

RECORDING REQUESTED BY AND  
WHEN RECORDED MAIL TO:

SUMMIT PHASE II CONDOMINIUM  
ASSOCIATION, INC.  
Post Office Box 2183  
Sun Valley, ID 83353  
KKCL File No. 6627

424407

Blaine County  
BLAINE CO REQUEST  
of Penchmark Owners

199 FEB 22 AM 10 10

Marsha Riemann, CLERK

(Space above line for Recorder's Use) FEES \$45<sup>00</sup>

AMENDMENT TO CONDOMINIUM DECLARATION FOR  
SUMMIT PHASE II CONDOMINIUMS

THIS AMENDMENT to the Condominium Declaration for Summit Phase II Condominiums is made by the Summit Phase II Condominium Association, Inc. ("Association") and the Summit Phase II Condominium owners ("Owners") whose signatures are appended hereto.

RECITALS:

A. The Condominium Declaration for Summit Phase II Condominiums was recorded on December 15, 1981 as Instrument 222073, Records of Blaine County, Idaho ("Declaration").

B. The Association manages the common areas of Summit Phase II Condominiums.

C. The existing common boundary between Summit Phase II Condominiums, Blaine County, Idaho ("Summit II") and Fairway One Townhomes, Phase 3, Blaine County, Idaho ("Fairway One") encroaches upon the Summit II jacuzzi.

D. The Association desires to amend the Declaration to authorize the Association on behalf of the Owners to exchange by quitclaim deeds equal parcels of Summit II common area and Fairway One common area in order to remove the Summit II jacuzzi encroachment by shifting the common boundary line between Summit II and Fairway One, or to authorize the Association on behalf of the Owners to enter into an encroachment and/or easement agreement with Fairway One in connection with the Summit II jacuzzi encroachment.

E. Part of the Summit II common area encroaches upon the Elkhorn Road right-of-way.

F. The Association desires to amend the Declaration to authorize the Association on behalf of the owners to convey by quitclaim deed that part of the Summit II common area to the City of Sun Valley that encroaches on the Elkhorn Road right of way by

shifting the common boundary line between the Summit II common area and Elkhorn Road right of way.

G. Owners representing an aggregate ownership interest of sixty-six and 6/10 percent (66.6%) or more of the Summit II condominiums as reflected on the real estate records of Blaine County, Idaho have consented to this Amendment by their signatures on the signatory pages attached hereto.

WHEREFORE, for valuable consideration received, the Association and Owners hereby agree and declare as follows:

1. Common Area Conveyance. A new Section 8.7 is added to the Declaration to read as follows:

"Section 8.7, Common Area Conveyance. The Association is hereby empowered and authorized on behalf of the Owners as follows:

"(a) To exchange by quitclaim deeds equal parcels of Summit II common area and Fairway One common area in order to remove the Summit II jacuzzi encroachment by shifting the common boundary line between Summit II and Fairway One respective common areas.

(b) To convey by quitclaim deed the Summit II common area to the City of Sun Valley that encroaches on the Elkhorn Road right-of-way and to shift the Summit II common area and Elkhorn Road right-of-way boundary line accordingly.

(c) To enter into an encroachment and/or easement agreement with Fairway One in connection with the Summit II jacuzzi encroachment."

2. A new Section 8.8 is added to the Declaration to read as follows:

"Section 8.8, Power of Attorney. The Owners, and each of them, hereby appoint the Association as their attorney-in-fact in connection with their condominium unit and respective interest in the Summit II common area with full power and authority in such Owner's name, place and stead, to execute, deliver and record as needed such documents as may be necessary or appropriate to carry out the provisions of the Declaration and this Amendment, including but not limited to:

(a) The Amendment of the Summit II condominium map to reflect the boundary line shift between Summit II common area and the Elkhorn Road right-of-way as provided by Section 8.7 herein.

(b) The conveyance by quitclaim deed of Summit II Owners' common area interests in part of Summit II common area to City of Sun Valley that encroaches on the Elkhorn Road right-of-way as part of the common boundary line shift between Summit II common area and the Elkhorn Road right-of-way.

(c) The execution of an encroachment and/or easement agreement with Fairway One in connection with the Summit II jacuzzi encroachment.

(d) The conveyance by quitclaim deed of Summit II Owners' common area interests in part of Summit II common area to Fairway One in order to remove the Summit II jacuzzi encroachment as part of the common boundary line shift between Summit II common area and Fairway One common area.

(e) The conveyance by quitclaim deed of Summit II Owners' common area interests in part of Summit II common area to City of Sun Valley that encroaches on the Elkhorn Road right-of-way as part of the common boundary line shift between Summit II common area and the Elkhorn Road right-of-way.

(f) Any instruments of transfer or conveyance or as otherwise reasonably required to effectuate the Declaration Amendment, Condominium Map Amendment and quitclaim deed conveyances as provided in the Declaration and this Amendment.

3. Ratification. All other provisions of the Declaration as amended not in conflict herewith are hereby ratified and confirmed and shall remain in full force and effect.

DATED this 19<sup>th</sup> day of October, 1998.

