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BY \_\_\_\_\_  
G. HOLLINGS  
CANYON CNTY RECORDER

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FILED FOR RECORD AT THE REQUEST OF  
AND WHEN RECORDED RETURN TO:  
Vista Properties, L.L.C.  
c/o Kenneth M. Elliott, Legal Counsel  
661 South Rivershore Lane, Suite 120  
Eagle, ID 83616  
Telephone (208) 938-4655

VFPhase2SecondAmMasterDec  
3/3/2006 12:49 PM

Nampa, Idaho

**SECOND AMENDMENT TO MASTER DECLARATION OF  
COVENANTS, CONDITIONS & RESTRICTIONS  
FOR VISTA RIDGE**

**Declarant:** Vista Properties L.L.C.,  
An Idaho Limited Liability Company

**Abbreviated Legal Description:** A portion of the SW ¼, Section 3, and a portion of the NW ¼ of the NW ¼, Section 10, and a portion of the NE ¼ of the NE ¼, Section 9, and a portion of the SE ¼ of the SE ¼, Section 4, all in Township 2 North, Range 2 West, Boise Meridian, Canyon County, Idaho, comprised of 52 ± acres (the "Property")

**Assessor's Tax Parcel:** R29223000-0

**Related documents:** Canyon County Recorder's Instrument Nos. 200440502 & 200604529

This **Second Amendment to Master Declaration of Covenants, Conditions & Restrictions for Vista Ridge**, dated as of March 6, 2006 (this "**Second Amendment**"), amends that certain Master Declaration of Covenants, Conditions & Restrictions for Vista Ridge, dated July 26, 2004, and amended by a First Amendment to Master Declaration of Conditions, Covenants and Restrictions, dated January 23, 2006 (together, the "**Master Declaration**"), by **Vista Properties, LLC**, an Idaho limited liability company (referred to herein as the "**Declarant**"). The Master Declaration provides for the development, use and maintenance of the Property in separate building lots for residential and commercial use, in accordance with the Development Plan attached to the First Amendment as **Exhibit "A"** and applicable ordinances of the City of Nampa, Idaho. The Master Declaration was filed for record on the 27th day of July, 2004, as Instrument No. 200440502, Official Records of Canyon County, Idaho, and the First Amendment was filed for record on the 23rd day of January, 2006, as Instrument No. 200604529, Official Records of Canyon County, Idaho. Both the Master Declaration and the First Amendment are incorporated herein by this reference.

## ARTICLE 1 - RECITALS

WHEREAS, the Master Declaration, as amended, provides a common plan and scheme for development of Vista Ridge Phases 1 and 2, and further provides that the property described therein shall be held, sold and conveyed subject to covenants, conditions and restrictions, which shall run therewith and bind all parties having or acquiring any right, title or interest in the Property or any Lot or part thereof, and shall inure to the benefit of each Owner;

WHEREAS, the Declarant also executed and recorded a Declaration of Restrictions and Easements (Self Maintenance) for Vista Ridge Commercial Lots, dated as of October 4, 2004 (the "Commercial Declaration"), filed for record October 28, 2004 as Canyon County Recorder's Instrument No. 200459857, which contains a supplemental plan for the development, use and maintenance of that portion of the Property comprising Lots 1, 2, 3, 4, 5 and 6 of Block 1, VISTA RIDGE Subdivision Phase 1 (the "Commercial Lots");

WHEREAS, the Declarant has prepared a First Amendment to the Commercial Declaration, to be recorded contemporaneously with this Second Amendment, which clarifies and allocates certain maintenance responsibilities between the Residential Lots and the Commercial Lots in the Property;

WHEREAS, the Declarant hereby elects to make certain additions and modifications to the Master Declaration, to make it consistent with the Commercial Declaration, as amended;

NOW, THEREFORE, the Declarant hereby amends the Master Declaration, by adding the underlined text and deleting the stricken text, to read as follows:

## ARTICLE 2 - AMENDMENTS

1. Capitalized terms used but not defined herein shall have the meanings given them in the Master Declaration.

2. Paragraph 2.2 of the Master Declaration is hereby amended to read:

2.2 Association. An organization formed by Declarant in accordance with Paragraph 4.1 of this Declaration, to operate and maintain the Residential Common Lots (as defined in Paragraph 2.18)~~Common Areas~~ that lie within the boundaries of Vista Ridge, to levy and collect assessments from the Owners of Residential Lots to defray the costs of such operation and maintenance, and to perform any other duties as provided in this Declaration or in the Articles of Incorporation for the Homeowners' Association.

2. Paragraph 2.7 of the Master Declaration is hereby amended to read:

2.7 Commercial Common Areas. All areas to be developed for reciprocal, shared use by the Owners of Commercial Lots, including, without limitation, perimeter landscaping, parking islands, lighting standards, drive aisles and parking stalls, located on the Commercial Lots ~~designated as common areas on the Plat.~~ All references to "Common Area" or "Common

Areas” in this Declaration (other than references to “Commercial Common Area” or “Commercial Common Areas”) are hereby deemed changed to “Residential Common Lots.”

