



**THIRD SUPPLEMENTAL DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS
AND NOTICE OF ADDITION
ESTABLISHING A CONDOMINIUM PLAN
FOR
THE ELKHORN SPRINGS RESIDENTIAL CONDOMINIUMS
(CREEKSIDE TERRACE SOUTH CONDOMINIUMS)**

This Third Supplemental Declaration of Covenants, Conditions and Restrictions and Notice of Addition Establishing a Condominium Plan for Elkhorn Springs Residential Condominiums ("Third Supplement") is made this 6th day of January 2009, by CG-Elkhorn Hotel, LLC, a Delaware limited liability company ("Grantor").

RECITALS

- A. The Condominium Declaration for the Elkhorn Springs Residential Condominiums ("Residential Condominium Declaration") was recorded on June 2, 2006, as Instrument No. 536011, records of the county recorder, Blaine County, State of Idaho.
- B. The First Supplemental Declaration of Covenants, Conditions and Restrictions and Notice of Addition Establishing a Condominium Plan for the Elkhorn Springs Residential Condominiums (The Hillside Terrace South Condominiums) was recorded on October 27, 2006, as Instrument No. 541207, records of the county recorder, Blaine County, State of Idaho.
- C. The Second Supplemental Declaration of Covenants, Conditions and Restrictions and Notice of Addition Establishing a Condominium Plan for the Elkhorn Springs Residential Condominiums (Creekside Terrace North Condominiums) ("Second Supplement") was recorded on May 30, 2008, as Instrument No. 558556, records of the county recorder, Blaine County, State of Idaho.
- D. Grantor is the Declarant of the Residential Condominium Declaration.
- E. The Grantor has also recorded the Master Declaration of Covenants, Conditions and Restrictions of Elkhorn Springs ("Master Declaration") on June 2, 2006, as Instrument No. 536009, records of the county recorder, Blaine County, Idaho. The Master Declaration sets forth covenants, conditions and restrictions for all of the real property, including Block 3, described in the Elkhorn Springs Large Block Plat, recorded as Instrument No. 536008, records of the county recorder, Blaine County, Idaho.
- F. The Grantor has filed the Elkhorn Springs: Creekside Terrace North Condominium Plat, recorded as Instrument No. 558555, records of the county recorder, Blaine County, Idaho ("Creekside Terrace North Condominium Plat") and the Elkhorn Springs: Creekside Terrace South Condominium Plat, recorded as Instrument No. 565271, records of the county recorder, Blaine County, Idaho ("Creekside Terrace South Condominium Plat"). The

SECOND SUPPLEMENTAL DECLARATION /1

Instrument # 565272
HAILEY, BLAINE, IDAHO
3-2-2009 02:19:06 No. of Pages: 5
Recorded for : BENCHMARK
JOLYNN DRAGE Fee: 15.00
Ex-Officio Recorder Deputy
Index to: COVENANTS & RESTRICTIONS

AB



Creekside Terrace North Condominium Plat and Creekside Terrace South Condominium Plat describe all of the real property located within Block 3 and legally describe a residential condominium development known as the Creekside Terrace South and Creekside Terrace North Condominiums within Block 3. As stated in the Second Supplement, Grantor is now recording a plat in the future for a residential condominium development within Block 3 for the Creekside Terrace South condominiums.

G. Pursuant to the Master Declaration and Article 15 of the Residential Condominium Declaration, the Grantor desires to annex Block 3 pursuant to the terms and conditions of the Residential Condominium Declaration.

NOW, THEREFORE, GRANTOR HEREBY DECLARES AND AGREES THAT:

1. Annexation. Pursuant to the Master Declaration and Article 15 of the Residential Condominium Declaration, Grantor hereby declares and agrees that Block 3 shall be part of the Development as defined by the Residential Condominium Declaration and shall be subject to the provisions of the Residential Condominium Declaration and to the rights and powers of the Elkhorn Springs Residential Condominium Association, Inc. ("Association"), pursuant to the terms of the Residential Condominium Declaration and the bylaws of the Association, and thereafter all of the owners of the Creekside Terrace South Condominiums shall automatically be members of the Association, with voting rights commencing on the date regular assessments commence. Regular and special assessments with respect to the Creekside Terrace South Condominiums shall commence at the time and to the extent described in Article 6 of the Residential Condominium Declaration. Declarant expressly reserves for the benefit of all property which may from time to time be covered by the Residential Condominium Declaration, reciprocal easements of use, enjoyment, access, ingress and egress. Such easements may be used by Declarant, its successors, purchasers and all Owners of condominiums, their guests, tenants and invitees for sidewalks, walkways, vehicular access and such other purposes reasonably necessary to the use and enjoyment of all condominiums in the development. All of the real property described in the Creekside Terrace South Condominium Plat shall be held, conveyed, hypothecated, encumbered, leased, occupied or otherwise used, improved or transferred, in whole or in part, subject to this Supplemental Declaration, the Residential Condominium Declaration and the Master Declaration.

2. Exhibit "D" of the Residential Condominium Declaration shall be amended as shown on the attached Exhibit "D."

3. Except as specifically amended herein, each and every remaining term of the Residential Condominium Declaration and exhibits attached thereto shall remain in full force and effect.



