspection, and maintenance activities and planned facility replacement. The plan shall include sinking fund calculations considering estimated inflation over the life of the system components and a determination of the annual funding to be set-aside for operation, inspection, maintenance, and replacement needs.

Response: As mentioned above, it is estimated that the cost for maintaining the curb inlets and piping will occur every 5 years, and will cost \$750.00. It is estimated that the retention/infiltration basins will be mowed approximately 15 times per year. Each time the basin is mowed, it will cost approximately \$120 per visit, totaling \$1800.00 per year for mowing services. The basin may need to be re-sodded in damaged areas approximately every 10 years, which is estimated to cost about \$5000.00. Overall, the total average maintenance costs are estimated to be about \$150.00 per year for the inlets and piping, and about \$2300.00 per year for the retention/infiltration basin, totaling \$2450.00 per year for all stormwater facilities.

Estimated Maintenance Cost Summary

| Facility | Interval | Cost per Occurrence | Estimated Cost per Year |
|--|-------------------------|---------------------|-------------------------|
| Curb Inlet and Storm Piping (Jet Vac) | 5 years | \$750.00 | \$150.00 |
| Retention/Infiltration Basins (Mowing) | Bi-weekly (Summer Only) | \$120.00 | \$1800.00 |
| Retention/Infiltration Basins (Re-Sod) | 10 years | \$5000.00 | \$500.00 |
| Average Yearly Estimated Maintenance Cost | | | \$2,450.00 |

Funding for maintenance will be provided by the property owner. It is recommended the owner anticipates a conservative annual budget of \$2,700/year to provide funds for the anticipated maintenance. This accounts for actual anticipated cost and inflation.

Included:

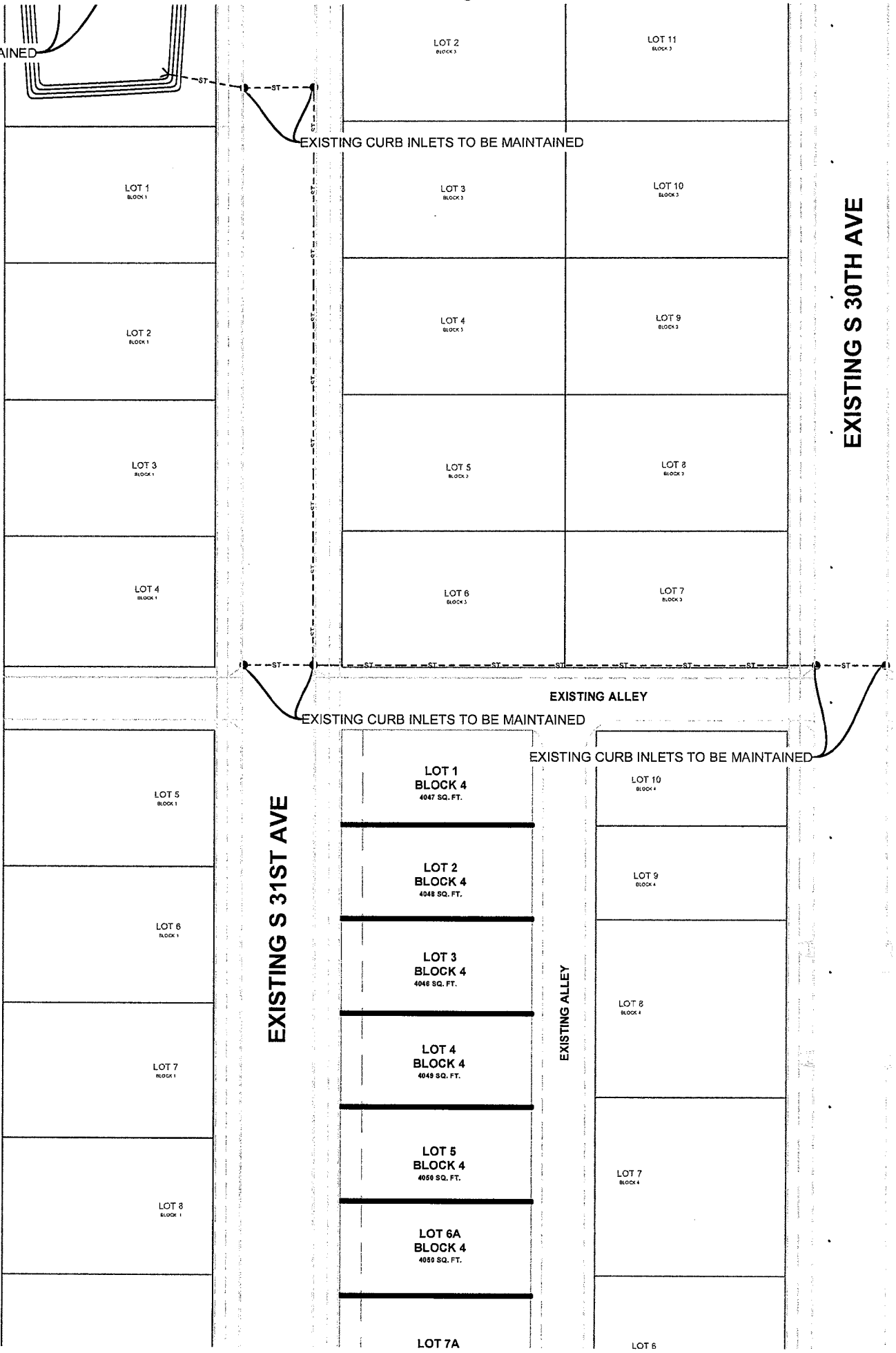
Appendix A: Stormwater Maintenance Exhibit

