

Instrument # 442370

VALLEY COUNTY, CASCADE, IDAHO

7-20-2021 08:53:51 AM No. of Pages: 31

Recorded for : DON JOHNSON

DOUGLAS A. MILLER

Fee: 100.00

Ex-Officio Recorder Deputy

Index to: RESTRICTIVE COVENANT

AMENDED AND RESTATED
DECLARATION OF BUILDING AND OCCUPANCY RESTRICTIONS
PONDEROSA ESTATES SUBDIVISION

THIS AMENDED AND RESTATED DECLARATION OF BUILDING AND OCCUPANCY RESTRICTIONS PONDEROSA ESTATES SUBDIVISION (the "Amended and Restated Declaration"), made as of the 21st day of April, 2021, by the current majority owners (collectively, the "Owners") of the real property described in and in accordance with the previously recorded BUILDING AND OCCUPANCY RESTRICTIONS PONDEROSA ESTATES SUBDIVISION recorded on 6-25-1970 as document #7-2163, Valley Country, Idaho (the "Original Restrictions").

WITNESSETH:

WHEREAS, the Owners, constituting a majority of lot owners of that certain real estate situated in Valley County, Idaho, more particularly described in the plat of PONDEROSA ESTATES SUBDIVISION (hereafter referred to as the "Subdivision", recorded on the 13th day of January 1967, as instrument no. 66340 in Book 3 of Plats at Page 19, Records of Valley County, Idaho, hereby declare:

That all real property situated in the Subdivision shall be held, conveyed, encumbered, leased and used subject to the following uniform covenants, restrictions, and equitable servitudes in furtherance of a plan for the Subdivision, improvement and sale of said real property, and to enhance the value, desirability, and attractiveness of such real property. The restrictions set forth herein shall run with the real property situated within the Subdivision; shall be binding upon all persons having or acquiring any interest in such real property or any part thereof; shall inure to the benefit of every portion of such real property and any interest therein; and shall inure to the benefit of and shall be binding upon any and all owners of said real property situated in the Subdivision, their heirs, assigns, affiliates and successors in interest, and may be enforced by Grantor, by any Owner's successors in interest, or by the Ponderosa Landowners Association, Inc. (the "HOA").

DEFINITIONS

1. In construing this instrument, the following definitions shall be applied:

"Subdivision" means PONDEROSA ESTATES SUBDIVISION, according to the official plat thereof on file in the office of the County Recorder of Valley County, Idaho, as referenced above.

"Lot" means an officially designated and numbered lot on the official plat of the Subdivision. If any lot as shown on said official plat shall be re-subdivided pursuant to law and these building and occupancy restrictions (and this clause shall not be construed to authorize any such re-subdivision) into two or more tracts of land, under different ownerships, then each such separate tract into which said original Lot was re-subdivided shall constitute a separate "Lot" within the meaning of this instrument.

"Grantee" shall mean the record title holder or holders of any "Lot", together with the Grantee's heirs, personal representatives, successors, and assigns.

GENERAL
PROVISIONS

2. By acceptance of any conveyance of any real property situated in the Subdivision the Grantee covenants with the Grantor of said real property (the

"Grantor"), and its heirs, personal representatives, successors and assigns, and with all other Grantees or subsequent owners of said real property in the Subdivision, that these covenants shall inure to the benefit of and be binding upon all such parties.

RESIDENTIAL
USE OF LAND

3. Any Lot in the Subdivision shall be known and described as residential lots, and said Lot or any part thereof or any structure placed thereon shall not be used for any commercial purposes, but the use of said Lot shall be limited solely to residential purposes.

STRUCTURES

4. No structure shall be permitted to remain upon any Lot other than a single-family dwelling (aka detached family dwelling) built in compliance with then applicable Valley County building codes, or an outbuilding, both as herein defined, the size, location and nature of which shall be as herein prescribed, as follows:

SIZE; COST

(a) No dwelling shall be permitted on any Lot having a cost or value of less than \$80,000.00, excluding the cost of well, based upon cost levels prevailing at the time these amended covenants are recorded.

HEIGHT AND
LAYOUT

(b) The height and layout of dwelling shall be in accordance with applicable zoning laws and regulations, if any, but shall otherwise be at the discretion of the owner of the Lot. One garage for not more than three vehicles may also be built on each Lot.

OUTBUILDINGS

(c) All outbuildings shall be constructed of good quality building materials and shall be of good quality and character that will be in harmony with other buildings on said Lot. No outbuilding shall be placed as to obstruct the windows of any adjoining property owners in the Subdivision. No livestock barns shall be permitted.

BUILDING
MATERIALS

(d) All buildings (including outbuildings) erected upon any Lot in the Subdivision shall be finished, painted and maintained in good repair so as to be inoffensive to any other property owners in the Subdivision, and may be constructed of any materials so long as it blends with the overall appearance of the dwelling.

LOCATION

(e) Except where terrain and topography make such impractical, no building shall be located on any other Lot nearer than 20 feet to the front Lot line, or nearer than 5 feet to any side or back Lot line. For the purposes of this covenant, eaves, steps, solar panels and open porches shall be considered as a part of a building.

