

AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR CANYON ESATES

THIS AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS ("Amendment") is made by the Canyon Estates Property Owners Association ("CEPOA"), address of 975 Canyon Estates Drive, Fish Haven, and Idaho 83287 and adds the forgoing amendment to the Declaration of Covenants, Conditions and Restrictions recorded on April 19, 2005 as Instrument No. 191031, at the Office of the County Recorder, Bear Lake County, Idaho.

This Amendment shall constitute covenants to run with all of the land, as provided by law, and shall be binding, on all parties and all persons claiming under them, and for the benefit of and limitations upon all future owners in said subdivision.

The CEPOA are collectively the owners of real property known as Canyon Estates, located in Part of Section 15 and Section 10, Township 16 South, Range 43 East of the Boise Meridian Described as follows:

COMMENCING AT THE NORTH QUARTER CORNER OF SECTION 15, SAID CORNER BEING N 89°23'41" E 2648.19 FEET FROM THE NW CORNER OF SAID SECTION 15; THENCE S 00°40'29" E 143.68 FEET; THENCE S 06°42'19" E 63.74 FEET TO THE TRUE POINT OF BEGINNING; THENCE S 03°15'21" W 441.56 FEET; THENCE S 12°32'49" W 874.34 FEET; THENCE S 80°10'06" E 198.15 FEET; THENCE S 39°12'02" E 94.99 FEET TO A NON-TANGENT CURVE CONCAVE TO THE WEST; THENCE NORTHERLY ALONG SAID CURVE HAVING A 530.00 FOOT RADIUS AND A CENTRAL ANGLE OF 28°06'25" (CENTER BEARS N 52°58'55" W) FOR AN ARC LENGTH OF 260.00 FEET (CHORD = N 22°57'52" E 257.40 FEET); THENCE S 07°57'02" E 438.76 FEET; THENCE S 39°12'02" E 424.25 FEET TO A NON-TANGENT CURVE CONCAVE TO THE SOUTH; THENCE WESTERLY ALONG SAID CURVE HAVING A 687.35 FOOT RADIUS AND A CENTRAL ANGLE OF 13°31'24" (CENTER BEARS S 16°07'40" W) FOR AN ARC LENGTH 162.23 FEET (CHORD = N 80°38'02" W 161.86 FEET); THENCE N 87°23'44" W 274.23 FEET TO A TANGENT CURVE CONCAVE TO THE SOUTH; THENCE WESTERLY ALONG SAID CURVE HAVING A 675.87 FOOT RADIUS AND A CENTRAL ANGLE OF 15°03'03" FOR AN ARC LENGTH 177.54 FEET (CHORD = S 85°04'44" W 177.03 FEET); THENCE S 77°33'13" W 143.76 FEET TO A TANGENT CURVE CONCAVE TO THE NORTH; THENCE WESTERLY ALONG SAID CURVE HAVING A 1000.00 FOOT RADIUS AND A CENTRAL ANGLE OF 03°24'37" FOR AN ARC LENGTH 59.52 FEET (CHORD = S 79°15'31" W 59.51 FEET); THENCE S 80°57'50" W 281.99 FEET TO A TANGENT CURVE CONCAVE TO THE NORTH; THENCE WESTERLY ALONG SAID CURVE HAVING A 200.00 FOOT RADIUS AND A CENTRAL ANGLE OF 20°31'35" FOR AN ARC LENGTH 71.65 FEET (CHORD = N 88°46'23" W 71.27 FEET) TO A REVERSE CURVE CONCAVE TO THE SOUTH; THENCE WESTERLY ALONG SAID CURVE