Appendix B: City of Bozeman Stormwater Facility Inspection Forms

APPENDIX A

Stormwater Maintenance Exhibit

R BASIN TO BE MAINTAINED



EXISTING S 30TH AVE

EXISTING S 31ST AVE

EXISTING ALLEY

EXISTING ALLEY

EXISTING CURB INLETS TO BE MAINTAINED

EXISTING CURB INLETS TO BE MAINTAINED

EXISTING CURB INLETS TO BE MAINTAINED

APPENDIX B

City of Bozeman Stormwater Facility Inspection Forms

Chapter 6 - Storm Drainage Design

Stormwater Facility Inspection Form

| | |
|---|---------------------------------------|
| Section 1: General Information | |
| Facility ID: | Facility Type: Choose an item. |
| Date/Time: Click or tap to enter a date. | |
| Owner: | Contact: |
| Inspector's Name, contact info: Choose an item. | |
| Location/Access info: | |
| Type of Inspection: <input type="checkbox"/> Routine, Dry Weather <input type="checkbox"/> Routine, Wet Weather <input type="checkbox"/> Complaint Driven <input type="checkbox"/> Other: _____ | |
| Section 2: Weather and Discharge Information | |
| Most recent precipitation or melt: | |
| Temperature: | |
| Is a stormwater discharge occurring? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, what is the source and quality of discharge? Is an illegal discharge occurring? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, what is the source and quality of discharge? | |
| Section 3: Facility Maintenance Priority | |
| <input type="checkbox"/> Low: Stormwater facility appears to be functioning as designed. Continue scheduled maintenance. <input type="checkbox"/> Medium: Stormwater facility requires minor to moderate sediment and vegetation maintenance to mitigate the risk of flooding, waterway pollution, and infrastructure failure. <input type="checkbox"/> High: Stormwater facility requires significant sediment dredging, vegetation removal, and/or infrastructure repairs to restore function. | |
| <u>Notes, Findings & Recommendations:</u> | |
| | |
| Inspector's Signature: _____ | Date: _____ |