TEMPORARY
STRUCTURES

(f) No structure of a temporary character, such as a shack, or basement only, and no outbuilding shall be used on any Lot as a dwelling, either temporarily or permanently. No motor home, camper, trailer, 5th wheel trailer, or mobile home shall be used a permanent dwelling; however, temporary use of one (1) recreational vehicle for camping purposes for periods of no more than two (2) weeks during any one month up to a maximum of 2 months in any 12-month period shall be permitted only by the Lot

owner. One recreational vehicle may be left on any Lot for owner use for up to two years so long as the owner is actively involved in a permanent dwelling construction.

TEMPORARY
RECREATIONAL
VEHICLE LOT
USE

(g) Up to a total of 3 recreational vehicle units can be allowed on any ownership parcel (contiguous lots owned by same owner) on occasional weekends (4 days maximum) up to 3 times per year (as set forth in Valley County Ordinance 20-06.) At no time will conditions be allowed to exist on any lot or lots where a Valley County "administrative permit" or "conditional use permit" be required as in current Ordinance no 20-06. A full time or near full time resident owner may park one recreational vehicle on any lot containing a complying dwelling in an appropriate on lot location so long as it is not inhabited.

NUISANCES

5. Nothing of an offensive, dangerous, odorous or noisy kind shall be conducted or carried on nor shall anything be done or permitted in the Subdivision which may be or become an annoyance or nuisance to the other property owners in the Subdivision. There shall be no shooting of firearms within the Subdivision. Property owners are responsible for their guests and no loud, vulgar or offensive language will be allowed. Group noise shall be stopped not later than 10:30 PM or as regulated by the HOA. ORVs/ATVs shall be used only on public roadways and while coming or going to or from the Subdivision. Lot owners are responsible for all activities occurring on their property and will respond appropriately and courteously to neighbor nuisance reports.

ANIMALS

6. Keeping or raising of hogs, goats, sheep, or other offensive smelling animals on the Lot shall be prohibited. No property owner shall keep any animals in such numbers as to create unsightliness, excessive noise, offensive odors or dangerous conditions. No animals shall be kept upon any Lot for any commercial purpose. In order to protect wild game, all dogs must be kept on a leash or otherwise restrained whenever they are off the pet/Lot owner's property, and no dog shall be permitted to chase and harass game animals. Vicious and unmanageable dogs shall not be permitted on the Lot.

EASEMENTS

7. All Lots are subject to Valley County ordinance public utilities and drainage easement.

WATER

8. Wells shall be constructed and located in all respects in accordance with applicable state and local health and safety laws and regulations, and the location of each well shall meet the requirements of the Central District Health Department or successor similar governmental agency.

SEWAGE
DISPOSAL

9. No central system for disposal of sewage and waste is provided by Grantor and it shall be the responsibility of each Grantee to provide an individual system for disposing of sewage and waste from Grantee's Lot in accordance with Central District Health Department regulations.

REFUSE AND
DUMPING

10. No Lot shall be used or maintained as a dumping ground for rubbish, trash, garbage, abandoned, damaged or inoperative vehicles, or other waste material. All trash materials shall be kept in sanitary containers. Burning of garbage/trash is not allowed. No junk machinery, trailers, trucks, appliances or unsightly material of any sort or nature, or junk automobiles shall be kept on any Lot or portion thereof. Storage of any machinery, trailers, trucks, boats, automobiles and appliances unless for a temporary period as previously addressed is not allowed. Machinery, construction equipment, and building materials shall not be stored anywhere on the Lot where the same are visible from the roadways within the Subdivision, except during the time of actual construction of buildings and improvements wherein the same are used.

PROSECUTION
OF WORK

11. The construction of all dwellings or outbuildings shall be diligently and continuously carried on from the time of commencement thereof and shall be completed within 30 months of the date of commencement of construction (weather and other causes beyond the reasonable control of Grantee permitting.)

FENCES

12. No fence, hedge or boundary wall situated anywhere upon the Lot shall be a height greater than six (6) feet above the ground graded surface where such fence, hedge or wall is situated. No barbed wire shall be used on any of such fences, and all fences of whatever kind or nature, wire, wire mesh or otherwise, shall be kept and maintained in good repair and appearance so as to be inoffensive to other property owners in the Subdivision and to serve their purpose.

SIGNS

13. No signs or billboards of any kind or for any use shall be erected, posted or displayed upon any Lot other than traffic control and safety issues. The name of the resident may be displayed upon a name or address plaque.

UTILITIES

14. All utilities requiring the use of electrical transmission wires or lines shall be constructed, installed, and maintained underground except for any electrical lines already in existence as of the date of this instrument. Grantee is responsible for providing gas, telephone, or other utility services within the Subdivision. Solar panels are permitted so long as they are not obtrusive to adjoining Lots and do not obstruct the views from adjoining Lots. Placement and location of the solar panels must be approved by the HOA prior to installation in accordance with Idaho Code § 55-115(4).

EXCAVATIONS
AND TREE
REMOVAL

15. No excavation for stone, sand, gravel, or minerals shall be made upon any Lot nor shall any trees be cut down or removed unless such removal of trees is necessary in connection with the erection of an improved structure thereon OR for the safety of an existing structure and/or preventing damage to existing structure and facilities. This covenant shall not be construed to prevent reasonable thinning of trees where such thinning improves the appearance of the Lot and enhances its natural beauty, nor shall this covenant be construed to prevent removal of any dead or diseased trees.

