

**FIRST AMENDMENT TO
CONDOMINIUM DECLARATION FOR
HILLCREST CONDOMINIUMS**

Instrument # 502477

HAILEY, BLAINE, IDAHO

2004-04-27 09:20:00 No. of Pages: 8

Recorded for : BRUCE COLLIER

MARSHA RIEMANN

Fee: 24.00

Ex-Officio Recorder Deputy

Index to: AMENDED COVENANTS & RESTRICTIONS

**ARTICLE I
RECITALS**

A. The Condominium Declaration for Hillcrest Condominiums was duly executed and recorded as Instrument No. 272594, records of the Blaine County Recorder, Hailey, Idaho (the "Declaration"). The Declaration pertains to that certain real property identified as Lot 7, Block 1, of Saddlevue Subdivision No. 3, Blaine County, Idaho, according to the official plat thereof recorded January 29, 1976, as Instrument No. 164293, records of Blaine County.

B. The owners of the three units which comprise the Hillcrest Condominium project as described in the Declaration have, by resolution duly adopted, unanimously decided to amend the Declaration in certain respects as hereinafter provided.

ARTICLE II

1. Article III of the Declaration shall include a new subparagraph (f) which defines "Management Body" as follows:

Management Body means the Hillcrest Owners Association, Inc., a non-profit corporation organized under the Idaho Non-Profit Corporation Act and filed of record with the Secretary of State on May 19, 1986.

2. Article VII of the Declaration shall be amended to read as follows:

The Management Body. Every owner shall be entitled to and required to become a member of the Management Body. If title to a unit is held by more than one person, the membership related to that unit shall be shared by all such persons who are owners in the same proportionate interest and by the same type of tenancy in which the title to the unit is held. An owner shall be entitled to one membership for each unit owned. No person or entity other than an owner may be a member of the Association; and the membership interest in the Management Body may not be transferred except in connection with the transfer of a unit.

The total number of votes which may be cast by all owners, as members of the Management Body shall be 100 votes; and each owner shall be entitled to vote the same percentage of the total number of votes of the Management Body as such owners' percentage interest in the common area as set forth in Exhibit B of this Declaration.

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FOR HILLCREST CONDOMINIUMS

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The Management Body shall be responsible for the exclusive management and control of the common area, and all improvements thereon and shall keep the same in good, clean, attractive and sanitary condition, order and repair, except for the elevator which shall be under the exclusive management and control of the owner of the Condominium Unit C and which shall be maintained in all respects by the owner of Condominium Unit C. The Management Body shall be responsible for the maintenance and repair of the exterior surfaces of the buildings and improvements located on the project, including without limitation the painting of the same as often as necessary, and replacement of the trim and caulking, the maintenance and repair of roofs, the maintenance and repair of other common area, including utility lines, areas for access to any automobile parking structures constituting part of the condominiums and all other improvements or materials located within or used in connection with the common area. The Management Body shall maintain in a proper, first class manner, all landscaping and natural vegetation constituting part of the common area, including assuring the preservation of good visual continuity between landscaped areas and natural vegetation. Payments for maintenance, repair and replacement of common elements shall be by Management Body check. The Management Body canceled check shall constitute the payment voucher.

The Management Body may obtain and pay for services to manage its affairs and may obtain and pay for legal and accounting services necessary or desirable in connection with the operation of the project or the enforcement of this Declaration. The Management Body may acquire and hold for the use and benefit of the Owners, tangible and intangible personal property and may dispose of the same by sale or otherwise and the beneficial interest in any such property shall be deemed to be owned by the Owners in the same proportion as their respective interests in the common area. Upon ten (10) days written notice to the Management Body and payment of a reasonable fee as determined by the Management Body but not exceeding \$25, a unit Owner shall be furnished a statement of his account setting forth the amount of any unpaid assessments or other charges due and owing from such Owner.

The Management Body may adopt reasonable administrative rules and regulations by the vote of sixty (60%) percent of the total number of votes of the Management Body governing the use of the units and of the common area, which rules and regulations may be amended by sixty (60%) percent of the total number of votes of the Management Body, and may include, without limitation, assignment of particular portions of the storage areas within the common area for exclusive use by Owners of particular condominiums.

The Management Body by a vote or written consent of sixty (60%) percent of the total number of votes of the Management Body may designate and remove

personnel necessary for the maintenance, repair and replacement of the Common elements.

