

Eagle Nest Subdivision CC&R's Rules
Section 5.3 paragraph B

- A. A courtesy call or letter from a board member asking for compliance will first address violations of CC&R's. If Compliance is not met within 10 calendar days, a written notice will be mailed, giving notice of non-compliance. If compliance is not met within 10 calendar days of receipt of letter of notification, a fine of \$25.00 per day will be levied, in the case of a continuing violation.
- B. A repeat violation of the same nature of non-compliance shall be fined without additional written notices, up to \$50.00 per day in the case of continuing same violation.
- C. All assessments, dues, and or fines are due in full within 30 business days of billing. A late fee of 1.5% per month of any unpaid billings shall be applied to any balances.

Rule 1. Visitors and guests may have "A" (one) camper, motor home, or trailer on a lot for a reasonable term, not to exceed 14 consecutive days, nor more than 60 days per calendar year. An owner shall have the same right, prior to "commencement of construction". During the period of construction, with permit on site, but not more than one year, an owner may have one RV type vehicle on their lot on a continuous basis. Owner's RV type vehicles must be removed or stored in an enclosed building within 14 days of receiving their Certificate of Occupancy from the County Building Department. No more than a total of two such RV's or Campers per visit shall apply. The Board will consider additional units per visit with prior written request, and prior approval, for special events. Section 3.1 paragraph C. and Section 3.18

Rule 2. Signs for resale are the only signs permitted on a lot not to exceed 9 sq. ft. in size. A (one) general contractor sign will be permitted for the period of construction, but not more than one year. No subcontractor signs are permitted at any time during or after construction projects. Section 3.20

Rule 3. ATV's, snowmobiles, motorcycles, or other recreational vehicles are not permitted on roadways within the subdivision. These types of vehicles are to be used only for lot maintenance and for direct egress or ingress to and from owners lot or to cluster mailboxes to receive mail. Joy riding on roadways or lots is not permitted. Section 3.12 and Section 3.18.

Rule 4. Storage of Owners' Vehicles and Equipment: All Owners' automobiles, trucks, snowmobiles, boats, boat trailers, travel trailers, camper trailer, motor homes, automotive campers, or other vehicles or equipment shall be parked/stored in a garage or other enclosed building, or in an area which is completely screened from view from other lots or roads within the Subdivision; provided, the parking of such vehicles or equipment in

view of other lots or roads for any period of less than eight (8) continuous days shall not violate this covenant. No more than a total of 21 days per calendar year.

Your Board of Directors was elected to support and enforce Eagle Nest CC&R's. Lot owners support of your Board of Directors is deeply appreciated.

Your 2005 Board member names, addresses, and phone numbers are listed below.

President

Craig Baber

4 Katlin Trail

Cascade, ID 83611

Home: 208-382-5072

Vice-President/Treasurer

Randy Hooker

1453 W. Hempstead Drive

Eagle, ID 83616

Home: 208-938-2985

Secretary

Mike Keithly

23 Joshua Drive

Cascade, ID 83611

Home: 208-382-3842

EAGLE NEST HOMEOWNERS' ASSOCIATION, INC.
ANNUAL MEETING MINUTES
SEPTEMBER 8, 2007

The annual membership meeting of the Eagle Nest Homeowners' Association was called to order at 10:10 a.m. by Craig Baber, President of the Board of Directors, at the Ashley Inn in Cascade, Idaho. The Association has 98 lots in the subdivision and the requirement for a quorum of 33 lot owners or proxy votes must be met in order to conduct the meeting. It was established by a show of hands that 29 lot owners were present and 28 proxies were produced for a quorum of 57 lot owners. Please note that the votes recorded on agenda items below may not add up to 57, due to lot owners coming in late or choosing not to vote or abstain.

The first order of business was the Treasurer's Report given by Randy Hooker. Please refer to the attached report. Randy informed us that, except for one possibly two months worth of MGM Management fees, the budget is balanced and correct. The motion was made by Ingrid Brudenell and seconded by Jan White to accept the Treasurer's Report; motion passed unanimously with one Nay vote.