INVALIDATION 16. Invalidation of any one of these covenants by judgment or court order shall in no way affect any of the other covenants or provisions hereof, all of which shall remain in full force and effect.

TERMS,
AMENDMENTS 17. These Amended covenants shall remain in force and effect and run with the land for twenty (20) years from the date the same are recorded, after which time said covenants shall be automatically extended for successive period of ten (10) years unless an instrument containing an agreement changing the same in whole or in part, or terminating the same, which is signed by the owners of a majority of the Lots in the Subdivision as originally platted, has consented and been recorded. These protective restrictions and covenants may be amended, from time to time, with respect to any part or portion thereof, providing at least a majority of the property owners of each Lot as originally platted consent thereto in writing, dully executed and recorded.

ENFORCEMENT 18. If any Grantee shall violate or attempt to violate any of the covenants herein contained, and shall persist in such violation or attempt after ten days' notice in writing served or delivered upon such party, then any other person or persons owning any real property in the Subdivision may commence any proceedings at law or in equity against such party, either to prevent such violations or to recover damages therefor, and in any such proceedings the prevailing party shall be entitled to recover reasonable attorney fees and court costs from the other party or parties. The HOA being the duly authorized owner's association will carry on the current business of the lot owners as set forth in the Articles of Incorporation and Bylaws. Should there be an interpretation of the terms of these restrictions needed over time, the HOA Board will hold a duly called and authorized HOA meeting to interpret such restriction, according to the Bylaws.

The HOA may also enforce the covenants contained in the Original Restrictions and those stated within this Amended and Restated Declaration. Enforcement shall be, but not limited to, appropriate fines and assessments for ongoing violations. Sequence of enforcement shall be according to the procedure set forth in the HOA's Articles of Incorporation and Bylaws and in compliance with Idaho Code § 55-115(2).

CONFLICTS 19. The terms of this instrument shall govern if there is a conflict in the terms of this instrument and those of the Original Restrictions. All other terms in the Original Restrictions that are not in conflict with this instrument shall remain in full force and effect.

AUTHORITY 20. This instrument is made in accordance with paragraph 13 of the Original Restrictions.

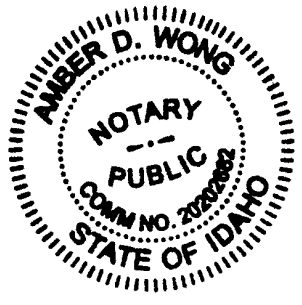
[signature page follows]

On this 19th day of July, 2021, I Don R. Johnson, President of the Ponderosa Landowners Association, Inc., do hereby certify that the above constitutes a legal amendment of the Original Restrictions, as evidenced by the attached Exhibit A to this document.

Signature: *Don R. Johnson*
Don R. Johnson, President of the Ponderosa Landowners Association, Inc.

STATE OF IDAHO)
)ss
COUNTY OF Ada)

On this 19th day of July, 2021, before me, a Notary Public in and for said State, personally appeared Don R. Johnson, and acknowledged to me that he executed the foregoing document in his capacity as President of the Ponderosa Landowners Association, Inc. and that such corporation executed the same.



Signature of Notary Public *Amber D. Wong*
My commission expires: 7/20/26

DECLARATION REGARDING PONDEROSA ESTATES SUBDIVISION

I, the undersigned, pursuant to Idaho Code § 9-1406, declare under penalty of perjury pursuant of the laws of the State of Idaho that the foregoing is true and correct:

1. I own a lot within the Ponderosa Estates Subdivision;
2. I am a member of the Ponderosa Landowners Association, Inc. (the "HOA");
3. I have reviewed the Bylaws for the HOA and approve of the same; and
4. I have also reviewed the foregoing Amended and Restated Declaration of Building and Occupancy Restrictions of Ponderosa Estates Subdivision; and

Approve of the amendments therein as required by paragraph 13 of the previously recorded BUILDING AND OCCUPANCY RESTRICTIONS PONDEROSA ESTATES SUBDIVISION, recorded on 6-25-1970 as document #7-2163, Valley County, Idaho.

Donald R. Johnson 4/21/21
 Signature Date

Donald R. Johnson Family Trust
 Printed Name

 Signature Date

 Printed Name

Lot (s) Owned Block 2, Lots 28, 29

DECLARATION REGARDING PONDEROSA ESTATES SUBDIVISION

I, the undersigned, pursuant to Idaho Code § 9-1406, declare under penalty of perjury pursuant of the laws of the State of Idaho that the foregoing is true and correct:

1. I own a lot within the Ponderosa Estates Subdivision;
2. I am a member of the Ponderosa Landowners Association, Inc. (the "HOA");
3. I have reviewed the Bylaws for the HOA and approve of the same; and
4. I have also reviewed the foregoing Amended and Restated Declaration of Building and Occupancy Restrictions of Ponderosa Estates Subdivision; and

Approve of the amendments therein as required by paragraph 13 of the previously recorded BUILDING AND OCCUPANCY RESTRICTIONS PONDEROSA ESTATES SUBDIVISION, recorded on 6-25-1970 as document #7-2163, Valley County, Idaho.

