

**SIXTH SUPPLEMENT TO THE MASTER DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS OF
LAKEMOOR SUBDIVISION**

THIS SIXTH SUPPLEMENT to the Master Declaration of Covenants, Conditions and Restrictions of Lakemoor Subdivision (hereinafter referred to as the "Sixth Supplement") is made on the date hereinafter set forth, by DMB Development, LLC, an Idaho limited liability company (hereinafter "Declarant") and DMB Investments, LLC, an Idaho limited liability company.

WHEREAS, the Declarant and DMB Investments, LLC are the owners of certain real property in Ada County, State of Idaho, hereinafter referred to as the "Sixth Supplement Property", more particularly described as Lakemoor Subdivision No. 6, according to the official plat thereof, recorded on the 12th day of October 2017, in Book 112 of Plats, pages 16311 through 16313, as Instrument No. 2017-097209, records of Ada County, Idaho; and

WHEREAS, Declarant has heretofore filed that certain Master Declaration of Covenants, Conditions and Restrictions of Lakemoor Subdivision (hereinafter the "Master Declaration"), which Master Declaration was recorded on May 16, 2008, as Instrument No. 108057338, records of Ada County, Idaho; and

WHEREAS, the Master Declaration, as amended and supplemented as set forth below, reserved to the Declarant and its assigns the right to annex any other real property into the Lakemoor development project pursuant to the provisions of Article XVII of the Master Declaration, at any time and without the need to seek or obtain consent or approval from any third persons, including without limitation the Master Association, by recording a Notice of Annexation or Supplemental Declaration particularly describing the real property to be annexed and added to the project, which Supplemental Declaration may set forth more specific and/or additional covenants, conditions and restrictions to be applicable to the real property described therein; and

WHEREAS, Declarant has heretofore filed that certain First Supplement to the Master Declaration of Covenants, Conditions and Restrictions of Lakemoor Subdivision (hereinafter the "First Supplement"), which First Supplement was recorded on May 16, 2008, as Instrument No. 108057339, records of Ada County, Idaho; and

WHEREAS, Declarant has heretofore filed that certain Second Supplement to the Master Declaration of Covenants, Conditions and Restrictions of Lakemoor Subdivision (hereinafter the "Second Supplement"), which Second Supplement was recorded on May 16, 2008, as Instrument No. 108057340, records of Ada County, Idaho; and

WHEREAS, Declarant has heretofore filed that certain Amendment to Master Declaration of Covenants, Conditions and Restrictions of Lakemoor Subdivision (hereinafter the "First Amendment"), which First Amendment was recorded on October 30, 2008, as Instrument No. 108119557, records of Ada County, Idaho; and

WHEREAS, Declarant has heretofore filed that certain Amendment to the First Supplement to the Master Declaration of Covenants, Conditions and Restrictions of Lakemoor Subdivision (hereinafter the "First Supplement Amendment"), which First Supplement Amendment was recorded on January 12, 2009, as Instrument No. 109003182, records of Ada County, Idaho; and

WHEREAS, Declarant has heretofore filed that certain Third Supplement to the Master Declaration of Covenants, Conditions and Restrictions of Lakemoor Subdivision (hereinafter the "Third Supplement"), which Third Supplement was recorded on August 2, 2012, as Instrument No. 112077356, records of Ada County, Idaho; and

WHEREAS, Declarant has heretofore filed that certain Second Amendment to Master Declaration of Covenants, Conditions and Restrictions of Lakemoor Subdivision (hereinafter the "Second Amendment") which Second Amendment was recorded on December 31, 2013 as instrument No. 113138185, records of Ada County, Idaho; and

WHEREAS, Declarant has heretofore filed that certain Fourth Supplement to the Master Declaration of Covenants, Conditions and Restrictions of Lakemoor Subdivision (hereinafter the "Fourth Supplement"), which Fourth Supplement was recorded on December 31, 2013, as Instrument No. 113138184, records of Ada County, Idaho; and

WHEREAS, Declarant has heretofore filed that certain Amended and Restated Fourth Supplement to the Master Declaration of Covenants, Conditions and Restrictions of Lakemoor Subdivision (hereinafter "Fourth Supplement Amendment"), which Fourth Supplement Amendment was recorded on January 21, 2014 as instrument No. 114005000, records of Ada County, Idaho; and

