

After recording, please return to:

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

ADA COUNTY RECORDER Christopher D. Rich  
BOISE IDAHO Pgs=7 CHE FOWLER  
OAK LEAF DEV

**2015-090781**  
09/30/2015 02:47 PM  
AMOUNT:\$28.00



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

**THIS ELEVENTH 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 23 day of September, 2015 ("**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, as amended from time to time (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 by Oak Leaf Development Company Inc. (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.

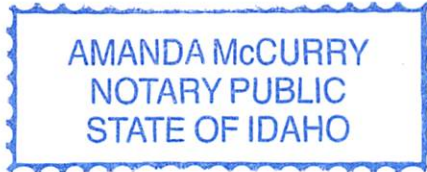
BRIGHTON DEVELOPMENT INC.  
an Idaho corporation

By: [Signature]  
David W. Turnbull, President

STATE OF IDAHO        )  
                                  )ss.  
County of Ada         )


On this 23rd day of September, 2015, 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.



[Signature]  
Notary Public for Idaho  
Commission Expires 4/15/2017

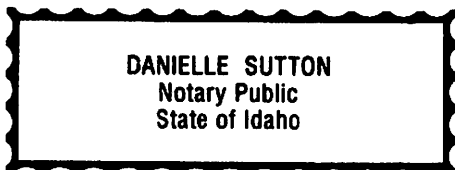
**SPURWING GREENS LLC,**  
an Idaho limited liability company


By:   
Name: Christopher L. Anderson  
Its: Member

STATE OF IDAHO    )  
                                  ) ss:  
County of Ada     )

On this 23<sup>rd</sup> day of September, 2015, before me, the undersigned, a Notary Public in and for said State, personally appeared Christopher L. Anderson, known or identified to me to be a 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

**APPROVED BY OWNER OF ANNEXED PROPERTY:**

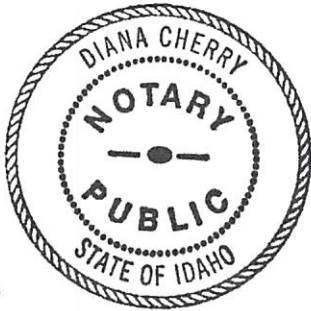
Oak Leaf Development Company Inc.,  
an Idaho corporation

By: *Douglas K. Carnahan*  
Douglas K. Carnahan, President

STATE OF IDAHO     )  
                                  )ss.  
County of Ada        )

On this 23rd day of September, 2015, before me, a Notary Public, personally appeared Douglas K. Carnahan, known or identified to me to be the President of Oak Leaf Development Company Inc., an Idaho corporation, the person who executed the instrument on behalf of said corporation, 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.



