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Geoffrey M. Wardle  
GARDNER MACE RANCH, L.C.  
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83702

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## **SUPPLEMENTAL DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS AND NOTICE OF ANNEXATION FOR MACE RIVER RANCH SUBDIVISION NO. 2**

THIS SUPPLEMENTAL DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS AND NOTICE OF ANEXATION FOR MACE RIVER RANCH SUBDIVISION NO. 2 ("**Supplemental Declaration**") is made on the date hereinafter set forth by Gardner Mace Ranch, L.C., a Utah limited liability company, hereinafter referred to as "**Declarant**."

### **RECITALS**

WHEREAS, Declarant previously executed a Master Declaration of Covenants, Conditions and Restrictions for Mace River Ranch on November 20, 2013 and recorded the same in the Official Records of Ada County, Idaho as Instrument No. 113127412 on November 22, 2013 ("**Master Declaration**");

WHEREAS, Pursuant to Article XIX of the Master Declaration, Declarant reserved the right to annex any real property into the project upon the recording of a notice of annexation or supplemental declaration;

WHEREAS, Declarant's affiliate, SJTC Nampa, L.C., a Utah limited liability company, has now developed an adjoining portion of the project known as Mace River Ranch Subdivision No. 2 ("**Phase 2**"), as more particularly described in Exhibit "A" and desires to annex it to the subdivision and make it subject to the Master Declaration;

WHEREAS, Declarant will acquire Phase 2 from SJTC Nampa, upon completion of its infrastructure improvements and platting; and

WHEREAS, this Supplemental Declaration of Covenants, Conditions and Restrictions and Notice of Annexation for Mace River Ranch Subdivision No. 2 is made in furtherance of and consistent with Article XIX of the Master Declaration.

NOW THEREFORE, Declarant hereby declares that the Phase 2 property described in Exhibit "A" shall be held, sold, conveyed and subject to the Master Declaration, which is hereby incorporated by reference as if fully set forth herein except

**SUPPLEMENTAL DECLARATION OF COVENANTS, CONDITIONS AND  
RESTRICTIONS AND NOTICE OF ANNEXATION FOR MACE RIVER RANCH  
SUBDIVISION NO. 2, Page 1**

in so far as the covenants, conditions and restrictions of the Master Declaration are hereinafter supplemented or modified. It is the intention of the Declarant that the provisions of the Master Declaration and this Supplement be read together, as a whole so that the provisions of the Master Declaration and this Supplement shall, to the maximum extent possible, both be applicable to the Phase 2 property except to the extent the provisions of this Supplement shall specifically modify or supersede the provisions of the Master Declaration. Any provision of the Master Declaration not specifically amended, modified, superseded, terminated or otherwise addressed in this Supplement shall be fully applicable to the Phase 2 property as if repeated herein in full.

## **ARTICLE 1** **ANNEXATION**

1.1 This annexation of the Phase 2 property is made subject to Article XIX of the Master Declaration as noted above, having been recorded in the Official Records of Ada County, Idaho as Instrument No. 113127412 on November 22, 2013

1.2 The Phase 2 property is more particularly described in Exhibit A, attached hereto and incorporated herein by this reference.

1.3 The Master Declaration shall apply to the Phase 2 property, and the Owners of all such property shall be subject to the Master Declaration and shall have all of the duties, rights, and obligations of Owners set forth therein. Phase 2, and all lots platted therein, is hereby annexed into Mace River Ranch and made subject to the Master Declaration for Mace River Ranch

1.4 The Phase 2 property shall be subject to all of the use restrictions set forth in the Master Declaration.

## **ARTICLE 2** **GENERAL PROVISIONS**

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

2.2 This Supplemental Declaration shall be effective from and after the date it is recorded in the Official Records of Ada County, Idaho.

2.3 This Supplemental Declaration shall be modified and amended solely in compliance with Articles XIX and XX of the Master Declaration.

*Signatures on Following Page*

IN WITNESS WHEREOF, the Declarant, being the Declarant under the Master Declaration, and consistent with the rights reserved by it under Article XIX of the Master Declaration has executed this Supplemental Declaration as of this 28 day of October, 2014.

