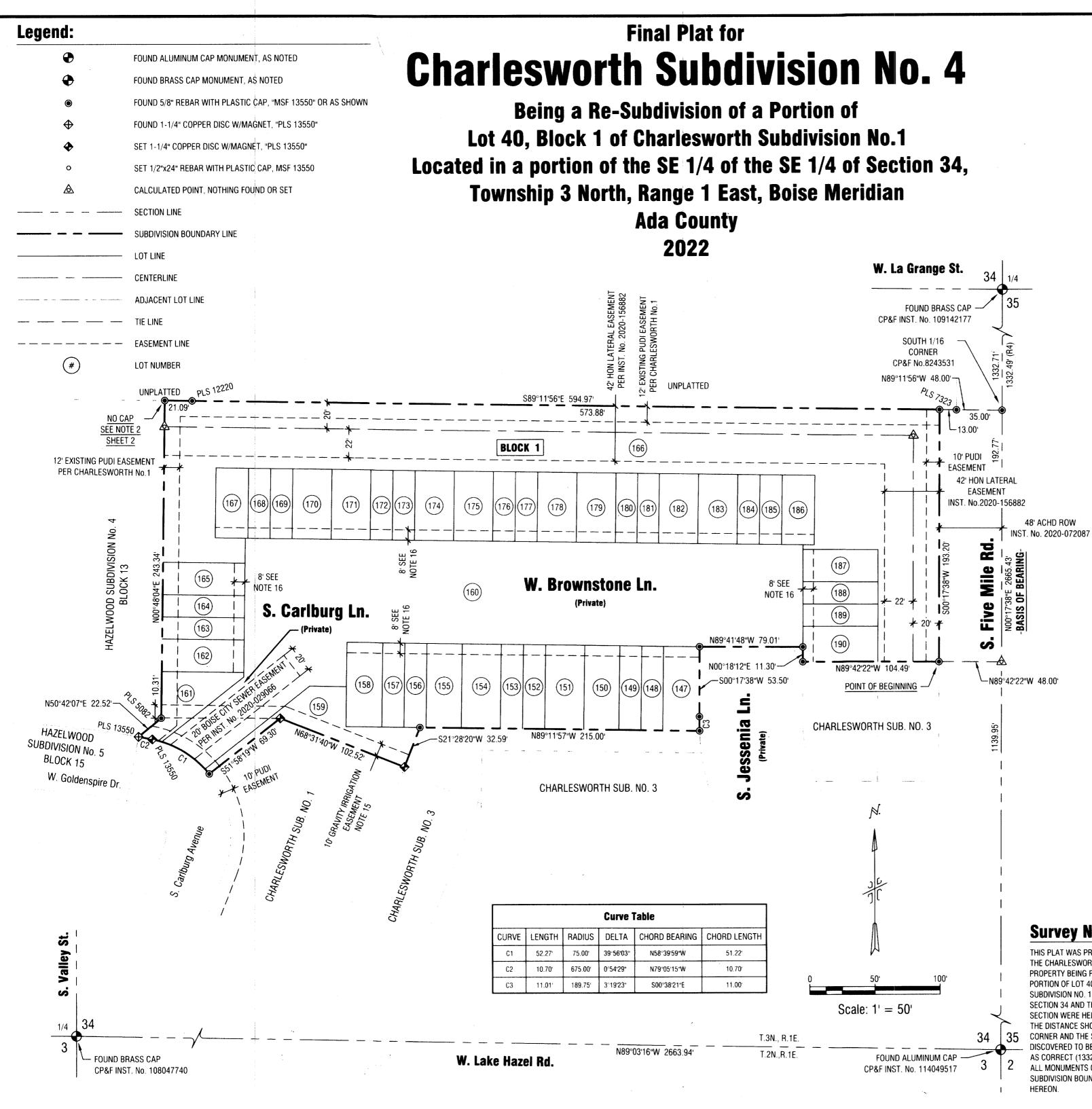
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PLAT RECORDING SHEET

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SUBDIV	VISION NAME Charlesworth Subdivision No 4		
OWNER	Charlesworth Properties LLC		
AT THE REQUEST OF The Land Group			
СОММЕ	SE ¼ SE ¼ Sec 34 T3N R1E		



Notes:

- ALL LOT LINES COMMON TO A PUBLIC RIGHT-OF-WAY LINE HAVE A TEN (10) FOOT WIDE PERMANENT PUBLIC UTILITIES, PROPERTY DRAINAGE AND PRESSURE IRRIGATION EASEMENT. UNLESS DIMENSIONED OTHERWISE. SAID DRAINAGE AND IRRIGATION EASEMENTS ARE RESERVED FOR THE CHARLESWORTH TOWNHOME OWNERS' ASSOCIATION. INC
- LOTS 159, 161 AND 166 BLOCK 1; ARE DESIGNATED AS COMMON LOTS AND WILL BE OWNED AND MAINTAINED BY THE CHARLESWORTH TOWNHOME OWNERS' ASSOCIATION, INC. THIS LOT SHALL HAVE A BLANKET PUBLIC UTILITIES, DRAINAGE AND IRRIGATION EASEMENT OVER THE ENTIRETY OF THE LOT.
- LOT 160, BLOCK 1; IS DESIGNATED AS A COMMON LOT AND WILL BE OWNED BY THE CHARLESWORTH TOWNHOME OWNERS' ASSOCIATION, INC. THIS LOT HAS A BLANKET PUBLIC UTILITIES, DRAINAGE, IRRIGATION, BOISE CITY SANITARY SEWER EASEMENT, WATER LINE AND CROSS ACCESS IN FAVOR OF ALL LOTS WITHIN THIS SUBDIVISION. MAINTENANCE OF LOT 160. BLOCK 1; IS THE RESPONSIBILITY OF THE CHARLESWORTH TOWNHOME OWNERS' ASSOCIATION INC. AND IS MORE DEFINED IN THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS AS AMENDED FROM TIME TO TIME, FOR CHARLESWORTH SUBDIVISION No. 4
- ANY RESUBDIVISION OF THIS PLAT SHALL CONFORM TO THE APPLICABLE REGULATIONS IN EFFECT AT THE TIME OF RESUBDIVISION.
- MINIMUM BUILDING SETBACK LINES SHALL BE IN ACCORDANCE WITH THE APPLICABLE ZONING AND SUBDIVISION REGULATIONS AT THE TIME OF ISSUANCE OF THE BUILDING PERMIT. OR AS SPECIFICALLY APPROVED AND/OR REQUIRED.
- IN COMPLIANCE WITH IDAHO CODE SECTION 31-3805 (1)(b), THE OWNER OF THIS SUBDIVISION HAS PROVIDED AN UNDERGROUND IRRIGATION SYSTEM WHICH WILL BE OWNED AND OPERATED BY THE CHARLESWORTH TOWNHOME OWNERS' ASSOCIATION, INC. ALL RESIDENTIAL LOTS AND COMMON AREA LOTS WILL BE PROVIDED WITH PRESSURIZED IRRIGATION SERVICE AND WILL BE OBLIGATED FOR ASSESSMENTS FROM THE BOISE-KUNA IRRIGATION DISTRICT FOR SAID IRRIGATION WATER.
- THIS DEVELOPMENT RECOGNIZES SECTION 22-4503 OF THE IDAHO CODE, RIGHT TO FARM ACT WHICH STATES: "NO AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF SHALL BE OR BECOME A NUISANCE, PRIVATE OR PUBLIC, BY ANY CHANGED CONDITIONS IN OR ABOUT THE SURROUNDING NONAGRICULTURAL ACTIVITIES AFTER IT HAS BEEN IN OPERATION FOR MORE THAN ONE (1) YEAR, WHEN THE OPERATION, FACILITY OR EXPANSION WAS NOT A NUISANCE AT THE TIME IT BEGAN OR WAS CONSTRUCTED. THE PROVISIONS OF THIS SECTION SHALL NOT APPLY WHEN A NUISANCE RESULTS FROM THE IMPROPER OR NEGLIGEN' OPERATION OF ANY AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION
- THIS SUBDIVISION IS SUBJECT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR CHARLESWORTH SUBDIVISION (TOWNHOME RESIDENCES), AS AMENDED FROM RECORDS OF ADA COUNTY. TIME TO TIME, AS RECORDED IN INSTRUMENT No.
- THIS SUBDIVISION IS SUBJECT TO A LICENSE AGREEMENT WITH THE ADA COUNTY HIGHWAY DISTRICT (ACHD) AS RECORDED IN INSTRUMENT No. 2020-065112, RECORDS OF ADA COUNTY,
- 10. THIS SUBDIVISION IS SUBJECT TO A DEVELOPMENT AGREEMENT BETWEEN THE COUNTY OF ADA AND TJTW, LLC, AND ALL SUBSEQUENT MODIFICATIONS AS RECORDED IN INSTRUMENT No 2019-066737, RECORDS OF ADA COUNTY, IDAHO.
- 11. FOR ADDITIONAL BOUNDARY INFORMATION, SEE REFERENCED SURVEY TABLE BELOW.
- THIS SUBDIVISION IS SUBJECT TO AN EXISTING RIGHT-OF-WAY FOR HON LATERAL AND THE RIGHTS OF ACCESS THERETO FOR MAINTENANCE OF SAID LATERAL
- DIRECT LOT ACCESS TO S. FIVE MILE RD. IS PROHIBITED EXCEPT AS APPROVED BY ACHD, AND THE CITY OF BOISE OR ADA COUNTY.
- THIS SUBDIVISION IS SUBJECT TO AN EXISTING CROSS ACCESS EASEMENT AGREEMENT RECORDED IN INSTRUMENT No. 2019-009692
- GRAVITY IRRIGATION IS SUBJECT TO AN EASEMENT TO THE BOISE PROJECT BOARD OF CONTROLS AS SHOWN FOR MAINTENANCE OF AN IRRIGATION CANAL
- ALL FRONT LOT LINES COMMON TO LOT 160, BLOCK 1, HAVE AN EIGHT (8) FOOT WIDE PERMANENT PUBLIC UTILITY EASEMENT.