HAVING A 400.00 FOOT RADIUS AND A CENTRAL ANGLE OF 21°11'07" FOR AN ARC LENGTH OF 147.90 (CHORD = N 89°06'09" W 147.06 FEET); THENCE S 80°18'17" W 110.45 FEET TO A TANGENT CURVE CONCAVE TO THE NORTH; THENCE WESTERLY ALONG SAID CURVE HAVING A 300.00 FOOT RADIUS AND A CENTRAL ANGLE OF 15°29'57" FOR AN ARC LENGTH 81.15 FEET (CHORD = S 88°03'16" W 80.91 FEET); THENCE N 84°11'46" W 80.56 FEET TO A TANGENT CURVE CONCAVE TO THE SOUTH; THENCE WESTERLY ALONG SAID CURVE HAVING A 700.00 FOOT RADIUS AND A CENTRAL ANGLE OF 10°09'37" FOR AN ARC LENGTH 124.13 FEET (CHORD = N 89°16'34" W 123.97 FEET); THENCE S 85°38'37" W 139.84 FEET TO A TANGENT CURVE CONCAVE TO THE SOUTH; THENCE WESTERLY ALONG SAID CURVE HAVING A 159.31 FOOT RADIUS AND A CENTRAL ANGLE OF 15°00'21" FOR AN ARC LENGTH 36.16 FEET (CHORD = S 79°08'27" W 36.09 FEET); THENCE N 17°58'50" E 909.70 FEET; THENCE N 33°13'04" E 197.52 FEET; THENCE N 06°54'07" E 297.48 FEET TO A NON-TANGENT CURVE CONCAVE TO THE SOUTH; THENCE WESTERLY ALONG SAID CURVE HAVING A 120.00 FOOT RADIUS AND A CENTRAL ANGLE OF 49°09'22" (CENTER BEARS S 34°15'40" W) FOR AN ARC LENGTH OF 102.95 FEET (CHORD = N 80°19'01" W 99.82 FEET); THENCE S 75°06'17" W 87.13 FEET TO A TANGENT CURVE CONCAVE TO THE NORTH; THENCE WESTERLY ALONG SAID CURVE HAVING A 330.00 FOOT RADIUS AND A CENTRAL ANGLE OF 22°48'59" FOR AN ARC LENGTH OF 131.41 FEET (CHORD = S 86°30'47" W 130.55 FEET); THENCE N 07°55'16" E 60.00 FEET; THENCE N 38°50'17" E 897.24 FEET; THENCE S 66°21'09" E 202.20 FEET; THENCE S 85°44'44" E 265.90 FEET; THENCE N 80°20'00" E 275.56 FEET TO THE TRUE POINT OF BEGINNING.

TOGETHER with perpetual rights of ingress/egress from Fish Haven Cemetery Road as well as Fish Haven Canyon Road.

The CEPOA, by consent and agreement of a least 75% of the Members, and pursuant to Section 12.02 of the CC&Rs, the foregoing section shall be added to include the following:

Section 9.18 Timesharing Plans Prohibited: No home or dwelling lot may be used and /or occupied by any Person or Owner pursuant to any timesharing plan. All condominiums, Fractional private club plans, membership residential privilege plans, or any similar type plans are prohibited.

Section 9.19 Fractional Ownership Plans restricted: No home or dwelling lot may be used and/or occupied by any Person or Owner pursuant to a fractional ownership interest plan, tenants in common plan, or any partnership or multi-owner plan that exceeds four (4) members. Notwithstanding, nothing in this restriction shall be construed to prohibit the grant, distribution, or devise of CEPOA property to multiple recipients that exceeds 4 members or beneficiaries of family trusts, wills, heirs at law or other takers under probate proceedings to hold or maintain membership under this association.

On February 15, 2011 the above Amendment was approved and ratified by at least 75% of the Members of CEPOA.

CANYON ESTATES PROPERTY OWNERS
ASSOCIATION



Carl J. McKinnis, President

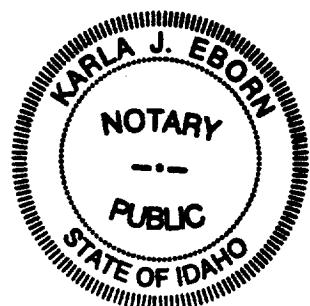
STATE OF IDAHO)

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County of Bear Lake

On the 23rd day of May 2012, personally appeared before me Karla J. Eborn, who being by me duly sworn did say for himself that he is Carl J. McKinnis, President of Canyon Estates Property Owners Association.

Notary Public Karla J. Eborn
My commission Expires 11-21-13
Residing, at: Ovid, Idaho



Instrument # 212323

BEAR LAKE COUNTY

5-23-2012 01:34:51 No. of Pages: 3

Recorded for: CARL J. MCKINNIS, PRESIDENT

KERRY HADDOCK

Fee: 16.00

Ex-Officio Recorder Deputy Blairman

Index to: MISCELLANEOUS