

436144

Amend C-4 R1
BLAINE CO. REQUEST
OF: SAWTOOTH TITLE

AMENDMENT TO DECLARATION
OF COVENANTS, CONDITIONS AND RESTRICTIONS
'00 FEB 2 PM 4 06 AND PARTY WALL AGREEMENT FOR
THE VILLAS AT THE CROSSING TOWNHOUSE DEVELOPMENT
MARSHA RIEMANN, CLERK

FEES \$240

This Amendment ("Amendment") is made and entered into on the 14 day of JANUARY, 2000, by and between SV Partners-1989, a general partnership, Thomas A. Sherby, as Trustee under Declaration of Trust for the Sherby Family Trust, u/a/d January 28, 1997, Michael S. Brownfield, an unmarried person, Marc D. Schorr and Jane R. Schorr, as Trustees of the Marc D. and Jane R. Schorr Living Trust u/a/d 12/22/98, and Edward L. Baker and Ann M. Baker, husband and wife (collectively the "Members"), who constitute the holders of all of the voting rights of the Villas at the Crossing Townhouse Owners Association, Inc.

1. Recitals. This Amendment is made and entered into in contemplation of the following facts and circumstances:

1.1 SV Partners-1989, as Declarant, executed that certain Declaration of Covenants, Conditions, Restrictions, And Party Wall Agreement For the Villas At The Crossing Townhouse Development ("Declaration"), which was recorded in Blaine County, Idaho on April 30, 1999, as Instrument No. 426844, records of Blaine County, Idaho.

1.2 SV Partners-1989 entered into a Real Estate Purchase and Sale Agreement and Joint Escrow Instructions with the Presbyterian Church of the Big Wood, Inc. for the sale of Lot 1B and a portion of Parcel E of the Crossing Amended: A Resubdivision of Lots 1A and 2A, according to the official plat thereof, recorded in the official records of Blaine County, Idaho as described in exhibit "A" attached hereto and depicted on the map attached hereto as exhibit "B" ("Church Parcel").

1.3 The sale of the Church Parcel requires, and is conditioned upon, removal of the Church Parcel from the Declaration.

1.4 In order to remove the Church Parcel from the Declaration the Members desire to and hereby do amend the Declaration as hereinafter provided.

2. Amendments. The Declaration is amended and supplemented as follows:

2.1 The Church Parcel is hereby deleted and removed from exhibit "A" to the Declaration and from the definition of Property as set forth in the Declaration.

2.2 The Common Area ownership interest allocated to each Townhouse as set forth in exhibit "B" to the Declaration is deleted and the following allocation is substituted therefore:

TOWNHOUSE NUMBER

PERCENTAGE OF OWNERSHIP

1	25%
2	25%
3	25%
4	25%

3. Construction. The Declaration and this Amendment shall be interpreted as one instrument. In the event of any conflict between the Declaration and this Amendment the provisions of this Amendment shall control. All capitalized terms contained in this Amendment shall have the meaning contained in the Declaration unless otherwise expressly provided herein.

The parties hereto have executed this Amendment effective as of the date first above written.

SV Partners-1989, a
general partnership

By: Wayne E. Roth

Name: Wayne E. Roth

Title: Partner

Michael S. Brownfield, by
By: Wayne E. Roth, his attorney in fact

Name: Michael S. Brownfield

Title: Partner

Michael S. Brownfield, by
Wayne E. Roth, his attorney in fact

Michael S. Brownfield

Jane R. Schorr

Jane R. Schorr, Trustee of the
Marc D. and Jane R. Schorr
Living Trust u/a/d 12/22/98

Thomas A. Sherby, by
Wayne E. Roth, his attorney in fact

Thomas A. Sherby, Trustee under the
Declaration of Trust for the Sherby
Family Trust, u/a/d January 28, 1997

Edward L. Baker, by
Wayne E. Roth, his attorney in fact

Edward L. Baker

Ann M. Baker, by
Wayne E. Roth, her attorney in fact

Ann M. Baker

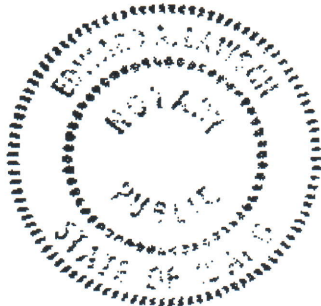
Marc D. Schorr

Marc D. Schorr, Trustee of the
Marc D. and Jane R. Schorr
Living Trust u/a/d 12/22/98

STATE OF IDAHO)
) ss.
County of Blaine)

On this 14 day of January, 2000, before me, a Notary Public in and for said State, personally appeared **Wayne E. Roth**, known or identified to me to be a partner of **SV Partners-1989**, the partnership that executed the within instrument or the person who executed the instrument on behalf of said partnership, and acknowledged to me that such partnership 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.

