

Original recorded on  
September 24, 1992 as  
Instrument #412898 in  
the Records of Bonner  
County, Idaho.

AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS  
AND RESTRICTIONS

TREEPORT

WHEREAS, a Declaration of Covenants, Conditions and Restrictions applicable to that development in Bonner County, Idaho, described as Treepport, was duly recorded August 7, 1981, as Instrument No. 245546, Records of Bonner County, Idaho; and..

WHEREAS, the Declarant, as defined therein, owns over fifty percent (50%) of the tracts within said development and is desirous of amending said Declaration to more clearly define the types of homes and structures that will be permitted in said development, and to clarify assessments and their uses;

NOW, THEREFORE, said Declaration of Covenants, Conditions and Restrictions is hereby amended and modified as follows:

1. That paragraph entitled ARTICLE II, section 2, Membership and Voting Rights, is hereby amended and modified as follows:

"Section 2. Membership and Voting Rights. Each owner of a tract which is subject to assessment shall be a member of the Association. The Declarant or its successor shall also be a member thereof and no tracts owned or retained by Declarant shall be subject to assessment. Membership shall be appurtenant to and may not be separated from the ownership of any tract. For voting purposes, the Association shall have two classes of voting membership."

2. ARTICLE II, Section 4C, Maximum Annual Assessment, is hereby amended in its entirety to provide as follows:

"C. Maximum Annual Assessment. Annual assessments shall not be levied for a period of three years commencing January 1, 1992. Commencing January 1, 1995, there will be an annual assessment of \$50.00 per tract, to be used for Association business and benefits as required. In addition, for those members who own tracts in Block I, and any other members in Blocks 2 and 3 who own an aircraft and/or use the airstrip, shall pay an additional annual assessment of \$70.00 for the insurance, maintenance and upkeep of the airstrip. 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."

3. ARTICLE IV, Section 3B, Building Restrictions, is hereby amended in its entirety to provide as follows:

"B. Only single family dwellings shall be permitted. No "trailers" or "house-trailers" shall be permitted or used for a residence in Treeport, except on a temporary basis during construction of the primary residence, for a period not to exceed twelve (12) months.

"Mobile homes," "manufactured homes" and "modular homes" are allowed only as herein defined and restricted.

(1) The terms "trailer" and "house-trailer" are defined as a vehicle, other than a motorized vehicle, with less than 1200 square feet of living area, and which is designed, constructed and equipped as a dwelling place, living abode or sleeping place, either permanently or temporarily, and is equipped for use as a conveyance on streets and highways. Such definition shall apply regardless of the removal of wheels or running gear and regardless of said trailer being attached to a foundation and connected to utilities and/or the installation of skirting or the removal of the tongue.

(2) The terms "mobile home" and "manufactured home" are defined as a structure constructed according to HUD/FHA Mobile Home Construction and Safety Standards, or a like structure built to similar standards, transportable in two or more sections, and when installed or when erected on site is twelve hundred (1200) or more square feet, and which is built on a permanent chassis and constructed to be towed on its own chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning and electrical systems contained therein. Said definition will include the removal of wheels or running gear and placement on a permanent foundation and connected to utilities, and the installation of skirting and removal of the tongue as herein approved.

(3) "Pre-manufactured" or "modular" homes, including "double-wide" mobile homes and "double-wide" manufactured homes, which are entirely or partially fabricated or assembled at a place other than the building site, and which have been approved by the Architectural Review Committee as provided herein, shall be allowed. Further, all such homes shall have pitched roofs, and when installed and in place, all such homes must have the appearance of a home fully constructed on site, and shall have a living area of one thousand two hundred (1,200) square feet, or more, excluding basement, garage, decks or porches.

(4) Only dwellings as approved herein shall be allowed in the Treeport Development for all tracts situated in Bonner County.

(5) All such portable dwellings described herein must have all running gear and tongues removed, be placed on a permanent foundation, be fully skirted, have an approved deck or porch added and must be no more than two (2) years old at the time of installation, unless otherwise approved by the Architectural Review Committee.

(6) The architectural drawings, plans and specifications of all buildings and dwellings must be first approved by the Architectural Review committee and after said approval has been granted, construction must begin within ninety (90) days thereafter or said approval shall automatically terminate. Completion of said construction shall be accomplished within one year after commencement of construction.

4. In all other respects said Declaration 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.

IN WITNESS WHEREOF, the undersigned have executed this Amendment to Declaration of Covenants, Conditions and Restrictions this 22 day of September, 1992

Signed by the Declarant and  
Notary Public

This document is modified by minor changes in formatting.

A certified copy of the original document is on file in the Records of Treeport Homeowners Association, Inc. and is available upon request by tract owners or prospective buyers. A copy may also be obtained from the Records Office of Bonner County, located in Sandpoint, Idaho.