

1789009

ACCOMODATION ONLY

2003
AMENDMENT TO
DESIGN GUIDELINES
HAYDEN LAKE COUNTRY CLUB ESTATES HOMEOWNERS, INC.

On this 6th day of March, 2003, notice is hereby given that the Design Committee and the Board of Directors of the HAYDEN LAKE COUNTRY CLUB ESTATES HOMEOWNERS, INC., (hereinafter referred to as "Association") by this action intends to amend the Design Guidelines of Hayden Lake Country Club Estates Homeowners, Inc., a nonprofit corporation, for the benefit of all the lots in Hayden Lake Country Club Estates and any additions identified in the legal description attached hereto and made a part hereof.

RECITALS:

- A. There exists Design Guidelines of Hayden Lake Country Club Estates Homeowners, Inc., recorded in the County of Kootenai, State of Idaho, 2002, as Instrument Number 1749367 (referred to as "Design Guidelines".)
- B. Section 3 of the Design Guidelines for the Hayden Lake Country Club Estates Homeowners, Inc., provides for amendment to the Design Guidelines for Hayden Lake Country Club Estates Homeowners, Inc.

NOW THEREFORE, the Association hereby amends the Design Guidelines of Hayden Lake Country Club Estates Homeowners, Inc., as applied to Hayden Lake Country Club Estates and any additions identified herein and shall bind the successor-in-interest purchasers, assigns, heirs and any party having acquired any right, title or interest in or to any part Hayden Lake Country Club Estates from the Association until the Declaration of the Covenants, Conditions, Restrictions and Rules and Regulations and Design Guidelines of Hayden Lake Country Club Estates Homeowners, Inc., is terminated. These Amendments to the Design Guidelines shall be the following amendments, which have been restated and shall encumber the Hayden Lake Country Club Estates and any additions identified herein:

1. First Amendment. A portion of Section 2.3 of the original Design Guidelines dealing with Sideyard Setback reads as follows:

2.3 Minimum Setbacks

SIDE YARD: Ten feet (10') on at least one of the two sides measured from the side property line and the building foundation. One of the side yard set backs may be five feet (5') as measured from the side property line and the building foundation.

Section 2.3 regarding Side Yard Minimum Setbacks is hereby amended as follows (additions are indicated by underline and deletions are indicated by strike out):

2.3 Minimum Setbacks

SIDE YARD: Ten feet (10') on at least one of the two sides measured from the side property line and the building foundation. ~~One of the side yard~~

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~~set-backs may be five feet (5') as measured from the side property line and the building foundation.~~

2.3 *Minimum Setbacks*

SIDE YARD:

Shall be as shown on the Memorandum to Hayden Lake Country Club PUD (setback clarification to the plat and design guidelines) as recorded in the records of Kootenai County, Idaho on day of 2003, and recorded as Instrument Number.

2. Second Amendment. Section 4.3 of the original Design Guidelines reads as follows:

4.3. *Building Heights*

The terrain of "Hayden Lake Country Club Estates" is varied, making absolutely uniform applicability of height restrictions for residences both inadvisable and impractical. These Guidelines are intended to discourage and/or prevent any residence or other structure which would appear excessive in height when viewed from a street, public space, or other Lot, and/or which would appear out of character with other residences because of height. Consequently, despite the maximum heights generally permitted as set forth below, the design Committee may disapprove a proposed residences or other structure if, in the Committee's sole discretion, it would (a) appear excessive in height when viewed from a street, the golf course, nearby common area, or another Lot; (b) appear out of character with other residences; and/or (c) be prominent because of height, even though the proposed residence or other structure may comply with said maximum height restrictions. These considerations will be of particular important concerning residences to be constructed on Lots along or near hilltops and ridges.

Residences may not be more than two stories above ground. To be more specific, generally, residences shall not exceed 35 feet, measured in vertical plane from the highest point of any roof ridge to the average natural grade or as further restricted on a lot as recorded in any Supplemental Declaration below such point. Furthermore, no wall shall have an unbroken height of more than 20 feet or an unbroken horizontal surface of more than 35 feet.

