

## **RESTRICTIVE COVENANTS**

### **EAGLE RIDGE SUBDIVISION**

A parcel of land located in the W1/2 SE1/4 of Section 15, T.16N.,R.3E., B. M., Valley County, Idaho, said parcel containing portions of SW1/4 SE1/4 and NW1/4 SE1/4 and all of Lots 8 and 9 of Long Meadows Subdivision as filed for record in the Valley County Recorder's Office in Book 7 of Plats at Page 9.

1. **LAND USE;** This property, or any of its future subdivided parcels, is to be used and occupied solely as single family residential parcels.
2. **BUILDING LOCATIONS:** Any buildings must be located within Building envelopes as described in attachment A. Setbacks from waterways are delineated in the attachment.
3. **BUILDING SIZE:** No dwelling may be less than fifteen hundred (1500) square feet nor more than two (2) stories or thirty-five (35) feet in height.
4. **BUILDING MATERIAL:** All buildings, present and future, on a particular parcel must be architecturally in harmony. All buildings shall be of natural stone, brick, or wood materials. Metal buildings are not allowed....permanently colored metal roofs are allowed. All buildings are to be finished, painted and maintained in good repair so as not to be offensive to other property owners. No building materials are to be stored on property until owner is ready to start construction.
5. **TEMPORARY STRUCTURES:** No temporary structures such as a trailer, mobile home, modular home, basement only home, tent, shack, garage, barn or other out buildings shall be used as a residence either temporarily or permanently **except** during a one (1) year construction period of the dwelling unit. No structure can be moved onto the property without the consent of **all** property owners.
6. **WORK PROCEEDINGS:** The construction of all dwellings shall proceed diligently and continuously from the time of commencement and shall be completed (enclosed) within twelve (12) months after the start of construction.
7. **UTILITIES:** All utilities are to be underground. Outdoor lighting is to be placed so that adjacent neighbors do not view the glare of these lights. No outdoor privy or any common cesspool shall be installed on any parcel.
8. **EXCAVATION:** No excavation for stone, gravel, earth or minerals shall be made upon any parcels unless excavation is required in connection with the construction of a building or natural wildlife habitat thereon. There shall be no mining, smelting, or milling of ores on the property.

9. **ANIMALS:** Animals are to be contained on their own property and are to be managed so as not to be offensive to surrounding property owners. Animals are not allowed in the Waterways or Wetlands.

10. **REFUSE AND DUMPING:** No parcel shall be used as a dumping ground for rubbish, trash, junk or waste materials. All rubbish, trash, etc., shall be deposited in sanitary containers and covered at all times.

11. **NUISANCES:** No portion of a lot or parcel or any structure thereon shall be used for the conduct of any trade of business or professional activities unless that business is conducted solely within the residence or is of a nature as to not be offensive to other parcel owners and does not significantly increase traffic to or on any parcel. No owner of any lot or parcel shall allow a nuisance, as defined by law, to exist on their property.

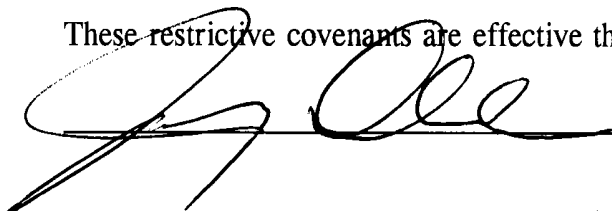
12. **EASEMENTS:** The easement area of each lot shall be maintained continuously by the owner of the lot except for those improvements for which a public authority or utility company is responsible. A wildlife and scenic easement is hereby created allowing no structure, including fences, within 100 feet of Boulder Creek and/or below the elevation of Four Thousand Eight Hundred Forty Feet above Sea Level (4,840' A.S.L.) as indicated on the attached map (delineation of the flood prone area). The wildlife and scenic easement shall be left in its natural state.

13. **VEHICLES:** All snowmobiles, boats, boat trailers, campers, motorcycles, or RV's of any kind shall be stored so that neighbors do not have visual impact from these items.

14. **TERMS:** These protective covenants and restrictions shall run with the land described herein and shall be binding upon the parties hereto and all successors in title or interest to said real property. These covenants and restrictions may be amended from time to time with respect to any part or portion thereof, providing that at least two-thirds of the property owners as of the date of such amendment agree in writing, duly signed by two-thirds of the property owners. Such amendment shall become effective upon the recording of such amendment in the office of the recorder of Valley County, Idaho. As lots are sold, lot owners may be entitled to a vote.

15. **VIOLATIONS:** In the event there is ever a violation of these restrictive covenants, the parties hereto, or their heirs, successors and assigns, including any individual lot owner, may require binding arbitration of the violation or dispute. The arbitration shall be conducted in accordance with the rules of the American Arbitration Association or some other recognized and agreed upon professional arbitration association. The arbitrator's decision shall be final and binding and may be enforced by a court of law. All arbitration costs (except attorney fees) shall be borne equally between the parties. If an emergency exists, however, the parties may seek injunctive relief to enforce the restrictive covenants.

