



**SIXTH AMENDMENT TO DECLARATION  
OF COVENANTS, CONDITIONS AND  
RESTRICTIONS OF THE SHORES SUBDIVISION**

THIS SIXTH AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF THE SHORES SUBDIVISION (this "Amendment") is made by ORION HOLDINGS, LLC, an Idaho limited liability company (the "Declarant"), as successor to the ownership of substantially all of the interests in the whole-of the Real Property of SOUTH CHANNEL, L.L.C., an Idaho limited liability company, in amendment of that certain Declaration of Covenants, Conditions and Restrictions of The Shores Subdivision (the "CC&R's"), recorded January 19, 2006, by the Ada County Recorder as Instrument No. 106009735, as subsequently amended by (i) that certain First Amendment to Declaration of Covenants, Conditions and Restrictions of The Shores Subdivision (the "First Amendment"), recorded November 21, 2007, by the Ada County Recorder as Instrument No. 107156684 and Instrument No. 107156685, (ii) that certain Amendment to The Shores CC&R's (the "Second Amendment"), recorded May 2, 2008, by the Ada County Recorder as Instrument No. 108052300, (iii) that certain Third Amendment to Declaration of Covenants, Conditions and Restrictions of The Shores Subdivision (the "Third Amendment"), recorded November 12, 2010, by the Ada County Recorder as Instrument No. 110106688, which Third Amendment, *inter alia*, superseded and terminated both the First Amendment and Second Amendment, (iv) that certain Fourth Amendment to Declaration of Covenants, Conditions and Restrictions of the Shores Subdivision (the "Fourth Amendment"), recorded October 12, 2011, by the Ada County Recorder as Instrument No. 111082641, and (v) that certain Fifth Amendment to Declaration of Covenants, Conditions and Restrictions of The Shores Subdivision (the "Fifth Amendment"), recorded October 2, 2012, by the Ada County Recorder as Instrument No. 112101834 (the CC&R's as amended by the Third Amendment, the Fourth Amendment, and the Fifth Amendment are hereinafter referred to as the "Amended CC&R's").

***PRELIMINARY STATEMENT***

The Declarant not having certified in writing to the Association that no additional Real Property shall be made subject to the Amended CC&R's, and the Transition Date having not therefore occurred, the Declarant does hereby further amend the Amended CC&R's as set forth hereinbelow, in accordance with the provisions of Sections 8.3 and 13.5 of the Amended CC&R's, to (i) annex and subject to the Amended CC&R's the additional real property described in **Exhibit A** attached hereto ("Waters Edge Subdivision-Phase 3"), and (ii) subject all of the Real Property subjected to the Amended CC&R's and Waters Edge Subdivision-Phase 3 to the terms of that certain Storm Drainage Operations & Maintenance Manual (the "O&M Manual") prepared by KM Engineering, LLP, dated August 28, 2013 and revised September 27, 2013, with respect to the public right-of-way and easements shown on the Waters Edge Subdivision-Phase 3 Final Plat, as such term is used in the O&M Manual.

***AMENDMENT***

1. Except to the extent otherwise defined herein, all capitalized terms used in this Amendment shall have the meaning ascribed thereto in the Amended CC&R's.

2. Waters Edge Subdivision-Phase 3 is hereby annexed as additional Real Property and made subject to the Amended CC&R's pursuant to Section 12.1 of the Amended CC&R's.

3. The Real Property is hereby made subject to the terms of the O&M Manual, a copy of which shall be retained on file with the Board.

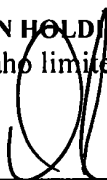
4. Except to the limited extent expressly amended by this Amendment, the Amended CC&R's shall remain and continue in full force and effect in accordance with their terms.

IN WITNESS WHEREOF, this Amendment has been executed by the Declarant under and in further amendment of the Amended CC&R's and by the owner of the Annexed Property in consent of its subjection to the Amended CC&R's, to be effective upon recordation by the Ada County Recorder.