Brenda Bell Joffer 04-18-2021
 Signature Date

Brenda Bell Joffer
 Printed Name

Brenda Bell Joffer 04/18/2021
 Signature Date

 Printed Name

Lot (s) Owned 75 Block 2

DECLARATION REGARDING PONDEROSA ESTATES SUBDIVISION

I, the undersigned, pursuant to Idaho Code § 9-1406, declare under penalty of perjury pursuant of the laws of the State of Idaho that the foregoing is true and correct:

- 1. I own a lot within the Ponderosa Estates Subdivision;
- 2. I am a member of the Ponderosa Landowners Association, Inc. (the "HOA");
- 3. I have reviewed the Bylaws for the HOA and approve of the same; and
- 4. I have also reviewed the foregoing Amended and Restated Declaration of Building and Occupancy Restrictions of Ponderosa Estates Subdivision; and

Approve of the amendments therein as required by paragraph 13 of the previously recorded BUILDING AND OCCUPANCY RESTRICTIONS PONDEROSA ESTATES SUBDIVISION, recorded on 6-25-1970 as document #7-2163, Valley County, Idaho.

Ruby May May 4-8-21
Signature **Date**

Ruby May May
Printed Name

Signature **Date**

Printed Name

Lot (s) Owned 20, 21 & 22 Block 2

DECLARATION REGARDING PONDEROSA ESTATES SUBDIVISION

I, the undersigned, pursuant to Idaho Code § 9-1406, declare under penalty of perjury pursuant of the laws of the State of Idaho that the foregoing is true and correct:

1. I own a lot within the Ponderosa Estates Subdivision;
2. I am a member of the Ponderosa Landowners Association, Inc. (the "HOA");
3. I have reviewed the Bylaws for the HOA and approve of the same; and
4. I have also reviewed the foregoing Amended and Restated Declaration of Building and Occupancy Restrictions of Ponderosa Estates Subdivision; and

Approve of the amendments therein as required by paragraph 13 of the previously recorded BUILDING AND OCCUPANCY RESTRICTIONS PONDEROSA ESTATES SUBDIVISION, recorded on 6-25-1970 as document #7-2163, Valley County, Idaho.

Dale Renfrow 4-08-21
 Signature Date

DALE RENFROW
 Printed Name

Elizabeth Renfrow 4-8-21
 Signature Date

Elizabeth Renfrow
 Printed Name

Lot (s) Owned LOT 24 & 33 in Block 2
 address lot 24 329 Lone Pine Drive
 address lot 33 330 Lone Pine Drive

DECLARATION REGARDING PONDEROSA ESTATES SUBDIVISION

I, the undersigned, pursuant to Idaho Code § 9-1406, declare under penalty of perjury pursuant of the laws of the State of Idaho that the foregoing is true and correct:

1. I own a lot within the Ponderosa Estates Subdivision;
2. I am a member of the Ponderosa Landowners Association, Inc. (the "HOA");
3. I have reviewed the Bylaws for the HOA and approve of the same; and
4. I have also reviewed the foregoing Amended and Restated Declaration of Building and Occupancy Restrictions of Ponderosa Estates Subdivision; and

Approve of the amendments therein as required by paragraph 13 of the previously recorded BUILDING AND OCCUPANCY RESTRICTIONS PONDEROSA ESTATES SUBDIVISION, recorded on 6-25-1970 as document #7-2163, Valley County, Idaho.

Brigitta Lavergne 4/3/21
 Signature Date

BRIGITTA LAVERGNE
 Printed Name

Mario Lavergne 4/3/21
 Signature Date

MARIO LAVERGNE
 Printed Name

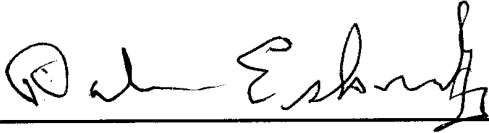
Lot (s) Owned Ridge Drive 16, 18, 22
 Lot 3 block 2 Lot 4 Block 2 Lot 6 block 2

DECLARATION REGARDING PONDEROSA ESTATES SUBDIVISION

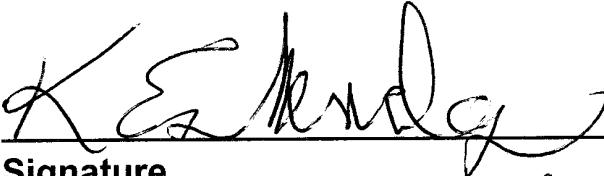
I, the undersigned, pursuant to Idaho Code § 9-1406, declare under penalty of perjury pursuant of the laws of the State of Idaho that the foregoing is true and correct:

1. I own a lot within the Ponderosa Estates Subdivision;
2. I am a member of the Ponderosa Landowners Association, Inc. (the "HOA");
3. I have reviewed the Bylaws for the HOA and approve of the same; and
4. I have also reviewed the foregoing Amended and Restated Declaration of Building and Occupancy Restrictions of Ponderosa Estates Subdivision; and

Approve of the amendments therein as required by paragraph 13 of the previously recorded BUILDING AND OCCUPANCY RESTRICTIONS PONDEROSA ESTATES SUBDIVISION, recorded on 6-25-1970 as document #7-2163, Valley County, Idaho.