Chapter 6 - Storm Drainage Design

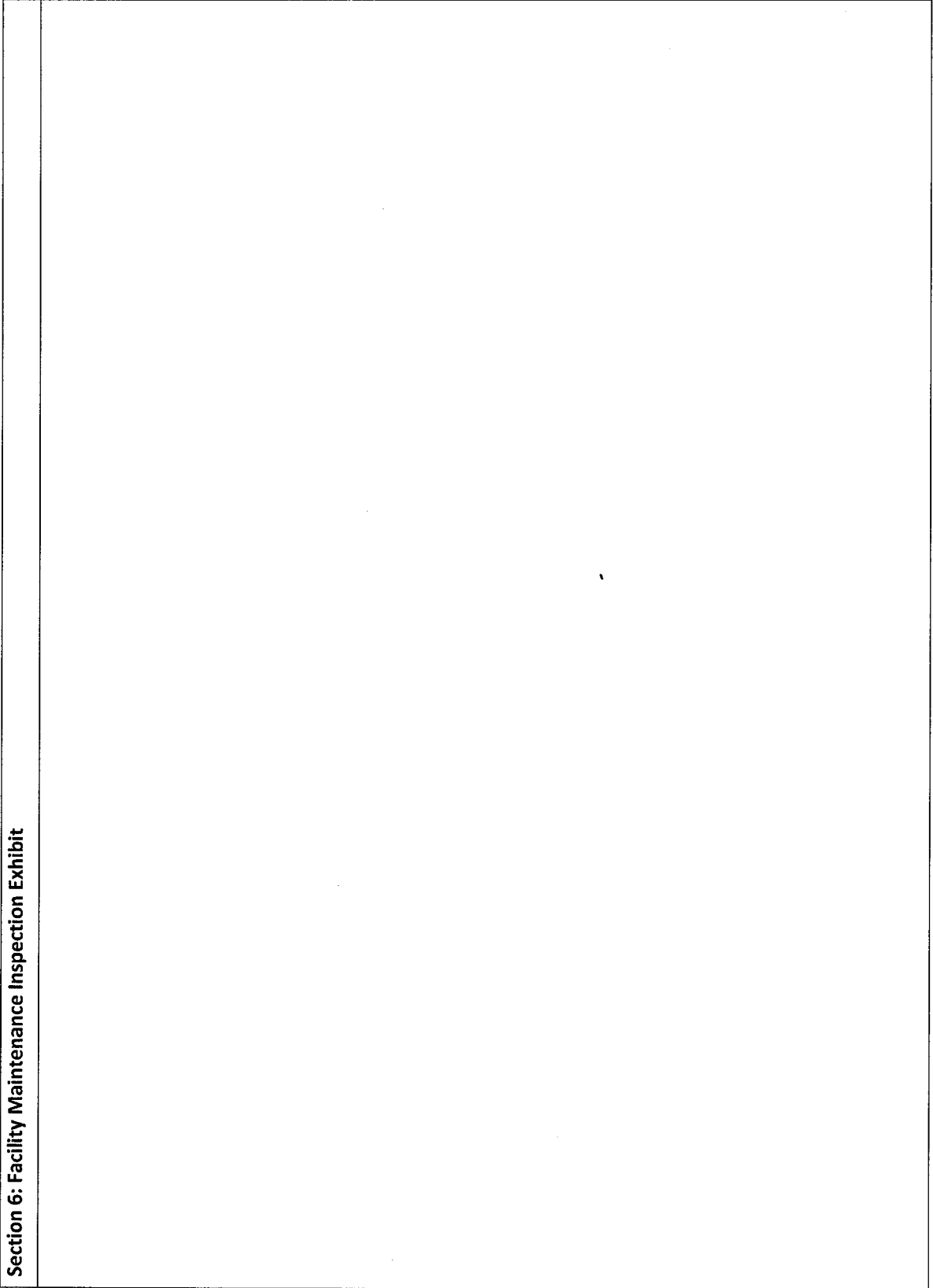
| Section 4: Qualitative Analysis | | | | | |
|---------------------------------|-----|-------------------------------|---|---|----------------------------|
| Components | # | Items | Conditions | Results | Notes and Required Actions |
| General | 1.1 | Accessibility | Degraded, missing, or inadequate maintenance access? | <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| | 1.2 | Debris | Trash, sediment, and waste within and around the facility? | <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| | 1.3 | Vegetation | Overgrown or dead cattails, woody shrubs, weeds, grass, and trees? | <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| | 1.4 | Infrastructure Condition | Damaged inlet pipe, outlet pipe, outfall structure, or fencing? | <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| Facility | 2.1 | Pretreatment Bay or Facility | Clogged, obstructed, or filled pretreatment forebay or facility? | <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| | 2.2 | Storage Bay | Clogged or filled storage bay? | <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| | 2.3 | Groundwater or Standing Water | Stagnant water with infiltration greater than 48 hours post-rain event? | <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| | 2.4 | Flow Path | Clogged or obstructed flow path? | <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| | 2.5 | Side Slopes | Barren or exposed surfaces on Facility's side slopes and bottom? | <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| Maintenance | 3.1 | Maintenance Plan or Agreement | Is there a written plan specific to this facility? | <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| | 3.2 | Implementation | Is there evidence of maintenance? | <input type="checkbox"/> Yes <input type="checkbox"/> No | |

