

This document resubmitted to Kootenai County Records to correct typographical date error on page 2, paragraph 5

JIM BRANNON 3 P 2744463000  
KOOTENAI COUNTY RECORDER  
MMS Date 04/06/2020 3:45 PM  
REQ OF NUMERICA CREDIT UNION

RECORDING FEE: \$16.00 SC  
JIM BRANNON 3 P 2745974000  
KOOTENAI COUNTY RECORDER  
MMS Date 04/16/2020 11:21 AM  
REQ OF FRANKLIN W JAMES

RECORDING FEE: \$16.00 SC  


When recorded return to:  
Treeport Homeowner's Association, Inc.  
P.O. Box 1313  
Spirit Lake, ID 83869-1313

AMENDMENT II

TO DECLARATION OF COVENANTS,  
CONDITIONS AND RESTRICTIONS

TREEPORT

WHEREAS, a Declaration of Covenants, Conditions and Restrictions applicable to that development in Kootenai County, Idaho, described as Treeport, was duly recorded November 1, 1990 as Instrument No. 1199960 in the Records of Kootenai County, Idaho; and...

WHEREAS, the Declarant, amended said Declaration to more clearly define the Membership and voting rights, and to change assessments and their uses, was duly recorded September 22, 1992 as Instrument No. 1276006 in the Records of Kootenai County, Idaho; and ...

WHEREAS, the Owners, as defined therein owns all tracts within said development and are desirous of amending said Declaration to provide provisions for changes to Article I Section 4, Article II Section 1, Article II Section 2 and Article II Section 4...

NOW, THEREFORE, said Declaration of Covenants, Conditions and Restrictions to include the Amendment thereof dated September 22, 1992 shall be amended and modified as follows by the affirmative vote of 2/3rds of the current membership.

1. That paragraph entitled Article I, Definitions, Section 4, is hereby amended and modified as follows to change and further define the members of the Association.

"Section 4, "Tract" shall mean and refer to tracts 1 to 15 inclusive, Block 1 only, as separately numbered and shown and described on that plat known as TREEPORT filed December 9, 1980, Instrument #236153, Book 3, Page 158, records of Bonner county, Idaho AND Tracts 301-313 inclusive, Spirit Lake East, Kootenai County, Idaho according to the Plat recorded in the office of the County Recorder in Book F of Plats at page 18-18G, records of Kootenai County, Idaho.

2. That paragraph entitled Article II Association, Section 1. Creation, is hereby amended and modified as follows by adding subparagraph A to delineate and clarify the management of the Association.

A. The Association shall be managed by a Board of Directors, consisting of three (3) members, a President, a Vice President and a Treasurer. Duties, terms of office and severance shall be in accordance with the Bylaws of the Association.

2. That paragraph entitled Article II, Association, Section 2. Membership Voting Rights, is hereby amended in its entirety to provide as follows:

"Section 2. Each owner of a tract defined in Article I, Section 4 is subject to assessment and shall be a member of the Association. Membership shall be appurtenant to and may not be separated from the ownership of a tract. For voting purposes, the Association shall have only one (1) class of voting membership".

A. Class A. Class A members shall be only those owners defined in Article I, Section 2. They shall be entitled to one (1) vote for each tract owned. When more than one person holds an interest in any tract, all such persons shall be members of the Association, however, shall be collectively entitled to only one (1) vote for each tract owned.

3. That paragraph entitled Article II, Association, Section 4. Assessments, paragraph C is hereby amended in its entirety to provide as follows:

"C. Maximum Annual Assessment: Commencing January 1, 2019, there will be an annual assessment of Two Hundred and Forty Dollars (\$ 240.00) per tract as defined in Article I, Section 4, to be used for Association business and benefits as required. The maximum annual assessment may be increased each year to not more than three (3) percent of the maximum assessment for the previous year upon approval of directors. Such assessments shall remain in effect until and unless the membership authorizes a greater or lesser assessment by a two-thirds (2/3) vote of the members."

4. In all other respects said Declarations of Covenants, Conditions and Restrictions shall remain the same and shall continue to be in full force and effect and shall not be modified, altered or changed in any respect by this amendment.

5. This Amendment is approved by a 2/3rd vote of all Treeport Homeowner's Association members (owners) and approved by the Board of Directors on April 28, ~~2020~~. 2018

*[Handwritten signature]*

IN WITNESS WHEREOF, the undersigned have executed this Amendment to Declaration of Covenants, Conditions and Restrictions on this 6<sup>th</sup> day of April 2020.

Authorized Representative

*[Handwritten signature of Franklin W James]*

Franklin W James  
Treasurer/Secretary

Treeport Homeowner's Association, Inc.

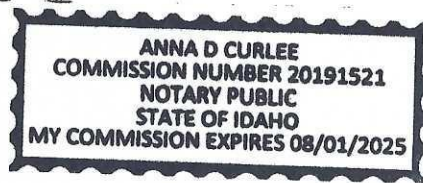
State of: Idaho.

County of: Kootenai.

On this 10<sup>th</sup> day of April, 2020, before me, the undersigned Notary Public in and for the State of Idaho, personally appeared **Franklin W James** known or identified to me to be the person whose name is subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same, and did so in his authorized capacity as **Treasurer of Treeport Homeowner's Association, Inc.**

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

*Anna D. Curlee*  
NOTARY PUBLIC



My Commission Expires: 08/01/2025.