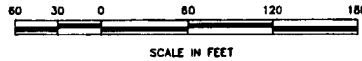


PLAT OF MELVIN'S EAGLE POINTE SUBDIVISION NO. 5

A PORTION OF THE NE 1/4 NE 1/4, SECTION 9, T.4N., R.1E., B.M.,
EAGLE, ADA COUNTY, IDAHO

1993



PLAT LEGEND

- ⊕ Initial Point, Found Brass Cap, accepted and used as Initial Point Monument
- ⊙ Found Brass or Aluminum Cap, As Noted
- Set 5/8" x 30" Rebar with Plastic Cap
- Set 1/2" x 24" Rebar with Plastic Cap
- Found 5/8" Rebar
- Found 1/2" Rebar
- Boundary Line
- Right-Of-Way Line
- Lot Line
- Centerline

EAST FLOATING FEATHER ROAD

BASIS OF BEARING
S89°05'06"W 1312.18'

SECTION CORNER
FND. BRASS CAP
CP & F No. 9284860

CURVE TABLE

CURVE	DELTA	RADIUS	ARC	CHORD	TANGENT	CHORD BRG
1	46°13'18"	250.00	201.68	196.25	106.89	N 23° 47' 37" W
2	44° 00' 19"	250.00	192.01	187.32	101.02	N 88° 54' 44" W
3	90° 13' 35"	85.00	102.36	92.11	65.26	N 45° 48' 07" W
4	90° 13' 35"	40.00	62.99	56.68	40.16	N 45° 48' 07" W
5	6° 14' 25"	90.00	9.80	9.80	4.91	N 03° 48' 32" W
6	47° 04' 16"	90.00	73.94	71.68	39.20	N 30° 27' 52" W
7	36° 54' 54"	90.00	57.99	56.99	30.04	N 72° 27' 27" W
8	25° 57' 59"	225.00	101.97	101.10	51.88	N 77° 55' 55" W
9	29° 15' 40"	225.00	114.91	113.66	58.74	N 50° 19' 05" W
10	29° 15' 40"	225.00	114.91	113.66	58.74	N 21° 03' 25" W
11	5° 44' 16"	225.00	22.53	22.52	11.28	N 03° 33' 27" W
12	8° 28' 47"	275.00	30.94	30.92	15.49	N 03° 54' 42" W
13	18° 28' 28"	275.00	68.87	68.29	44.72	N 16° 22' 20" W
14	9° 22' 14"	275.00	44.98	44.83	22.54	N 30° 17' 41" W
15	107° 28' 41"	20.00	37.52	32.25	27.27	S 18° 45' 33" W
16	47° 15' 32"	50.00	41.24	40.08	21.87	N 48° 52' 07" E
17	74° 47' 47"	50.00	65.27	60.74	38.23	N 12° 08' 32" W
18	118° 45' 38"	50.00	101.89	85.15	61.21	S 72° 03' 48" W
19	107° 28' 41"	20.00	37.52	32.25	27.27	N 67° 25' 18" E
20	16° 50' 51"	275.00	80.66	80.57	40.72	N 07° 15' 47" W
21	15° 13' 42"	275.00	73.09	72.68	36.76	N 83° 18' 03" W
22	90° 00' 46"	30.00	47.13	42.43	30.01	N 45° 41' 43" W

NOTES

- All lots are hereby designated as having a permanent easement for public utilities, drainage, sewer and street lights over the ten (10) feet adjacent to any public street. This easement shall not preclude the construction of hard surfaced driveways and walkways to each lot.
- Unless otherwise designated or dimensioned, there shall be a five (5) foot property drainage, utility construction and maintenance easement adjacent to all lot lines inside this subdivision which do not front a public street.
- Building setback dimensions in this subdivision shall conform to the applicable zoning regulations in effect at the time of issuance of a building permit, except as may be specifically modified by the granting of a variance by the City of Eagle.
- Any subdivision of this plat shall comply with the applicable zoning regulations in effect at the time of the subdivision.
- This subdivision is subject to compliance with the Idaho Code Section 31-3805.
- Direct lot access to E. Floating Feather Road and N. Edgewood Lane is prohibited unless said access is specifically approved by the Ada County Highway District.