Section 4.3 regarding building heights is hereby amended as follows (additions are indicated by underline and deletions are indicated by strike out):

4.3. *Building Heights*

The terrain of "Hayden Lake Country Club Estates" is varied, making absolutely uniform applicability of height restrictions for residences both inadvisable and impractical. These Guidelines are intended to discourage and/or prevent any residence or other structure which would appear excessive in height when viewed from a street, public space, or other Lot, and/or which would appear out of character with other residences because of height. Consequently, despite the maximum heights generally permitted as set forth below, the design Committee may disapprove a proposed residences or other structure if, in the Committee's sole discretion, it would (a) appear excessive in height when viewed from a street, the golf course, nearby common area, or another Lot; (b) appear out of character with other residences; and/or (c) be prominent because of height, even though the proposed residence or other structure may comply with said maximum height restrictions. These considerations will be of particular important concerning residences to be constructed on Lots along or near hilltops and ridges.

Residences may not be more than two stories above ground. ~~To be more specific, generally, residences shall not exceed 35 feet, measured in vertical plane from the highest point of any roof ridge to the average natural grade or as further restricted on a lot as recorded in any Supplemental Declaration below such point. Furthermore, no wall shall have an unbroken height of more than 20 feet or an unbroken horizontal surface of more than 35 feet.~~ To be more specific, generally, residences shall not exceed 32 feet, measured in vertical plan from the highest point of any roof ridge to the average natural grade or as further restricted on a lot as recorded in any Supplemental Declaration below such point. Furthermore, no wall shall have a height of more than 20 feet or an unbroken horizontal surface of more than 32 feet.

To be more specific, generally, residences shall not exceed height restrictions of the City of Hayden Lake Supplemental Declaration below such point.

3. Third Amendment. Section 4.7.3 of the original Design Guidelines reads as follows:

4.7.3 *Approved Rear Yard Fencing*

In general no fencing is allowed in the backyard of any home or where the Lot shall bound the golf course. However if the approval process is followed and approval is granted then a wrought iron masonry fence may be constructed, no higher than four feet in height. The fence must be constructed of wrought iron or a combination of masonry and wrought iron. In the case of masonry and wrought iron, the masonry may be no higher than two feet with matching masonry pillars.

Section 4.7.3 regarding approved rear yard fencing is hereby amended as follows (additions are indicated by underline and deletions are indicated by strike out):

4.7.3 *Approved Rear Yard Fencing*

In general no fencing is allowed in the backyard of any home or where the Lot shall bound the golf course. However if the approval process is followed and approval is granted then a wrought iron masonry fence may be constructed, no higher than four feet in height. The fence must be constructed of wrought iron or a combination of masonry and wrought iron. ~~In the case of masonry and wrought iron, the masonry may be no higher than two feet with matching masonry pillars.~~ In the case of masonry and wrought iron; the portion of masonry may be no higher than two (2) feet above ground level, except for the matching masonry pillars, which shall be no higher than four (4) feet above ground level.

DATED this 6th day of March, 2003.

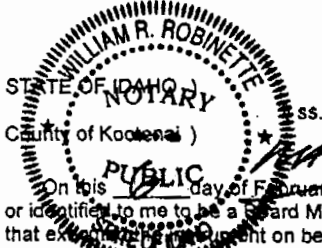
HAYDEN LAKE COUNTRY CLUB ESTATES
HOMEOWNERS, INC.

By: 
GORDON LONGWELL, Board Member and sole member of Design Committee

1789009

By: William Radobenko
WILLIAM RADOBENKO, Board Member

By: Keith H. Coultrap II 3/13/03
KEITH H. COULTRAP, II, Board Member



On this 13th day of February 2003, before me, a Notary Public, personally appeared GORDON LONGWELL, known to me or identified to me to be a Board Member of Hayden Lake Country Club Estates Homeowners Inc., an Idaho nonprofit corporation that 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.

