

After recording, please return to:

Brighton Development Inc.
12601 W. Explorer Drive, Suite 200
Boise, Idaho 83713
Attention: Legal Department

**TENTH AMENDMENT TO MASTER DECLARATION
OF COVENANTS, CONDITIONS, RESTRICTIONS
AND EASEMENTS FOR SPURWING GREENS**

THIS TENTH AMENDMENT TO MASTER DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS FOR SPURWING GREENS ("Amendment") is by and between BRIGHTON DEVELOPMENT INC., an Idaho corporation, ("Brighton"), and SPURWING GREENS LLC, an Idaho limited liability company ("Spurwing") (collectively "Declarant") and is effective the 8th day of August, 2014 ("Effective Date").

RECITALS

A. Declarant made and recorded that certain *Master* Declaration of Covenants, Conditions, and Restrictions for SpurWing Greens dated October 19, 2010, and recorded on October 19, 2010, as Instrument No. 110098311 in the records of Ada County, Idaho, amended by that certain *First* Amendment to Master Declaration of Covenants, Conditions, Restrictions and Easements for SpurWing Greens dated October 19, 2010, recorded on October 19, 2010, as Instrument No. 110098312 in the records of Ada County, Idaho, and by that certain *Second* Amendment to Master Declaration of Covenants, Conditions, Restrictions and Easements for SpurWing Greens dated July 21, 2011, recorded on July 21, 2011, as Instrument No. 111058314 in the records of Ada County Idaho, and by that certain *Third* Amendment to Master Declaration of Covenants, Conditions, Restrictions and Easements for SpurWing Greens dated October 25, 2011, recorded on October 28, 2011, as Instrument No. 111087598, in the records of Ada County, Idaho, and by that certain *Fourth* Amendment to Master Declaration of Covenants, Conditions, Restrictions and Easements for SpurWing Greens dated November 7, 2011, and recorded on November 9, 2011 as Instrument No. 111091515 in the records of Ada County Idaho; assigned by that certain *Assignment* of Declarant Rights in the Master Declaration dated December 23, 2011, and recorded on December 28, 2011 as Instrument No. 111105670 in the records of Ada County, Idaho, and amended by that certain *Fifth* Amendment to Master Declaration of Covenants, Conditions, Restrictions and Easements for SpurWing Greens dated June 6, 2012, and recorded on June 8, 2012 as Instrument No. 112055107 in the records of Ada County, Idaho, and amended by that certain *Sixth* Amendment to Master Declaration of Covenants, Conditions, Restrictions and Easements for SpurWing Greens dated December 28, 2012, and recorded on December 28, 2012 as Instrument No. 112137262 in the records of Ada County, Idaho, and amended by that certain *Seventh* Amendment to Master Declaration of Covenants, Conditions, Restrictions and Easements for SpurWing Greens dated March 13, 2013, and recorded on March 13, 2013 as Instrument No. 113026906 in the records of Ada County, Idaho, and amended by that certain *Eighth* Amendment to Master Declaration of Covenants, Conditions, Restrictions and Easements for SpurWing Greens dated March 21, 2014, and recorded on March 21, 2014, as Instrument No. 114020977 in the records of Ada County, Idaho, and amended by that certain *Ninth* Amendment to Master Declaration of Covenants, Conditions, Restrictions and Easements for SpurWing Greens dated July 29, 2014,

