

**SUPPLEMENTAL DECLARATION OF PROTECTIVE COVENANTS, CONDITIONS,  
RESTRICTIONS, AND EASEMENTS  
FOR  
EAGLE NEST SUBDIVISION NO. 3**


THIS SUPPLEMENTAL DECLARATION is made this 3 day of August, 2020, by EagleNest, LLC (“Declarant”).

**ARTICLE 1 – GENERAL**

**Section 1.1: Property Affected:** Declarant owns certain real property in Valley County, Idaho, which is described in the attached **Exhibit “A”**. Such property shall be referred to in this Supplemental Declaration as “the Phase 3 Property.”

**Section 1.2: Annexation to Existing Property:** Declarant caused to be divided, as “the Eagle Nest Subdivision”, certain real property which adjoins the Phase 1 (Eagle Nest Subdivision No. 1) and the Phase 2 (Eagle Nest Subdivision No. 2) and which is identified as “the Existing Property” in that certain Declaration of Protective Covenants, Conditions, Restrictions and Easements for Eagle Nest Subdivision, dated August 17, 2001 and filed of record with the office of recorder of Valley County, Idaho, on August 28, 2001, as Instrument No. 256598 (hereinafter referred to as “the Declaration”). Pursuant to Section 8.2 of the Declaration, Declarant hereby annexes the Phase 3 Property to the Existing Property.

**Section 1.3: Incorporation and Adoption of the Declaration for Eagle Nest Subdivision No. 3:** All covenants, restrictions and provisions of the Declaration (described at Section 1.2 above), as amended by means of that certain Amendment to the Declaration of Protective Covenants, Conditions, Restrictions and Easements for Eagle Nest Subdivision, dated November 9, 2001, and filed for record with the office of recorder of Valley County, Idaho, as Instrument Nos. 259671 and 259604; and, as supplemented by that certain Supplemental Declaration of Protective Covenants, Conditions, Restrictions, and Easements for Eagle Nest Subdivision No. 2, dated December 1, 2003, and filed for record with the office of recorder of Valley County, Idaho, as Instrument No. 278490; as amended by the Second Amendment to the Declaration of Protective Covenants, Conditions, Restrictions and Easements for Eagle Nest Subdivision, dated October 4, 2004, and filed for record with the office of recorder of Valley County, Idaho, as Instrument No. 288054, are hereby incorporated by reference, adopted, and declared to be applicable and binding to Eagle Nest Subdivision No. 3, except as expressly modified herein. Any future reference to “the Declaration” in this document shall include both the Declaration referred to in Section 1.2 and the Amendments and Supplements to the Declaration referred to in Section 1.3.

Instrument # 430855  
VALLEY COUNTY, CASCADE, IDAHO  
8-3-2020 01:46:33 PM No. of Pages: 3  
Recorded for : EAGLE NEST SUB NO. 3  
DOUGLAS A. MILLER  
Ex-Officio Recorder Deputy  
Index to: RESTRICTIVE COVENANT  
Fee: 16.00  


## ARTICLE 2 – MODIFICATION OF DECLARATION

For the purpose of this Supplemental Declaration, the Declaration shall be incorporated by reference, adopted, and declared to be applicable and binding on the Phase 3 Property, with the following modifications:

1. Section 3.6 of the Declaration shall be modified as follows: The first paragraph of Section 3.6 shall be deleted and replaced with the following:

“Section 3.6: **Animals**: No animals, of any kind except for household pets and **chickens** (it is specifically noted that livestock and wild animals are not to be considered household pets) shall be raised, bred, or kept on any portion of the property.

2. Section 3.6 of the Declaration shall be modified as follows: The following paragraph shall be appended to the end of Section 3.6:

“Section 3.6: **Chickens**:

A maximum of ten (10) chickens per lot will be allowed and shall exclude roosters. The slaughtering of any chicken on the property will not be permitted. Chicken feed will be stored in rodent proof containers or stored indoors. Chickens must be enclosed in a structure that provides safety from weather and predators. Structures shall provide a minimum of two (2) square feet per animal. No enclosure shall exceed forty (40) square feet of floor area and shall not exceed eight (8) feet in height. Enclosures must be roofed and enclosed on all sides, be well ventilated and kept clean regularly to prevent offensive odors. Enclosure construction including fencing and location will be controlled by the Architectural Control Committee.

## ARTICLE 3 – EAGLE NEST PROPERTY OWNERS’ ASSOCIATION

Every Owner of a Lot within the Phase 3 Property which is subject to assessment shall be a member of the Eagle Nest Property Owners’ Association, and shall be subject to the terms and conditions of the Articles and Bylaws of such Association, in addition to the Declaration as provided in Article 2 above.

IN WITNESS WHEREOF, Declarant has executed this Supplemental Declaration the day and year first above written.

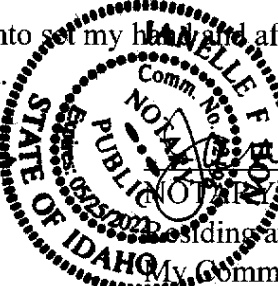
EagleNest, LLC

By: [Signature]  
F. Phillip Davis  
Its Managing Member

STATE OF IDAHO, )  
(ss.  
County of Valley . )

On this 3 day of August, 2020, before me, F Phillip Davis  
A Notary Public in and for said State, personally appeared **F. Phillip Davis**, known or identified to me to be the Managing Member of the Limited Liability Company that executed the aforesaid Supplemental Declaration, or the person who executed the Declaration on behalf of the said Limited Liability Company, and acknowledged to me that the said Company did execute the same.

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

  
Chanelle F. Johnson  
NOTARY PUBLIC FOR IDAHO  
Residing at: Cascade Id  
My Commission Expires: 5/25/2022