The Owners have previously adopted By-Laws for the Hillcrest Owners Association, Inc., which shall supplement and provide additional direction to the Management Body in carrying out its responsibilities under this Declaration.

3. Article VII, Paragraph F shall be amended to read as follows:

F. Officers. The officers of the Management Body shall be determined as provided by the By-Laws of the Hillcrest Owners Association, Inc.

DATED this 26th day of February, 2004.



Richard Powers

Stanley Barer

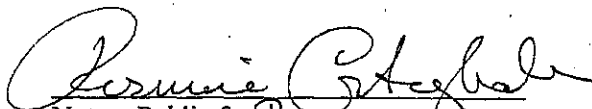
Leonard Lapsys

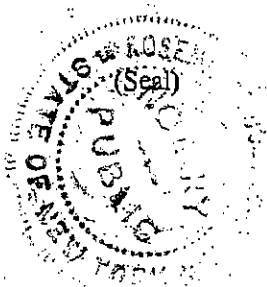
ACKNOWLEDGMENT

STATE OF New York)
County of New York) ss.

On this 26th day of February, 2004, before me, the undersigned, a Notary Public in and for said State, personally appeared Richard Powers, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

WITNESS my hand and seal the day and year in this certificate first above written.


Notary Public for Richard Powers
Residing at _____
Comm. Exp. _____



ROSEMARIE COSTAGLIOLA
Notary Public, State of New York
No. 01CO6016161
Qualified in New York County
Commission Expires Nov. 9, 2006

personnel necessary for the maintenance, repair and replacement of the Common elements.

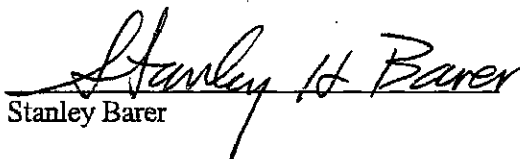
The Owners have previously adopted By-Laws for the Hillcrest Owners Association, Inc., which shall supplement and provide additional direction to the Management Body in carrying out its responsibilities under this Declaration.

3. Article VII, Paragraph F shall be amended to read as follows:

F. Officers. The officers of the Management Body shall be determined as provided by the By-Laws of the Hillcrest Owners Association, Inc.

DATED this 12th day of February, 2004.

Richard Powers

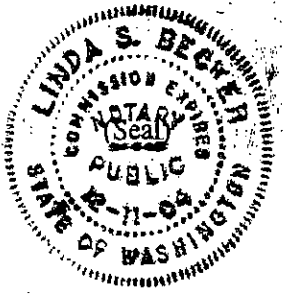

Stanley Barer

Leonard Lapsys

STATE OF WASH)
 County of King) ss.

On this 12 day of February, 2004, before me, the undersigned, a Notary Public in and for said State, personally appeared Stanley Barer, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

WITNESS my hand and seal the day and year in this certificate first above written.



Linda S. Becker

Notary Public for WASH
 Residing at SEATTLE
 Comm. Exp. 12-11-04

personnel necessary for the maintenance, repair and replacement of the Common elements.

The Owners have previously adopted By-Laws for the Hillcrest Owners Association, Inc., which shall supplement and provide additional direction to the Management Body in carrying out its responsibilities under this Declaration.

3. Article VII, Paragraph F shall be amended to read as follows:

F. Officers. The officers of the Management Body shall be determined as provided by the By-Laws of the Hillcrest Owners Association, Inc.

DATED this 19 day of February, 2004.

Richard Powers

Stanley Barer

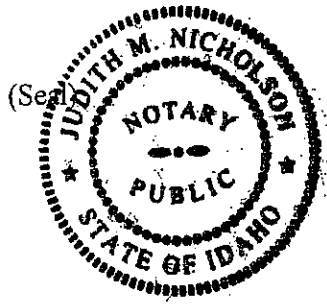


Leonard Lapsys

STATE OF Idaho)
County of Blaine) ss.

On this 19th day of February, 2004, before me, the undersigned, a Notary Public in and for said State, personally appeared Leonard Lapsys, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

WITNESS my hand and seal the day and year in this certificate first above written.



Judith M. Nicholson
Notary Public for Idaho
Residing at Hay 194
Comm. Exp. 8/11/2005

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