

2013-006395

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CHRIS YAMAMOTO

CANYON COUNTY RECORDER

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\$16.00

MISC

DAKOTA CROSSING

**SUPPLEMENTAL DECLARATION OF DELETION OF PROPERTY FROM
THE MASTER DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS FOR
DAKOTA CROSSING SUBDIVISION**

This Supplemental Declaration of Deletion of Property from the Master Declaration of Covenants, Conditions and Restrictions for Dakota Crossing Subdivision is made effective as of February 11, 2013, by Dakota Crossing Investments, LLC, an Idaho limited liability company (“Dakota” or “Grantor”).

RECITALS

A. Dakota Crossing Subdivision No. 1, according to the official plat thereof filed in Book 39 of Plats at Page 48, and recorded on June 14, 2007, as Instrument No. 2007041505, records of Canyon County, Idaho, as amended by that certain Affidavit of Correction Dakota Crossing Subdivision No. 1, recorded on May 21, 2009, as Instrument No. 2009025369, and by that certain Lot Line Adjustment Survey, recorded on October 19, 2009, as Instrument No. 2009053828, records of Canyon County, Idaho, and Dakota Crossing Subdivision No. 2, according to the official plat thereof filed in Book 40 of Plats at Page 1, and recorded on June 18, 2007, as Instrument No. 2007042337, records of Canyon County, Idaho, as amended by that certain Affidavit of Correction Dakota Crossing Subdivision No. 2, recorded on May 21, 2009, as Instrument No. 2009025368, records of Canyon County, Idaho (collectively, the “Property”), is subject to that certain Master Declaration of Covenants, Conditions and Restrictions executed by IKP, LLC, an Idaho limited liability company (“IKP”), and recorded on July 13, 2007, as Instrument No. 2007048686, records of Canyon County, Idaho, as amended by that certain First Amendment to the Master Declaration of Covenants, Conditions and Restrictions for Dakota Crossing Subdivision executed by IKP and recorded on September 10, 2007, as Instrument No. 2007061792, records of Canyon County, Idaho, and by that certain Second Amendment to the Master Declaration of Covenants, Conditions and Restrictions for Dakota Crossing Subdivision recorded on February 8, 2013, as Instrument No. 2013006159, records of Canyon County, Idaho (collectively, the “Master Declaration”).

B. IKP was the original Grantor under the Master Declaration and Dakota is the current Grantor thereunder, as successor in interest to IKP, pursuant to the definition of Grantor in Article 3 of the Master Declaration.

C. Pursuant to Section 11.5 of the Master Declaration, any portion of the Property may be deleted from the coverage of the Master Declaration and from the jurisdiction of the Association by Owners representing ninety-five percent (95%) or more of the voting power of the Association.

D. The Property consists of 112 Building Lots, and Grantor is the Owner of 90 of those Building Lots. Pursuant to Section 5.3 of the Master Declaration, as the Class B Member of the Association, Grantor is entitled to six (6) votes per Building Lot owned. Grantor holds more than 96% of the voting power of the Association, which is sufficient voting power in Grantor, by itself, to delete property from the coverage of the Master Declaration and from the jurisdiction of the Association.

E. Grantor desires to delete certain property from the coverage of the Master Declaration and from the jurisdiction of the Association as hereinafter set forth.

NOW, THEREFORE, by this instrument, Grantor, as an Owner representing ninety-five percent (95%) or more of the voting power of the Association, hereby declares that Lots 2, 3C, 4, 5, 6, 7 and 8, Block 1, Dakota Crossing Subdivision No. 1, according to the official plat thereof filed in Book 39 of Plats at Page 48, recorded on June 14, 2007, as Instrument No. 2007041505, records of Canyon County, Idaho, as amended by that certain Affidavit of Correction Dakota Crossing Subdivision No. 1, recorded on May 21, 2009, as Instrument No. 2009025369, and by that certain Lot Line Adjustment Survey, recorded on October 19, 2009, as Instrument No. 2009053828, records of Canyon County, Idaho, are hereby deleted from the coverage of the Master Declaration and from the jurisdiction of the Association.

All capitalized terms not defined herein shall have the meanings set forth for such terms in the Master Declaration.

EXECUTED this 11th day of February, 2013.

Grantor:

Dakota Crossing Investments, LLC,
an Idaho limited liability company

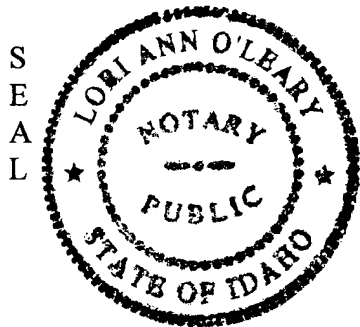
By: Linda L. Yanke
Linda L. Yanke


Its: Manager

STATE OF IDAHO)
) ss.
County of Ada)

On this 11th day of February, in the year 2013, before me, the undersigned, a Notary Public in and for said State, personally appeared Linda L. Yanke, known or identified to me (or proved to me on the oath of _____) to be the Manager of Dakota Crossing Investments, LLC, an Idaho limited liability company, the limited liability company that executed the within and foregoing instrument or the person who executed the instrument on behalf of said limited liability company, and acknowledged to me that such limited liability 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
My commission expires on 7/12/2013