INITIAL POINT

INITIAL POINT-MELVIN'S
EAGLE POINTE SUBDIVISION
FOUND ALUMINUM CAP
ACCEPTED AND USED
AS INITIAL POINT
MONUMENT



MAX A. BOESIGER, INC.
Developer
Boise, Idaho

BRIGGS ENGINEERING, INC.
Consulting Engineers
Boise, Idaho

MELVIN'S EAGLE POINTE SUBDIVISION NO. 5

CERTIFICATE OF OWNERS

KNOW ALL MEN BY THESE PRESENTS: THAT MELVIN L. LINDSAY AND IDA M. LINDSAY, HUSBAND AND WIFE; FORREST M. PROHASKA, A MARRIED MAN, DEALING WITH HIS SOLE AND SEPARATE PROPERTY; DALE M. PROHASKA, AS PERSONAL REPRESENTATIVE OF THE ESTATE OF MARGARET E. PROHASKA; AND MAX A. BOESIGER, INC., A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF IDAHO AND DULY QUALIFIED TO DO BUSINESS WITHIN THE STATE OF IDAHO DO HEREBY CERTIFY THAT THEY ARE THE OWNERS OF THE REAL PROPERTY AS DESCRIBED BELOW AND IT IS THEIR INTENTION TO INCLUDE SAID REAL PROPERTY IN THIS SUBDIVISION PLAT. THE OWNERS ALSO HEREBY CERTIFIED THAT THIS PLAT COMPLIES WITH IDAHO CODE 50 1334 (2). ALL LOTS IN THIS SUBDIVISION WILL RECEIVE DOMESTIC WATER FROM AN EXISTING WATER SYSTEM AND THE EAGLE RANCH WATER COMPANY HAS AGREED IN WRITING TO SERVE THIS SUBDIVISION.

A PARCEL OF LAND BEING A PORTION OF THE NE 1/4 OF THE NE 1/4 OF SECTION 9, TOWNSHIP 4 NORTH, RANGE 1 EAST OF THE BOISE MERIDIAN, CITY OF EAGLE, ADA COUNTY, IDAHO, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A BRASS CAP MARKING THE NORTHEAST CORNER OF SECTION 9, T.4N., R.1E., B.M.; THENCE SOUTH 00° 06' 24" EAST 555.99 FEET ALONG THE EAST SECTION LINE OF SAID SECTION 9 TO A POINT; THENCE SOUTH 89° 18' 41" WEST 10.89 FEET TO THE NORTHEAST CORNER OF MELVIN'S EAGLE POINTE SUBDIVISION NO. 1, ALSO BEING THE EAST RIGHT OF WAY LINE OF NORTH EDGEWOOD LANE, SAID POINT IS THE INITIAL POINT OF THIS SUBDIVISION;

THENCE ALONG THE NORTHERLY LINE OF MELVIN'S EAGLE POINTE SUBDIVISION NO. 1 THE FOLLOWING COURSES AND DISTANCES:

THENCE SOUTH 89° 18' 41" WEST 170.00 FEET TO A POINT;
 THENCE SOUTH 81° 18' 08" WEST 50.49 FEET TO A POINT;
 THENCE SOUTH 89° 57' 38" WEST 210.01 FEET TO A POINT;
 THENCE NORTH 78° 39' 31" WEST 51.12 FEET TO A POINT;
 THENCE SOUTH 89° 05' 06" WEST 90.57 FEET TO THE NORTHEAST CORNER OF MELVIN'S EAGLE POINTE SUBDIVISION NO. 4;
 THENCE SOUTH 89° 05' 06" WEST 214.86 FEET TO A POINT;
 THENCE NORTH 00° 00' 22" WEST 100.01 FEET TO A POINT;
 THENCE NORTH 11° 45' 01" WEST 50.91 FEET TO A POINT;
 THENCE NORTH 00° 54' 54" WEST 208.00 FEET TO A POINT;
 THENCE NORTH 03° 10' 02" EAST 50.13 FEET TO A POINT;
 THENCE NORTH 00° 54' 54" WEST 140.00 FEET TO THE NORTHEAST CORNER OF MELVIN'S EAGLE POINTE SUBDIVISION NO. 4, BEING A POINT ON THE CENTERLINE OF EAST FLOATING FEATHER ROAD, SAID POINT ALSO BEING THE NORTH SECTION LINE OF SAID SECTION 9;
 THENCE NORTH 89° 05' 06" EAST 792.02 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF NORTH EDGEWOOD LANE;
 THENCE SOUTH 00° 41' 19" EAST 555.90 FEET TO THE INITIAL POINT OF THIS SUBDIVISION, COMPRISING COMPRISING 10.06 ACRES, MORE OR LESS.