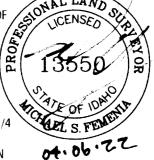
Referenced Survey Table:

- RECORD OF SURVEY NO. 8179, INSTRUMENT No. 108001743, RECORDS OF ADA COUNTY.
- RECORD OF SURVEY NO. 7614, INSTRUMENT No. 106165934 RECORDS OF ADA COUNTY
- RECORD OF SURVEY NO. 8706, INSTRUMENT No. 109142178 RECORDS OF ADA COUNTY
- PLAT OF CHARLESWORTH SUBDIVISION No. 1, BOOK 119, PAGE 18487, INSTRUMENT No. 2020-159940, RECORDS OF ADA COUNTY.
- PLAT OF CHARLESWORTH SUBDIVISION No. 2, BOOK 119, PAGE 18492 INSTRUMENT No 2020-159964, RECORDS OF ADA COUNTY.
- PLAT OF CHARLESWORTH SUBDIVISION No. 3, BOOK 121, PAGE 19090 INSTRUMENT No 2021-153623. RECORDS OF ADA COUNTY.

Survey Narrative:

THIS PLAT WAS PREPARED FOR THE DEVELOPMENT OF THE CHARLESWORTH SUBDIVISION NO. 4. THE PROPERTY BEING PLATTED IS A RESUBDIVISION OF A PORTION OF LOT 40, BLOCK 1 OF CHARLESWORTH SUBDIVISION NO. 1. THE SOUTHEAST CORNER OF SECTION 34 AND THE EAST 1/4 CORNER OF SAID SECTION WERE HELD FOR THE BASIS OF BEARINGS. CORNER AND THE SOUTH SIXTEENTH CORNER WAS

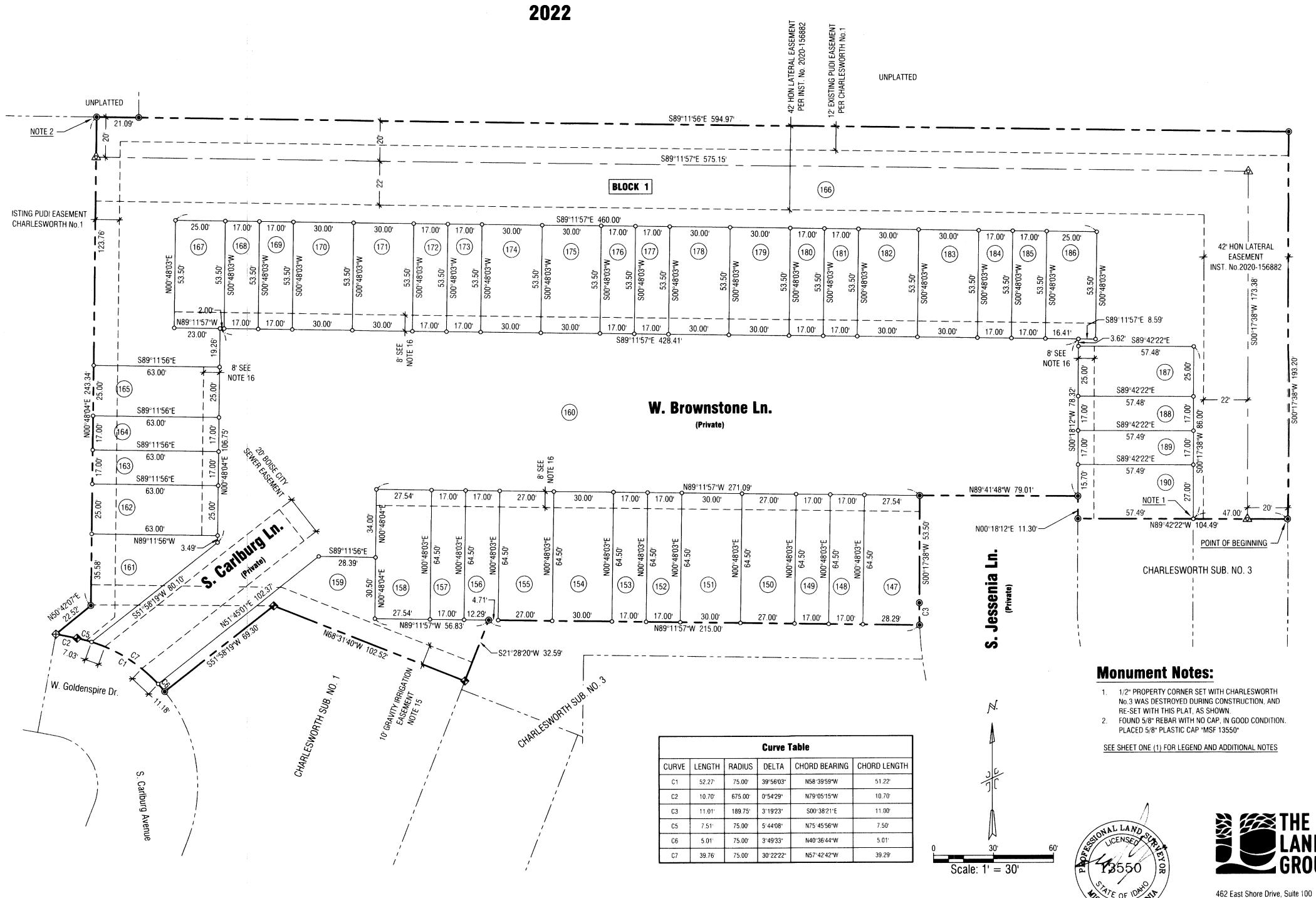
AS CORRECT (1332.71'). ALL MONUMENTS OF RECORD NOT FOUND FOR THIS SUBDIVISION BOUNDARY HAVE BEEN RESET AS SHOWN