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RECITALS

A. Declarant made and recorded that certain *Master Declaration of Covenants, Conditions, and Restrictions for SpurWing Greens* dated October 19, 2010, and recorded on October 19, 2010, as Instrument No. 110098311 in the records of Ada County, Idaho, amended by that certain *First Amendment to Master Declaration of Covenants, Conditions, Restrictions and Easements for SpurWing Greens* dated October 19, 2010, recorded on October 19, 2010, as Instrument No. 110098312 in the records of Ada County, Idaho, and by that certain *Second Amendment to Master Declaration of Covenants, Conditions, Restrictions and Easements for SpurWing Greens* dated July 21, 2011, recorded on July 21, 2011, as Instrument No. 111058314 in the records of Ada County Idaho, and by that certain *Third Amendment to Master Declaration of Covenants, Conditions, Restrictions and Easements for SpurWing Greens* dated October 25, 2011, recorded on October 28, 2011, as Instrument No. 111087598, in the records of Ada County, Idaho, and by that certain *Fourth Amendment to Master Declaration of Covenants, Conditions, Restrictions and Easements for SpurWing Greens* dated November 7, 2011, and recorded on November 9, 2011 as Instrument No. 111091515 in the records of Ada County Idaho; assigned by that certain *Assignment of Declarant Rights in the Master Declaration* dated December 23, 2011, and recorded on December 28, 2011 as Instrument No. 111105670 in the records of Ada County, Idaho, and amended by that certain *Fifth Amendment to Master Declaration of Covenants, Conditions, Restrictions and Easements for SpurWing Greens* dated June 6, 2012, and recorded on June 8, 2012 as Instrument No. 112055107 in the records of Ada County, Idaho, and amended by that certain *Sixth Amendment to Master Declaration of Covenants, Conditions, Restrictions and Easements for SpurWing Greens* dated December 28, 2012, and recorded on December 28, 2012 as Instrument No. 112137262 in the records of Ada County, Idaho, and amended by that certain *Seventh Amendment to Master Declaration of Covenants, Conditions, Restrictions and Easements for SpurWing Greens* dated March 13, 2013, and recorded on March 13, 2013 as Instrument No. 113026906 in the records of Ada County, Idaho, and amended by that certain *Eighth Amendment to Master Declaration of Covenants, Conditions, Restrictions and Easements for SpurWing Greens* dated March 21, 2014, and recorded on March 21, 2014, as Instrument No. 114020977 in the records of Ada County, Idaho, and amended by that certain *Ninth Amendment to Master Declaration of Covenants, Conditions, Restrictions and Easements for SpurWing Greens* dated July 29, 2014,

and recorded on July 29, 2014, as Instrument No. 2014-060582 in the records of Ada County, Idaho (collectively "**Master Declaration**").

B. Article XI of the Master Declaration allows for the annexation of additional property to the Property, which additional property, when annexed, is brought within the provisions of the Master Declaration.

C. Section 12.02(a) of the Master Declaration allows Declarant to make amendments to the Master Declaration until all Lots within the Property are conveyed.

D. The purpose of this Amendment is to annex the additional property owned, or to be owned, by Spurwing (defined below as the "**Annexed Property**") into the Master Declaration, and upon such annexation to subject such additional property to all of the terms, covenants, conditions, restrictions and easements contained in the Master Declaration.

E. As required by Article XI of the Master Declaration, Spurwing shall additionally record a Supplemental Declaration annexing the Annexed Property into its existing and previously recorded Supplemental Declaration, which annexation into the Supplemental Declaration does not require the signature or consent of Brighton.

DECLARATION

NOW, THEREFORE, for valuable consideration including the recitals above, which are hereby incorporated below, the Declarant declares as follows:

- 1. Annexation – Property Covered.** The property which is covered by this Amendment and which shall be annexed under the Master Declaration is the real property described on Exhibit A, and depicted on Exhibit B, attached hereto and incorporated herein as if set out in full (hereafter "**Annexed Property**").
- 2. Annexation and Declaration.** Pursuant to Section 11.01 of the Master Declaration, Declarant hereby declares that the Annexed Property is annexed to the Property, and is brought within the provisions of the Master Declaration, and is hereby made subject to all of the covenants, conditions, restrictions and easements of the Master Declaration.
- 3. Miscellaneous.** Any capitalized terms not defined herein shall have the same meaning as in the Master Declaration. This Amendment shall be recorded in the records of Ada County, Idaho, shall run with the land and each estate herein and shall be binding upon all persons having or acquiring any right, title or interest in the Property or any Lot therein. Except as otherwise modified herein, the terms and conditions of the Master Declaration shall remain in full force and effect. In the event of a conflict between this Amendment and the Master Declaration, the terms of this Amendment shall control.

[End of Text]

IN WITNESS WHEREOF, the Declarant has executed this Amendment effective of the day and year first above written.