These restrictive covenants are effective this 5<sup>th</sup> day of MARCH 1998.

A handwritten signature in black ink, appearing to be 'S. Lee', is written over a horizontal line. The signature is cursive and somewhat stylized.

**SUBSCRIBED AND SWORN TO** before me, the undersigned Notary Public, in and for said State, this 5th day of March, 1998.



A large, stylized handwritten signature in black ink is written over a horizontal line. The signature is cursive and appears to be the name of the notary public.

Notary Public for Idaho  
Residing at Boise, Idaho  
My Commission Expires: 4/21/2000

232629

TYPE: mine

LELAND HEINRICH

VALLEY COUNTY RECORDER

BY: Jerry Buckrad

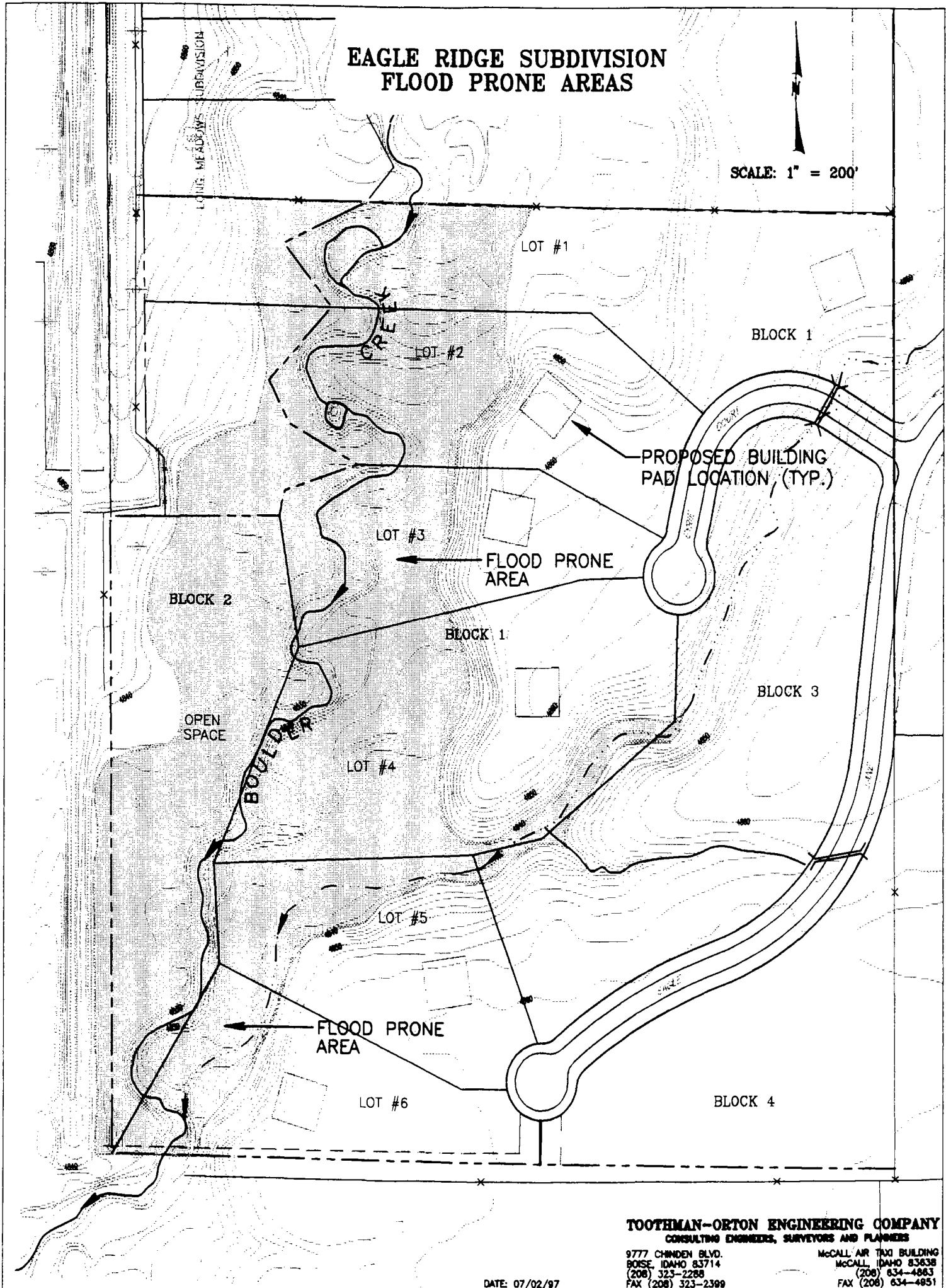
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RECORDED BY Jerry Buckrad  
RECORDED

# EAGLE RIDGE SUBDIVISION FLOOD PRONE AREAS

SCALE: 1" = 200'



**TOOTHMAN-ORTON ENGINEERING COMPANY**  
CONSULTING ENGINEERS, SURVEYORS AND PLANNERS

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DATE: 07/02/97

E-FILE: FLOODX11.DWG