ADA COUNTY RECORDER Phil McGrane
BOISE IDAHO Pgs=2 LISA BATT
PIONEER TITLE COMPANY OF ADA COUNTY

2020-006182 01/16/2020 09:14 AM

ACCOMMODATION

SECOND AMENDMENT TO FIRST SUPPLEMENT TO THE MASTER DECLARATION OF

COVENANTS, CONDITIONS AND RESTRICTIONS

OF PINE 43 SUBDIVISION

THIS FIRST AMENDMENT to First Supplement to the Master Declaration of Covenants, Conditions and Restrictions of Pine 43 Subdivision is made on the date hereinafter set forth by C&O Development, Inc., an Idaho corporation ("Declarant").

WHEREAS, Declarant has heretofore filed of record the Master Declaration of Covenants, Conditions and Restrictions of Pine 43 Subdivision (hereinafter the "Master Declaration"), which Master Declaration was recorded on September 25, 2019 as Instrument No. 2019-091660, records of Ada County, Idaho; and

WHEREAS, Declarant has heretofore filed of record the First Supplement to the Master Declaration of Covenants, Conditions and Restrictions of Pine 43 Subdivision No. 1 (hereinafter the First Supplement) which First Supplement was recorded on September 25, 2019 as Instrument No. 2019-091664, records of Ada County, Idaho, and

WHEREAS, Declarant has heretofore filed of record the First Amendment to Master Declaration of Covenants, Conditions and Restrictions of Pine 43 Subdivision (hereinafter the "First Amendment", which First Amendment was recorded on October 21, 2019 as Instrument No. 2019-102899, records of Ada County, Idaho, and

WHEREAS, Declarant has hereto fore filed of record the Second Amendment to Master Declaration of Covenants, Conditions and Restrictions of Pine 43 Subdivision (hereinafter Second Amendment) which Second Amendment was recorded on November 14, 2019 as Instrument No. 2019-113425, records of Ada County, Idaho, and

WHEREAS, Declarant has hereto fore filed of record the First Amendment to First Supplement to the Master Declartion of Covenants, Conditions and Restrictions of Pine 43 Subdivision which First Amendment was recorded on November 15, 2019 as Instrument No. 2019-114311, records of Ada County, Idaho, and

WHEREAS, Declarant currently owns real property subject to the First Supplement and Master Declaration;

ACCOMMODATION

SECOND AMENDMENT TO FIRST SUPPLEMENT TO THE MASTER DECLARATION OF

COVENANTS, CONDITIONS AND RESTRICTIONS

OF PINE 43 SUBDIVISION

THIS FIRST AMENDMENT to First Supplement to the Master Declaration of Covenants, Conditions and Restrictions of Pine 43 Subdivision is made on the date hereinafter set forth by C&O Development, Inc., an Idaho corporation ("Declarant").

WHEREAS, Declarant has heretofore filed of record the Master Declaration of Covenants, Conditions and Restrictions of Pine 43 Subdivision (hereinafter the "Master Declaration"), which Master Declaration was recorded on September 25, 2019 as Instrument No. 2019-091660, records of Ada County, Idaho; and

WHEREAS, Declarant has heretofore filed of record the First Supplement to the Master Declaration of Covenants, Conditions and Restrictions of Pine 43 Subdivision No. 1 (hereinafter the First Supplement) which First Supplement was recorded on September 25, 2019 as Instrument No. 2019-091664, records of Ada County, Idaho, and

WHEREAS, Declarant has heretofore filed of record the First Amendment to Master Declaration of Covenants, Conditions and Restrictions of Pine 43 Subdivision (hereinafter the "First Amendment", which First Amendment was recorded on October 21, 2019 as Instrument No. 2019-102899, records of Ada County, Idaho, and

WHEREAS, Declarant has hereto fore filed of record the Second Amendment to Master Declaration of Covenants, Conditions and Restrictions of Pine 43 Subdivision (hereinafter Second Amendment) which Second Amendment was recorded on November 14, 2019 as Instrument No. 2019-113425, records of Ada County, Idaho, and

WHEREAS, Declarant has hereto fore filed of record the First Amendment to First Supplement to the Master Declartion of Covenants, Conditions and Restrictions of Pine 43 Subdivision which First Amendment was recorded on November 15, 2019 as Instrument No. 2019-114311, records of Ada County, Idaho, and

WHEREAS, Declarant currently owns real property subject to the First Supplement and Master Declaration;

NOW, THEREFORE, Declarant hereby declares that the First Supplement to the Master Declaration is hereby amended as follows:

- 1. Article 3, E. is hereby amended in its entirety to read as follows:
 - E. Fences: No fences, including fences around swimming pools, dog runs or other uses may be permitted except those constructed of vinyl, metal, vegitation or as approved by the Architectural Control Committee, not exceeding the height of six feet (6'), the matereals, design, color and location of which shall be approved, in advance, by the Architectural Control Committee. No fence shall extend beyond the front plane of the Dwelling Unit constructed or to be constructed on the Lot.

Except as amended herein, the First Supplement shall remain in full force and effect with no other change or modification.

DATED this 15 day of January, 2020.

C&O Development, Inc.

Dennis M. Baker, President

STATE OF IDAHO) : ss. County of Ada)

MHHHHHH

On this 15th day of January 2020, before me, a notary public, personally appeared Dennis M. Baker, known or identified to me to be the President of C&O Development, Inc., the corporation that executed the within instrument, and known to me to be the person who executed the within instrument on behalf of said corporation and acknowledged to me that such corporation 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.

MOTARY DITRI IC State

NOTARY PUBLIC, State of Idaho

Residing at Eagle, Idaho

My Commission Expires: 12-24-2025

SECOND AMENDMENT TO FIRST SUPPLEMENT TO MASTER DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF PINE 43 SUBDIVISION, Page 2 $\,$