Chapter 6 - Storm Drainage Design

| Section 5: Quantitative Analysis | | | |
|----------------------------------|---------------------|-----------------------|--------------|
| Cover type | % Within facility | Reading (ft) | Notes |
| Vegetation | | | |
| Bare ground | | | |
| Aquatics | | | |
| Grasses/Herbaceous | | | |
| Trees >3" DBH | | | |
| Shrubs | | | |
| Total | 100 | | |
| Location | Reading (ft) | Elevation (ft) | Notes |
| Elevation Analysis | | | |
| SRV#CP | | | |
| Control Point | | | |
| SRV#1 | | | |
| Inlet | | | |
| SRV#2 | | | |
| Outlet | | | |
| SRV#3 | | | |
| Center | | | |
| SRV#4 | | | |
| North of Center | | | |
| SRV#5 | | | |
| East of Center | | | |
| SRV#6 | | | |
| South of Center | | | |
| SRV#7 | | | |
| West of center | | | |
| SRV#8 | | | |
| Berm or overflow | | | |
| SRV#9 | | | |
| Summary | | | |

Chapter 6 - Storm Drainage Design

Section 6: Facility Maintenance Inspection Exhibit



Chapter 6 - Storm Drainage Design

Section 7: Photo Log

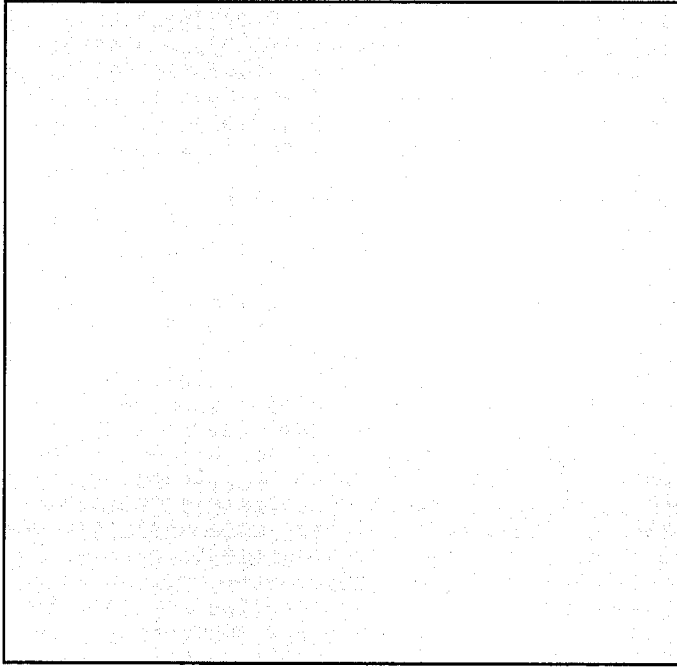


Photo 1
description

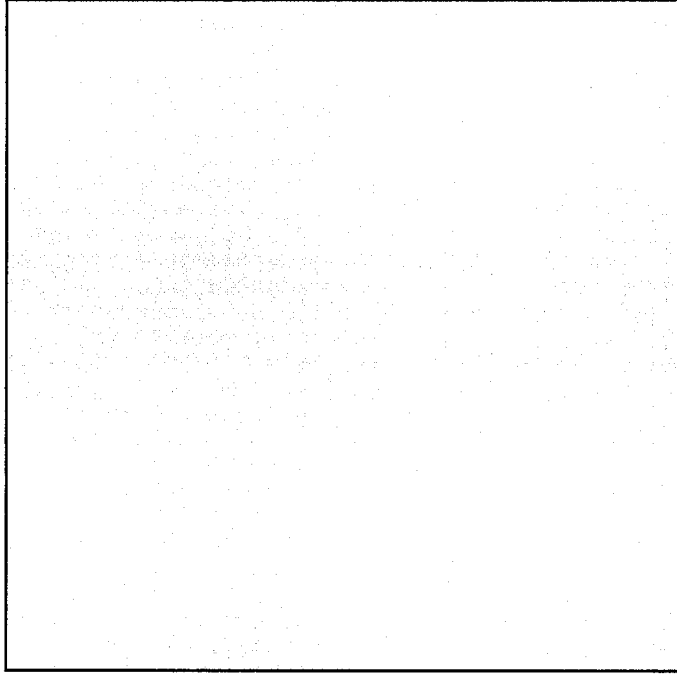


Photo 2
description

Amendment Two: Section 2.58 Roadway: shall be **DELETED** in its entirety, and **REPLACED** with the following:

Roadway: Roadway means a street or roadway (excluding driveways) within the Property that provides ingress and egress to each Owner's Lot. Please NOTE: some Roadways are public and some are owned by the Association. Please consult the relevant documents on file with the Gallatin County

Amendment Three: Sections 2.73 and 2.74 are **ADDED** to the Covenants.

