



**AMENDMENT TO MASTER DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR
WATERFRONT DISTRICT filed on 12/14/2006, Instrument No. 106193996**

**AMENDMENT TO ADD A LOT TO SINGLE FAMILY SUB-ASSOCIATION AND DELETING A
PORTION OF BLOCK 1 LOT 4 FROM THE COMMERCIAL AND ASSOCIATED RETAIL UNITS**

Background

Gary and Lori Asin, as owners of Block 1, Lot 4 in the Waterfront District Subdivision, re-subdivided Block 1, Lot 4 to allow for the construction of a single family home to the west of Café Lucianos. The new subdivision was approved by Garden City is recorded as Sonrisa Subdivision. Block 1, Lot 1 of the Sonrisa Subdivision is bare land to be developed by building a single family home. Block 1, Lot 2 of Sonrisa Subdivision is an existing commercial structure and shall continue to be used for commercial purposes (currently leased by Café Lucianos).

The construction of the new single-family dwelling has been approved by the HOA Architectural Committee.

In order to allow the non-commercial lot to join an appropriate sub-association within HOA, the **Master Declaration of Covenants, Conditions and Restrictions for Waterfront District, filed on December 14, 2006 as Instrument Number 106193996** (hereinafter Declaration) needs to be amended to add Block 1, Lot 1 of the Sonrisa Subdivision to the single-family sub-association. This amendment will also remove the single family home from being subject to any commercial conditions in the Declaration and any amendments to the Declaration. Block 1, Lot 2 of the Sonrisa Subdivision shall be added to the commercial and associated retail while Block 1, Lot 4 shall be deleted. Block 1, Lot 2 of the Sonrisa Subdivision remains subject to commercial conditions set forth in the Declaration and any amendments to the Declaration.

Legal Authority

The Declaration provides the terms for its own amendment. Section 14.2.2. provides the provision of the Declaration may be amended by an instrument in writing signed and acknowledged by the president and secretary of the Association certifying that the Amendment has been approved by the vote or written consent of Owners representing more than eighty percent (80%) of the votes in the Association. Any such amendment shall be effective when recorded with the Ada County Recorder.

Amendments:

The Declaration is hereby amended as follows, effective when this instrument is recorded with the Ada County Recorder.

Article I, Section 1.2, the table describing Neighborhood Area-unit types shall be amended as follows:

The single family "Number of units" is increased from 26 to 27.

The single family "Block and lot numbers" shall be amended to add Block 1, Lot 1 of Sonrisa Subdivision.

The condominiums and associated retail "Block and lot numbers" shall be amended to delete Block 1, Lot 4 and add Block 1, Lot 2 of the Sonrisa Subdivision.

Verification

We, the President and Secretary of the Association, hereby verify that this Amendment has been approved by the vote or written consent of Owners representing more than eighty percent (80%) of the votes in the Association.

Richard D Moore
Name: Richard D. Moore

President

Waterfront District Owners Association, Inc.

Maureen Gresham
Name: Maureen Gresham

Secretary

Waterfront District Owners Association, Inc.

The foregoing two individuals Richard Moore and Maureen Gresham and _____, who are known to me personally or provided sufficient proof of identification, appeared, verified that they were respectively the President and Secretary of the Waterfront District Owners Association, Inc. and that the above verification was true and accurate.

SUBSCRIBED AND SWORN to before me this 17th day of June, 2021. 2 *ES [Signature]*

Elizabeth Sherfick
Notary Public for Idaho
My Commission Expires: 9/25/25