 03-30-2021
Signature **Date**

DALE ESKRIDGE
Printed Name

 3/30/21
Signature **Date**

KATHLEEN ESKRIDGE
Printed Name

Lot (s) Owned Block 3, lot 4

DECLARATION REGARDING PONDEROSA ESTATES SUBDIVISION

I, the undersigned, pursuant to Idaho Code § 9-1406, declare under penalty of perjury pursuant of the laws of the State of Idaho that the foregoing is true and correct:

- 1. I own a lot within the Ponderosa Estates Subdivision;
- 2. I am a member of the Ponderosa Landowners Association, Inc. (the "HOA");
- 3. I have reviewed the Bylaws for the HOA and approve of the same; and
- 4. I have also reviewed the foregoing Amended and Restated Declaration of Building and Occupancy Restrictions of Ponderosa Estates Subdivision; and

Approve of the amendments therein as required by paragraph 13 of the previously recorded BUILDING AND OCCUPANCY RESTRICTIONS PONDEROSA ESTATES SUBDIVISION, recorded on 6-25-1970 as document #7-2163, Valley County, Idaho.

Rodney D Bell m 3/30/2021
Signature **Date**

Rodney D. Bell MD
Printed Name

Hannah Bell 3/30/21
Signature **Date**

HANNAH BELL
Printed Name

Block 2

Lot (s) Owned Lot 76 + 1/2 lot 75 The other
1/2 lot 75 is owned
by my sister
Brenda Joffer

Exhibit A

DECLARATION REGARDING PONDEROSA ESTATES SUBDIVISION

I, the undersigned, pursuant to Idaho Code § 9-1406, declare under penalty of perjury pursuant of the laws of the State of Idaho that the foregoing is true and correct:

1. I own a lot within the Ponderosa Estates Subdivision;
2. I am a member of the Ponderosa Landowners Association, Inc. (the "HOA");
3. I have reviewed the Bylaws for the HOA and approve of the same; and
4. I have also reviewed the foregoing Amended and Restated Declaration of Building and Occupancy Restrictions of Ponderosa Estates Subdivision; and

Approve of the amendments therein as required by paragraph 13 of the previously recorded BUILDING AND OCCUPANCY RESTRICTIONS PONDEROSA ESTATES SUBDIVISION, recorded on 6-25-1970 as document #7-2163, Valley County, Idaho.

Charlene Magnuson Mar. 29, '21
 Signature Living Trust Date

CHARLENE MAGNUSON
Printed Name

Donald L Magnuson Mar. 29, '21
 Signature Living Trust Date

DONALD L. MAGNUSON
Printed Name

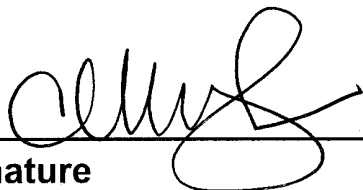
Lot (s) Owned LOT 25, BLOCK 2

DECLARATION REGARDING PONDEROSA ESTATES SUBDIVISION


I, the undersigned, pursuant to Idaho Code § 9-1406, declare under penalty of perjury pursuant of the laws of the State of Idaho that the foregoing is true and correct:

1. I own a lot within the Ponderosa Estates Subdivision;
2. I am a member of the Ponderosa Landowners Association, Inc. (the "HOA");
3. I have reviewed the Bylaws for the HOA and approve of the same; and
4. I have also reviewed the foregoing Amended and Restated Declaration of Building and Occupancy Restrictions of Ponderosa Estates Subdivision; and

Approve of the amendments therein as required by paragraph 13 of the previously recorded BUILDING AND OCCUPANCY RESTRICTIONS PONDEROSA ESTATES SUBDIVISION, recorded on 6-25-1970 as document #7-2163, Valley County, Idaho.

 3/19/2021
 Signature Date

CORY VAUGHN
 Printed Name

 3/19/2021
 Signature Date

BRIDGET VAUGHN
 Printed Name

Lot (s) Owned LOT 50, 64 and 65 Block 2

RP002010020500
 RP002010020640
 RP002010020650

Exhibit A

DECLARATION REGARDING PONDEROSA ESTATES SUBDIVISION

I, the undersigned, pursuant to Idaho Code § 9-1406, declare under penalty of perjury pursuant of the laws of the State of Idaho that the foregoing is true and correct:

- 1. I own a lot within the Ponderosa Estates Subdivision;
- 2. I am a member of the Ponderosa Landowners Association, Inc. (the "HOA");
- 3. I have reviewed the Bylaws for the HOA and approve of the same; and
- 4. I have also reviewed the foregoing Amended and Restated Declaration of Building and Occupancy Restrictions of Ponderosa Estates Subdivision; and

Approve of the amendments therein as required by paragraph 13 of the previously recorded BUILDING AND OCCUPANCY RESTRICTIONS PONDEROSA ESTATES SUBDIVISION, recorded on 6-25-1970 as document #7-2163, Valley County, Idaho.

