

**NOTICE OF FIRST AMENDMENT TO SUPPLEMENTAL DECLARATION
OF
COVENANTS, CONDITIONS AND RESTRICTIONS FOR
SAGEWILLOW HOMEOWNERS ASSOCIATION**

Instrument # 444645
HAILEY, BLAINE, IDAHO
2000-10-31 12:07:00 No. of Pages: 8
Recorded for : THOMAS PRAGGASTIS
MARSHA RIEMANN
Ex-Office Recorder Deputy
Fee: 24.00
Order to: AMENDED COVENANTS & RESTRICTIONS

THIS NOTICE OF FIRST AMENDMENT TO SUPPLEMENTAL DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR SAGEWILLOW HOMEOWNERS ASSOCIATION ("Amendment") is made this 27 day of SEPTEMBER, 2000, by Sagewillow Homeowners Association, Inc., ("Association")

WHEREAS, a Notice of Addition of Territory and Supplemental Declaration of Covenants, Conditions and Restrictions For Sagewillow Homeowners Association was recorded on February 14, 1995 in the office of the Blaine County Recorder, Blaine County, Idaho, as Instrument No. 375704, ("Declaration"), affecting real property described as follows:

Lots 1-22 and Parcels C, D, E, F, G, H, I, J & K of Sagewillow Subdivision, Blaine County, Idaho, as shown on the official plat thereof, recorded July 27, 1994, as Instrument No. 368709, records of Blaine County, Idaho ("Sagewillow Plat").

WHEREAS, Sagewillow, Inc. ("Sagewillow") was the original Declarant under that Declaration and caused the official Sagewillow Plat to be duly filed and recorded.

WHEREAS, the Association is the Idaho non-profit corporation that was formed pursuant to such Declaration.

WHEREAS, Sagewillow and the Association have approved certain amendments to the Sagewillow Plat and amendments to said Declaration which sever Lots 1-5, Parcel C, and a part of Parcel D from the Sagewillow Plat and Sagewillow Homeowners Association and instead makes them a part of a new subdivision plat to be filed for the Arrowleaf Subdivision.

WHEREAS, the real property which the Declaration as amended by this Amendment is to encumber is located in the City of Sun Valley, County of Blaine, State of Idaho, and more particularly described in Exhibit A, attached hereto and incorporated herein by reference ("Real Property").

WHEREAS, an amended Sagewillow Subdivision Plat ("Sagewillow Subdivision Amended Plat") is or will be filed with the Blaine County Recorder to reflect the resulting changes, and the Sagewillow Subdivision Amended Plat will be filed prior to the recordation of this Amendment.

WHEREAS, the Declaration is hereby duly amended as a result of the filing of the Sagewillow Subdivision Amended Plat. This Amendment was properly approved by the Association in accordance with the provisions of the Declaration, specifically Article XII, Section B.2.

NOW, THEREFORE, the Association hereby declares that, with respect to the Real Property as defined in this Amendment, the Declaration is hereby amended only as follows and all other provisions of said Declaration not inconsistent with the following provisions shall remain in full force and effect:

I. DEFINITIONS. The following definitions in the Declaration are amended as follows:

The definition of Real Property as used in the Declaration and herein is amended to mean the real property located in the City of Sun Valley, County of Blaine, State of Idaho, and more particularly described in Exhibit "A", attached hereto and incorporated herein by reference.

The definition of Lot is amended to mean Lots 6A through 20A and 22A, as shown on the Sagewillow Subdivision Amended Plat finally recorded with the Blaine County Recorder, Blaine County, Idaho, whether or not improved. Lot shall not include any other areas shown on the Sagewillow Subdivision Amended Plat, including any Common Areas, Public Areas or Open Space Areas.

All other provisions of Article I of the Declaration shall remain in full force and effect.

II. The following provisions of Article II of the Declaration entitled REAL PROPERTY SUBJECT TO DECLARATION AND CLASSIFICATIONS shall be replaced as follows:

A. **Residential Area.** The residential Lots, shown as Lots 6A through 20A and 22A on the Sagewillow Subdivision Amended Plat, shall be classified as a Residential Area and used for residential purposes as set forth in Article V in the Declaration and herein.

B. **Residential Common Areas.** The road right of way, named Sagewillow Road, shown as Parcel GG on the Sagewillow Subdivision Amended Plat, shall be classified as Residential Common Area and is a private road owned by the Association and shall be used for those purposes as set forth in Article V of the Declaration and herein.

C. **Open Space Areas.** The property, shown as Parcels E, F, HH, II, and MM on the Sagewillow Subdivision Amended Plat, shall be classified as Open Space Areas and are areas owned by the Association and shall be used for those purposes as set forth in Article VI of the Declaration.

All other provisions of Article II of the Declaration shall remain in full force and effect.

III. The following provisions of Article V of the Declaration entitled PERMITTED USES AND RESTRICTIONS FOR RESIDENTIAL AREA AND RESIDENTIAL COMMON AREAS shall be replaced as follows:

C. Sagewillow Road Right of Way.

1. Private Right of Way. Sagewillow Road, including the entire right of way shown on the Sagewillow Subdivision Amended Plat, is the road serving the Lots and is a private right of way and road belonging to the Association to provide access for ingress and egress for the Owners of Lots, their families, licensees, invitees and guests. This right of way shall also serve to connect the trails and Open Space Areas owned by the Association.

Section C.2 of Article V is hereby deleted in its entirety. All other provisions of Article V of the Declaration shall remain in full force and effect.