462 East Shore Drive, Suite 100 Eagle, ID 83616 PH:(208) 939-4041

Final Plat for Charlesworth Subdivision No. 4



Eagle, ID 83616 PH:(208) 939-4041

Charlesworth Subdivision No. 4

2022

Certificate of Owners

KNOW ALL MEN BY THESE PRESENTS: THAT THE UNDERSIGNED, DOES HEREBY CERTIFY THAT THEY ARE THE OWNERS OF THE REAL PROPERTY DESCRIBED AS FOLLOWS:

A PARCEL OF LAND BEING A PORTION OF LOT 40, BLOCK 1 OF CHARLESWORTH SUBDIVISION NO.1, AS RECORDED IN BOOK 119 OF PLATS AT PAGE 18487, ADA COUNTY RECORDS, SITUATE IN A PORTION THE SOUTHEAST ONE QUARTER OF THE SOUTHEAST ONE QUARTER OF SECTION 34, TOWNSHIP 3 NORTH, RANGE 1 EAST, BOISE MERIDIAN, ADA COUNTY, IDAHO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 34, MARKED BY AN ALUMINUM CAP MONUMENT; THENCE ON THE EAST SECTION LINE OF SAID SECTION 34, NORTH 00°17'38" EAST, 1139.95 FEET; THENCE LEAVING SAID EAST SECTION LINE, NORTH 89° 42' 22" WEST, 48.00 FEET TO A POINT COMMON WITH THE NORTHEASTERLY CORNER CHARLESWORTH SUBDIVISION NO.3, AS RECORDED IN BOOK 121 OF PLATS AT PAGE 19090, ADA COUNTY RECORDS AND THE WESTERLY RIGHT OF WAY LINE OF SOUTH FIVE MILE ROAD, SAID POINT BEING THE POINT OF BEGINNING:

THENCE ON THE NORTHERLY BOUNDARY LINE OF SAID CHARLESWORTH SUBDIVISION NO.3, NORTH 89° 42' 22" WEST, 104.49 FEET; THENCE NORTH 00° 18' 12" EAST, 11.30 FEET;

THENCE NORTH 89° 41' 48" WEST, 79.01 FEET;

THENCE NORTH 89° 41° 48" WEST, 79.01 FEET;

THENCE SOUTH 00° 17' 38" WEST, 53.50 FEET TO A POINT OF CURVATURE;

THENCE 11.01 FEET ON THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 189.75 FEET, A CENTRAL ANGLE OF 03° 19' 23", AND WHOSE LONG CHORD BEARS SOUTH 00° 38' 21" EAST, 11.00 FEET;

THENCE NORTH 89° 11' 57" WEST, 215.00 FEET;

THENCE SOUTH 21° 28' 20" WEST, 32.59 FEET TO THE NORTHEASTERLY CORNER OF LOT 39 OF AFOREMENTIONED BLOCK 1 OF CHARLESWORTH SUBDIVISION NO.1;

THENCE ON THE NORTHERLY LINE OF SAID LOT 39, NORTH 68° 31' 40" WEST, 102.52 FEET;

THENCE SOUTH 51° 58' 19" WEST, 69.30 FEET TO A POINT OF CURVATURE ON THE NORTHERLY RIGHT OF WAY LINE OF WEST GOLDENSPIRE DRIVE:

THENCE ON SAID NORTHERLY RIGHT OF WAY LINE, 52.27 FEET ON THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 75.00 FEET, A CENTRAL ANGLE OF 39° 56' 03", AND WHOSE LONG CHORD BEARS NORTH 58° 39' 59" WEST, 51.22 FEET TO A POINT OF NON-TANGENT COMPOUND CURVATURE;

THENCE 10.70 FEET ON THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 675.00 FEET, A CENTRAL ANGLE OF 00° 54' 29", AND WHOSE LONG CHORD BEARS NORTH 79° 05' 15" WEST, 10.70 FEET, TO A POINT ON THE WESTERLY BOUNDARY LINE OF SAID CHARLESWORTH SUBDIVISION NO.1;

THENCE ON THE BOUNDARY LINE OF SAID CHARLESWORTH SUBDIVISION NO.1, NORTH 50° 42' 07" EAST, 22.52 FEET;

THENCE NORTH 00° 48' 04" EAST, 243.34 FEET;

THENCE SOUTH 89° 11' 56" EAST, 594.97 FEET, TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF SOUTH FIVE MILE ROAD; THENCE ON SAID WESTERLY RIGHT OF WAY LINE, SOUTH 00° 17' 38" WEST, 193.20 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL OF LAND CONTAINS 3.22 ACRES MORE OR LESS.

