

After recording, please return to:

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

**NINTH AMENDMENT TO MASTER DECLARATION
OF COVENANTS, CONDITIONS, RESTRICTIONS
AND EASEMENTS FOR SPURWING GREENS
(Lifestyle Memberships)**

THIS NINTH 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 29th day of July, 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 *Eighth* 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 Eighth (collectively "**Master Declaration**").

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B. Pursuant to Section 13.02 of the Master Declaration, Declarant may amend the Master Declaration by executing and recording an amendment in the records of Ada County, Idaho.

DECLARATION

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

1. **Lifestyle Membership**. Wherever used in the Declaration, the term "Social Memberships" or "Social Membership" is hereby amended to state "Lifestyle Memberships" or "Lifestyle Membership". The definition of "Lifestyle Membership" (formerly "Social Membership") is hereby moved to immediately after the definition of "Initial Construction". Additionally, the following sentence shall be added to the end of the definition of "Lifestyle Memberships":

"As stated elsewhere herein, the availability of a Lifestyle Membership to an Owner is based on this Declaration and the SCC Documents. An Owner's use of a Lifestyle Membership is paid through the Regular Assessments levied by the Association as adjusted from time to time, and it is managed by the Association as a Common Area amenity, subject to modification and/or termination based on the SCC Documents. If the Lifestyle Memberships are no longer available, the Regular Assessments will be adjusted accordingly."

2. **Definition of SCC**. The definition of SCC is hereby deleted in its entirety and restated as follows:

SCC: The Club at Spurwing, Inc., an Idaho corporation, which corporation owns and/or controls the SCC Facilities and Tennis Facilities, and its successors and assigns."

3. **Definition of SCC Documents**. The definition of "SCC Documents" is hereby deleted in its entirety and restated as follows":

SCC Documents. Any and all documents governing the terms, conditions and use of the SCC Facilities and Lifestyle Memberships, as benefitting, assigned, and/or entered into by and between the Master Association and SCC from time to time, including, but not limited to that certain Membership Agreement recorded in the records of Ada County, Idaho, as Instrument No. 2014-060562, and any and all reasonable and non-discriminatory SCC Rules and regulations."

4. **Definition of SCC Facilities**. The definition of "SCC Facilities" is hereby amended by inserting ", Tennis Facilities, " after "clubhouse".

5. **Definition of Tennis Facilities**. The definition of "Tennis Facilities" is hereby deleted and is replaced by the following:


Tennis Facilities: Tennis courts and changing facilities owned and/or leased by SCC and located on the east side of the Property."

6. **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; Signatures to Follow]

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

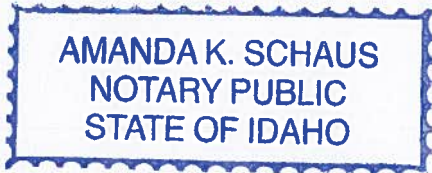
BRIGHTON DEVELOPMENT INC.
an Idaho corporation

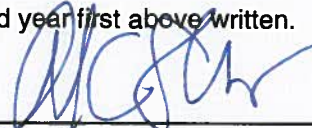

By: 
David W. Turnbull, President

STATE OF IDAHO)
)ss.
County of Ada)


On this ^{20th} day of July, 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.



 
Notary Public for Idaho
Commission Expires 1.24.17

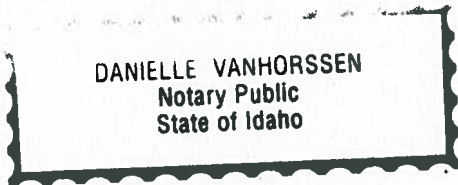
SPURWING GREENS LLC,
an Idaho limited liability company

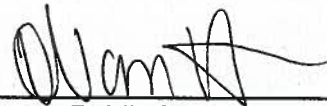
By: 
Name: Christopher Anderson
Its: DIRECTOR

STATE OF IDAHO)
) ss:
County of Ada)

On this 24 day of July, 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 DIRECTOR 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: 6/30/2020