THE PUBLIC STREETS SHOWN ON THIS PLAT ARE HEREBY DEDICATED TO THE PUBLIC AND THE EASEMENTS INDICATED ON THIS PLAT ARE NOT DEDICATED TO THE PUBLIC, BUT THE RIGHT TO USE SAID EASEMENTS IS HEREBY RESERVED FOR PUBLIC UTILITIES AND FOR ANY OTHER USES AS DESIGNATED HEREON, AND NO PERMANENT STRUCTURES ARE TO BE ERRECTED WITHIN THE LINES OF SAID EASEMENTS.

IN WITNESS WHEREOF, WE HAVE HEREUNTO SET OUR HANDS THIS 23 DAY OF November, 1992.

MELVIN L. AND IDA M. LINDSAY, HUSBAND AND WIFE

Melvin L. Lindsay
MELVIN L. LINDSAY

Ida M. Lindsay
IDA M. LINDSAY

FORREST M. PROHASKA

Forrest M. Prohaska
FORREST M. PROHASKA

DALE M. PROHASKA

Dale M. Prohaska
DALE M. PROHASKA, PERSONAL REPRESENTATIVE OF THE ESTATE OF MARGARET E. PROHASKA

MAX A. BOESIGER, INC.

Richard Boesiger
RICHARD BOESIGER, VICE PRESIDENT

STATE OF IDAHO }
COUNTY OF ADA } SS

ON THIS 25 DAY OF November, 1992, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED MELVIN L. LINDSAY AND IDA M. LINDSAY, HUSBAND AND WIFE, KNOWN OR IDENTIFIED TO ME TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME. IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND SEAL THE DAY AND YEAR IN THIS CERTIFICATE FIRST ABOVE WRITTEN.



Krista Boesiger
NOTARY PUBLIC FOR IDAHO
RESIDING AT BOISE, IDAHO
MY COMMISSION EXPIRES: 7-8-97

STATE OF IDAHO }
COUNTY OF ADA } SS

ON THIS 30 DAY OF November, 1992, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED FORREST M. PROHASKA AND DALE M. PROHASKA, KNOWN OR IDENTIFIED TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME. IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND SEAL THE DAY AND YEAR IN THIS CERTIFICATE FIRST ABOVE WRITTEN.



Krista Boesiger
NOTARY PUBLIC FOR IDAHO
RESIDING AT BOISE, IDAHO
MY COMMISSION EXPIRES: 7-8-97

STATE OF IDAHO }
COUNTY OF ADA } SS

ON THIS 23 DAY OF November, 1992, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED RICHARD BOESIGER, KNOWN OR IDENTIFIED TO ME TO BE VICE PRESIDENT OF MAX A. BOESIGER, INC. THAT EXECUTED THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT SUCH CORPORATION EXECUTED THE SAME. IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND SEAL THE DAY AND YEAR IN THIS CERTIFICATE FIRST ABOVE WRITTEN.



Tiana M. Howell
NOTARY PUBLIC FOR IDAHO
RESIDING AT BOISE, IDAHO
MY COMMISSION EXPIRES: 6-15-92

CERTIFICATE OF COUNTY ENGINEER

I, JOHN E. PRIESTER, P.E., REGISTERED PROFESSIONAL ENGINEER/LAND SURVEYOR FOR ADA COUNTY, IDAHO, HEREBY CERTIFY THAT I HAVE CHECKED THIS PLAT AND FIND THAT IT COMPLIES WITH THE STATE OF IDAHO CODE RELATING TO PLATS AND SURVEYS.

