

REQUEST Kenneth H. Housel  
TYPE Min FEE 9.00

200367924

RECORDED

First Amendment to that:

Declaration of  
Covenants, Conditions and Restrictions  
For  
West Valley Estates Subdivision (No: 7 & 9)

2003 OCT 30 PM 4 12

G NOEL HALES  
CANYON CNTY RECORDER  
by Jack L. Brown

(Commonly referred to as Valley Heights Subdivision)

THIS FIRST AMENDMENT TO THAT DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR WEST VALLEY ESTATES SUBDIVISION NO. 7 & 9 (hereinafter "Valley Heights" Subdivision) is made effective as of the 30 day of OCT, 2003, by Valley Heights Neighborhood Association Inc, (hereinafter "VHNA") whose address is PO Box 123, Caldwell, Idaho 83606.

Original recording. The original declaration of covenants, conditions and restrictions was recorded the 19<sup>th</sup> day of July in Canyon County as instrument No. 200025153.

This first amendment amends Article 28.e.3 to read as follows:

Article 3 Annual Assessments. The annual Assessments shall be one hundred and fifty dollars (\$150.00) per lot per year, billed and payable on an annual basis. The first year assessment will be prorated for the current year and collected as of the date of closing. The annual assessment may be increased at any time by the affirmative vote of two-thirds (2/3) of the lot owners. The annual assessment will be put into the association account for the maintenance of the common areas. The Declarant shall turn collected annual assessments over to the association at the discretion of declarant.

Dated this 30 Day of OCT, 2003

Valley Heights Neighborhood Association, Inc

FIRST AMENDMENT  
VALLEY HEIGHTS SUBDIVISION #1 CC&R'S

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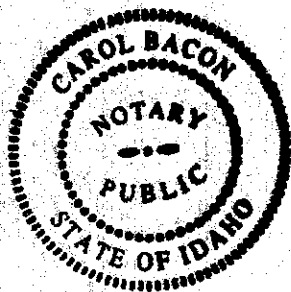
By: Valley Heights Neighborhood Association, Inc  
President

By: [Signature]  
President

STATE OF IDAHO            )  
                                      ) SS.  
COUNTY OF CANYON        )

On this 29 day of October, 2003, before me, a notary public in and for said State, personally appeared Ken Howell, known or identified to me to be the President of Valley Heights Neighborhood Association, Inc, the Non-Profit Corporation and acknowledged that he executed the foregoing instrument and acknowledged to me that such Incorporation executed the same, and acknowledged to me that he executed the same on behalf of the Incorporation.

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



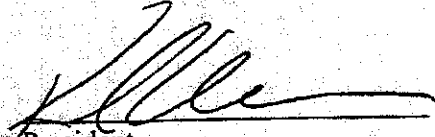
[Signature]  
Notary Public for Idaho  
Residing in Cardwell, Idaho  
My Commission Expires 10/14/09

FIRST AMENDMENT  
VALLEY HEIGHTS SUBDIVISION #1 CC&R'S

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**CERTIFICATION OF VOTE**

The undersigned President and Board Member of the Valley Heights Neighborhood Association, Inc, hereby certify and attest that pursuant to Section 28.e.3 "Annual Assessments" of the Original CC&R's, at the time of this Amendment the Grantor holds more than 4/5 of the votes in the association.

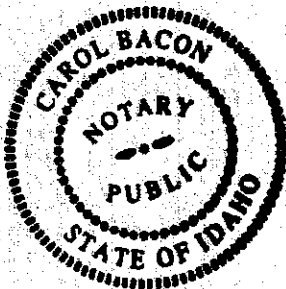
  
\_\_\_\_\_  
President

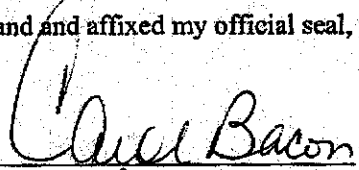
Attest:   
\_\_\_\_\_  
Board Member

STATE OF IDAHO            )  
                                      ) SS.  
COUNTY OF CANYON        )

On this 29 day of October, 2003, before me, a notary public in and for said State, personally appeared Ken Howell and Kimberli Munn, (known or identified to me on the basis of satisfactory evidence), to be the President and Board Member, respectively of Valley Heights Neighborhood Association, Inc, the corporation that executed the foregoing instrument, and the persons who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

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



  
\_\_\_\_\_  
Notary Public for Idaho  
Residing in Caldwell, Idaho  
My Commission Expires 10/14/09

FIRST AMENDMENT  
VALLEY HEIGHTS SUBDIVISION #1 CC&R'S