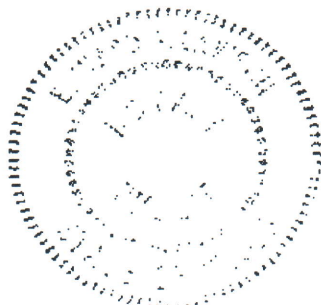


[Signature]
Notary Public for Idaho
Residing at Blaine County
My commission expires 5/27/00

STATE OF IDAHO)
) ss.
County of Blaine)

On this 14 day of January, 2000, before me, a notary public in and for said state, personally appeared **Wayne E. Roth**, known or identified to me to be the person whose name is subscribed to the within instrument as the attorney in fact of **Michael S. Brownfield**, a partner of **SV Partners-1989**, the partnership that executed the within instrument, and acknowledged to me that he subscribed the name of **Michael S. Brownfield** thereto as principal, and his own name as attorney in fact.

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



[Signature]
Notary Public for Idaho
Residing at Blaine County
My commission expires 5/27/00

STATE OF IDAHO)

) ss.

County of Blaine)

On this 17 day of January, 2000, before me, a notary public in and for said state, personally appeared **Wayne E. Roth**, known or identified to me to be the person whose name is subscribed to the within instrument as the attorney in fact of **Michael S. Brownfield** and acknowledged to me that he subscribed the name of **Michael S. Brownfield** thereto as principal, and his own name as attorney in fact.

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



W. A. Roth

Notary Public for Idaho

Residing at Blaine County

My commission expires 5/27/00

STATE OF IDAHO)

) ss.

County of Blaine)

On this 17 day of January, 2000, before me, a notary public in and for said state, personally appeared **Wayne E. Roth**, known or identified to me to be the person whose name is subscribed to the within instrument as the attorney in fact of **Thomas A. Sherby**, as Trustee under the Declaration of Trust for the Sherby Family Trust u/a/d January 28, 1997, and acknowledged to me that he subscribed the name of **Thomas A. Sherby** thereto as principal, and his own name as attorney in fact.

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



W. A. Roth

Notary Public for Idaho

Residing at Blaine County

My commission expires 5/27/00

STATE OF IDAHO)
) ss.
County of Blaine)

On this 14 day of January, 2000, before me, a notary public in and for said state, personally appeared **Wayne E. Roth**, known or identified to me to be the person whose name is subscribed to the within instrument as the attorney in fact of **Edward L. Baker** and acknowledged to me that he subscribed the name of **Edward L. Baker** thereto as principal, and his own name as attorney in fact.

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



[Signature]
Notary Public for Idaho
Residing at Blaine County
My commission expires 5/27/00

STATE OF IDAHO)
) ss.
County of Blaine)

On this 14 day of January, 2000, before me, a notary public in and for said state, personally appeared **Wayne E. Roth**, known or identified to me to be the person whose name is subscribed to the within instrument as the attorney in fact of **Ann M. Baker** and acknowledged to me that he subscribed the name of **Ann M. Baker** thereto as principal, and his own name as attorney in fact.

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



[Signature]
Notary Public for Idaho
Residing at Blaine County
My commission expires 5-27-00

STATE OF ~~IDAHO~~ NEVADA)

) ss.

County of ~~Blaine~~ Clark)

On this 5th day of January, 2000, before me, a Notary Public in and for said State, personally appeared Jane R. Schorr, known to me to be the Trustee of the Marc D. and Jane R. Schorr Living Trust u/a/d 12/22/98, whose name is subscribed to the within instrument and acknowledged to me that she subscribed to the within instrument as the said Trustee of said trust.

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



REBECCA L. QUINN
Notary Public - Nevada
My appt. exp. Aug. 28, 2000
No. 92-1330-1

Rebecca L. Quinn
Notary Public for ~~Idaho~~ Nevada
Residing at Clark County, Nevada
Commission expires 8/28/00

STATE OF ~~IDAHO~~ NEVADA)

) ss.

County of ~~Blaine~~ Clark)

On this 5th day of January, 2000, before me, a Notary Public in and for said State, personally appeared Marc D. Schorr, known to me to be the Trustee of the Marc D. and Jane R. Schorr Living Trust u/a/d 12/22/98, whose name is subscribed to the within instrument and acknowledged to me that he subscribed to the within instrument as the said Trustee of said trust.

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



REBECCA L. QUINN
Notary Public - Nevada
My appt. exp. Aug. 28, 2000
No. 92-1330-1

Rebecca L. Quinn
Notary Public for ~~Idaho~~ Nevada
Residing at Clark County, Nevada
Commission expires 8/28/00