*Diana Cherry*  
Notary Public for Idaho  
Commission Expires 6/8/2019

## EXHIBIT A

### Legal Description of Annexed Property

A PORTION OF THE EAST 1/2 OF THE WEST 1/2 OF SECTION 22, TOWNSHIP 4 NORTH, RANGE 1 WEST, BOISE MERIDIAN, CITY OF MERIDIAN, ADA COUNTY, IDAHO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 22 FROM WHICH THE SOUTH 1/4 CORNER OF SAID SECTION 22 BEARS SOUTH 89°17'17" EAST, 2647.16 FEET; THENCE ALONG THE SOUTH BOUNDARY LINE OF SAID SECTION 22 SOUTH 89°17'17" EAST, 1323.58 FEET TO THE WEST 1/16 CORNER OF SAID SECTION 22 AND SECTION 27 OF SAID TOWNSHIP 4 NORTH, RANGE 1 WEST; THENCE LEAVING SAID SOUTH BOUNDARY LINE AND ALONG THE WEST BOUNDARY LINE OF THE EAST 1/2 OF THE WEST 1/2 OF SAID SECTION 22 AND THE WEST BOUNDARY LINE OF SPURWING GROVE SUBDIVISION NO. 6 AS SAME IS FILED IN BOOK 105 OF PLATS AT PAGES 14500-14502, OFFICIAL RECORDS OF ADA COUNTY, IDAHO, NORTH 00°30'43" EAST, 1979.85 FEET TO THE MOST WESTERLY CORNER COMMON TO SAID SPURWING GROVE SUBDIVISION NO. 6 AND OAK LEAF SUBDIVISION AS SAME IS FILED IN BOOK 107 OF PLATS AT PAGES 14823-14825, RECORDS OF ADA COUNTY, IDAHO; THENCE LEAVING SAID WEST BOUNDARY LINE AND ALONG THE EXTERIOR BOUNDARY LINES OF SAID OAK LEAF SUBDIVISION, SAID SPURWING GROVE SUBDIVISION NO. 6 AND SPURWING GROVE SUBDIVISION NO. 4 AS SAME IS FILED IN BOOK 105 OF PLATS AT PAGES 14244-14246, RECORDS OF ADA COUNTY, IDAHO, SOUTH 89°28'42" EAST, 437.50 FEET; THENCE LEAVING THE EXTERIOR BOUNDARY LINE OF SAID SPURWING GROVE SUBDIVISION NO. 6 AND CONTINUING ALONG THE EXTERIOR BOUNDARY LINES OF SAID OAK LEAF SUBDIVISION AND SAID SPURWING GROVE SUBDIVISION NO. 4 AND ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT 80.70 FEET, SAID CURVE HAVING A RADIUS OF 240.04 FEET, A CENTRAL ANGLE OF 19°15'45", AND A LONG CHORD WHICH BEARS SOUTH 44°55'40" WEST, A DISTANCE OF 80.32 FEET; THENCE NORTH 54°33'32" EAST, 16.54 FEET TO THE MOST EASTERLY CORNER OF SAID OAK LEAF SUBDIVISION AND REAL POINT OF BEGINNING;

THENCE LEAVING THE EXTERIOR BOUNDARY LINE OF SAID SPURWING GROVE NO. 4 AND ALONG THE EAST BOUNDARY LINE OF SAID OAK LEAF SUBDIVISION NORTH 42°54'24" WEST, 101.26 FEET; THENCE NORTH 00°30'43" EAST, 856.50 FEET TO THE NORTHEAST CORNER OF SAID OAK LEAF SUBDIVISION, BEING ALSO THE INTERSECTION WITH THE SOUTH RIGHT-OF-WAY LINE OF THE PHYLLIS CANAL; THENCE LEAVING SAID EAST BOUNDARY LINE AND ALONG SAID SOUTH RIGHT-OF-WAY LINE SOUTH 80°13'22" EAST, 443.16 FEET TO THE NORTHWEST CORNER OF HERON RIDGE ESTATES SUBDIVISION NO. 1 AS SAME IS FILED IN BOOK 108 OF PLATS AT PAGES 14737-14739, RECORDS OF ADA COUNTY, IDAHO; THENCE ALONG THE WEST BOUNDARY LINES OF SAID HERON RIDGE ESTATES SUBDIVISION NO. 1 AND SAID SPURWING GROVE SUBDIVISION NO. 4 SOUTH 00°27'47" WEST, 666.66 FEET; THENCE LEAVING SAID WEST BOUNDARY LINES AND ALONG THE NORTHWESTERLY BOUNDARY LINE OF SAID SPURWING GROVE SUBDIVISION NO. 4, 364.31 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 1,080.96 FEET, A CENTRAL ANGLE OF 19°18'36", AND A LONG CHORD WHICH BEARS SOUTH 64°12'50" WEST, A DISTANCE OF 362.58 FEET; THENCE SOUTH 54°33'32" WEST, 53.48 FEET TO THE REAL POINT OF BEGINNING. CONTAINING AN AREA OF 7.99 ACRES, MORE OR LESS.

# EXHIBIT B Depiction of Annexed Property