Gardner Mace Ranch, L.C., a Utah limited liability company, by its manager

Consented to by

SJTC Nampa, L.C., a Utah limited liability company,

KC Gardner Company, L.C., a Utah limited liability company by its manager

KC Gardner Company, L.C., a Utah limited liability company

By:

  
Name: Christian Gardner  
Title: Manager

By:

  
Name: Christian Gardner  
Title: Manager

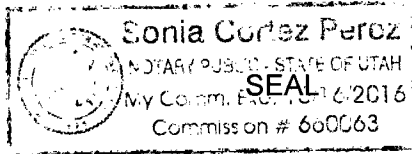
STATE OF UTAH )

) ss.

County of SALT LAKE

On this 28 day of OCTOBER, 2014 before me, SONIA C PEREZ, a Notary Public in and for said State, personally appeared Christian Gardner, known or identified to me to be the Manager of KC Gardner Company, L.C., a Utah limited liability company, the Manager of Gardner Mace Ranch, L.C., a Utah limited liability company, and the Manager who subscribed said company name to the foregoing instrument, and acknowledged to me that he executed the within instrument on behalf of said KC Gardner Company, L.C., and that such KC Gardner Company, L.C., executed the same in the name of Gardner Mace Ranch, L.C.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.



[Signature]  
Notary Public for State of UTAH  
Residing at DAVIS COUNTY, UT  
Commission Expires: 10-16-16

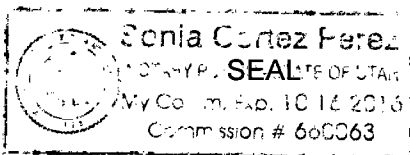
STATE OF UTAH )

) ss.

County of SALT LAKE

On this 28 day of OCTOBER, 2014 before me, SONIA C PEREZ, a Notary Public in and for said State, personally appeared Christian Gardner, known or identified to me to be the Manager of KC Gardner Company, L.C., a Utah limited liability company, the Manager of SJTC Nampa, L.C., a Utah limited liability company, and the Manager who subscribed said company name to the foregoing instrument, and acknowledged to me that he executed the within instrument on behalf of said KC Gardner Company, L.C., and that such KC Gardner Company, L.C., executed the same in the name of SJTC Nampa, L.C.

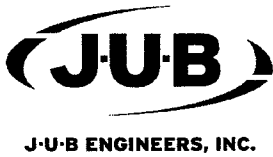
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.



[Signature]  
Notary Public for State of UTAH  
Residing at DAVIS COUNTY, UT  
Commission Expires: 10-16-16

**EXHIBIT "A"**

**LEGAL DESCRIPTION OF SUBDIVISION PHASE 2**



J-U-B COMPANIES



THE  
LANGDON  
GROUP



GATEWAY  
MAPPING  
INC.

**Mace River Ranch Subdivision No. 2**  
**Boundary Description**

*Project Number 10-13-010      October 20, 2014*

A parcel of land situated in a portion of Lot 2 of Block 4 of Mace River Ranch Subdivision No. 1 (Book 106 of Plats at Pages 14540 through 14547, records of Ada County, Idaho), Government Lots 2 & 3, the north half of the northwest quarter, and the bed of the 1867 North Channel of the Boise River of Section 17, Township 4 North, Range 1 East, Boise Meridian, City of Eagle, Ada County, Idaho, and being more particularly described as follows:

Commencing at the east quarter-section corner of Section 17, Township 4 North, Range 1 East, Boise Meridian, from which the northeast corner of Section 17 bears  $N00^{\circ}55'42''E$ , 2640.97 feet;  
Thence  $S00^{\circ}55'56''W$ , 42.86 feet along the east line of Government Lot 8;  
Thence, at a right angle,  $N89^{\circ}04'04''W$ , 52.72 feet to the west right-of-way line of South Eagle Road (Highway 55) and the Mace/Warren property line per agreement (Record of Survey 306 Instrument Number 8151134, Quitclaim Deed Instrument Number 98076971, Record of Survey 2500 Instrument Number 9342159, and Record of Survey 425 Instrument Number 8251977, records of Ada County, Idaho) and the boundary of Two Rivers Subdivision (Book 80 of Plats at Pages 8661 thru 8665, records of Ada County, Idaho);  
Thence  $N45^{\circ}56'11''W$ , 361.20 feet (formerly  $N45^{\circ}55'31''W$ , 361.05 feet) along said Mace/Warren property line and said boundary of Two Rivers Subdivision to the boundary of Two Rivers Subdivision No. 4 (Book 84 of Plats at Pages 9314 & 9315, records of Ada County, Idaho);  
Thence  $N36^{\circ}57'13''W$ , 409.15 feet (formerly  $N37^{\circ}00'18''W$ , 409.39 feet) along said Mace/Warren property line and said boundary of Two Rivers Subdivision No. 4;  
Thence  $N53^{\circ}06'35''W$ , 205.76 feet (formerly  $N53^{\circ}05'24''W$ , 205.78 feet) along said Mace/Warren property line and said boundary of Two Rivers Subdivision No. 4;  
Thence  $S81^{\circ}27'28''W$ , 777.32 feet (formerly  $S81^{\circ}27'07''W$ , 777.26 feet) along said Mace/Warren property line and said boundary of Two Rivers Subdivision No. 4 to the northerly right-of-way line of W. Mace Road (Warranty Deed Instrument Number 113062806, records of Ada County, Idaho);  
Thence 171.93 feet on a non-tangent curve to the left, concave southwesterly, having a radius of 428.92 feet, a central angle of  $22^{\circ}58'00''$ , a chord bearing of  $N87^{\circ}03'32''W$ , and a chord length of 170.78 feet along said northerly right-of-way line of W. Mace Road;  
Thence  $S81^{\circ}27'28''W$ , 557.91 feet along said northerly right-of-way line of W. Mace Road to the POINT OF BEGINNING:

Thence continuing  $S81^{\circ}27'28''W$ , 135.85 feet along said northerly right-of-way line of W. Mace Road;

Thence 41.33 feet on a curve to the right, having a radius of 790.00 feet, a central angle of  $2^{\circ}59'50''$ , a chord bearing of  $S82^{\circ}57'23''W$ , and a chord length of 41.32 feet, along said northerly right-of-way line of West Mace Road;





J-U-B ENGINEERS, INC.

J-U-B COMPANIES



THE LANGDON GROUP



GATEWAY MAPPING INC.

Mace River Ranch Subdivision No. 2 continued...

Thence S84°27'18"W, 125.75 feet along said northerly right-of-way line of W. Mace Road;

Thence N05°32'42"W, 145.00 feet;

Thence S84°27'16"W, 16.21 feet;

Thence N05°32'42"W, 175.00 feet to the boundary of Mace River Ranch Subdivision No 1;

Thence N05°32'06"W, 64.77 feet along said boundary of Mace River Ranch Subdivision No. 1;

Thence N09°39'41"W, 87.94 feet along said boundary of Mace River Ranch Subdivision No. 1;

Thence N03°25'24"E, 37.13 feet along said boundary of Mace River Ranch Subdivision No. 1;

Thence N75°38'05"W, 125.87 feet;

Thence 25.54 feet on a non-tangent curve to the left, concave easterly, having a radius of 275.00 feet, a central angle of 5°19'18", a chord bearing of S11°42'16"W, and a chord length of 25.53 feet;

Thence N80°57'23"W, 167.52 feet;

Thence N15°18'20"E, 139.14 feet;

Thence N21°58'10"E, 50.00 feet;

Thence 73.14 feet on a non-tangent curve to the left, concave southerly, having a radius of 525.00 feet, a central angle of 7°58'55", a chord bearing of N72°01'18"W, and a chord length of 73.08 feet;

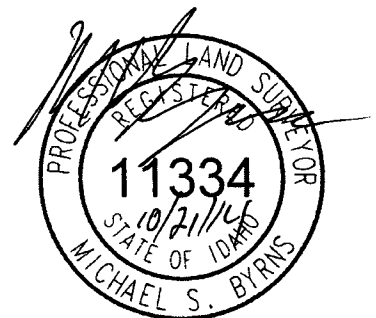
Thence N76°00'45"W, 24.75 feet;

Thence N18°01'42"E, 36.53 feet;

Thence N01°17'52"E, 169.53 feet;

Thence N44°13'14"W, 112.98 feet;

Thence N01°05'44"E, 76.95 feet to the boundary of Mace River Ranch Subdivision No. 1;





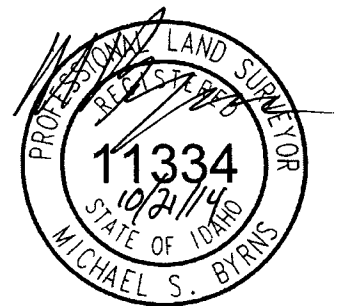
J-U-B ENGINEERS, INC.