2.72 Junk Vehicle. Junk Vehicle, adapted from MCA § 75-10-501, means any discarded, ruined, wrecked, or dismantled motor vehicle, including component parts, which is not lawfully and validly licensed or remains inoperative or incapable of being driven.

2.73 Recreational Vehicle. Recreational Vehicle means a conveyance capable of transporting or housing people or their large animals (like horses and llamas) for short-term recreational purposes, including but not limited to camping trailers, class A, B or C motor homes, horse trailers, boats, snowmobiles, all-terrain vehicles, and trailers for transporting such vehicles.

Amendment Four: Section 8.22: **Parking**, shall be **DELETED** in its entirety, and **REPLACED** with the following:

(a) **Roadways owned by the Association.** Members, Licensees, Invitees and members of the general public shall not park any type of vehicle, including but not limited to cars, trucks, vans, Junk Vehicles and Recreational Vehicles on any Roadway that is owned by the Association.

(b) **Roadway Dedicated to the Public.** The Board may adopt Rules and Regulations regarding these Roadways only at such time that the Association is granted license or other legal permission by the government entity that controls the publicly dedicated Roadways to adopt Association Rules and Regulations.

(c) No Junk Vehicles or Recreational Vehicles shall be allowed on a Lot unless stored in a Lot's garage. This shall not be enforceable by the Association on publicly dedicated Roadways unless given license or legal authority to enforce by the government entity the controls that Roadway.

(d) Except for Junk Vehicles and Recreational Vehicles, Owners may park vehicles in their driveways.

