

ADA COUNTY RECORDER J. DAVID NAVARRO
BOISE IDAHO 02/16/05 02:04 PM
DEPUTY Bonnie Oberbillig
RECORDED - REQUEST OF
Lakeland Village

AMOUNT 21.00 7



**PHASE 6 SUPPLEMENT
TO THE
LAKELAND VILLAGE SUBDIVISION NO. 1, 2, 3, 4, and 5
(STANDARD SUBDIVISION)
DECLARATION
OF
COVENANTS, CONDITIONS AND RESTRICTIONS**

Dated: February 4, 2005

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DECLARATION
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THIS PHASE 6 SUPPLEMENT TO THE LAKELAND VILLAGE SUBDIVISION NO. 1, 2, 3, 4, and 5 (STANDARD SUBDIVISION) DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS (hereinafter referred to as the "Phase 6 Supplement") is made effective as of the 4th day of February, 2005, by Lakeland Village, LLC, an Idaho limited liability company ("Declarant").

ARTICLE 1 - RECITALS

1.1 This Phase 6 Supplement is a supplement to that certain Lakeland Village Subdivision No. 1, 2, 3, 4 and 5 (Standard Subdivision) Declaration of Covenants, Conditions and Restrictions, recorded on April 30, 2001, as Instrument Number 101040924, in the official records of Ada County, Idaho, and rerecorded on May 22, 2001, as Instrument No. 101049003, in the official records of Ada County, Idaho, as the same may be amended or supplemented from time to time (hereinafter referred to as the "Declaration").

1.2 Pursuant to the terms and conditions of the Declaration, including, without limitation, Section 1.11 thereof, Declarant may elect to bring additional real property within the jurisdiction of the Declaration

1.3 Declarant may annex such additional real property without the consent of any Owner, other than the owner of such real property, provided that the addition of the additional property is consistent with the general purposes and intent of the development of the Project as contemplated by the Declaration.

1.4 As the owner of the real property legally described on Exhibit A, attached hereto and incorporated herein by this reference (the "Annexed Property"), Declarant elects to bring the Annexed Property within the jurisdiction of the Declaration.

ARTICLE 2 - DECLARATION

Declarant hereby declares that the Annexed Property, and each Lot, parcel or portion thereof, is and/or shall be considered a part of the Property and the Project and is and/or shall be held, sold, conveyed, encumbered, hypothecated, leased, used, occupied and improved

subject to all of the covenants, conditions, easements, restrictions and provisions of the Declaration and those identified on the Lakeland Village Subdivision Phase 6 Plat as recorded in the official records of Ada County, Idaho, and as the same may be amended or supplemented from time to time, all of which are declared and agreed to be in furtherance of a general plan for the protection, maintenance, subdivision, improvement, use and sale of the Property, and to enhance the value, desirability and attractiveness of the Property. The terms of this Phase 6 Supplement and the Declaration shall run with the land constituting the Annexed Property, and with each estate therein, and shall be binding upon any Person having or acquiring any right, title or interest in the Annexed Property or any Lot, parcel or portion thereof; shall inure to the benefit of every Lot, parcel or portion of the Annexed Property and any interest therein; and shall inure to the benefit of and be binding upon Declarant and each Person or Owner having or holding an interest in the Annexed Property and such Person's or Owner's successors in interest, and may be enforced by Declarant, any Owner or Owner's successors in interest, or any Person having or holding an interest in the Annexed Property or such Person's successors in interest.

ARTICLE 3 - DEFINITIONS

All terms appearing herein initially capitalized shall have the same meaning as are ascribed to such terms in the Declaration, unless such term is otherwise defined herein. In the event of any conflict between the provisions of this Phase 6 Supplement and the Declaration, the provisions of this Phase 6 Supplement shall control.

ARTICLE 4 - GENERAL

4.1 The recitals of this Phase 6 Supplement are hereby incorporated into, and made a part hereof, as if set forth in their entirety herein.

4.2 The Declaration is in full force and effect and remains unaltered, except to the specific extent amended or supplemented herein.

4.3 Notwithstanding Section 7.2 of the Declaration, until the recordation of the first deed to a Lot within the Annexed Property, the provisions of the Phase 6 Supplement may be amended, modified, clarified, supplemented, added to or terminated by Declarant by recordation of a written instrument setting forth such amendment, modification, clarification, supplement, addition or termination. Thereafter, this Phase 6 Supplement may only be amended pursuant to Section 7.2 of the Declaration.

IN WITNESS WHEREOF, the undersigned have executed this Phase 6 Supplement as of the day and year first above written.

Declarant:

LAKELAND VILLAGE, LLC, an Idaho limited liability company

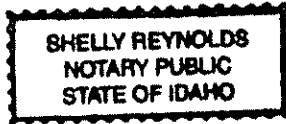
By: 

Ronald W. Bath, Managing Member

State of Idaho)
) ss.
County of Ada)

On this 10th day of February, in the year 2005, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared Ronald w. Bath, known or identified to me to be the Managing Member of Lakeland Village, LLC, the Idaho limited liability company that executed the instrument and acknowledged to me that such company executed the same on behalf of said limited liability company and that said limited liability company executed it.