Patrick S. Dailey
Signature **Date** 3-14-21

Patrick S. Dailey
Printed Name

Linda S. Dailey
Signature **Date** 3-14-21

Linda S. Dailey
Printed Name


Lot (s) Owned Lots 70+71 Block 2

DECLARATION REGARDING PONDEROSA ESTATES SUBDIVISION

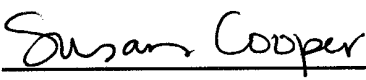
I, the undersigned, pursuant to Idaho Code § 9-1406, declare under penalty of perjury pursuant of the laws of the State of Idaho that the foregoing is true and correct:

- 1. I own a lot within the Ponderosa Estates Subdivision;
- 2. I am a member of the Ponderosa Landowners Association, Inc. (the "HOA");
- 3. I have reviewed the Bylaws for the HOA and approve of the same; and
- 4. I have also reviewed the foregoing Amended and Restated Declaration of Building and Occupancy Restrictions of Ponderosa Estates Subdivision; and

Approve of the amendments therein as required by paragraph 13 of the previously recorded BUILDING AND OCCUPANCY RESTRICTIONS PONDEROSA ESTATES SUBDIVISION, recorded on 6-25-1970 as document #7-2163, Valley County, Idaho.

 3/14/21
Signature **Date**

David Cooper
Printed Name

 3/14/21
Signature **Date**

Susan Cooper
Printed Name

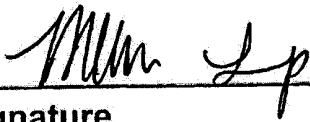
Lot (s) Owned 333 Lone Pine Lot 23 Block 2

DECLARATION REGARDING PONDEROSA ESTATES SUBDIVISION

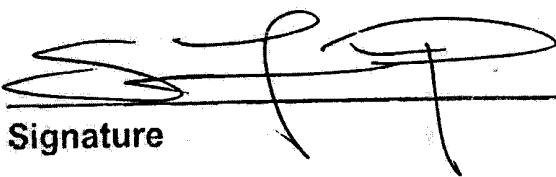
I, the undersigned, pursuant to Idaho Code § 9-1406, declare under penalty of perjury pursuant of the laws of the State of Idaho that the foregoing is true and correct:

1. I own a lot within the Ponderosa Estates Subdivision;
2. I am a member of the Ponderosa Landowners Association, Inc. (the "HOA");
3. I have reviewed the Bylaws for the HOA and approve of the same; and
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Approve of the amendments therein as required by paragraph 13 of the previously recorded BUILDING AND OCCUPANCY RESTRICTIONS PONDEROSA ESTATES SUBDIVISION, recorded on 6-25-1970 as document #7-2163, Valley County, Idaho.

 3/12/21
Signature Date

Melissa Lemp
Printed Name

 3/12/21
Signature Date

Sean Lemp
Printed Name

Lot (s) Owned 350 Estate Dr. (A) (ade) Blk 3, Lot 5

Exhibit A

①

DECLARATION REGARDING PONDEROSA ESTATES SUBDIVISION

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- 1. I own a lot within the Ponderosa Estates Subdivision;
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- 4. I have also reviewed the foregoing Amended and Restated Declaration of Building and Occupancy Restrictions of Ponderosa Estates Subdivision; and

Approve of the amendments therein as required by paragraph 13 of the previously recorded BUILDING AND OCCUPANCY RESTRICTIONS PONDEROSA ESTATES SUBDIVISION, recorded on 6-25-1970 as document #7-2163, Valley County, Idaho.

Donald L. Fuller 3/7/21
Signature **Date**

DONALD L. FULLER
Printed Name

Signature **Date**

Printed Name

Lot (s) Owned LOT 47 (Block 2)
LOT 48 (Block 2)

DECLARATION REGARDING PONDEROSA ESTATES SUBDIVISION

I, the undersigned, pursuant to Idaho Code § 9-1406, declare under penalty of perjury pursuant of the laws of the State of Idaho that the foregoing is true and correct:

- 1. I own a lot within the Ponderosa Estates Subdivision;
- 2. I am a member of the Ponderosa Landowners Association, Inc. (the "HOA");
- 3. I have reviewed the Bylaws for the HOA and approve of the same; and
- 4. I have also reviewed the foregoing Amended and Restated Declaration of Building and Occupancy Restrictions of Ponderosa Estates Subdivision; and

Approve of the amendments therein as required by paragraph 13 of the previously recorded BUILDING AND OCCUPANCY RESTRICTIONS PONDEROSA ESTATES SUBDIVISION, recorded on 6-25-1970 as document #7-2163, Valley County, Idaho.