IT IS THE INTENTION OF THE UNDERSIGNED TO HEREBY INCLUDE THE ABOVE DESCRIBED PROPERTY IN THIS PLAT. THE EASEMENTS AND PRIVATE ROADS AS SHOWN THIS PLAT ARE NOT DEDICATED TO THE PUBLIC, HOWEVER, THE RIGHT TO USE SAID EASEMENTS IS HEREBY PERPETUALLY RESERVED FOR PUBLIC UTILITIES AND SUCH OTHER USES AS DESIGNATED WITHIN THIS PLAT AND NO PERMANENT STRUCTURES ARE TO BE ERECTED WITHIN THE LINES OF SAID EASEMENTS. ALL LOTS WITHIN THIS PLAT WILL BE ELIGIBLE TO RECEIVE WATER SERVICE FROM SUEZ WATER IDAHO, INC., WHICH HAS AGREED IN WRITING TO SERVE ALL OF THE LOTS WITHIN THIS SUBDIVISION.

CHARLESWORTH PROPERTIES, LLC., AN IDAHO LIMITED LIABILITY COMPANY

Mhluff . Armuth AUTHORIZED AGENT

Acknowledgment

STATE OF IDAHO

COUNTY OF ADA

ON THIS 2137 DAY OF 2022, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED MITCHELL S. ARMUTH, KNOWN OR IDENTIFIED TO ME TO BE THE AUTHORIZED AGENT OF CHARLESWORTH PROPERTIES, LLC, A LIMITED LIABILITY COMPANY, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE WITHIN INSTRUMENT ON BEHALF

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL THE DAY AND YEAR IN THIS CERTIFICATE FIRST ABOVE WRITTEN.

OF SAID LIMITED LIABILITY COMPANY, AND ACKNOWLEDGED TO ME THAT SUCH LIMITED LIABILITY COMPANY EXECUTED THE SAME.

NOTARY PUBLIC FOR STATE of IDAHO

RESIDING AT: Meridian, TO

MY COMMISSION EXPIRES: 2-16-2025



Certificate of Surveyor

I, MICHAEL S. FEMENIA, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR LICENSED BY THE STATE OF IDAHO, AND THAT THIS PLAT AS DESCRIBED IN THE "CERTIFICATE OF OWNERS" WAS DRAWN FROM AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY DIRECT SUPERVISION AND ACCURATELY REPRESENTS THE POINTS PLATTED THEREON, AND IS IN CONFORMITY WITH THE STATE OF IDAHO CODE RELATING TO PLATS AND SURVEYS.





462 East Shore Drive, Suite 100 Eagle, ID 83616 PH:(208) 939-4041

SHEET 3 OF 4

Charlesworth Subdivision No. 4

2022

Approval of Central District Health

SANITARY RESTRICTIONS AS REQUIRED BY IDAHO CODE, TITLE 50, CHAPTER 13 HAVE BEEN SATISFIED ACCORDING TO THE LETTER TO BE READ ON FILE WITH THE COUNTY RECORDER OR HIS AGENT LISTING THE CONDITIONS OF APPROVAL. SANITARY RESTRICTIONS MAY BE RE-IMPOSED. IN ACCORDANCE WITH SECTION 50-1326, IDAHO CODE, BY THE ISSUANCE OF A CERTIFICATE OF DISAPPROVAL.



CENTRAL DISTRICT HEALTH O

Approval of Ada County Highway District

THE FOREGOING PLAT WAS ACCEPTED AND APPROVED BY THE ADA COUNTY HIGHWAY DISTRICT BOARD OF COMMISSIONERS

ON THE 14 DAY OF January 2027



Man May 1-14-2022

Approval of the City Engineer

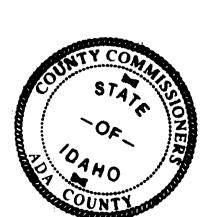
I, THE UNDERSIGNED CITY ENGINEER IN AND FOR THE CITY OF BOISE, ADA COUNTY. IDAHO HEREBY STATE THAT THE RECOMMENDED CONDITIONS HAVE BEEN SATISFIED FOR "CHARLESWORTH SUBDIVISION No. 4".

OITY ENGINEER 1 4-15-2022

PE# 11185

Approval of Ada County Commissioners

ACCEPTED AND APPROVED THIS 2ND DAY OF MAY, 2022 BY COMMISSIONERS OF ADA COUNTY, IDAHO, IN A REGULAR MEETING.



CHAIRMAN
ADA COUNTY COMMISSIONER

Certificate of County Surveyor

I, THE UNDERSIGNED, PROFESSIONAL LAND SURVEYOR FOR ADA COUNTY, IDAHO, DO HEREBY CERTIFY THAT I HAVE CHECKED THIS PLAT AND THAT IT COMPLIES WITH THE STATE OF IDAHO CODE RELATING TO PLATS AND SURVEYS.