John E. Priester
JOHN E. PRIESTER, P.E., COUNTY ENGINEER

CERTIFICATE OF SURVEY

I, MICHAEL E. MARKS, P.L.S., DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR LICENSED BY THE STATE OF IDAHO, AND THAT THIS PLAT AS DESCRIBED IN THE CERTIFICATE OF OWNERS AND THE ATTACHED PLAT, WAS DRAWN FROM AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY DIRECT SUPERVISION AND ACCURATELY REPRESENTS THE POINTS PLATTED THEREON; AND IS IN CONFORMITY WITH THE STATE OF IDAHO CODES RELATING TO PLATS, SURVEYS AND THE CORNER PERPETUATION AND FLING ACT, IDAHO CODE 55-1801 THROUGH 55-1612.

Michael E. Marks
MICHAEL E. MARKS, P.L.S. NO. 4998

APPROVAL OF CITY ENGINEER

I, THE UNDERSIGNED, ACTING CITY ENGINEER IN AND FOR EAGLE CITY, ADA COUNTY, IDAHO, HEREBY APPROVE THIS PLAT.

[Signature]
CITY ENGINEER

01/14/93

APPROVAL OF CITY COUNCIL

I, BARBARA MONTGOMERY, CITY CLERK IN AND FOR EAGLE CITY, ADA COUNTY, IDAHO, DO HEREBY CERTIFY THAT AT A REGULAR MEETING OF THE CITY COUNCIL HELD ON THE 25 DAY OF November, 1992, THIS PLAT WAS DULY ACCEPTED AND APPROVED.

Barbara Montgomery
BARBARA MONTGOMERY
CITY CLERK

ADA COUNTY HIGHWAY DISTRICT COMMISSIONERS ACCEPTANCE

THE FOREGOING PLAT WAS ACCEPTED AND APPROVED BY THE BOARD OF ADA COUNTY HIGHWAY DISTRICT COMMISSIONERS ON THE 26 DAY OF December, 1992.

Charles L. Winder
CHAIRMAN
ADA COUNTY HIGHWAY DISTRICT

APPROVAL OF CENTRAL DISTRICT HEALTH DEPARTMENT

SANITARY RESTRICTIONS OF THIS PLAT ARE HEREBY REMOVED ACCORDING TO THE LETTER TO BE READ ON FILE WITH THE COUNTY RECORDER OR HIS AGENT LISTING THE CONDITIONS OF APPROVAL.

BY Tina E. James 1/5/93
CENTRAL DISTRICT HEALTH DEPARTMENT

CERTIFICATE OF COUNTY TREASURER

I, Barbara Brown, COUNTY TREASURER IN AND FOR THE COUNTY OF ADA, STATE OF IDAHO, PER THE REQUIREMENTS OF I.C. 50-130A, DO HEREBY CERTIFY THAT ANY AND ALL CURRENT AND/OR DELINQUENT COUNTY PROPERTY TAXES FOR THE PROPERTY INCLUDED IN THIS PROPOSED SUBDIVISION HAVE BEEN PAID IN FULL. THIS CERTIFICATION IS VALID FOR THE NEXT THIRTY (30) DAYS ONLY.

Barbara Brown
COUNTY TREASURER
DATE Feb 22, 1993

COUNTY RECORDERS CERTIFICATE

INSTRUMENT NO. 9313225
STATE OF IDAHO)
COUNTY OF ADA) SS

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED AT THE REQUEST OF Beigas EXPIRING AT 45 MINUTES PAST 10 O'CLOCK A. M., THIS 23 DAY OF February, 1993, IN MY OFFICE AND WAS DULY RECORDED IN BOOK 62 OF PLATS AT PAGES 6158 AND 6159.

[Signature]
DEPUTY
[Signature]
EX-OFFICIO RECORDER
Feb 11 93



Krista Boesiger
NOTARY PUBLIC FOR IDAHO
RESIDING AT BOISE, IDAHO
MY COMMISSION EXPIRES: 7-8-97



3313457
9313467
ADA COUNTY, ID. FOR
J. DAVID HARRIS
RECORDER BY *Boesiger*
Boesiger
900

SUPPLEMENTAL DECLARATION
OF
COVENANTS, CONDITIONS AND RESTRICTIONS
MELVIN'S EAGLE POINTE SUBDIVISION

99 FEB 28 PM 4 52

1514001006

(Annexation of Melvin's Eagle Pointe #5)

This Supplemental Declaration ("Supplement") is made effective as of the 23 day of February, 1993, by MAX A. BOESIGER, INC., an Idaho corporation, as "Declarant," and shall be incorporated into and supplement that certain Declaration of Covenants, Conditions and Restrictions for Melvin's Eagle Point Subdivision - Phase 1, recorded as Instrument No. 9114059, records of Ada County, as to the Phase 5 Property hereby covered as described below.