Jil Boatright 3/4/2021
Signature **Date**

Jil Boatright
Printed Name

Robert Boatright 3/4/2021
Signature **Date**

Robert Boatright
Printed Name

Lot (s) Owned 68, 69 (both Block 2)

DECLARATION REGARDING PONDEROSA ESTATES SUBDIVISION

I, the undersigned, pursuant to Idaho Code § 9-1406, declare under penalty of perjury pursuant of the laws of the State of Idaho that the foregoing is true and correct:

1. I own a lot within the Ponderosa Estates Subdivision;
2. I am a member of the Ponderosa Landowners Association, Inc. (the "HOA");
3. I have reviewed the Bylaws for the HOA and approve of the same; and
4. I have also reviewed the foregoing Amended and Restated Declaration of Building and Occupancy Restrictions of Ponderosa Estates Subdivision; and

Approve of the amendments therein as required by paragraph 13 of the previously recorded BUILDING AND OCCUPANCY RESTRICTIONS PONDEROSA ESTATES SUBDIVISION, recorded on 6-25-1970 as document #7-2163, Valley County, Idaho.

Melvin B Hoelzle 03/04/2021
 Signature Date

Melvin B Hoelzle
 Printed Name

Joanne L Hoelzle 03/04/2021
 Signature Date

Joanne L Hoelzle
 Printed Name

Lot (s) Owned 49, 46, 66 Block 2

DECLARATION REGARDING PONDEROSA ESTATES SUBDIVISION

I, the undersigned, pursuant to Idaho Code § 9-1406, declare under penalty of perjury pursuant of the laws of the State of Idaho that the foregoing is true and correct:

- 1. I own a lot within the Ponderosa Estates Subdivision;
- 2. I am a member of the Ponderosa Landowners Association, Inc. (the "HOA");
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- 4. I have also reviewed the foregoing Amended and Restated Declaration of Building and Occupancy Restrictions of Ponderosa Estates Subdivision; and

Approve of the amendments therein as required by paragraph 13 of the previously recorded BUILDING AND OCCUPANCY RESTRICTIONS PONDEROSA ESTATES SUBDIVISION, recorded on 6-25-1970 as document #7-2163, Valley County, Idaho.

Cliff Worthan 3-3-2021
Signature Date

Cliff Worthan
Printed Name

Peggy E Worthan 3-3-2021
Signature Date

Peggy E Worthan
Printed Name

Lot (s) Owned Block 2 Lot 74
Lot 63
Lot 73
Lot 72
Lot 62

Exhibit A

3

DECLARATION REGARDING PONDEROSA ESTATES SUBDIVISION

I, the undersigned, pursuant to Idaho Code § 9-1406, declare under penalty of perjury pursuant of the laws of the State of Idaho that the foregoing is true and correct:

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- 3. I have reviewed the Bylaws for the HOA and approve of the same; and
- 4. I have also reviewed the foregoing Amended and Restated Declaration of Building and Occupancy Restrictions of Ponderosa Estates Subdivision; and

Approve of the amendments therein as required by paragraph 13 of the previously recorded BUILDING AND OCCUPANCY RESTRICTIONS PONDEROSA ESTATES SUBDIVISION, recorded on 6-25-1970 as document #7-2163, Valley County, Idaho.

Howard C. Johnson 3/1/21
 Signature Date

HOWARD C. Johnson
 Printed Name

Jocelyn Johnson 3/1/21
 Signature Date

Jocelyn Johnson
 Printed Name ①

Lot (s) Owned 358 ESTATE DR. Block 3, Lot 1

DECLARATION REGARDING PONDEROSA ESTATES SUBDIVISION

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- 4. I have also reviewed the foregoing Amended and Restated Declaration of Building and Occupancy Restrictions of Ponderosa Estates Subdivision; and

Approve of the amendments therein as required by paragraph 13 of the previously recorded BUILDING AND OCCUPANCY RESTRICTIONS PONDEROSA ESTATES SUBDIVISION, recorded on 6-25-1970 as document #7-2163, Valley County, Idaho.

Tory L. Thorne 3/1/21
 Signature Date

TORY L. Thorne
 Printed Name

[Signature] 3/1/21
 Signature Date

Julie Thorne
 Printed Name

Lot (s) Owned Lot 12, 13, 14 Block 2

DECLARATION REGARDING PONDEROSA ESTATES SUBDIVISION

I, the undersigned, pursuant to Idaho Code § 9-1406, declare under penalty of perjury pursuant of the laws of the State of Idaho that the foregoing is true and correct:

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Approve of the amendments therein as required by paragraph 13 of the previously recorded BUILDING AND OCCUPANCY RESTRICTIONS PONDEROSA ESTATES SUBDIVISION, recorded on 6-25-1970 as document #7-2163, Valley County, Idaho.

Vingil K. Moore
 Signature Date

Vingil K. Moore 3/1/21
 Printed Name

Becky L. Moore 3-1-21
 Signature Date

Becky L. Moore
 Printed Name

Lot (s) Owned 19, 21, 23 Block 1

DECLARATION REGARDING PONDEROSA ESTATES SUBDIVISION

I, the undersigned, pursuant to Idaho Code § 9-1406, declare under penalty of perjury pursuant of the laws of the State of Idaho that the foregoing is true and correct:

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- 3. I have reviewed the Bylaws for the HOA and approve of the same; and
- 4. I have also reviewed the foregoing Amended and Restated Declaration of Building and Occupancy Restrictions of Ponderosa Estates Subdivision; and

Approve of the amendments therein as required by paragraph 13 of the previously recorded BUILDING AND OCCUPANCY RESTRICTIONS PONDEROSA ESTATES SUBDIVISION, recorded on 6-25-1970 as document #7-2163, Valley County, Idaho.