3. A new Paragraph 2.18 shall be added, to read as follows:

**2.18 Residential Common Lots.** The parcels described as Lot 1, Block 2; Lot 1, Block 4; Lot 9, Block 5; Lots 8 and 11, Block 6; Lot 1, Block 7; and Lot 1 Block 8; VISTA RIDGE SUBDIVISION PHASE 1, according to the Plat thereof filed for record on July 14, 2004, as Plat No. 200438199; and Lots 16 and 53, Block 1; Lot 1, Block 11; Lot 1, Block 12; Lot 12, Block 13; Lot 1, Block 15; and Lot 1, Block 16; VISTA RIDGE SUBDIVISION PHASE 2, according to the Plat thereof filed for record on December 12, 2005, as Plat No. 200582833, in the Official Records of Canyon County, Idaho.

4. Paragraph 3.8 of the Master Declaration, which was added by the First Amendment, contained an erroneous lot reference and is hereby corrected to read

**“3.8. Dedication of Lot 151, Block 1.** Declarant hereby dedicates and conveys Lot 151, Block 1 to the City of Nampa for a public pedestrian/bike pathway, subject to Pioneer Irrigation District’s existing easement rights pertaining to the Robinson Lateral. The landscaping, an 8-foot wide pathway and a 6-foot high fence on said Lot shall be installed by Developer and, upon completion and acceptance by the City of Nampa, shall be owned and maintained by the City of Nampa, in compliance with Paragraph 2 of the Development Agreement between the City and Developer dated September 30, 2003. The uses of said Lot shall be restricted in compliance with the Pioneer Irrigation District requirements across said District’s easements.”

5. Articles 4 and 5 and Paragraphs 8.1 through 8.8 and 8.14 of the Master Declaration are amended by replacing each reference to “Owner” or “Owners” with “Residential Lot Owner” or “Residential Lot Owners” and replacing each reference to “Lot” or “Lots” with “Residential Lot” or “Residential Lots,” as the case may be.

6. Except as expressly modified by this Second Amendment, the Master Declaration (as previously amended by the First Amendment) shall remain in full force and effect.

IN WITNESS WHEREOF, the Declarant has executed this Second Amendment as of the date first above written.

**DECLARANT:**

Vista Properties, L.L.C.  
An Idaho limited liability company

By: Vision First, L.L.C.,  
a Washington limited liability company,  
Managing Member

By:   
Randal S. Clarno, Managing Member



CONSENT AND SUBORDINATION OF LIENHOLDER

Washington Trust Bank, which, by virtue of that certain Deed of Trust dated January 23, 2004 given by Vista Properties L.L.C., an Idaho limited liability company, and recorded on January 30, 2004, as Instrument No. 200405603, official records of Canyon County, Idaho, holds a lien on that certain real property in Canyon County, Idaho, for which the following is an abbreviated legal description: a portion of the Southwest 1/4, Section 3, and a portion of the Northwest 1/4 of the Northwest 1/4, Section 10, and a portion of the Northeast 1/4 of the Northeast 1/4, Section 9, and a portion of the Southeast 1/4 of the Southeast 1/4, Section 4, all in Township 2 North, Range 2 West, Boise Meridian, Canyon County, Idaho, comprised of 52± acres, under Assessor's Tax Parcel R29223000-0 (the "Property"), hereby consents to and joins in that certain Second Amendment to Master Declaration of Covenants, Conditions & Restrictions for Vista Ridge ("Second Amendment"), to which this Consent and Subordination of Lienholder is attached, and agrees that its lien and all of its right, title, estate and interest in and to the Property shall be subject and subordinate to that certain Master Declaration of Covenants, Conditions & Restrictions for Vista Ridge dated July 26, 2004, and recorded on July 27, 2004, as Instrument No. 200440502, official records of Canyon County, Idaho, as amended by that certain First Amendment to Master Declaration of Covenants, Conditions & Restrictions for Vista Ridge dated January 23, 2006, and recorded on January 23, 2006, as Instrument No. 200604529, official records of Canyon County, Idaho, as further amended by the Second Amendment.

LIENHOLDER:

Washington Trust Bank

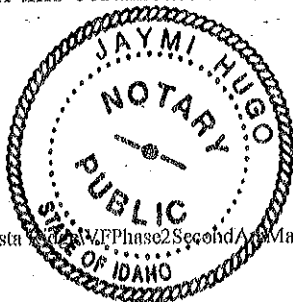
By: Gena Russell  
Its: Vice President

Dated: March 6, 2006

STATE OF IDAHO )  
 ) ss.  
County of Ada )

On this 6 day of March, 2006, before me, the undersigned, a Notary Public in and for said State, personally appeared Gena Russell, known or identified to me to be the Vice President of Washington Trust Bank, the Vice President that executed the within and foregoing instrument or the person who executed the instrument on behalf of said Bank, and acknowledged to me that such Vice President 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.



Jaymi Hugo  
Notary Public for Idaho  
Residing at Meridian, ID  
My commission expires: 2/10/12