IV. The following provisions of Article VI of the Declaration entitled PERMITTED USES AND RESTRICTIONS FOR OPEN SPACE AREAS AND PUBLIC AREAS shall be replaced as follows:

A. Open Space Areas. The Open Space Areas include five Parcels, Parcels E, F, HH, II, and MM as shown on the Sagewillow Subdivision Amended Plat. Each Parcel has different permitted uses and restrictions as set forth in the Declaration and herein. The permitted uses and restrictions for each of the Parcels of the Open Space Areas are as follows:

1. Permitted Uses for Parcel HH. Except as otherwise set forth in this Section, Parcels E and HH are Open Space Areas upon which no Improvement of any kind may be made. It is the express intent of the Declarant to maintain these Parcels in a natural or open state. Notwithstanding the foregoing restrictions, fences may be placed on or around these Areas, landscaping may be installed in these Areas and a hay storage structure may be placed upon Parcel HH for elk feeding purposes in a location in the sole discretion of Declarant.

2. Permitted Uses for Parcel MM. Parcel MM is to be used as a trail system around a portion of the Sagewillow Subdivision. The trail may not be used by motorized vehicles of any type.

3. Permitted Uses for Parcel II. Parcel II is designed primarily as a landscape screening and buffer area for certain Lots. Parcel II is also to be used in part as a trail system around a portion of the Sagewillow Subdivision.

4. Permitted Uses for Parcel F. Parcel F shall be used as an access for ingress and egress to Lot 6A and may be used as an access for ingress and egress to Lot 7A. Parcel F is also to be used as a trail system around a portion of the Sagewillow Subdivision.

Section A.5 of Article VI is hereby deleted in its entirety. All other provisions of Article VI of the Declaration shall remain in full force and effect.

V. Paragraph F.2.a.(1) of Article VII of the Declaration entitled SAGEWILLOW HOMEOWNERS ASSOCIATION is deleted in its entirety and replaced with the following:

F. 2. a. (1) Maintaining Sagewillow Road and the rights of way, and maintaining Parcel F to the extent that Parcel F is used for access to any Lot, which maintenance includes, without limitation, any necessary road repairs and snowplowing.

All other provisions of Article VII of the Declaration shall remain in full force and effect.

VI. The following paragraph B.2. to Article XII is replaced as follows and the following paragraph I is added to Article XII of the Declaration entitled MISCELLANEOUS:

B.2. By Owner. When Declarant has less than fifty percent (50%) ownership of the Lots, the provisions of this Declaration, other than this Article, may be amended by an instrument in writing signed and acknowledged by the president and secretary of the Association certifying that such amendment has been approved by the vote or written consent of seventy five percent (75%) or more of the Owners and such an amendment shall be effective only upon its recordation with the Blaine County Recorder; provided, that in no event shall any amendment to this Declaration relating in any manner to Parcels E and HH, including but not limited to their size, configuration, uses and restrictions, be approved without the unanimous consent of the Owners who are adjacent to or abut to either one of these particular Parcels.

I. Sagewillow Subdivision Plat. All references in the Declaration to the Sagewillow Subdivision Plat shall now refer to the Sagewillow Subdivision Amended Plat.

All other provisions of Article XII of the Declaration shall remain in full force and effect.

IN WITNESS WHEREOF, the Association has executed this Declaration the day and year first above written.

SAGEWILLOW HOMEOWNERS ASSOCIATION, INC.

Edmund E. Dunke

By:
Its: President

Ann C. Paul


By:
Its: Secretary

CERTIFICATION BY OFFICERS


The President and Secretary of the Association whose signatures appear on this Amendment hereby certify that the approval of this Amendment was in accordance with Article XII, Section B.2. of the Covenants, Conditions and Restrictions for Sagewillow Homeowners Association, dated February 7, 1995, and recorded February 14, 1995, as Instrument No. 375704, records of Blaine County, Idaho.

DATED this 27 day of SEPTEMBER 2000.

SAGEWILLOW HOMEOWNERS
ASSOCIATION, INC.



President

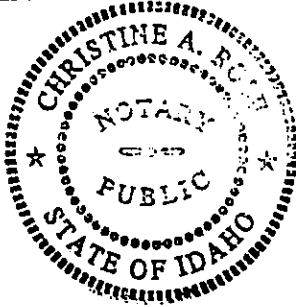


Secretary

STATE OF IDAHO)
)
 ss.
County of Blaine)

On this 21st day of September, 2000, before me, a Notary Public in and for said State, personally appeared EDMUND E. DUMKE, known or identified to me to be the President of SAGEWILLOW HOMEOWNERS ASSOCIATION, INC., an Idaho corporation, whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in the name of and on behalf of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Christine A. Rolf
NOTARY PUBLIC in and for
the State of Idaho
residing at Hailey, Idaho
Commission expires 6-6-2005

STATE OF IDAHO)
)
 ss.
County of BLAINE)

On this 21st day of September, 2000, before me, a Notary Public in and for said State, personally appeared Chris C. Leady, known or identified to me to be the Secretary of SAGEWILLOW HOMEOWNERS ASSOCIATION, INC., an Idaho corporation, whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in the name of and on behalf of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Christine A. Rolf
NOTARY PUBLIC in and for
the State of Idaho
residing at Hailey, Idaho
Commission expires 6-6-2005

EXHIBIT A

Lots 6A - 20A and 22A, and Parcels E, F, GG, HH, II, J, K, and MM
of SAGEWILLOW SUBDIVISION AMENDED, Blaine County,
Idaho, as shown on the official plat thereof, recorded *OCTOBER 31,*
2000, as Instrument No. *444644*, records of Blaine County, Idaho.