

1055466

RESTRICTIVE COVENANTS
COVERING
CARROLL'S CAVE BAY HOMESITES
SEVENTH ADDITION

BOOK 150 PAGE 509

1. Any living abode shall be modern and attractive. No outside toilets may be built on this land.
2. No guest cabins or guest houses shall be permitted to be constructed on any platted lot.
3. Use of the access road to this property is subject to easement of record.
4. NUISANCES: No noxious or offensive activity shall be carried on upon any lot, nor shall anything be done thereon which may be or may become an annoyance of nuisance to the adjoining lot-holders.
5. LIVESTOCK & POULTRY: No animals, livestock or poultry of any kind shall be raised, bred or kept on any lot, except that dogs, cats or other household pets may be kept provided they are not kept, bred or maintained for commercial purposes.
6. Concerning any new buildings erected on the property, the exterior must be finished within one year of the start of construction.
7. Newly planted shrubs or trees shall not be permitted to grow to such height or in such position on any platted lot so as to obstruct the view of the lake from any back lot.
8. Garages or carports must be attached to house.
9. All lot owners in CARROLL'S CAVE BAY HOMESITES, SEVENTH ADDITION, Kootenai County, Idaho shall have access rights on and over existing roadways to any present or future area set aside on Coeur d'Alene Lake for swimming, boat launching and boat dock or docks, from that property owned by the under-signed as platters of the above described seventh Addition.

STATE OF IDAHO

County of Kootenai

} ss.

On this 12th day of August, 1986, before me,
DOROTHY CAPAUL, a Notary Public in and for said State,
personally appeared LORRAINE E. CARROLL

known or identified to me to be the
person(s) whose name(s) is/are subscribed to the within instrument,
and acknowledged to me that s/he executed the same.

Dorothy Capaul
Notary Public for: Idaho

Residing at: Coeur d'Alene
Commission Exp: April 1 1988

Lorraine E. Carroll
LORRAINE E. CARROLL

STATE OF IDAHO }
COUNTY OF KOOTENAI } SS

AT THE REQUEST OF _____

KOOTENAI COUNTY TITLE CO

At 30 minutes past 3 o'clock PM

Leah Phelps

AUG 12 1986

By *Bredie Beard*
Deputy

Fee \$ 200

RESOLUTION
FOR ACCEPTANCE OF SERVICE TO THE
7TH ADDITION OF CARROLL'S CAVE BAY HOMESITES

WHEREAS, Virgil Carroll has requested acceptance by Cave Bay Community Services, Inc. of the 7th Addition to Carroll's Cave Bay Homesites,

WHEREAS, Cave Bay Community Services, Inc. desires to convey uniform service as to roadways, sewer, and water service,

WHEREAS, certain lots have been purchased in the 7th Addition and lot owners have applied for or received membership into Carroll's Cave Bay Homesites and have agreed, through the Bylaws of Carroll's Cave Bay Homesites to pay maintenance and assessment fees,

WHEREAS, the Division of Environment, through its officer, John Southerland, have reviewed the 7th addition and have approved the water and sewer systems,

WHEREAS, John A. Smatana, public engineer with La Pard & Frame, has reviewed all improvements made by the developer in connection with the water and fire protection systems and has recommended the acceptance of the 7th Addition water system,

WHEREAS, Virgil Carroll has transferred a check in the amount of Six Hundred Dollars (\$600.00) for his proportional share of the increased costs expected for pressure reducing of the system to assist in the solution of the increased pressure which will occur when the 7th Addition portion of the water system is inter-connected as a whole,

WHEREAS, Virgil Carroll has, through his engineer, James P. Mekel, prepared specifications, for the improvement to the water system and posted a bond to assure completion in accordance with the specifications,

WHEREAS, Cave Bay Community Services, Inc. has determined that the mounded area covering a portion of the water line for fire protection to be sufficiently stable,

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of Cave Bay Community Services, Inc. accepts the 7th Addition as a part of the service area of Cave Bay Community Services, Inc.