The next order of business was to discuss and vote on those agenda items announced in the meeting notice. The results are listed below.

- a. Do we agree to keep our annual dues at \$240 for 2007-2008? After discussion the motion was made by Linda Leonard and seconded by Richard Jacobson to keep our dues at \$240 for 2007-2008. Motion passed unanimously with one Nay vote.
- b. Do we agree to not renew our contract with MGM Management and hire Diane Hendrickson at \$800 annually to conduct administrative functions for the Association? After discussion about retrieval of the data base, which Randy Hooker will take care of, and Mike Keithly will pick up all paper files from MGM, a motion was made by Kevin Platts and seconded by Bill Brudenell to sever ties with MGM and hire Diane. The motion passed unanimously with one Nay vote.
- c. Do we agree to amend our rules to allow lot owners to park a maximum of two (2) automobiles in their driveways, this vote pertains only to passenger automobiles, not camp trailers, motorhomes, trailers, boats or similar items as addressed in our CC&Rs? These two passenger vehicles (automobiles) must be operable, licensed and owned by the individual lot owner. The motion was made by Bill Brudenell and seconded by Kevin Platts to amend our rules and allow lot owners to park two automobiles in their driveways with no time restrictions. The motion passed with 40 Yes votes, 14 Nay votes and 1 abstention.
- d. Do we agree to apply oil to all 6.2 miles of roadways within the subdivision? Lively and lengthy discussion ensued. If we decide to do this at a cost of around \$27,000, we would have to do it again next year, skip the third year and apply again the fourth year in order to achieve the maximum effect. Applying oil will reduce dust, improve the road surface and contribute to curtailing weed encroachment along the side of the road. We would also need to decide if an assessment needs to be approved in order to pay for this and keep our budget at an acceptable level. (Please read below for the decision on an

assessment.) The motion was made by Bill Brudenell and seconded by Jim Leonard to oil our roads next spring. The motion passed by a vote of 34 Yes votes and 23 Nay votes. The Board of Directors will begin researching for the best contract to oil the roads.

d. (1) Do we agree to levy an assessment on each lot owner to pay for oiling the roads and helping to maintain a reasonable budget balance? The motion was made by Kevin Platts and seconded by Cory Coltrin to levy an assessment of \$200 per lot owner. The motion failed on a vote of 30 Nay votes, 26 Yes votes, with 3 abstentions. Another motion was made by Jeff Blevins and seconded by Ingrid Brudenell to levy a \$100 assessment on each lot owner. This motion passed with 31 Yes votes, 18 Nay votes and 10 abstentions.

e. Do we agree to grant a one year extension to Jim and Cathleen Speck to finish the exterior of their home and complete construction of their detached garage? This will be the final extension that can be granted. If the exterior construction is not completed at the end of this period there will be a \$25 fine per day until construction is completed. Motion was made by Dave O'Brien and seconded by Bill Kreisle to grant the one year extension. Motion passed unanimously.

e.(1) This agenda item was not on the Annual Meeting Notice, but since it required a vote during the membership meeting it was decided to add it to the agenda. Essentially the same issue as e. above, do we agree to grant a one year extension to Jim and Linda Leonard on Sarah Way to finish the minor exterior work on their home? Motion was made by Kevin Platts and seconded by Dave O'Brien to grant the one-year extension. The motion passed unanimously.

f. Do we support, or not support, the idea of a Regional Airport being built adjacent to the existing Cascade Airport? The take-off and landing patterns would impact our subdivision. The motion was made by Steve Hoke and seconded by June Marguet to not support a Regional Airport. The motion passed with 44 Yes votes and 14 Nay votes.

g. Do we wish to hold next year's annual meeting at the American Legion Hall in Cascade? The Hall can be rented for around \$250. We will make it a "pot luck" lunch and the Bar will be open so that we can socialize after the business meeting and get to know each other better. The motion was made by Linda Leonard and seconded by June Marguet to rent the American Legion Hall in 2008 for our annual membership meeting. The motion passed almost unanimously with 2 Nay votes. Mike Keithly will arrange with the American Legion to rent the Hall on the first Saturday following Labor Day. Next year's annual meeting notice will provide details regarding the "pot luck" lunch.