This document provided courtesy of Sun Valley Title

IN WITNESS WHEREOF, this Third Supplemental Declaration of Covenants, Conditions and Restrictions and Notice of Addition Establishing a Condominium Plan for the Elkhorn Springs Residential Condominiums has been executed this 6 day of January, 2009.

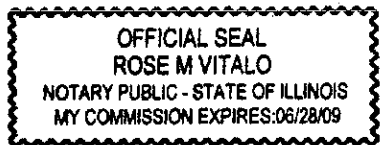
CG-ELKHORN HOTEL, LLC,
a Delaware Limited Liability Company

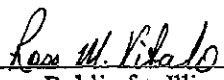
By 
Stan Nix, Senior Vice President

STATE OF ILLINOIS)
) ss.
County of Cook)

On this 06 day of January, in the year 2009, before me, a Notary Public for the State of Delaware, personally appeared Stan Nix, known or identified to me to be member of CG-Elkhorn Hotel, LLC, a Delaware limited liability company, the limited liability company that executed the 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 seal the day and year first above written.




Notary Public for Illinois
Residing at: _____
My commission expires: 6/28/09



This document
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Sun Valley Title

**ELKHORN SPRINGS
PERCENTAGE OWNERSHIP INTEREST**

EXHIBIT "D"

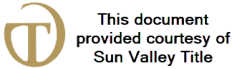
<u>UNITS</u>	<u>PERCENTAGE INTEREST/UNIT</u>
Block 1 (Hillside Terrace North)	
1	1.236
2	1.296
3	0.885
4	0.885
5	1.724
6	1.236
7	1.236
8	1.296
9	0.885
10	0.885
11	1.724
12	1.236
13	1.840
14	2.619
15	0.885
16	1.602
17	2.062
18	1.840
Block 4 (Hillside Terrace South)	
1	1.236
2	1.296
3	0.885
4	0.885
5	1.701
6	1.236
7	1.236
8	1.296
9	0.885
10	0.885
11	1.724
12	1.236
13	1.840
14	2.681
15	1.502
16	1.502
17	2.062
18	1.840

EXHIBIT "D"



<u>UNITS</u>	<u>PERCENTAGE INTEREST/UNIT</u>
Block 3 (Creekside Terrace North)	
1	1.232
2	1.295
3	0.881
4	0.881
5	1.724
6	1.236
7	1.236
8	1.296
9	0.881
10	0.881
11	1.724
12	1.236
13	1.828
14	2.646
15	1.597
16	1.609
17	2.050
18	1.825
Block 3 (Creekside Terrace South)	
1	0.877
2	0.873
3	0.967
4	0.947
5	1.228
6	0.877
7	0.877
8	1.717
9	1.813
10	1.230
11	0.877
12	0.877
13	2.107
14	2.336
15	1.820
16	1.609
17	1.609

Percentage interest/unit was calculated by dividing the square footage of each unit (but not including the square footage of the staircases within each unit) by the square footage of all the units in the Condominium Plat. As real property is annexed pursuant to Article 15, the percentage interest/unit shall be modified and calculated by dividing the square footage of each unit (but not including the square footage of the staircases within each unit) by the square footage of all the unites in the Condominium Plat and the units in the real property annexed.



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After Recording, Return to:
Northwest Trustee Services, Inc.
P.O. Box 997
Bellevue, WA 98009

Instrument # 565297
HAILEY, BLAINE, IDAHO
3-2-2009 03:59:00 No. of Pages: 1
Recorded for : FIRST AMERICAN TITLE
JOLYNN DRAGE Fee: 3.00
Ex-Officio Recorder Deputy
Index to: RECISSION OF NOTICE OF DEFAULT

ympp

262169

RECISSION OF NOTICE OF DEFAULT

File No. 7233.20840

MIN No.

WHEREAS, Notice of Default was recorded on September 26, 2008 as Instrument No. 561755, Mortgage Records of Blaine County, Idaho under the terms of a deed of trust executed by Curt D. Sheffield and Jennifer L. Sheffield, husband and wife, as Grantor(s), to Stewart Title Company of Idaho, as Trustee, and Bank One N.A., as Beneficiary, recorded July 20, 2004, as Instrument No. 506894, Mortgage Records of Blaine County, Idaho and described as follows:

Lot 6 in Block 3 of Alturas Vista Subdivision, according to the official plat thereof, recorded as Instrument No. 117023, Records of Blaine County, Idaho.

NOW THEREFORE, the undersigned does hereby rescind, cancel and withdraw said Notice of Default, provided however that said rescission, cancellation and withdrawal shall be deemed only an election without prejudice, not to proceed with a sale of the property covered by said deed of trust, pursuant to said notice and shall in nowise jeopardize or impair any of the rights or remedies or provisions secured to the beneficiary under said deed of trust, nor modify or alter in any respect any of the agreements, conditions or obligations thereof.

Dated as of this 06 day of February, 2009.

Northwest Trustee Services, Inc., Trustee

By *JCA*
Its Assistant Vice President

STATE OF WASHINGTON)
) ss
COUNTY OF KING)

On this 06 day of February, 2009, before me a Notary Public in and for said state, personally appeared

JEFF STENMAN known or identified to me to be the assistant vice president of the corporation that executed the instrument or the person who executed the 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.

Jill C. Green
NOTARY PUBLIC in and for the State of Washington
Residing at: *Bothell*
My commission expires: *3-2009*