Dave Allen 3/1/21

Signature **Date**

Dave Allen

Printed Name

Signature **Date**

Printed Name

Lot (s) Owned *354 Estate DR* *Block 3, lot 3*

DECLARATION REGARDING PONDEROSA ESTATES SUBDIVISION

I, the undersigned, pursuant to Idaho Code § 9-1406, declare under penalty of perjury pursuant of the laws of the State of Idaho that the foregoing is true and correct:

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- 2. I am a member of the Ponderosa Landowners Association, Inc. (the "HOA");
- 3. I have reviewed the Bylaws for the HOA and approve of the same; and
- 4. I have also reviewed the foregoing Amended and Restated Declaration of Building and Occupancy Restrictions of Ponderosa Estates Subdivision; and

Approve of the amendments therein as required by paragraph 13 of the previously recorded BUILDING AND OCCUPANCY RESTRICTIONS PONDEROSA ESTATES SUBDIVISION, recorded on 6-25-1970 as document #7-2163, Valley County, Idaho.

Jon C. Anderson 03/01/2021
Signature **Date**

Jon C. Anderson
Printed Name

Arlynn A. Anderson 03/01/2021
Signature **Date**

Arlynn A. Anderson
Printed Name

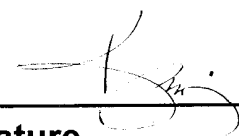
Lot (s) Owned Lot 53 Block 2

DECLARATION REGARDING PONDEROSA ESTATES SUBDIVISION

I, the undersigned, pursuant to Idaho Code § 9-1406, declare under penalty of perjury pursuant of the laws of the State of Idaho that the foregoing is true and correct:

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- 3. I have reviewed the Bylaws for the HOA and approve of the same; and
- 4. I have also reviewed the foregoing Amended and Restated Declaration of Building and Occupancy Restrictions of Ponderosa Estates Subdivision; and

Approve of the amendments therein as required by paragraph 13 of the previously recorded BUILDING AND OCCUPANCY RESTRICTIONS PONDEROSA ESTATES SUBDIVISION, recorded on 6-25-1970 as document #7-2163, Valley County, Idaho.


2/28/21

Signature **Date**

Ray E. Collins

Printed Name

Signature **Date**

Printed Name

Lot (s) Owned Lot 7 Block 2

24 Ridge Dr.

DECLARATION REGARDING PONDEROSA ESTATES SUBDIVISION

I, the undersigned, pursuant to Idaho Code § 9-1406, declare under penalty of perjury pursuant of the laws of the State of Idaho that the foregoing is true and correct:

- 1. I own a lot within the Ponderosa Estates Subdivision;
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- 4. I have also reviewed the foregoing Amended and Restated Declaration of Building and Occupancy Restrictions of Ponderosa Estates Subdivision; and

Approve of the amendments therein as required by paragraph 13 of the previously recorded BUILDING AND OCCUPANCY RESTRICTIONS PONDEROSA ESTATES SUBDIVISION, recorded on 6-25-1970 as document #7-2163, Valley County, Idaho.

Kew Postma 2/26/21
 Signature Date

Kew Postma
 Printed Name

Linda Postma 2/26/21
 Signature Date

Linda Postma
 Printed Name

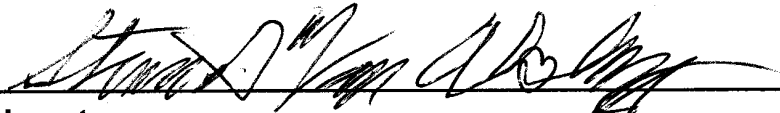
Lot (s) Owned Lots 7 & 8 Block 1 - Lot 8, Block 2
3 lots TOTAL

DECLARATION REGARDING PONDEROSA ESTATES SUBDIVISION


I, the undersigned, pursuant to Idaho Code § 9-1406, declare under penalty of perjury pursuant of the laws of the State of Idaho that the foregoing is true and correct:

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Approve of the amendments therein as required by paragraph 13 of the previously recorded BUILDING AND OCCUPANCY RESTRICTIONS PONDEROSA ESTATES SUBDIVISION, recorded on 6-25-1970 as document #7-2163, Valley County, Idaho.

 2/25/21
Signature **Date**

Steven D. Van Hulsburg
Printed Name

 2/25/21
Signature **Date**

Janna C. Clinge
Printed Name

Lot (s) Owned 26 & 27 (Block 2)

DECLARATION REGARDING PONDEROSA ESTATES SUBDIVISION

I, the undersigned, pursuant to Idaho Code § 9-1406, declare under penalty of perjury pursuant of the laws of the State of Idaho that the foregoing is true and correct:

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Approve of the amendments therein as required by paragraph 13 of the previously recorded BUILDING AND OCCUPANCY RESTRICTIONS PONDEROSA ESTATES SUBDIVISION, recorded on 6-25-1970 as document #7-2163, Valley County, Idaho.

Keith C. Lane 2-24-21
Signature **Date**

Keith C. Lane
Printed Name

Tina Lane 2-24-21
Signature **Date**

TINA LANE
Printed Name

Lot (s) Owned LOT 11 Block 2