ARTICLE I.

GENERAL

1.1 Property Covered. Grantor/Declarant is the Owner for the real property in the County of Ada, State of Idaho, described as:

Melvin's Eagle Pointe Subdivision #5, a portion of the N.E. 1/4 of the N.E. 1/4, Sec. 9, T.4 N., R.1 E. BM, Eagle, Ada County, Idaho, according to the official plat thereof recorded as Instrument No. 9313225, records of Ada County, Idaho. ("Phase 5 Property" and "Phase 5 Lots" as to the lots therein).

1.2 Purpose. The purpose of this Supplemental Declaration is to annex the Phase 5 Property to the Property covered by the Declaration, and to include the Owners of Phase 5 Lots in the Association.

1.3 Annexation. Grantor, pursuant to the provisions of Article VIII of the Declaration, does hereby annex the Phase 5 Property to the Property covered by the Declaration and said Phase 5 Property hereby becomes subject to the Declaration and encompassed within the general plans and scheme of covenants, conditions, restrictions, and reservations of easements and equitable servitudes and other terms and conditions therein, except as otherwise specified herein. Unless otherwise provided, all defined terms as contained in the Declaration shall have the same meaning in this Supplement as are applicable to the Declaration.

1.5 Association Membership. Article IV in general and Section 4.2 specifically, is hereby supplemented to provide that each Owner of a Phase 5 Lot shall be a member of the EAGLE POINTE HOMEOWNERS ASSOCIATION.

ARTICLE II

DECLARATION

Grantor hereby declares that the Phase 5 property, and each Lot, parcel, or portion hereof, is and shall be held, sold, conveyed, encumbered, hypothecated, leased, used, occupied and improved subject to the Declaration, as supplemented hereunder, and the restrictions, covenants, limitations, conditions and equitable servitudes contained therein, all of which are declared and agreed to be in furtherance of a general plan for the protection, maintenance, subdivision, improvement and sale of the Phase 5 property, or any lot, parcel or portion thereof, and to enhance the value, desirability and attractiveness of the Property. The covenants, conditions and restrictions set forth in the Declaration, as supplemented hereunder, shall run with the land (described as the Property including the Phase 5 Property), and each estate therein and shall be binding upon all persons having or acquiring any right, title or interest in the property, including the Phase 5 Property, or any Lot, parcel or portion hereof shall inure to the benefit of and be binding upon Grantor, its successors in interest and each Grantee and his respective successors in interest, and may be enforced by Grantor, by any Grantee or Owner or his successors in interest, or by the Association as described in the Declaration.

ARTICLE III

SUPPLEMENTS AND MODIFICATIONS

3.1 Plat Conditions. Article 1, Section 1.19 is hereby supplemented to provide that "Plat" as the Phase 5 property shall refer to the recorded plat of Melvin's Eagle Pointe No. 5. All conditions of the Plat are hereby incorporated herein by reference and notice is hereby given of the same.

IN WITNESS WHEREOF, the Grantor has executed and acknowledged this Supplemental Declaration effective as of the day and year first written above.

MAX A. BOESIGER, INC., an Idaho Corporation

By Richard D. Boesiger
Richard D. Boesiger, Vice-President

STATE OF IDAHO)
) ss.
County of Ada)

On this 23rd day of February, 1993,
before me the undersigned, a Notary Public in and for said
State, personally appeared RICHARD D. BOESIGER, known or
identified to me to be the Vice-President of Max A. Boesiger
Inc., the corporation that executed the instrument or the
person who executed the 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.



Kristin Boesiger
Notary Public for Idaho
Residing at Boise, Idaho
My Commission Expires: 7-8-97