COUNTY SURVEYOR

PLS #/3553

DATE 21 April 2022

Certificate of the County Treasurer

I, THE UNDERSIGNED, COUNTY TREASURER IN AND FOR THE COUNTY OF ADA, STATE OF IDAHO, PER THE REQUIREMENTS OF I.C. 50-1308 DO HEREBY CERTIFY THAT ANY AND ALL CURRENT AND/OR DELINQUENT COUNTY PROPERTY TAXES FOR THE PROPERTY INCLUDED IN THIS SUBDIVISION HAVE BEEN PAID IN FULL. THIS CERTIFICATION IS VALID FOR THE NEXT THIRTY (30) DAYS ONLY.



Elizabeth In ohn
COUNTY TREASURER
Signal By Cing Stewart
Deputy Treasurer

County Recorder's Certificate

STATE OF IDAHO)
) SS
COUNTY OF ADA)

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD AT THE REQUEST OF THE LAND GROUP, INC.

AT 59 MINUTES PAST [0] O'CLOCK A.M., ON THIS 4th DAY OF Many . 2022, IN

BOOK [23] OF PLATS AT PAGES [95/2] THROUGH [95/5], INSTRUMENT NO. 2022-043545

DEPUTY SIM

This McGrand
EX-DEFICIO RECORDER





ELECTRONICALLY RECORDED DO NOT REMOVE THE COUNTY STAMPED FIRST PAGE AS IT IS NOW INCORPORATED AS PART OF THE ORIGINAL DOCUMENT.

ADA COUNTY RECORDER Phil McGrane
BOISE IDAHO Pgs=13 BONNIE OBERBILLIG
PIONEER TITLE COMPANY OF ADA COUNTY

2022-045033 05/09/2022 12:08 PM \$46.00

ACCOMMODATION

THIRD SUPPLEMENT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR CHARLESWORTH SUBDIVISION

(TOWNHOME RESIDENCES)

TABLE OF CONTENTS

	MENT AND PURPOSES	
Section 1. Supp	olement to Declaration	1
Section 2. Purp	oses	1
•		•
ARTICLE II: DECLA	RATION	1
ARTICLE III: DEFINI	TIONS	2
Section 1.	"Common Lots"	7
Section 2.	"Private Lanes"	بد ح
Section 3.	All Other Definitions	2
Soution 5.	The Other Definitions	4
ARTICLE IV. GENER	AL USES AND REGULATION OF USES	_
Section I	Comment I at	2
······································	Common Lots.	2
Section 2.	Private Lanes	2
Section 3.	Watering Schedules.	2
ADTICLE V. CENTED A	AT BEOLUGIONG	
	AL PROVISIONS	
Section 1.	Enforcement	3
Section 2.	Severability	3
Section 3.	Term and Amendment	3
Section 4.	Duration and Applicability to Successors	3
Section 5.	Attorneys Fees.	3
Section 6.	Governing Law.	1
		_)
EXHIBIT A - LEGAL I	DESCRIPTION OF THE THIRD SUPPLEMENT PROPERTY	5
EXHIBIT B - CHARLE	ESWORTH SUBDIVISION NO. 4 FINAL PLAT)
EXHIBIT C. I FOAL I	DESCRIPTION OF COMMON LOTS	0
MARKETTE OF DESCRIPTION	PEOCRE FIOR OF COMMON LOTS	7

THIRD SUPPLEMENT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR CHARLESWORTH SUBDIVISION

(Townhome Residences)

This Third Supplement To The Declaration Of Covenants, Conditions And Restrictions For Charlesworth Subdivision (this "Third Supplement") is made this ______ day of _______, 2022, by Charlesworth Properties, LLC, an Idaho limited liability company ("Declarant").

ARTICLE I: SUPPLEMENT AND PURPOSES

Section 1. Supplement to Declaration. This Third Supplement is a supplement to: 1) that certain Declaration of Covenants, Conditions and Restrictions for Charlesworth Subdivision (Townhome Residences), recorded on February 2, 2021, as Ada County, Idaho Instrument Number 2021-017334 ("Master Declaration"), 2) that certain First Amendment and Supplement to the Declaration of Covenants, Conditions and Restrictions for Charlesworth Subdivision (Townhome Residences), recorded on September 30, 2021, as Ada County, Idaho Instrument Number 2021-142897 ("First Supplement"), and 3) that certain Second Supplement to the Declaration of Covenants, Conditions and Restrictions for Charlesworth Subdivision (Townhome Residences), recorded on November 12, 2021, as Ada County, Idaho Instrument Number 2021-162528 ("Second Supplement"). This Third Supplement supplements the Master Declaration, First Supplement and Second Supplement with respect to that certain real property legally described on the attached Exhibit A, which is made a part hereof ("Third Supplement Property"). The Third Supplement Property is shown on the Charlesworth Subdivision No. 4 final plat, a copy of which is attached hereto as Exhibit B, which is made a part hereof ("Third Supplement Plat"). The covenants, conditions and restrictions contained in this Third Supplement are in addition to those covenants, conditions and restrictions contained in the Master Declaration, First Supplement and Second Supplement, except insofar as the covenants, conditions and restrictions of the Master Declaration, First Supplement and Second Supplement are hereinafter expressly modified hereby.