h. Mike Keithly's term on the Board of Directors as Secretary has ended and we need to elect a new Secretary. The motion was made by Barry McCahill and seconded by Jan White that Mike Keithly be re-elected to the Secretary's position. No other nominations were forthcoming. The motion passed unanimously and Mike will serve as Secretary in his second term until it expires in September of 2010.

i. Do we expand the rule in our CC&Rs regarding the use of ATVs within the subdivision, allowing lot owners to ride ATVs while conducting Homeowners' Association business and to ride ATVs to visit neighbors? The motion was made by Jim Leonard and seconded by Bill Brudenell to expand this rule and allow lot owners to use their ATVs for the two purposes listed above. Motion passed unanimously.

The next order of business was discussing the general information provided in the annual meeting notice. Craig Baber went through the items. Craig emphasized the need for lot owners to prevent their pets from becoming a nuisance i.e. dogs chasing cars or roaming the neighborhood without their owners. He also touched on the need for lot owners to provide the Architectural Control Committee with complete building plans to include any detached buildings, such as a garage, in order that they can make an informed and complete assessment before they approve the plans prior to actual construction. Mention was also made regarding fire safety and that lot owners must comply with any fire restrictions that may be in place.

The last order of business was to vote on one item in "old business". Do we wish to spend the money to purchase a 10,000 gallon underground water holding tank for fire suppression? After discussing the pros and cons the motion was made by Steve Hoke and seconded by Cory Coltrin to not purchase this underground holding tank. The motion passed with 47 Yes votes and 10 Nay votes. The Davis Family has offered the use of the well pump, located across from the Joshua Drive entrance for Phase Two, so that Cascade Rural Fire Department can utilize this source of water during the irrigation season as a source of water replenishment for their water tanker truck. Mike Keithly will inform Jim Haas, the Fire Chief, about this source of water.

There being no further business, the motion was made to adjourn the meeting by Dave O'Brien and seconded by Bill Brudenell. Motion passed unanimously and our 2007 Annual Membership Meeting closed at 12:30 P.M.

Respectfully submitted,
Mike Keithly, Secretary

25 September, 2007

During our 8 September, 2007 Annual Membership meeting there were two agenda items requesting changes to our CC&Rs. Both items were discussed and upon proper motions made were passed and now become new "rules" to our CC&Rs. They are detailed below. These changes should be added to each lot owners copy of our CC&Rs.

Article 3, Section 3.4: Do we agree to amend our rules to allow lot owners to park a maximum of two (2) automobiles in their driveways? This rule change pertains only to passenger automobiles, not camp trailers, motorhomes, trailers, boats or similar items as addressed within our CC&Rs. These two passenger vehicles (automobiles) must be operable, licensed and owned by the individual lot owner. The motion was made by Bill Brudenell and seconded by Kevin Platts to amend our rules and allow lot owners to park two automobiles in their driveways with no time restrictions. The motion passed with 40 yes votes, 14 no votes and 1 abstention. Based on this vote lot owners may now have up to two automobiles, owned by them, parked in their driveway for as long and as often as they choose.

Article 3, Section 3.12: Do we expand the rule in our CC&Rs regarding the use of ATVs within the subdivision, allowing lot owners to ride ATVs while conducting Homeowners Association business and to ride ATVs to visit neighbors? This would clarify, or expand the rule change made on 20 May, 2005 that stated ATVs could only be used for ingress or egress to and from a lot owners home or lot out of or into the subdivision, used for lot maintenance or used to drive to the cluster mailboxes to retrieve mail. The motion was made by Jim Leonard and seconded by Bill Brudenell to expand this rule and allow lot owners to use their ATVs for the two purposes listed above (used for Homeowners Association business and visiting neighbors). Motion passed unanimously. Joy riding or reckless behavior on the subdivision's roadways, on private lots or trespassing on another lot owners property is expressly prohibited.



Respectfully, D. M. Keithly, Secretary