

Instrument # 277160

IDAHO CITY, BOISE COUNTY, IDAHO

11-5-2021 03:29:37 PM No. of Pages: 4

Recorded for : MOUNTAIN SHADOWS HOMEOWNERS

MARY T. PRISCO

Fee: 19.00

Ex-Officio Recorder Deputy

Index to: MISCELLANEOUS

**After Recording
Return to:**

William Klevenberg
President, Mountain Shadows Homeowners Association
18 Creek Hollow Drive
Garden Valley, Idaho 83622

For Recording Information

**DECLARATION OF AMENDMENT TO REVISED DECLARATION OF COVENANTS,
CONDITIONS, AND RESTRICTIONS FOR MOUNTAIN SHADOWS SUBDIVISION NO 1,2,3
AND 4 (FUTURE)**

This Declaration of Amendment ("Amendment") is made effective the 30th day of July 2021, by the Board of directors of the Mountain Shadows Homeowners Association.

RECITALS

- A. WHEREAS, Mountain Shadows Subdivision is governed by the Mountain Shadows Homeowners Association, Inc an Idaho non-profit corporation ("Association")
- B. WHEREAS, revised Declaration of Covenants, Conditions, and Restrictions for Mountain Shadows Subdivision No. 1,2,3 and 4 (future) were recorded August 31, 2015 as instrument number 248283 in the records of Boise County, Idaho ("Revised Declarations") and are applicable to Mountain Shadows Subdivision.
- C. WHEREAS, pursuant to Section 9.6 of Article 9 of the Revised Declarations, the Declarations can be amended with the written approval of 2/3 of the voting members, where each lot is one vote.
- D. WHEREAS on June 16, 2021 a written vote was called for with all votes required to be submitted by July 1, 2021, on a proposed amendment to the Revised Declaration. A total of 78 votes were cast, 67 of which voted in favor of the proposed amendment, 11 voted against and one abstained. With a total of 87 lots or votes, the 67 in favor demonstrated over the required 2/3 or 57 votes in order to approve the amendment.
- E. WHEREAS the proposed Amendment to the Revised Declaration passed and the result of the vote was reported to the membership, the Amendment is included as Amendment #2 to the Revised Declaration.

AGREEMENT

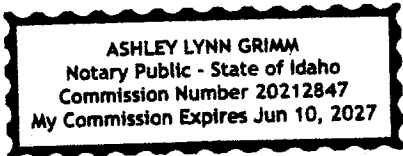
- 1. Replace Section 2.1 of Article II in total with the following:

2.1 Land use. Each Lot, except Lot 1, shall be used solely for residential purposes and shall not be used for commercial activities. No commercial activities are permitted on any Mountain Shadows Lot. Lot 1, as a commercial property, shall not be a member of the Homeowners Association and shall be exempt from all annual and special assessments. Lot 1 is entitled to receive water from the Mountain Shadows Public Water system, based on the terms, conditions and fee structure for all offsite water users. Lot 1 is permitted to erect a sign at the corner of Banks Lowman Road (Hwy 17) and Blue Shadow Drive, and at the entry of the driveway to Lot 1 from Blue Shadow Drive. A Lot or portions thereof may be used for Common Areas pursuant to Article VIII.

William Klevenberg
William Klevenberg, President

STATE OF IDAHO)
) ss.
County of Boise)

This record was acknowledged before me this 3rd day of November, 2021 by William Klevenberg as President of the Board of Directors of the Mountain Shadows Homeowners Association.



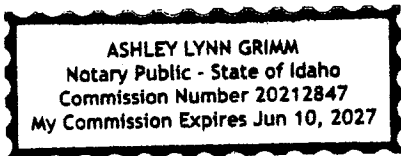
Ashley Lynn Grimm
NOTARY PUBLIC for Idaho

My Commission Expires: 06/10/2027

Scott Anglim
Scott Anglim, Vice President

STATE OF IDAHO)
) ss.
County of Boise)

This record was acknowledged before me this 3rd day of November, 2021 by Scott Anglim as Vice President of the Board of Directors of the Mountain Shadows Homeowners Association.



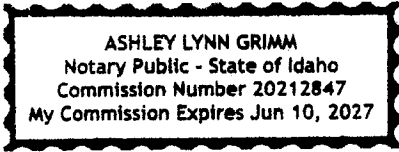
Ashley Lynn Grimm
NOTARY PUBLIC for Idaho

My Commission Expires: 06/10/2027

Belinda N Pond
Belinda Pond, Secretary/Treasurer

STATE OF IDAHO)
) ss.
County of Boise)

This record was acknowledged before me this 3rd day of November, 2021 by Belinda Pond as Secretary/Treasurer of the Board of Directors of the Mountain Shadows Homeowners Association.



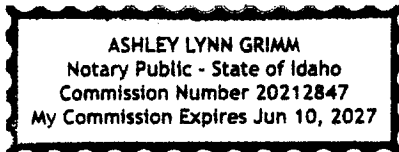
Ashley Lynn Grimm
NOTARY PUBLIC for Idaho

My Commission Expires: 06/10/2027

R E Hammond
R E Hammond, Director

STATE OF IDAHO)
) ss.
County of Boise)

This record was acknowledged before me this 4th day of November, 2021 by R E Hammond as a Director of the Board of Directors of the Mountain Shadows Homeowners Association.



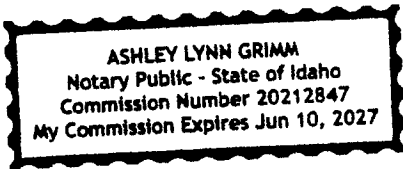
Ashley Lynn Grimm
NOTARY PUBLIC for Idaho

My Commission Expires: 06/10/2027

Ralph Van Paepeghem
Ralph Van Paepeghem, Director

STATE OF IDAHO)
) ss.
County of Boise)

This record was acknowledged before me this 4th day of November, 2021
by Ralph Van Paepeghem as a Director of the Board of Directors of the Mountain Shadows
Homeowners Association.



Ashley Lynn Grimm
NOTARY PUBLIC for Idaho

My Commission Expires: 06/10/27