IT IS FURTHER RESOLVED, that Cave Bay Community Services, Inc. will serve the 7th Addition in a manner substantially equivalent to the service rendered to each of the other portions of Cave Bay Community.

IT IS FURTHER RESOLVED, that Cave Bay Community Services, Inc. will charge assessments to the individual lot owners of the 7th Addition in accordance to the Bylaws of Cave Bay Community Services, Inc.

IT IS FURTHER RESOLVED, that the individual lot owners have the right to apply for full membership in Cave Bay Community Services, Inc. and pay dues for membership as required in the Bylaws of Cave Bay Community Services, Inc.

DATED this 4th day of October, 1986.

Marilyn A. Mathews
President

ATTEST:

Jocelyn C. Thompson

VOTE:

Dickson	<u>Aye</u>	Thompson	<u>Aye</u>
Colpitts	<u>abstain</u>	Dotson	<u>Aye</u>
Flower	<u>abstain</u>	Flory	<u>Aye</u>
Chamberlain	<u>Aye</u>	Magnuson	<u>absent</u>
Total Aye	<u>5</u>	Total Nay	<u>-0-</u>

RESOLUTION
ESTABLISHING REGULATION OF HOOK-UPS
TO THE WATER SYSTEM IN THE 7TH ADDITION

WHEREAS, Virgil Carroll has requested the acceptance of the 7th Addition to Carroll's Cave Bay Homesites,

WHEREAS, Virgil Carroll, through his attorney, has represented that all purchasers of lots in the 7th Addition have been or will be informed that they must abide by any rules and regulations set by the Board regarding the cost of bringing water from the main line to their lot and that each Shall bear all costs in connection with the hookup to the main line and the running of a line to the individual residence,

WHEREAS, each of the purchasers, according to Mr. Carroll has signed an Addendum to their purchase agreement which states that each buyer must obtain a permit from Cave Bay Community Services, Inc. for a water hookup for their individual lot,

WHEREAS, the 7th Addition homeowners will have unusually high pressure due, in part, to the proximity to the water tank,

WHEREAS, it is in the best interest of Cave Bay Community Services, Inc. to set forth the requirements of the 7th Addition lot purchasers prior to the acceptance of Cave Bay Community Services, Inc. of service responsibility for the 7th Addition.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of Cave Bay Community Services hereby requires any purchaser of the 7th Addition must obtain a permit from Cave Bay Community Services, Inc. for a water hookup, the individual lot owner must bear all costs in connection with the hookup and the running of the line to the premises. Those costs will necessarily include the excavation of a portion of the main road servicing the 7th Addition, hookup to the main line under the guidance and with the permission of the utility commissioner of Cave Bay Services, Inc., use of only approved valves, connections, pipes, and other miscellaneous plumbing supplies, and repair of the roadway after the service is completed. Such repair shall bring the roadway to the same condition as it stood prior to the excavation.

FURTHER, BE IT RESOLVED, Cave Bay Community Services, Inc. retains the right to require meters for the 7th Addition or other conservation equipment as the Board of Directors may deem necessary in the future. The costs of such conservation equipment will be borne by the particular residents being served.

FURTHER, BE IT RESOLVED, that with each hookup, the owner of the individual lot will be required to purchase and install an approved pressure reducing valve.

FURTHER, BE IT RESOLVED, that a copy of this Resolution shall be placed in the Newsletter of Cave Bay Community Services, Inc., on the Community bulletin board, and mailed to each of the individual owners of lots in the 7th Addition.

DATED this 4th day of October, 1986.

Marilyn Matherly
President

ATTEST:

John C. Thompson

VOTE:

Dickson	<u>Aye</u>	Thompson	<u>Aye</u>
Colpitts	<u>abstain</u>	Dotson	<u>Aye</u>
Flower	<u>Aye</u>	Flory	<u>Aye</u>
Chamberlain	<u>Aye</u>	Magnuson	<u>absent</u>
Total Aye	<u>6</u>	Total Nay	<u>none</u>