

ADA COUNTY RECORDER
J. DAVID NAVARRO
BOISE, IDAHO

2000 AU -1 PM 4: 51

RECORDED - REQUEST OF

FEE 9.00 DEPUTY *[Signature]*

100060886

ALLIANCE TITLE

**FIFTH AMENDMENT TO MASTER DECLARATION
OF
COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS
FOR
ASHFORD GREENS SUBDIVISION
(To Annex Ashford Greens No. 4 Subdivision)**

July 26, 2000

RECITALS

WHEREAS, there has been recorded by Brighton Corporation, an Idaho Corporation, as Grantor, a Master Declaration of Covenants, Conditions, Restrictions and Easements for Ashford Greens Subdivision dated April 1, 1997, recorded April 23, 1997, as Instrument No. 97031111, records of Ada County, Idaho, which Master Declaration was amended by a First Amendment to Master Declaration of Covenants, Conditions, Restrictions and Easements for Ashford Greens Subdivision dated May 1, 1997, recorded May 5, 1997, as Instrument No. 97034750, records of Ada County, Idaho and amended by a Second Amendment to Master Declaration of Covenants, Conditions, Restrictions and Easements for Ashford Greens Subdivision dated January 6, 1998, recorded January 9, 1998, as Instrument No. 98001915, records of Ada County, Idaho and amended by a Third Amendment to Master Declaration of Covenants, Conditions, Restrictions and Easements for Ashford Greens Subdivision dated December 30, 1998, recorded December 31, 1998, as Instrument No. 98126555 records of Ada County, Idaho, and amended by a Fourth Amendment to Master Declaration of Covenants, Conditions, Restrictions and Easements for Ashford Greens Subdivision dated August 9, 1999, recorded August 11, 1999, as Instrument No. 99080494 records of Ada County, Idaho (hereafter as amended "Master Declaration");

WHEREAS, the Master Declaration allows for the annexation of additional property to Ashford Greens Subdivision, which additional property, when annexed, is brought within the provisions of the Master Declaration; and

WHEREAS, the purpose of this Fifth Amendment is to annex the additional property hereafter described, and upon such annexation to subject such additional property to all of the terms, covenants, conditions, restrictions and easements contained in the Master Declaration, and to supplement the Master Declaration.

ARTICLE I.

PROPERTY COVERED

The property which is covered by this Fifth Amendment and which shall be annexed under the Master Declaration is the real property described as follows (hereafter "Annexed Property"):

Lots 2 through and including 25 of Block 19, and Lot 1, Block 26 of ASHFORD GREENS NO. 4 SUBDIVISION, according to the official plat thereof filed in Book 80 of Plats at Pages 8689 thru 8690, records of Ada County, Idaho,

which above described real property is hereafter referred to as "Annexed Property".

ARTICLE II.

DEFINED TERMS

Unless the context otherwise specifies or requires, the words and phrases in this Fifth Amendment shall have the same meaning as such words and phrases are defined in the Master Declaration.

ARTICLE III.

ANNEXATION AND DECLARATION

Pursuant to Section 12.01 of the Master Declaration, the Grantor hereby declares that the Annexed Property is annexed to Ashford Greens Subdivision, and brought within the provisions of the Master Declaration, and is hereby made subject to all of the covenants, conditions, restrictions and easements of the Master Declaration.

ARTICLE IV.

OWNERS ASSOCIATION

As provided in Section 12.01 of the Master Declaration, upon the annexation of the Annexed Property, the Owners of the Lots within the Annexed Property shall become members of Ashford Greens Owners Association, Inc. (as defined in the Master Declaration) with all rights privileges and obligations as all other members.

ARTICLE V.

EFFECTIVE DATE

This Fifth Amendment shall be effective from and after the date it is recorded in the official Records of Ada County, Idaho.

IN WITNESS WHEREOF, the undersigned, being the Grantor under the Master Declaration, and pursuant to Section 12.01 of the Master Declaration, has hereunto executed this Fifth Amendment as of the date and year first above written.

GRANTOR:

BRIGHTON CORPORATION

By: *David W. Turnbull*
David W. Turnbull, President

STATE OF IDAHO)
) ss:
County of Ada)

On this *23rd* day of *July*, 2000, before me, the undersigned, a Notary Public in and for said State, personally appeared DAVID W. TURNBULL, known or identified to me to be the President of BRIGHTON CORPORATION, an Idaho Corporation, the Corporation that executed the foregoing instrument or the person who executed the foregoing instrument on behalf of said Corporation, and acknowledged to me that such Corporation 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.



Rebecca A. Hanks
Notary Public for Idaho
Residing at: Meridian, Idaho
My Commission Expires: 10/06/2005