WHEREAS, Declarant has heretofore filed that certain Fifth Supplement to the Master Declaration of Covenants, Conditions and Restrictions of Lakemoor Subdivision (hereinafter the "Fifth Supplement"), which Fifth Supplement was recorded on July 1, 2014, as Instrument No. 114052209, records of Ada County, Idaho; and

WHEREAS, Declarant has heretofore filed that certain Third Amendment to Master Declaration of Covenants, Conditions and Restrictions of Lakemoor Subdivision (hereinafter the "Third Amendment") which Third Amendment was recorded on December 10, 2014 as instrument No. 2014-099731, records of Ada County, Idaho; and

WHEREAS, Declarant has heretofore filed that certain Fourth Amendment to Master Declaration of Covenants, Conditions and Restrictions of Lakemoor Subdivision (hereinafter the

“Fourth Amendment”) which Fourth Amendment was recorded on March 11, 2015 as instrument No. 2015-019101, records of Ada County, Idaho; and

WHEREAS, the Master Declaration further reserved to the Declarant the right to assign the rights of Declarant under the Master Declaration, in whole or in part, to any person or entity; and

WHEREAS, By Assignment and Assumption of Declarant’s Rights recorded on May 3, 2018, as Instrument No. 2018-040112, records of Ada County, Idaho, Declarant has heretofore assigned to C&O Development, Inc. (“C&O”) and River Quarry Management Company, LLC (“River Quarry”) its rights, powers and reservations as Declarant under the Declaration with respect to that certain real property described in Exhibit A, attached thereto; and

WHEREAS, C&O and River Quarry have heretofore filed that certain Seventh Supplement to the Master Declaration of Covenants, Conditions and Restrictions of Lakemoor Subdivision (hereinafter the “Seventh Supplement”), which Seventh Supplement was recorded on May 3, 2018, as Instrument No. 2018-040111, records of Ada County, Idaho; and

WHEREAS, C&O and River Quarry have heretofore filed that certain Amendment to Seventh Supplement to the Master Declaration of Covenants, Conditions and Restrictions of Lakemoor Subdivision (hereinafter the “Seventh Supplement Amendment”), which Seventh Supplement Amendment was recorded on May 11, 2018, as Instrument No. 2018-042742, records of Ada County, Idaho; and

WHEREAS, By Assignment and Assumption of Declarant’s Rights recorded on December 13, 2019, as Instrument No. 2019-125298, records of Ada County, Idaho, C&O and River Quarry have heretofore assigned to DA Land, Inc. its rights, powers and reservations as Declarant under the Declaration with respect to that certain real property described in Exhibit A, attached thereto; and

WHEREAS, DA Land, Inc. has heretofore filed that certain Ninth Supplement to the Master Declaration of Covenants, Conditions and Restrictions of Lakemoor Subdivision (hereinafter the “Ninth Supplement”), which Ninth Supplement was recorded on December 13, 2019, as Instrument No. 2019-125316, records of Ada County, Idaho; and

WHEREAS, the Master Declaration, the First Supplement, Second Supplement, First Amendment, First Supplement Amendment, Third Supplement, Second Amendment, Fourth Supplement, Fourth Supplement Amendment, Fifth Supplement, Third Amendment, Fourth Amendment, Seventh Supplement, Seventh Supplement Amendment and Ninth Supplement shall hereinafter be referred to as the “Original Covenants”.

NOW, THEREFORE, Declarant and DMB Investments, LLC hereby declare that, except as hereinafter provided, the Sixth Supplement Property shall be held, sold, conveyed, used and occupied subject to the Original Covenants, which Original Covenants are hereby incorporated

by reference as if fully set forth herein except in so far as the covenants, conditions and restrictions of the Original Covenants are hereinafter supplemented or modified.

1. Common Area: In addition to the Common Area described in previous Supplements, the Common Area to be owned by the Master Association, subject to such limitations, reservations, restrictions and easements as are set forth in this Sixth Supplement and the Original Covenants, is described as follows:

Lot 52, Block 9, Lakemoor Subdivision No. 6, according to the official plat thereof.