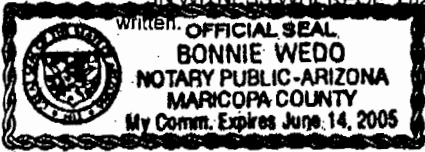
William R. Robinette
Notary Public in and for the State of Idaho
My Commission Expires: 8/15/2006

STATE OF ~~IDAHO~~ Arizona
County of ~~Kootenai~~ Maricopa
ss. March

On this 13th day of February 2003, before me, a Notary Public, personally appeared WILL RADOBENKO, known to me or identified to me to be a Board Member of Hayden Lake Country Club Estates Homeowners Inc., an Idaho nonprofit corporation that executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

Keith Coultrap II

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



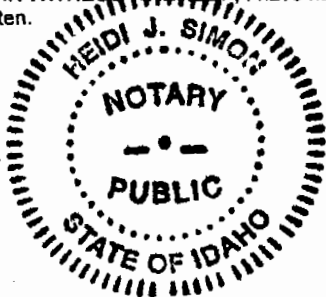
Bonnie Wedo
Notary Public in and for the State of ~~Idaho~~ Arizona
My Commission Expires: June 14, 2005

STATE OF IDAHO)
County of Kootenai) ss.

On this 21st day of March 2003, before me, a Notary Public, personally appeared KEITH COULTRAP, II, known to me or identified to me to be a Board Member of Hayden Lake Country Club Estates Homeowners Inc., an Idaho nonprofit corporation that executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

William Radobenko

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Heidi J. Simon
Notary Public in and for the State of Idaho
My Commission Expires: 6-24-04

OWNER'S CERTIFICATE

Know all men by these presents that HAYDEN LAKE COUNTRY CLUB, INC., AN IDAHO NON-PROFIT CORPORATION AND HAYDEN LAKE COUNTRY CLUB, INC., AN IDAHO CORPORATION and LRC DEVELOPMENT, LLC, AN IDAHO LIMITED LIABILITY CORPORATION, hereby certifies that they own and have laid out the land embraced in the within Plat to be known as HAYDEN LAKE COUNTRY CLUB ESTATES, P.U.D., a parcel of land being a portion of the Southeast Quarter, Section 13, Township 51 North, Range 4 West, Boise Meridian, City of Hayden Lake, Kootenai County, Idaho, more particularly described as follows;

Tracts 61, 62, 73 and portions of Tract 74 (being Tax Parcel Number 19243), Avondale, as shown on the Plat thereof (laid in Book "B" of Plats, at page 132, records of Kootenai County, located in the Southeast Quarter of Section 13, Township 51 North, Range 4 West, Boise Meridian, Kootenai County, Idaho, said Tracts and portions comprising an aggregate parcel more particularly described as follows:

Commencing at a 1/2" iron rod monument marking the southeast corner of Section 13, from which an aluminum cap monument marking the south quarter corner, said Section 13, bears N 89°41'35" W a distance of 2595.69 feet; thence along the east line of Section 13, N 00°59'13" E a distance of 661.23 to the intersection of the extension of the south line of said Tract 73 with the East line of Section 13; thence, N 89°43'51" W along said extension a distance of 15.13 feet to a 1" iron pipe monument marking the southeast corner of said Tract 73, and the True Point of Beginning for this description.

Thence, along the perimeter of said aggregate parcel the following courses:

N 00°59'55" E, a distance of 646.42 feet;

N 89°49'18" W a distance of 638.99 feet;

N 89°48'01" W a distance of 654.04 feet;

S 00°34'14" W a distance of 644.82 feet;

S 00°33'47" W a distance of 629.75 feet;

S 89°41'47" E a distance of 648.82 feet;

S 89°37'22" E a distance of 128.29 feet;

N 00°50'39" E a distance of 210.89 feet;

N 89°50'59" W a distance of 128.29 feet;

N 00°50'44" E a distance of 100.41 feet;

then along a curve to the right having a radius of 200.00 feet, a delta of 34°12'31" and an arc length of 119.41 feet and a chord bearing and distance of N 17°57'00" E, 117.65 feet.

thence N 35°03'18" E a distance of 148.19 feet;

thence along a curve to the right having a radius of 200.00 feet with a delta of 55°12'54" and an arc length of 182.74 feet with a chord bearing and distance of N 62°39'43" E, 185.36 feet;

thence, S 89°43'51" E a distance of 354.94 feet to the True Point of Beginning.

Said parcel of land containing 29.723 acres (1,294,727 square feet), more or less.

STATE OF IDAHO
COUNTY OF KOOTENAI
AT THE REQUEST OF
NORTH IDAHO TITLE INS.

2003 MAR 24 P 4: 01

DANIEL J. ENGLISH

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