

**RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:**

**James P. Speck, Esq.
SPECK & AANESTAD
A Professional Corporation
Post Office Box 987
Ketchum, Idaho 83340**

(space above line for Recorder's Use)

Instrument # 629902

HAILEY, BLAINE, IDAHO
9-29-2015 05:00:00 PM No. of Pages: 3
Recorded for : OLD CUTTERS HOA
JOLYNN DRAGE Fee: 16.00
Ex-Officio Recorder Deputy
Index to: AMENDED COVENANTS & RESTRICTIONS

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**FOURTH AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS
AND RESTRICTIONS OF OLD CUTTERS SUBDIVISION**

This Fourth Amendment to Declaration (the "Amendment") is made as of the date set forth below as follows:

1. The Declaration Establishing Covenants, Conditions and Restrictions for Old Cutters Subdivision and amendments thereto were recorded November 29, 2007 as Instrument No. 553633, April 2, 2013 as Instrument No. 607932, April 15, 2013 as Instrument No. 608314, and December 11, 2014 as Instrument No. 623217, in the records of Blaine County, Idaho (collectively the "Declaration").

2. Section 2.1.4 of the Declaration shall be amended by adding the following at the end of such Section: "Front yard fencing is not allowed within the 20 foot setback anywhere in the Subdivision."

3. Section 2.11 of the Declaration shall be amended to read as follows:

2.11. Yard Art; Unsightly Articles. No yard art may be placed or maintained in the front yard of any Lot. No unsightly articles shall be permitted to remain on any Lot so as to be visible from any other portion of the Property. Without limiting the generality of the foregoing, refuse, garbage, and trash shall be kept at all times in such containers and in areas approved by the DRC. No clothing or fabrics shall be hung, dried, or aired in such a way as to be visible to other property, and no equipment, treat pumps, compressors, containers, lumber, firewood, grass, shrub or tree clippings, plant waste, metals, bulk material, scrap, refuse, or trash shall be kept, stored or allowed to accumulate on any Lot except within an enclosed structure or as appropriately screened from view. No vacant residential structures shall be used for the storage of building materials.

4. Section 2.13 of the Declaration shall be amended to read as follows:

2.13 Enclosed Boats, Campers and Other Vehicles. Boats and campers must be

enclosed at all times, except during the periods of June 1 through September 30, or removed from the property. A 24-hour grace period of loading and unloading is allowed. A \$100.00/day fine will be the financial responsibility of the owner for each violation. At all possible times any all-terrain vehicles, motorcycles, recreational vehicles, bicycles, dilapidated or unrepaired and unsightly vehicles, or similar equipment shall be stored in the garage and are not allowed on streets, parking areas, and driveways, unless screened from view or by a structure pre-approved by the DRC. To the extent possible, garage doors shall remain closed at all times.

5. Section 3.5.2.2(c) of the Declaration shall be amended to read as follows:

(c) Full coverage directors and officers liability insurance with a limit of One Million Dollars (\$1,000,000) per occurrence.

6. Add the following to the beginning of the first paragraph of Section 2.A of Exhibit A to the Declaration:

All fencing shall comply with the provisions and restrictions of the Declaration.

7. A new paragraph shall be added to the end of Section 5.G of Exhibit A to the Declaration to read as follows:

All construction activity must also comply with the City of Hailey noise ordinance and restrictions on hours of operation.

8. All other provisions of the Declaration shall remain the same and in full force and effect.

The undersigned, as president and secretary of Old Cutters Homeowners Association, Inc., hereby certify that the amendments set forth above have been approved by the vote or written consent of at least three-fourths (3/4) of the Owners of Lots in the Subdivision as required by Section 10.2.1 of the Declaration.

IN WITNESS WHEREOF, the undersigned have executed this instrument as of the date set forth below.

OLD CUTTERS HOMEOWNERS
ASSOCIATION, INC.

Date:

9/29/15

By:



John Campbell, President

Date:

9-28-2015

By:

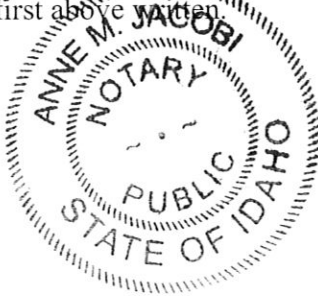


Kelly Malone, Secretary

STATE OF IDAHO)
) ss.
County of Blaine)

On this 29 day of September, 2015, before me, the undersigned notary public in and for said state, personally appeared John Campbell, known or identified to me to be the president of OLD CUTTERS HOMEOWNERS ASSOCIATION, INC., and the person who executed the foregoing instrument on behalf of said corporation and acknowledged to me that said corporation executed the same.

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



Anne M. Jacobi
Notary Public for Idaho
Residing at: Blaine
Commission expires: 1/26/17

STATE OF IDAHO)
) ss.
County of Blaine)

On this 28 day of September, 2015, before me, the undersigned notary public in and for said state, personally appeared Kelly Malone, known or identified to me to be the secretary of OLD CUTTERS HOMEOWNERS ASSOCIATION, INC., and the person who executed the foregoing instrument on behalf of said corporation and acknowledged to me that said corporation executed the same.

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



Anne M. Jacobi
Notary Public for Idaho
Residing at: Blaine
Commission expires: 1/26/17