Section 2. Purposes. The purposes of this Third Supplement are to subject the Third Supplement Property to all the terms and Restrictions contained in the Master Declaration, First Supplement, Second Supplement and this Third Supplement, to designate the Third Supplement Property, to designate additional Common Lots and to set forth other terms and Restrictions, if any, which are unique to the Third Supplement Property.

ARTICLE II: DECLARATION

Pursuant to Article I, Section I and Article XI, Section 4 of the Master Declaration, Declarant hereby declares that the Third Supplement Property, including any parcel or portion thereof, is hereby annexed into, and made a part of, the Property, as that term is defined in the Master Declaration, and is and/or shall be held, sold, conveyed, encumbered, hypothecated, leased, used, occupied and improved subject to all the terms and Restrictions of the Master Declaration, First Supplement, Second Supplement and this Third Supplement. In addition, each Owner of any Lot within the Third Supplement Property shall be a Member in the Association, and shall pay all Assessments levied thereby.

ARTICLE III: DEFINITIONS

- Section I. "Common Lots" shall mean all real property within the Third Supplement Property (including the Improvements thereto) owned by the Association for the common benefit and enjoyment of the Owners, including, without limitation, the Private Lanes. The Common Lots are legally described on the attached Exhibit C, which is made a part hereof.
- Section 2. "Private Lanes" shall collectively mean S. Carlburg Lane and W. Brownstone Lane, both of which are located on Common Lot 160, Block 1, as shown on the Third Supplement Plat.
- Section 3. All Other Definitions. Except as otherwise defined or modified herein, all terms appearing herein initially capitalized shall have the same meanings as are ascribed to such terms in the Master Declaration.

ARTICLE IV: GENERAL USES AND REGULATION OF USES

Section 1 Common Lots. The Common Lots shall be owned and maintained by the Association and all terms and Restrictions contained in the Master Declaration shall be applicable to the Common Lots.

Section 2. Private Lanes. The Private Lanes are located on Common Lot 160, Block 1, as shown on the Third Supplement Plat. Accordingly, the Association shall own and be responsible for the maintenance, repair and replacement of the Private Lanes including any and all roadway and other Improvements located thereon. The Association shall maintain the Private Lanes in a competent and attractive manner, including snow removal. Nothing shall be altered or constructed in or removed from the Private Lanes except upon written consent of the Board and in accordance with procedures required herein and by law.

There is hereby reserved for the use and benefit of Declarant, and granted for the use and benefit of each Lot, and for the use and benefit of each Lot Owner and such Owner's Occupant(s), and their respective successors and assigns, incidental to the use and enjoyment of the Lots, a perpetual, non-exclusive easement to enter on, over, across and through the Private Lanes, the scope and purposes of which are for 1) ingress to, and egress from, the Lots, 2) parking in designated parking spaces only, and 3) the construction, operation, maintenance, repair and/or replacement of public utilities and drainage systems. This easement shall run with the land and shall inure to the benefit of and be binding upon the Declarant, the Association and all Lot Owners and their successors in interest.

It is expressly understood and agreed that the easement herein created shall be absolute and non-exclusive subject to the Restrictions contained in this Third Supplement and the right of the Board to impose such rules, regulations and restrictions, as may be necessary, required or convenient to assure the privacy, safety, security and well-being of each Lot and the Lot Owners and Occupants within the Property, provided, however, that such shall not deprive or unreasonably restrict any of such Owner's or Occupant's right to have access to and from the Private Lanes and/or his/her/its Lot.

Section 3. <u>Watering Schedules</u>. By accepting a deed to any portion of the Third Supplement Property, each Owner and the Association agree to abide by any irrigation watering schedule enacted by the District or Association.

ARTICLE V: GENERAL PROVISIONS

- Section 1. Enforcement. The Association, Declarant and/or any Owner, shall have the right to enforce, by any proceeding at law or in equity, any terms or Restrictions now or hereafter imposed by the provisions of this Third Supplement. Failure by the Association, Declarant or any Owner to immediately enforce any such term or Restriction herein contained shall in no event be deemed a waiver of the right to do so thereafter.
- Section 2. Severability. Invalidation of any one of these terms or Restrictions by judgment or court order shall in no way affect any other term or Restrictions which shall remain in full force and effect.
- Section 3. Term and Amendment. The terms and Restrictions of this Third Supplement shall run with and bind the land concurrently with the term of the Master Declaration. This Third Supplement may be amended pursuant to the amendment process(es) contained in the Master Declaration.
- Section 4. <u>Duration and Applicability to Successors</u>. The terms and Restrictions contained within this Third Supplement shall run with the land and shall inure to the benefit of and be binding upon the Declarant, Association and all Owners, as well as all their successors in interest.
- Section 5. Attorneys Fees. In the event it shall become necessary for the Association, Declarant or any Owner to retain legal counsel to enforce any term or Restriction contained within this Third Supplement, the prevailing party to any court proceeding shall be entitled to recover their reasonable attorneys' fees and costs of suit, including any bankruptcy, appeal or arbitration proceeding.
- Section 6. Governing Law. This Third Supplement shall be construed and interpreted in accordance with the laws of the State of Idaho.

