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**SUPPLEMENTAL DECLARATION OF COVENANTS, CONDITIONS  
AND RESTRICTIONS AND NOTICE OF ANNEXATION  
FOR SADDLEBROOK SUBDIVISION PHASE 3**

KNOW ALL MEN BY THESE PRESENTS that Saddlebrook Development, Inc., an Idaho corporation, (hereinafter "Declarant"), is the owner of that certain real property located in Ada County, Idaho, described as Saddlebrook Subdivision Phase 3, according to the official plat thereof, recorded on 2-27-06, 2005<sup>6</sup>, as Instrument No. 106030313 in Book 94 of Plats, at pages 11523, and 11525, records of Ada County, Idaho (hereinafter the "Real Property").

WHEREAS, Declarant has heretofore filed that certain Declaration of Covenants, Conditions and Restrictions of Saddlebrook Subdivision, which Declaration was recorded as Instrument No. 103157977, records of Ada County, Idaho (hereinafter the "Declaration"); and

WHEREAS, Declarant has heretofore filed of record a Supplemental Declaration of Covenants, Conditions and Restrictions and Notice of Annexation of Saddlebrook Subdivision Phase 2 (hereinafter the "Phase 2 Supplement"), which Phase 2 Supplement was recorded on December 6, 2004 as Instrument No. 104153918, records of Ada County, Idaho; and

WHEREAS, Declarant has heretofore filed of record an Amendment to Declaration of Covenants, Conditions and Restrictions of Saddlebrook Subdivision (hereinafter the "First Amendment"), which First Amendment was recorded on December 6, 2004 as Instrument No. 104153919, records of Ada County, Idaho; and

WHEREAS, the Declaration, the Phase 2 Supplement and the Amendment shall collectively be hereinafter referred to as the "Original Covenants"; and

WHEREAS, Article XIV of the Declaration provides for the annexation of additional real property into the Saddlebrook Subdivision project by recording a notice of annexation or supplemental declaration containing the information required therein;

NOW, THEREFORE, pursuant to Article XIV of the Declaration, Declarant hereby declares that the Real Property shall be held, sold, conveyed and subject to the Original Covenants, which Original Covenants are hereby incorporated by this reference as if fully set forth herein, except that the following paragraphs of the Original Covenants shall be amended as follows:

(1) Article I, Section 2, "PROPERTIES" shall mean and refer to the Real Property hereinbefore described in addition to the Real Property described in the Original Covenants.

(2) Article I, Section 3, "COMMON AREA" shall mean and refer to Lots 5 and 17, Block 7, Lot 21, Block 3, Lot 1, Block 8, Lot 1, Block 9 and Lot 1, Block 10 of Saddlebrook Subdivision Phase 3, according to the official plat thereof, in addition to the real property described as Common Area in the Original Covenants.

(3) A new Section 6 shall be added to Article VII to read as follows:

Section 6. Grassy Swales: The areas located between the sidewalks and streets (the "Swale Areas") have been improved with Ada County Highway District drainage swales and have been planted with grass. The following provisions shall apply to those areas:

- A. Each Owner shall obligated to care for and maintain the grassed areas between said Owner's Lot and the street adjacent thereto, including but not limited to the mowing, trimming, weeding and irrigation thereof.
- B. No driveway shall be constructed across the Swale Areas greater than twenty (20) feet in width (provided, however, that this provision is not intended the limit the width of any portion of a driveway located outside of the Swale Areas), and no pipe or culvert may be installed beneath any driveway in the Swale Areas. Prior to construction of any driveway crossing the Swale Areas, plans and specifications therefore shall be submitted to and approved by the Architectural Control Committee

(4) The second sentence of Article IX, Section 3 shall be amended to read as follows:

Each Dwelling Unit must have exterior brick, stone, manufactured or synthetic stone or stucco on the front elevation, which shall be returned (wrapped) a minimum of two (2) feet around each corner.