*[signature pages follow]*

**DECLARANT:**

**ORION HOLDINGS, LLC,**  
an Idaho limited liability company


By   
Donald G. Newell, Manager

STATE OF IDAHO    )  
                          ) ss.  
County of Ada     )

On this 18 day of November, 2013, before me, a Notary Public in and for said state, personally appeared **DONALD G. NEWELL** known or identified to me (or proved to me on the oath of \_\_\_\_\_) to be the Manager of **ORION HOLDINGS, LLC**, the limited liability company that executed the instrument or the person who executed the instrument on behalf of said limited liability company, and who acknowledged to me that such company executed the same.

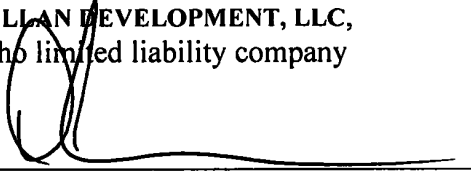
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



  
NOTARY PUBLIC FOR IDAHO  
Residing at Star, Idaho  
My Commission Expires 2-20-18

**OWNER OF ANNEXED PROPERTY:**

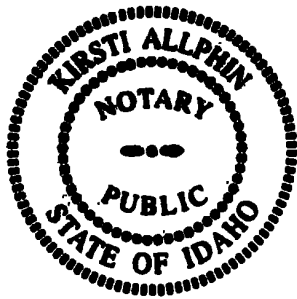
**MAGELLAN DEVELOPMENT, LLC,**  
an Idaho limited liability company


By   
Donald G. Newell  
Manager/Managing Member

STATE OF IDAHO )  
                          ) ss.  
County of Ada     )

On this 18 day of November, 2013, before me, a Notary Public in and for said state, personally appeared **DONALD G. NEWELL** known or identified to me (or proved to me on the oath of \_\_\_\_\_) to be the Manager/Managing Member of **MAGELLAN DEVELOPMENT, LLC**, the limited liability company that executed the instrument or the person who executed the instrument on behalf of said limited liability company, and who acknowledged to me that such company 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 at Star, Idaho  
My Commission Expires 2.20.18

**EXHIBIT A**

**(Legal Description of Annexed Property)**

A PARCEL OF LAND SITUATED IN THE SW 1/4 OF THE SW 1/4 OF SECTION 17 AND IN GOVERNMENT LOT 4 OF SECTION 20, TOWNSHIP 4 NORTH, RANGE 1 EAST, BOISE MERIDIAN, CITY OF EAGLE, ADA COUNTY, IDAHO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND ALUMINUM CAP MARKING THE SOUTHWEST CORNER OF SAID SECTION 17, WHICH BEARS S00°36'20"W A DISTANCE OF 2,635.60 FEET FROM A FOUND ALUMINUM CAP MARKING THE WEST ONE QUARTER CORNER OF SAID SECTION 17, THENCE FOLLOWING THE WESTERLY LINE OF SAID SW 1/4 OF THE SW 1/4, N00°36'20"E A DISTANCE OF 502.88 FEET TO A FOUND 5/8 INCH REBAR AND THE POINT OF BEGINNING.

THENCE FOLLOWING SAID WESTERLY LINE, N00°36'20"E A DISTANCE OF 814.78 FEET TO A FOUND 5/8 INCH REBAR MARKING THE SOUTH 1/16 CORNER OF SAID SECTION 17;

THENCE LEAVING SAID WESTERLY LINE AND FOLLOWING THE NORTHERLY LINE OF SAID SW 1/4 OF THE SW 1/4, S89°08'03"E A DISTANCE OF 630.81 FEET TO A FOUND 5/8 INCH REBAR MARKING THE NORTHWEST CORNER OF WATERS EDGE SUBDIVISION, A SUBDIVISION ON FILE IN BOOK 104, PAGES 14,015 THROUGH 14,017, RECORDS OF ADA COUNTY, IDAHO;

THENCE LEAVING SAID NORTHERLY LINE AND FOLLOWING THE WESTERLY BOUNDARY LINE OF SAID WATERS EDGE SUBDIVISION, S15°28'25"E A DISTANCE OF 360.52 FEET TO A FOUND 5/8 INCH REBAR;