SUMMIT PHASE II CONDOMINIUM  
ASSOCIATION, INC.

By

  
James E. Walsh, President

ACKNOWLEDGEMENT

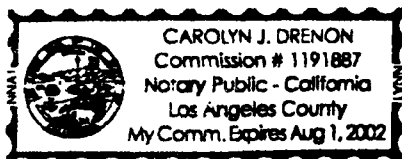
STATE OF CALIFORNIA )  
 ) ss.  
County of LOS ANGELES )

On this 19<sup>TH</sup> day of OCTOBER, 1998, before me, the undersigned, a Notary Public in and for said State, personally appeared James E. Walsh, known to me to be the person whose name is subscribed to the within instrument as President of Summit Phase II Condominiums and acknowledged to me that he executed the same as such officer.

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

Carolyn J. Drenon  
Notary Public for CALIFORNIA  
Residing at LOS ANGELES COUNTY  
Commission Expires 8-1-02

(Seal)



SUMMIT CONDOMINIUMS PHASE II  
UNIT 2825

Evelyn Seville  
Evelyn Seville  
Eugene Seville  
Eugene Seville

ACKNOWLEDGEMENT

STATE OF Hawaii )  
County of Blaine ) ss.

On this 28<sup>th</sup> day of October, 1998 before me, the undersigned, a Notary Public in and for said State, personally appeared Evelyn Seville and Eugene Seville, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

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



M. G. Mendel  
Notary Public for Hawaii  
Residing at Bellemead  
Commission Expires 12/01/2000

SUMMIT CONDOMINIUMS PHASE II  
UNIT 2826

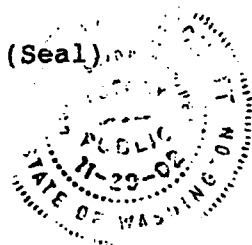
William R. Grigsby  
William R. Grigsby  
Paula M. Grigsby  
Paula M. Grigsby

ACKNOWLEDGEMENT

STATE OF Washington )  
County of Island ) ss.

On this 11 day of January, 1998, before me, the undersigned, a Notary Public in and for said State, personally appeared William R. Grigsby and Paula M. Grigsby, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

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



Pauline J. McLitt  
Notary Public for State of Wa.  
Residing at Clinton Wa  
Commission Expires 11-29-02

SUMMIT CONDOMINIUMS PHASE II  
UNIT 2827

The John P. and Jeanne Bowler Trust

By

*John P. Bowler*  
John P. Bowler

By

*Jeanne Bowler*  
Jeanne Bowler

ACKNOWLEDGEMENT

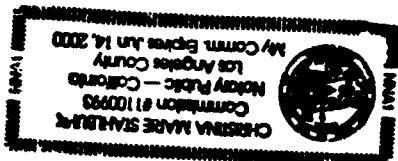
STATE OF California )  
County of Los Angeles ) ss.

On this 5<sup>th</sup> day of November, 1998, before me, the undersigned, a Notary Public in and for said State, personally appeared John P. Bowler and Jeanne Bowler, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

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

(Seal)

*Christina Marie Stallone*  
Notary Public for State of California  
Residing at Redwood Bay  
Commission Expires 6/14/00







SUMMIT CONDOMINIUMS PHASE II  
UNIT 2829

Drucilla B. Hall  
Drucilla B. Hall

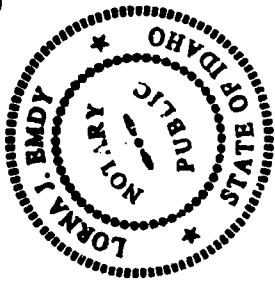
ACKNOWLEDGEMENT

STATE OF Idaho )  
County of Blaine ) ss.

On this 16<sup>th</sup> day of December, 1998, before me, the undersigned, a Notary Public in and for said State, personally appeared Drucilla B. Hall, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same.

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

(Seal)



Lorna J. Emdy  
Notary Public for Idaho  
Residing at Harley ID  
Commission Expires 11/30/2000

SUMMIT CONDOMINIUMS PHASE II  
UNIT 2830

William Wrigley  
William Wrigley

Julie Wrigley  
Julie Wrigley

ACKNOWLEDGEMENT

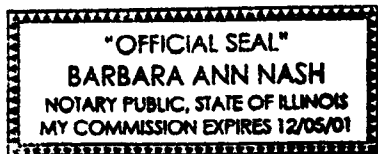
STATE OF Illinois )  
County of Cook ) ss.

On this 7th day of December, 1998, before me, the undersigned, a Notary Public in and for said State, personally appeared William Wrigley, known to me to be the person whose name is subscribed to the within instrument as Trustee and acknowledged to me that he executed the same.

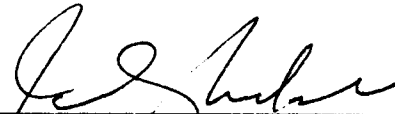
WITNESS my hand and seal the day and year in this certificate first above written.