J-U-B COMPANIES



Mace River Ranch Subdivision No. 2 continued...

- Thence S88°54'16"E, 501.69 feet along said boundary of Mace River Ranch Subdivision No. 1;
- Thence N84°54'46"E, 434.45 feet along said boundary of Mace River Ranch Subdivision No. 1;
- Thence S05°05'14"E, 240.00 feet along said boundary of Mace River Ranch Subdivision No. 1;
- Thence N84°54'46"E, 23.37 feet along said boundary of Mace River Ranch Subdivision No. 1;
- Thence S05°13'16"E, 94.00 feet along said boundary of Mace River Ranch Subdivision No. 1;
- Thence S10°10'43"E, 75.85 feet along said boundary of Mace River Ranch Subdivision No. 1;
- Thence S25°34'13"E, 74.78 feet along said boundary of Mace River Ranch Subdivision No. 1;
- Thence S35°37'39"E, 82.94 feet along said boundary of Mace River Ranch Subdivision No. 1;
- Thence S31°16'04"E, 104.53 feet along said boundary of Mace River Ranch Subdivision No. 1;
- Thence S13°59'40"E, 107.46 feet along said boundary of Mace River Ranch Subdivision No. 1;
- Thence S81°27'07"W, 125.00 feet along said boundary of Mace River Ranch Subdivision No. 1;
- Thence N08°32'53"W, 5.76 feet along said boundary of Mace River Ranch Subdivision No. 1;
- Thence S81°27'07"W, 50.00 feet along said boundary of Mace River Ranch Subdivision No. 1;
- Thence S71°42'38"W, 153.24 feet along said boundary of Mace River Ranch Subdivision No. 1;
- Thence N07°09'27"W, 93.07 feet along said boundary of Mace River Ranch Subdivision No. 1;
- Thence N32°12'19"W, 91.26 feet along said boundary of Mace River Ranch Subdivision No. 1;
- Thence N29°57'44"W, 89.26 feet along said boundary of Mace River Ranch Subdivision No. 1;
- Thence N19°16'29"W, 94.69 feet along said boundary of Mace River Ranch Subdivision No. 1;
- Thence N10°44'05"W, 79.17 feet along said boundary of Mace River Ranch Subdivision No. 1;
- Thence S84°54'46"W, 177.82 feet along said boundary of Mace River Ranch Subdivision No. 1;
- Thence N88°54'16"W, 62.62 feet along said boundary of Mace River Ranch Subdivision No. 1;







J-U-B ENGINEERS, INC.

J-U-B COMPANIES



THE LANGDON GROUP



GATEWAY MAPPING INC.

Mace River Ranch Subdivision No. 2 continued...

Thence S01°17'52"W, 74.14 feet along said boundary of Mace River Ranch Subdivision No. 1;

Thence S22°29'15"W, 96.68 feet along said boundary of Mace River Ranch Subdivision No. 1;

Thence S16°14'21"E, 89.50 feet to the west most corner of Lot 1 of Block 4 of Mace River Ranch Subdivision No. 1;

Thence continuing S16°14'21"E, 168.52 feet along the boundary of Lot 1 of Block 4 of Mace River Ranch Subdivision No. 1 to the boundary of Mace River Ranch Subdivision No. 1;

Thence N84°27'18"E, 16.05 feet along said boundary of Mace River Ranch Subdivision No. 1;

Thence S05°32'42"E, 125.00 feet along said boundary of Mace River Ranch Subdivision No. 1;

Thence N84°27'18"E, 26.21 feet along said boundary of Mace River Ranch Subdivision No. 1;

Thence 51.43 feet on a curve to the left, having a radius of 75.00 feet, a central angle of 39°17'19", a chord bearing of N64°48'38"E, and a chord length of 50.43 feet, along said boundary of Mace River Ranch Subdivision No. 1;

Thence N45°10'00"E, 88.82 feet along said boundary of Mace River Ranch Subdivision No. 1;

Thence S44°50'00"E, 50.00 feet along said boundary of Mace River Ranch Subdivision No. 1;

Thence S30°28'04"E, 115.64 feet along said boundary of Mace River Ranch Subdivision No. 1;

Thence S08°32'27"E, 116.60 feet along said boundary of Mace River Ranch Subdivision No. 1 to the POINT OF BEGINNING.

The above-described parcel contains 14.09 acres, more or less.

