

ADA COUNTY RECORDER J. DAVID NAVARRO  
BOISE IDAHO 04/15/10 03:18 PM  
DEPUTY Bonnie Oberbillig  
RECORDED - REQUEST OF  
Development Services

AMOUNT 9.00 3



**RECORDING REQUESTED BY  
AND WHEN RECORDED RETURN TO:  
DEVELOPMENT SERVICES INC.  
9601 W. STATE STREET, #203  
BOISE, ID 83714**

**AMENDMENT #1 TO RESTATED MASTER DECLARATION OF COVENANTS, CONDITIONS  
AND RESTRICTIONS OF BANBURY MEADOWS SUBDIVISION**

THIS AMENDMENT IS EXECUTED PURSUANT TO ARTICLE 15, § 15.3.2 of the Restated Master Declaration of Covenants, Conditions and Restrictions for Banbury Meadows Subdivision recorded on January 25, 2008 as Instrument No. 108009071 in the Records of the Ada County Recorder, Boise, Idaho, hereinafter "BANBURY MEADOWS CC&R's".

ARTICLE 15, § 15.3.2 of the BANBURY MEADOWS CC&R's provides for Amendment By Owners as follows:

"Except where a greater percentage is required by express provision in this Master Declaration, the provisions of this Master Declaration other than this Article XV, any amendment shall be by an instrument in writing signed and acknowledged by the president and secretary of the Master Association certifying and attesting that such amendment has been approved by the vote or written consent of Owners representing more than fifty percent (50%) of the votes in the Master Association, and such amendment shall be effective upon its recordation with the Ada County Recorder. Any amendment to this Article XIII shall require the vote or written consent of Members holding ninety-five percent (95%) of the voting power of the Master Association. [*Second Supplement added 7/26/1999*]: The provisions of the Second Supplement may be amended by an instrument in writing signed and acknowledged by the Grantor so long as Grantor owns any lots located within the Property, and the President and Secretary of the Master Association, after having first received the approval by vote or written consent of Owners as defined in the Master Association representing more than 50% of the votes in the Master Association, and such amendment shall be effective upon its recordation with the Ada County Recorder."

This Amendment modifies the BANBURY MEADOWS CC&R's in the following particulars:

Section 2.7.2 of the CC&R's currently reads as follows:

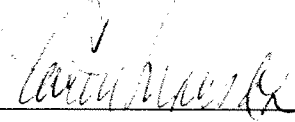
Maintenance of Patio Home Lots and Exteriors. The PHA (Patio Homeowner's Association) shall maintain or provide for the maintenance of the exteriors, including the roofs, of all residences and fences constructed on Patio Home Lots which shall be a common expense of the PHA, excluding, however, exterior doors and windows which shall be the Owners' responsibility subject to approval of the Architectural Committee, and further excluding loss or damage to the exterior of the residence caused by fire or other insured casualty. The PHA shall be responsible for the maintenance of all lawns and irrigation systems on the Patio Home Lots. The PHA shall maintain the drainage swale to be constructed along the lot line common to Lots 8 and 9, 14 and 15 and 40 and 41, Block 43.

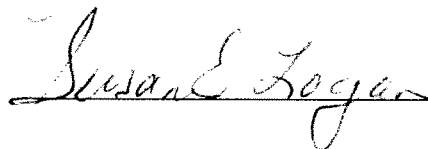
Section 2.7.2 of the CC&R's will be replaced in it's entirety with the following:

Maintenance of Patio Home Lots and Exteriors. The PHA shall be responsible for the maintenance of all lawns and irrigation systems on the Patio Home Lots. The PHA shall maintain the drainage swale to be constructed along the lot line common to Lots 8 and 9, 14 and 15 and 40 and 41, Block 43.

Except as amended herein, the Declaration remains in full force and effect with no other change or modification.

DECLARANT  
BANBURY MEADOWS HOMEOWNER'S ASSOCIATION, INC.

  
\_\_\_\_\_  
,President

  
\_\_\_\_\_  
,Secretary

Pursuant to ARTICLE 15, § 15.3.2 of the BANBURY MEADOWS CC&R's, the undersigned hereby certify and attest that they are the duly appointed, qualified and acting President and Secretary of the Banbury Meadows Homeowner's Association, Inc., and that this Amendment to the BANBURY MEADOWS CC&R's has been approved by the vote or written consent of Owners representing more than fifty percent (50%) of the votes in the Association.

DECLARANT  
BANBURY MEADOWS HOMEOWNER'S ASSOCIATION, INC.

Carter Marsden

, President

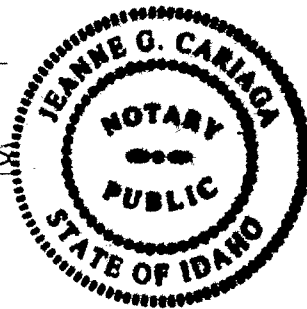
Susan E. Logan

, Secretary

STATE OF IDAHO )  
) ss.  
COUNTY OF ADA )

On April 12, 2010, before me, the undersigned notary public, personally appeared Carter Marsden, personally known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity as the President of Banbury Meadows Homeowner's Association, Inc.

Jeanne G. Cariaga  
Notary Public of the State of Idaho  
Residing at: Eagle, Idaho  
My commission expires: 9/1/2015



STATE OF IDAHO )  
) ss.  
COUNTY OF ADA )

On April 12, 2010, before me, the undersigned notary public, personally appeared Susan E. Logan, personally known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity as the Secretary of Banbury Meadows Homeowner's Association, Inc.

Jeanne G. Cariaga  
Notary Public of the State of Idaho  
Residing at: Eagle, Idaho  
My commission expires: 9/1/2015

