



AMENDMENT TO MASTER DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR WATERFRONT DISTRICT

Amendments Changing Garage Requirements and Maximum Height Restrictions

Background

The Owners desire to amend the *Master Declaration of Covenants, Conditions and Restrictions for Waterfront District*, recorded December 14, 2006 in the Records of Ada County as Instrument 10619396 (“Declaration”). The Declaration fails to address minimum parking and garage requirements for all neighborhood areas and the Owners desire to make the parking requirements per Lot or Property Unit consistent throughout the subdivision. Additionally, the Owners desire to restrict the maximum height of structures not to exceed the maximum height of existing structures to preserve views, minimize shading to existing structures, and to maintain the size, massing, scope and style of the subdivision. None of these amendments shall affect existing structures or proposed structures approved for construction by the Architectural Committee prior to the recordation of the Amendments.

Legal Authority

The Declaration provides the terms for its own amendment. Section 14.2.2. provides that the provisions 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 IV, GENERAL AND SPECIFIC RESTRICTIONS **delete and replace** subsections 4.1.1B (first sentence), 4.1.2 B, 4.1.3B (Interior Townhouses), 4.1.3 B (Westerly Townhouses) and 4.1.4 B with the following language:

B. Garages and Vehicles. Each residential Property Unit shall have enclosed, on-site garage parking spaces for at least two (2) automobiles, which spaces may be tandem or side by side.

Article IV, GENERAL AND SPECIFIC RESTRICTIONS **add** the following sentence to the end of Section 4.1.5:

Each residential Property Unit whether single-family, townhouse or condominium, shall have enclosed, on-site garage parking spaces for at least two (2) automobiles, which spaces may be tandem or side by side.

Article IV, GENERAL AND SPECIFIC RESTRICTIONS, Section 4.2.4 is **amended** to change the Maximum Height (feet) for *each* Neighborhood area from fifty-five (55) feet to forty (40) feet with the Maximum Height to be measured from the street or sidewalk side of the structure to the highest point of the structure.

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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.

Todd Hans

Name:

President

Waterfront District Owners Association, Inc.

Becky Bunderson

Name:

Secretary

Waterfront District Owners Association, Inc.

The foregoing two individuals, Todd Hans
Becky Bunderson, 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 14 day of August, 2018.

Lisa Batt
Notary Public for Idaho

My Commission Expires: 1/28/22

