

RECORDING REQUESTED BY:

CLIFFORD T. HAYES 4 P 2363394000
KOOTENAI COUNTY RECORDER
SEH 6/22/2012 3:38 PM
REQ OF KOOTENAI COUNTY TITLE
COMPANY
RECORDING FEE: \$19.00 SC
Electronically Recorded

SECOND CORRECTED
**TWELFTH AMENDMENT TO DECLARATION OF COVENANTS,
CONDITIONS, RESTRICTIONS, AND RESERVATIONS OF
EASEMENTS FOR THE LANDINGS AT WATERFORD
LOCATED IN COEUR D'ALENE, KOOTENAI COUNTY, IDAHO**

This Declaration is made on this 21ST day of June, 2012, by the undersigned owner of the subject property, to correct Kootenai County Instrument Nos. 2363183000 and 236323300 and to establish certain covenants, conditions, restrictions, and easements for The Landings at Waterford, located in the City of Coeur d'Alene, Kootenai County, Idaho, as follows:

(A) On November 12, 2003, Bluegrass Development, LLC, as Grantor, caused to be recorded as Kootenai County Instrument No. 1842411 a certain "Declaration of Covenants, Conditions, Restrictions and Reservations of Easements for The Landings at Waterford Located in Coeur d'Alene, Kootenai County, Idaho."

(B) On December 2, 2003, Bluegrass Development, LLC, as Grantor, caused to be recorded as Kootenai County Instrument No. 1846146 a certain "First Amendment to Declaration of Covenants, Conditions, Restrictions, and Reservations of Easements for The Landings at Waterford Located in Coeur d'Alene, Kootenai County, Idaho."

(C) Said Declarations, as described in Paragraphs (A) and (B) above, encumbered certain specifically described real property which had been platted as The Landings at Waterford according to the plat recorded as Instrument No. 1845145 in Book I at pages 490, 490A through 490C, with the Kootenai County Recorder on November 25, 2003.

(D) The Declarations recorded as Kootenai County Instrument No. 1842411, as described in Paragraph (A) above, and as reincorporated by the Declaration described in Paragraph (B) above, further provided in part at Paragraph H of the Recitals thereof as follows:

Grantor reserves unto itself the sole and exclusive right to file and record subsequent amendments to these Declarations [Instrument No. 1842411] so that the same may be extended to cover those portions of property described on Exhibits "A" and "B" hereto. It is the specific intention of Grantor that should Grantor desire to develop

any additional portions of the Property in a manner consistent with the plat and the forms attached hereto as Exhibit "D," that Grantor may amend this Declaration by recorded instrument, without further notice, so that the same encompasses any or all of the property described herein as the Property (Exhibits "A" and "B" hereto). Any residential lots (which shall specifically not include any "commercial" lots or "multi-family lots", including but not limited to those "multi-family" and "commercial" lots as are generally depicted on Exhibit "E" hereto) created from or on the Property shall be subject to the terms and conditions of this Declaration, and shall be made mandatory members of the Association.

(E) Pursuant to the authority arising under Paragraph H of the Recitals of Instrument No. 1842411 and under Idaho law, Mulligan Investments, LLC, as Successor Grantor with respect to the real property described herein, does and declares its intention that all lots created by that certain plat recorded as Landings at Waterford Seventh Addition in Book K of Plats at pages 368, 368A, and 368B (Kootenai County Instrument No. 2362137000) are lots created from the real property described on Exhibits A and B to the Declaration recorded as Kootenai County Instrument No. 1842411. Said lots are referred to herein as "Landings at Waterford Seventh Addition."

(F) Successor Grantor declares that all of the lots described as Landings at Waterford Seventh Addition, which are described in more particularity on Exhibit A hereto, are to be held, sold, conveyed, encumbered, hypothecated, leased, used, occupied and improved subject to the easements, restrictions, covenants, and conditions set forth in the Declarations recorded as Kootenai County Instrument Nos. 1842411 and 1846146, and any and all amendments thereto, all of which are for the purpose of uniformly enhancing and protecting the value, attractiveness and desirability of the Lots and Dwelling Units thereon, in furtherance of a general plan for protection, maintenance, improvement and sale of the Lots and Dwelling Units thereon or any portion thereof. The covenants, conditions, restrictions, reservations and easements set forth in the Declaration as described in Paragraphs A and B of these Recitals, and any and all amendments thereto, and made applicable to Landings at Waterford Seventh Addition (as described on Exhibit A hereto), shall run with the Lots created as Landings at Waterford Seventh Addition and shall be binding upon any parties having any right, title, or interest in any or all of said property (Landings at Waterford Seventh Addition) and any Dwelling Units thereon, or any part thereof, their heirs, successors, and assigns, and shall inure to the benefit of each Owner thereof; and may be enforced by Successor Grantor, or by any Owner (as defined in the Declaration recorded as Instrument No. 1842411) or by the Association (as defined in Instrument No. 1842411).

(G) Any person or party acquiring any interest in any Lot or Dwelling Unit in Landings at Waterford Seventh Addition, as described on Exhibit A hereto, shall take and hold said property with actual and constructive notice of the Declarations recorded as Kootenai County Instrument Nos. 1842411 and 1846146, which are reincorporated herein as though set forth in full, and acknowledged to have been made applicable to, and an appurtenance of, Landings at Waterford Seventh Addition as described in Exhibit A hereto.

**EXHIBIT A TO SECOND CORRECTED
TWELFTH AMENDMENT TO DECLARATION OF COVENANTS,
CONDITIONS, RESTRICTIONS, AND RESERVATIONS OF
EASEMENTS FOR THE LANDINGS AT WATERFORD
LOCATED IN COEUR D'ALENE, KOOTENAI COUNTY, IDAHO**

All of the following described lots as shown on the Plat of Landings at Waterford Seventh Addition as recorded in Book K of Plats, pages 368, 368A, and 368B (Kootenai County Instrument No. 2362137000), records of Kootenai County, Idaho:

Lots 1 through 4, Block 1

Lots 1 through 6, Block 2