THENCE FOLLOWING SAID WESTERLY BOUNDARY LINE, S20°14'45"E A DISTANCE OF 149.64 FEET TO A FOUND 5/8 INCH REBAR;

THENCE FOLLOWING SAID WESTERLY BOUNDARY LINE, S20°38'44"E A DISTANCE OF 120.00 FEET TO A FOUND 5/8 INCH REBAR;

THENCE FOLLOWING SAID WESTERLY BOUNDARY LINE, S31°53'42"E A DISTANCE OF 117.47 FEET TO A FOUND 5/8 INCH REBAR;

THENCE FOLLOWING SAID WESTERLY BOUNDARY LINE, S20°07'36"E A DISTANCE OF 127.62 FEET TO A FOUND 5/8 INCH REBAR;

THENCE FOLLOWING SAID WESTERLY BOUNDARY LINE, S20°06'38"E A DISTANCE OF 30.00 FEET TO A FOUND 5/8 INCH REBAR MARKING THE NORTHEAST CORNER OF WATERS EDGE SUBDIVISION - PHASE 2, A SUBDIVISION ON FILE IN BOOK 104, PAGES 14,171 THROUGH 14,173, RECORDS OF ADA COUNTY, IDAHO;

THENCE LEAVING SAID WESTERLY BOUNDARY LINE AND FOLLOWING THE NORTHERLY BOUNDARY LINE OF SAID WATERS EDGE SUBDIVISION - PHASE 2, S71°45'09"W A DISTANCE OF 171.08 FEET TO A FOUND 5/8 INCH REBAR;

THENCE FOLLOWING SAID NORTHERLY BOUNDARY LINE, S62°09'31"W A DISTANCE OF 66.89 FEET TO A FOUND 5/8 INCH REBAR;

THENCE FOLLOWING SAID NORTHERLY BOUNDARY LINE, S69°37'30"W A DISTANCE OF 199.95 FEET TO A FOUND 5/8 INCH REBAR;  
THENCE LEAVING SAID NORTHERLY BOUNDARY LINE AND FOLLOWING THE WESTERLY BOUNDARY LINE OF SAID WATERS EDGE SUBDIVISION - PHASE 2, S13°30'18"E A DISTANCE OF 125.90 FEET TO A FOUND 5/8 INCH REBAR;  
THENCE FOLLOWING SAID WESTERLY BOUNDARY LINE, S18°03'49"E A DISTANCE OF 153.46 FEET TO A FOUND 5/8 INCH REBAR;  
THENCE LEAVING SAID WESTERLY BOUNDARY LINE AND FOLLOWING THE SOUTHWESTERLY BOUNDARY LINE OF SAID WATERS EDGE SUBDIVISION - PHASE 2, S59°52'24"W A DISTANCE OF 199.93 FEET TO A FOUND 5/8 INCH REBAR ON THE ON THE NORTH BANK OF THE SOUTH CHANNEL OF THE BOISE RIVER;  
THENCE LEAVING SAID SOUTHWESTERLY BOUNDARY LINE AND FOLLOWING THE SAID NORTH BANK THE FOLLOWING COURSES:

- 1) N59°38'10"W A DISTANCE OF 20.49 FEET TO A FOUND 5/8 INCH REBAR;
- 2) N04°01'40"E A DISTANCE OF 63.95 FEET TO A FOUND 5/8 INCH REBAR;
- 3) N64°03'57"W A DISTANCE OF 58.45 FEET TO A FOUND 5/8 INCH REBAR;
- 4) N60°56'04"W A DISTANCE OF 127.92 FEET TO A FOUND 5/8 INCH REBAR;
- 5) N44°40'24"W A DISTANCE OF 223.51 FEET TO A FOUND 5/8 INCH REBAR;
- 6) N14°03'18"W A DISTANCE OF 93.16 FEET TO A FOUND 5/8 INCH REBAR;
- 7) N20°41'58"W A DISTANCE OF 121.11 FEET TO A FOUND 5/8 INCH REBAR;
- 8) N44°38'32"W A DISTANCE OF 58.06 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 19.99 ACRES, MORE OR LESS.