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



Shelly Reynolds
Notary Public for Idaho
Residing at Ada County
My Commission expires 9-14-2010

EXHIBIT A

LAKELAND VILLAGE PHASE 6 SUBDIVISION

**A TRACT OF LAND LOCATED IN A PORTION OF GOVERNMENT LOT 3, WITHIN THE NORTHWEST
¼ OF SECTION 23, TOWNSHIP 4 NORTH, RANGE 1 EAST, BOISE MERIDIAN, GARDEN CITY,
ADA COUNTY, IDAHO**

A Tract of land located in a portion of Government Lot 3, within the Northwest ¼ of Section 23, Township 4 North, Range 1 East, Boise Meridian, Garden City, Ada County, Idaho more particularly described as follows;

Beginning at the found Brass Cap at the Section Corner common to Sections 14, 15, 22 and 23, Township 4 North, Range 1 East, Boise Meridian;

thence along the Section line common to said Sections 14 and 23, South 89° 52' 00" East a distance of 1446.62 feet to a found 5/8 inch rebar with plastic cap stamped "B&A PLS 4116" at the Northwest corner of the Sleepy Hollow Subdivision and the Northeast corner of Lakeland Village Subdivision Phase 3;

thence along the line common to said Sleepy Hollow Subdivision and Lakeland Village Subdivision Phase 3 & 4 the following courses and distances:

South 00° 13' 20" West a distance of 325.40 feet to a found 5/8 inch rebar with plastic cap stamped "FLSI PLS 7612" at the Southwest corner of said Sleepy Hollow Subdivision and the Southeast corner Lot 63, Block 2 of said Lakeland Village Subdivision Phase 3;

South 89°53'54" East a distance of 599.89 feet to the Northeast corner of Lot 88, Block 2 of said Lakeland Village Subdivision Phase 5 and the **TRUE POINT OF BEGINNING** from which a set 5/8 inch rebar with plastic cap stamped "FLSI PLS 7612" bears South 64°24'01" East a distance of 3.00 feet;

thence North 00°20'18" East a distance of 50.00 feet to a set 5/8 inch rebar with plastic cap stamped "FLSI PLS 7612";

thence South 89°53'49" East a distance of 598.16 feet to a found ½ inch rebar with plastic cap stamped "BA LS 4116" replaced with a 5/8 inch rebar with plastic cap stamped "FLSI PLS 7612";

thence South 00°12'10" West a distance of 962.38 feet to a found ½ inch rebar with plastic cap stamped "FLSI PLS 7612";

thence North 77°44'30" West a distance of 74.02 feet to a found 5/8 inch rebar with plastic cap stamped "FLSI PLS 7612";

thence South 83°52'41" West a distance of 148.26 feet to a found ½ inch rebar with plastic cap stamped "FLSI PLS 7612" replaced with a 5/8 inch rebar with plastic cap stamped "FLSI PLS 7612";

thence South 83°30'45" West a distance of 296.99 feet to a found 5/8 inch rebar with plastic cap stamped "FLSI PLS 7612";

thence North 03°48'37" West a distance of 22.67 feet to a found 5/8 inch rebar with plastic cap stamped "FLSI PLS 7612" at the Southeasterly corner of Lakeland Village Subdivision Phase 5;

thence along the Easterly boundary of said Lakeland Village Subdivision Phase 5 the following courses and distances:

North 00°15'00" East a distance of 499.87 feet to a found 5/8 inch rebar with plastic cap stamped "FLSI PLS 7612";

North 20°11'57" East a distance of 76.43 feet to a found 5/8 inch rebar with plastic cap stamped "FLSI PLS 7612" to the beginning of a non-tangent curve to the left;

along said non-tangent curve to the left having a length of 26.41 feet, a radius of 700.00 feet, a central angle of 2°09'42", tangents of 13.21 feet, and a long chord which bears North 70°52'54" West, a distance of 26.41 feet to a found 5/8 inch rebar with plastic cap stamped "FLSI PLS 7612";

North 00°08'00" East a distance of 304.44 feet to a found 5/8 inch rebar with plastic cap stamped "FLSI PLS 7612";

North 64°24'01" West a distance of 92.10 feet to **TRUE POINT OF BEGINNING.**

Containing 504,474 square feet, 11.581 acres, more or less.

Subject to existing easements and rights-of-way as any may exist, of record or not of record.

The Basis of Bearings for this description is between the found Brass Cap at the Section corner common to Sections 14, 15, 22 and 23 of said Township and Range and the found 5/8 inch rebar at the Quarter Corner common to said Sections 14 and 23 and bears South 89° 52' 00" East as shown on the Plat of Lakeland Village Phase Two Subdivision.

END OF DESCRIPTION