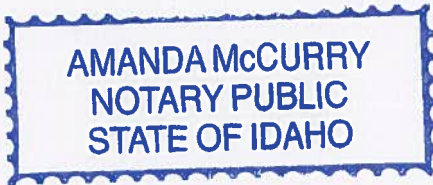
BRIGHTON DEVELOPMENT INC.
an Idaho corporation

By: *David W. Turnbull*
David W. Turnbull, President

STATE OF IDAHO)
)ss.
County of Ada)

On this 8th day of August, 2014, before me, a Notary Public, personally appeared David W. Turnbull, known or identified to me to be the President of BRIGHTON DEVELOPMENT INC., an Idaho corporation, the corporation that executed the within instrument and the person who executed the instrument on behalf of said corporation.

WITNESS my hand and official seal hereto affixed the day and year first above written.



Amanda McCurry
Notary Public for Idaho
Commission Expires 4/15/2017

APPROVED BY OWNER OF ANNEXED PROPERTY:

THE CLUB AT SPURWING, LLC
an Idaho limited liability company

By: *Christopher L. Anderson*
Christopher L. Anderson, Manager

STATE OF IDAHO)
)ss.
County of Ada)


On this 4th day of August, 2014, before me, a Notary Public, personally appeared Christopher L. Anderson, known or identified to me to be the Manager of The Club at Spurwing, LLC, an Idaho limited liability company, the person who executed the instrument on behalf of said limited liability company, and acknowledged to me that he executed the same in said limited liability company's name.

WITNESS my hand and official seal hereto affixed the day and year first above written.

Commission Expires 11/9/18 *Debra Renee Grenke*
Notary Public for Idaho



SPURWING GREENS LLC,
an Idaho limited liability company

By: 
Name: Christopher L. Anderson
Its: Member

STATE OF IDAHO)
) ss:
County of Ada)

On this 4th day of August, 2014, before me, the undersigned, a Notary Public in and for said State, personally appeared Christopher Anderson, known or identified to me to be the Member of SPURWING GREENS, LLC, an Idaho limited liability company, the company that executed the foregoing instrument or the person who executed the foregoing instrument on behalf of said company, and acknowledged to me that such company executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

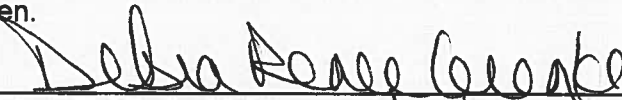
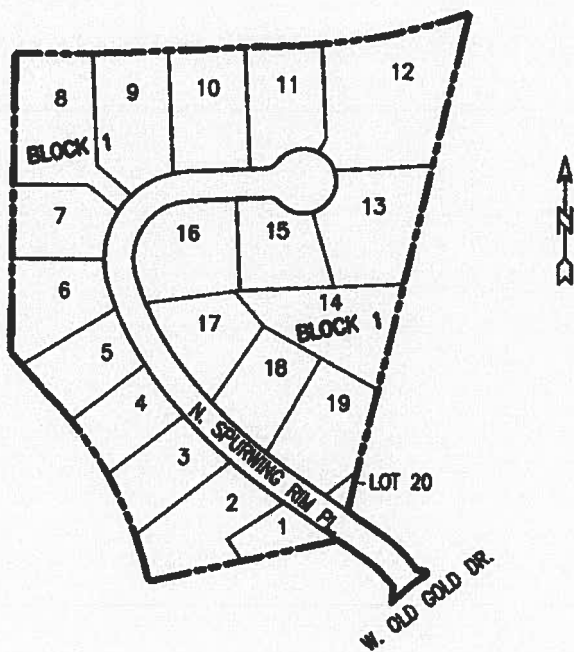

Notary Public for Idaho
My Commission Expires: 11/9/18

EXHIBIT A
Depiction of Annexed Property



SPURWING RIM SUBDIVISION

A RESUBDIVISION OF A PORTION OF LOT 1, BLOCK 11, JAYKER SUBDIVISION—PHASE 1,
AND OF A PORTION OF THE EAST 1/2 OF SECTION 22, T.4N., R.1W., B.M.
MERIDIAN, ADA COUNTY, IDAHO

1" = 300'

EXHIBIT B

Legal Description of Annexed Property

**Lots 1 through and including Lot 20, Block 1; SPURWING RIM
SUBDIVISION, according to the official plat thereof filed in Book
107 of Plats at Pages 14783 thru 14785, records of Ada County, Idaho,**