

ADA COUNTY RECORDER Phil McGrane
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AMENDMENT
TO THE AMENDED AND RESTATED
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR
OLIVETREE AT SPURWING SUBDIVISION

DATED: November 21, 2019

**AMENDMENT TO THE
AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS
AND RESTRICTIONS FOR OLIVETREE AT SPURWING SUBDIVISION**

THIS AMENDMENT TO THE AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR OLIVETREE AT SPURWING SUBDIVISION ("Amendment") is made this 21st day of November, 2019 ("Effective Date"), by SPURWING LIMITED PARTNERSHIP, an Idaho limited partnership ("Declarant").

ARTICLE 1: RECITALS

1.1 Declarant is the owner of all of the real property located in the City of Meridian, County of Ada, State of Idaho, described in the attached Exhibit "A" (the Property), attached hereto and incorporated herein by reference known as the Olivetree at Spurwing Subdivision.

1.2 Declarant recorded the Declarations of Covenants, Conditions and Restrictions for Olivetree at Spurwing Subdivision with the Ada County Recorder's Office on or about April 24, 2018, for the purpose of setting forth the restrictions, covenants, limitations, easements, and equitable servitudes (collectively Restrictions) that apply to the Property.

1.3 Declarant thereafter recorded the Amended and Restated Declaration of Covenants, Conditions and Restrictions for Olivetree at Spurwing Subdivision with the Ada County Recorder's Office on or about August 6, 2018, as Instrument No. 2018-073889, which has subsequently been amended.

1.4 Declarant desires to update and clarify the foregoing Amended and Restated Declaration as herein set forth as the foregoing relates to the Master Declarations of Covenants, Conditions and Restrictions for Olivetree at Spurwing Subdivision.

1.5 Declarant has the power, authority and right to amend the Declaration in accordance with the terms of the Declaration and hereby exercise such authority as set forth below.

NOW THEREFORE, Declarant does hereby clarify and supplement the foregoing Amended and Restated Declaration effective as of July 5, 2017, by providing that the Restrictions apply to the Olivetree at Spurwing Subdivision as previously described and that these Restrictions shall be the sole and exclusive Restrictions applicable to the lots and common area within that subdivision, including but not limited to, the rules regarding the adoption and payment of regular, special and other assessments assessed by the Olivetree Homeowners' Association, Inc., and for the design approval of residences, buildings and improvements within the foregoing subdivision. As a subdivided lot within the Spurwing Subdivision, the Olivetree at Spurwing Subdivision shall continue to have the benefit of the easements, pressurized water system, and other subdivision amenities in Spurwing as may be applicable to and of benefit to the Olivetree at Spurwing Subdivision. The undersigned Declarant confirms that the Olivetree at Spurwing Subdivision shall be a self-managed project as set forth in the Restrictions and to the extent any provision herein or

the Restrictions are inconsistent with any provision of the Master Declaration of Covenants, Conditions and Restrictions for Spurwing Subdivision, originally recorded as Ada County Instrument No. 95045764, as amended and updated, then the terms and conditions of this Amendment and the Restrictions shall control.

All of the terms of the Restrictions and Declaration shall remain in full force and effect except as herein set forth.

DECLARANT:

SPURWING LIMITED PARTNERSHIP,
an Idaho limited liability partnership

By: Spurwing Corporation, General Partner

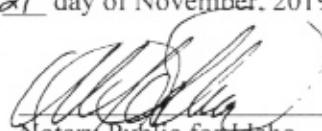
By: 
John W. Hewitt, President

STATE OF IDAHO)
)ss.
County of Ada)

On this 21st day of November, 2019, before me, the undersigned Notary Public in and for said State, personally appeared John W. Hewitt, known or identified to me to be the President of Spurwing Corporation, General Partner of Spurwing Limited Partnership, the entity that executed the instrument or the person who executed the instrument on behalf of said entity, and acknowledged to me that such entity executed the same.

SUBSCRIBED AND SWORN TO Before me this 21st day of November, 2019.




Notary Public for Idaho
Residing at Meridian, Idaho
My Commission Expires: 11-17-22

AMENDMENT TO THE AMENDED AND RESTATED DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS FOR OLIVETREE AT SPURWING SUBDIVISION - 2

EXHIBIT "A"

Lots 1 through 53 of Block 1, and Lots 1 through 19 of Block 2, of the Olivetree at Spurwing Subdivision. The foregoing being a Resubdivision of Lot 3, and portions of Lots 2 & 4, Block 1, Spurwing Subdivision located in the SW 1/4 of Section 23, T.4N., R.1W., B.M. Meridian, Ada County, Idaho.

AMENDMENT TO THE AMENDED AND RESTATED DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS FOR OLIVETREE AT SPURWING SUBDIVISION - 3