(Seal)

Barbara Ann Nash  
Notary Public for State of Illinois  
Residing at 548 Wilson Chicago, IL 60630  
Commission Expires 12/05/01



SUMMIT CONDOMINIUMS PHASE II  
UNIT 2831

  
James E. Walsh, Trustee

  
Frances D. Walsh, Trustee

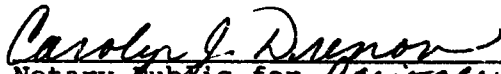
ACKNOWLEDGEMENT

STATE OF CALIFORNIA )  
 ) ss.  
County of LOS ANGELES )

On this 19<sup>TH</sup> day of OCTOBER, 1998, before me, the undersigned, a Notary Public in and for said State, personally appeared James E. Walsh and Frances D. Walsh, known to me to be the persons whose names are subscribed to the within instrument as Trustees and acknowledged to me that they executed the same.

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

(Seal)

  
Notary Public for CALIFORNIA  
Residing at LOS ANGELES COUNTY  
Commission Expires 8-1-02



SUMMIT CONDOMINIUMS PHASE II  
UNIT 2833

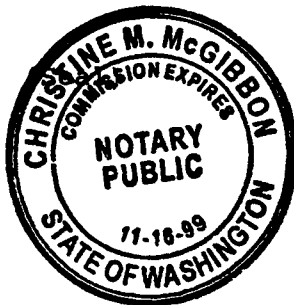
Joseph R. Morrier  
Joseph R. Morrier  
Elizabeth Morrier  
Elizabeth Morrier

ACKNOWLEDGEMENT

STATE OF Washington )  
County of Yakima ) ss.


On this 28 day of October, 1998, before me, the undersigned, a Notary Public in and for said State, personally appeared Joseph R. Morrier and Elizabeth Morrier, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

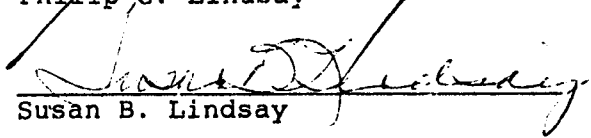
WITNESS my hand and seal the day and year in this certificate first above written.



Christine M. McGibbon  
Notary Public for  
Residing at Yakima wa  
Commission Expires 11-18-99

SUMMIT CONDOMINIUMS PHASE II  
UNIT 2834

  
Philip G. Lindsay

  
Susan B. Lindsay

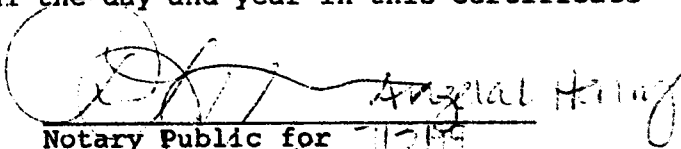
ACKNOWLEDGEMENT

STATE OF Washington )  
County of King ) ss.

On this 8 day of January, <sup>1999</sup> 1998, before me, the undersigned, a Notary Public in and for said State, personally appeared Philip G. Lindsay and Susan B. Lindsay, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

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



  
Notary Public for 712199  
Residing at Seattle, WA  
Commission Expires 7/2/99

SUMMIT CONDOMINIUMS PHASE II  
UNIT 2835

AJJK Properties

By Alice J. Goodfellow  
Alice J. Goodfellow

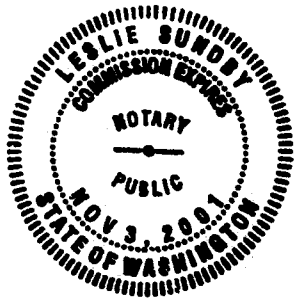
ACKNOWLEDGEMENT

STATE OF Wash )  
County of King ) ss.

On this 12 day of October, 1998, before me, the undersigned, a Notary Public in and for said State, personally appeared Alice J. Goodfellow, known to me to be representing AJJK Properties and whose names is subscribed to the within instrument and acknowledged to me that she executed the same.

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

(Seal)



Leslie Sundby  
Notary Public for State of Wash  
Residing at Mountain Terrace, WA  
Commission Expires 11-3-01

SUMMIT CONDOMINIUMS PHASE II  
UNIT 2836

THE FECHTMAN FAMILY TRUST

By John F. Fechtman  
John F. Fechtman  
By Susan A. Fechtman  
Susan A. Fechtman

ACKNOWLEDGEMENT

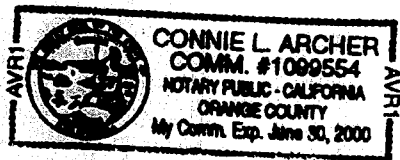
STATE OF California )  
County of Orange ) ss.

On this 10th day of November, 1998, before me, the undersigned, a Notary Public in and for said State, personally appeared John F. Fechtman and Susan A. Fechtman, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same as Trustees.

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

(Seal)

Connie L. Archer  
Notary Public for St of Cal.  
Residing at Orange, CA  
Commission Expires 6-30-2000



condowk\summit.and

424403

*Plot*

RECORD REQUEST

*Benchmark Assoc*

'89 FEB 22 AM 10 12

MARKER CLERK *ml*

FEES \$ *11.00*

SUMMIT CONDOMINIUM, PHASE II, AMENDED  
FR SECTION 17 T4N R18E SUN VALLEY