[End of Text]

IN WITNESS WHEREOF, the undersigned has duly executed this Third Supplement as of the date first above written.
Declarant:
Charlesworth Properties, LLC, an Idaho limited liability company
By: Mitchell S. Armuth, Authorized Agent
STATE OF IDAHO)
County of Ada) ss.
This record was acknowledged before me on May 6, 2022, by Mitchell S. Armuth as an Authorized Agent of Charlesworth Properties, LLC. Signature of Notary Public
My commission expires: 3-14-2035
PENNY SMITH COMMISSION #23655 NOTARY PUBLIC STATE OF IDAHO MY COMMISSION EXPIRES 02/16/2025

EXHIBIT ALEGAL DESCRIPTION OF THE THIRD SUPPLEMENT PROPERTY

Lots 147 through 190, Block 1, Charlesworth Subdivision No. 4, according to the official plat thereof, filed in Book/23 of Plats at Pages 19512 through 19515 Records of Ada County, Idaho.

EXHIBIT BCHARLESWORTH SUBDIVISION NO. 4 FINAL PLAT

See attached.

Survey Natrative:

Health was michely for the periories to the control of the con ENS OF RECENT ON THEM FISH THIS YES THE SET AS SHOWN 36 ADNU HOW REST NO 2020 072987 S. Five Mile Rd. Sections Sections Basis of Beanur. 38 PHYSIANA EASTANA AGT AS ARROJSASS £ (010)-6>266; 8/2 TO STATE OF THE PROPERTY OF TH 35 5C1 E \$ T-1 Located in a portion of the SE 1/4 of the SE 1/4 of Section 34, PROUPER WAS CAN W. La Grange St. CPAF No 82435 yr ed et austrage FRANCE ALL MANAGES OF AS PROPERTY CAP Charlesworth Subdivision No. COMPLESSION SINCE NO 3 Lot 40, Block 1 of Charlesworth Subdivision No.1 Township 3 North, Range 1 East, Boise Meridian ABS UP SEGRET SPACE WASHES with the same Being a Re-Subdivision of a Portion of Scale (3) **(E)** (3) (3) 8 38 1801 16 (0) (0) Spelling and Spelling 499474812 79.00 MODIFIERS OF BOT Final Plat for 5. Jessenia Ln. 13:31 6:613 Ada County **(E)** (3) ned of the region (E) Brownstone Ln. CHARLES MORTH SUR INC. 3 Curve fable <u>(*)</u> 183822A) JARRA J MORISP 526321-0503 DA 1248 RAS DELTA 25571568 59497 **(E)** $(\overline{2})$ PASSUS ٤ ٤ 810CK 1 (B) (B) (E) (E) ÷ W. Lake Hazei Rd. $(\tilde{\underline{s}})$ (8) (3) **(E)** E ON SITS ALBOARS THATHS (E) (E) 91 INCN 195.s १००८ मुक्ता स्टब्स्ट । १५० स्टब्स्ट isə hərban bath plassik cap, abr 19850 op as badad **(2**) Tester Montena S. Carlburg Ln. ٤ (3) TOWN THE COPPER DOSC WARRANTE PLES 13350 ٤ SATIVE WELLE WITH PLASSED DAY WELL 135W t on sur hardweet ward 112" COPPER DISC WANTOWN, PLY 10550o alumnim cap konument, es hoteo CACCALATED POINT AGRENO FOLNO OR SEL (E) 8-1565 4078-18 (1) SKILLERSKERS SERVICE STREET 1 S 12 12 1 (<u>E</u>) (D) (3) AMENT LOTTER 55534381486 SASEMENT 224 Certificate 10145/90/3 - FOLSOD BRASSI ÇAR CPAR SAST KA REGULMED 115 Ct + 1 3641 601 Contra 13 35, 1 ä IZ EUSTRAG PLEN EUSKAMAN PER CHANGESMONTH NA 1 of the Leader.com 7 600 F Ste NOTE 2 81 MOOJB A LEN MOISIVICIBUS CICCOMIDISAN M. Golden spare (fr 86248014E 2452~~ FAZELMODO SUBDIVIBION NO. 5 BEOCK 15 Legend: \odot S. Valley St. Hamilton in the control of the contr

Exhibit B

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Referenced Survey Table:

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Charlesworth Subdivision No. 4

2022

Certificate of Owners

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Certificate of Surveyor

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Acknowledgment

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Charlesworth Subdivision No. 4

2022

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Appreval of Central District Health

Certificate of County Surveyor



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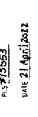




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Certificate of the County Treasurer

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Approval of Ada County Highway District









Mary May 1-14-2022

County Recorder's Certificate

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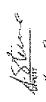
Approval of the City Engineer

COURSY OF ADAIL

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4-15-2022

PET 1185





Hy/ MCGALL













OF COMMISSIONERS OF ADA Approval of Ada County Commissioners accepted and approval for Sad of the MAY 2011 6



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STATE NO

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EXHIBIT CLEGAL DESCRIPTION OF THE COMMON LOTS

Lots 159, 160, 161 and 166, Block 1, Charlesworth Subdivision No. 4, according to the official plat thereof, filed in Book/23 of Plats at Pages/95/2 through / 95/5 Records of Ada County, Idaho.