2. Ada County Highway District License Agreement: Declarant, as Licensee, has entered into a License Agreement with the Ada County Highway District ("ACHD") recorded as Instrument No. 2016-036315, records of Ada County, Idaho, (the "License"), which License permits the Licensee to construct and install landscaping improvements, including sprinklers and other landscaping features, within ACHD's right of way, as more particularly described and depicted in the License. Declarant does hereby assign to the Master Association, and the Master Association shall assume and be responsible for the performance of all of the responsibilities, duties and obligations of the Licensee under the License, including, without limitation, all of Licensee's indemnification obligations and the performance of all conditions set forth therein.

3. City of Boise Sewer Treatment Plant: Development of the Properties (as defined in the Master Declaration) is subject to the provisions of a Use Restriction Agreement dated April 5, 2001, recorded as Instrument No. 101032281, records of Ada County, Idaho, as amended by that certain Corrected Amendment to Use Restriction Agreement dated January 9, 2018, recorded as Instrument No. 2018-004830, records of Ada County, Idaho. The property east of the park site as depicted on the Master Site Plan of Lakemoor Subdivision (as amended) is owned by Boise City Public Works Department for use as a sewage treatment facility.

4. Incorporation of Original Covenants: The covenants, conditions and restrictions contained in this Sixth Supplement are in addition to those covenants, conditions and restrictions contained in the Original Covenants, except insofar as the covenants, conditions and restrictions contained therein are herein modified. It is specifically intended that all provisions of the Original Covenants not inconsistent herewith be by this reference incorporated herein as if set forth in full. The provisions set forth in this Sixth Supplement shall, however, control and prevail over any conflicting provisions contained in the Original Covenants.

5. Governmental Rules and Ordinances: In the event any of the provisions of this Sixth Supplement are less restrictive than any governmental rule, regulation or ordinance, then the more restrictive governmental rule, regulation or ordinance shall apply. This Sixth Supplement is subject to all rules, regulations, laws and ordinances of all applicable governmental bodies. In the event a governmental rule, regulation, law or ordinance would render a part of this Declaration unlawful, then in such event that portion shall be deemed to be amended to comply with the applicable rule, regulation, law or ordinance.

IN WITNESS WHEREOF, the Declarant and DMB Investments, LLC have caused their names to be hereunto subscribed this 18th day of MARCH, 2020.

DMB Development, LLC

By: [Signature]
Dennis M. Baker, Manager

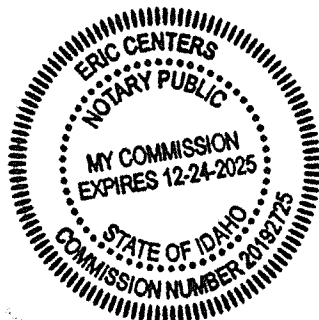
DMB Investments, LLC

By: [Signature]
Dennis M. Baker, Manager

STATE OF IDAHO)
 : ss.
County of Ada)

On this 18th day of MARCH, 2020, before me, a notary public, personally appeared Dennis M. Baker, known or identified to me to be the Manager, of DMB Development, LLC., the limited liability company that executed the within instrument, and known to me to be the person who executed the within instrument on behalf of said limited liability company and acknowledged to me that such limited liability 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.

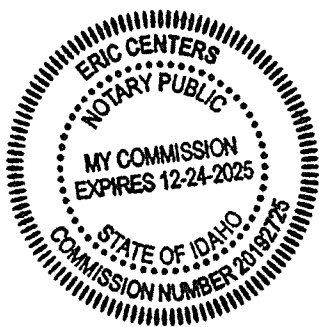


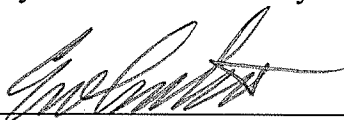
[Signature]
NOTARY PUBLIC, State of Idaho
Residing at ADA County
My Commission Expires: 12-24-2025

STATE OF IDAHO)
 : ss.
County of Ada)

On this 18th day of March, 2020, before me, a notary public, personally appeared Dennis M. Baker, known or identified to me to be the Manager, of DMB Investments, LLC., the limited liability company that executed the within instrument, and known to me to be the person who executed the within instrument on behalf of said limited liability company and acknowledged to me that such limited liability 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, State of Idaho
Residing at ADA County
My Commission Expires: 12-24-2025