

3K 109 PG 2897

PLAT SHOWING

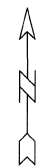
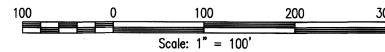
THE PRESERVE SUBDIVISION NO. 5

LOCATED IN THE SW 1/4 OF THE NE 1/4 OF SECTION 11, T. 4N., R.1W., B.M.,
EAGLE, ADA COUNTY, IDAHO
2015



This document provided courtesy of TitleOne

- LEGEND**
- SUBDIVISION BOUNDARY
 - SECTION LINE
 - RIGHT-OF-WAY LINE
 - CENTERLINE
 - LOT LINE
 - EXISTING LOT/PARCEL LINE
 - EASEMENT LINE
 - EXISTING PERMANENT ADA COUNTY HIGHWAY DISTRICT SIDEWALK EASEMENT - INSTR. NO. 2015-061048
 - FOUND BRASS OR ALUMINUM CAP AS NOTED
 - SET 5/8"x24" REBAR w/PLASTIC CAP
 - SET 1/2"x24" REBAR w/PLASTIC CAP
 - FOUND 5/8" REBAR, PLS 11118 OR AS SHOWN
 - FOUND 1/2" REBAR, PLS 11118 OR AS SHOWN
 - LOT NUMBER



NOTES

- ALL LOTS ARE HEREBY DESIGNATED AS HAVING A PERMANENT EASEMENT FOR PUBLIC UTILITIES AND LOT DRAINAGE OVER THE FIFTEEN (15) FEET ADJACENT TO ANY PUBLIC STREET. THIS EASEMENT SHALL NOT PRECLUDE THE CONSTRUCTION OF HARD-SURFACED DRIVEWAYS AND MAINTENANCE TO EACH LOT.
- UNLESS OTHERWISE SHOWN AND DIMENSIONED, ALL LOTS ARE HEREBY DESIGNATED AS HAVING A PERMANENT EASEMENT FOR PUBLIC UTILITIES, IRRIGATION AND DRAINAGE OVER THE SIX (6) FEET ADJACENT TO ANY INTERIOR SIDE LOT LINE, AND OVER THE SIX (6) FEET ADJACENT TO ANY REAR LOT LINE.
- ANY RESUBDIVISION OF THIS PLAT SHALL COMPLY WITH THE APPLICABLE ZONING REGULATIONS IN EFFECT AT THE TIME OF THE RESUBDIVISION.
- IRRIGATION WATER HAS BEEN PROVIDED BY MIDDLETON MILL IRRIGATION ASSOCIATION FROM THE EAGLEFIELD PUMP STATION, IN COMPLIANCE WITH IDAHO CODE 31-3805(1)(b). THE PRESERVE SUBDIVISION NO. 5 WILL BE ENTITLED TO IRRIGATION WATER RIGHTS AND THE HOMEOWNERS' ASSOCIATION WILL BE OBLIGATED FOR ASSESSMENTS FROM MIDDLETON MILL IRRIGATION ASSOCIATION. SEE AGREEMENT RECORDED AS INSTRUMENT NO. 108046863, ADA COUNTY RECORDS.
- MINIMUM BUILDING SETBACKS SHALL BE IN ACCORDANCE WITH THE SETBACKS AS SET FORTH IN THE CONDITIONS OF DEVELOPMENT FOUND WITHIN THE DEVELOPMENT AGREEMENT AND SUBSEQUENT MODIFICATIONS FOR RZ-01-11 AT THE TIME OF ISSUANCE OF A BUILDING PERMIT.
- MAINTENANCE OF ANY IRRIGATION OR DRAINAGE PIPE OR DITCH CROSSING A LOT IS THE RESPONSIBILITY OF THE LOT OWNER UNLESS SUCH RESPONSIBILITY IS ASSIGNED BY AN IRRIGATION/DRAINAGE ENTITY OR THE HOMEOWNERS' ASSOCIATION.
- ALL LOTS ARE SUBJECT TO THE PROVISIONS OF THE CITY OF EAGLE DEVELOPMENT AGREEMENT RECORDED AS INSTRUMENT NO. 106057136, RECORDS OF ADA COUNTY, IDAHO AND ANY SUBSEQUENT MODIFICATIONS(S).
- THIS DEVELOPMENT RECOGNIZES SECTION 22-4503, IDAHO CODE, RIGHT-TO-FARM ACT, WHICH STATES THAT NO AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF SHALL BE OR BECOME A NUISANCE, PRIVATE OR PUBLIC, BY ANY CHANGED CONDITIONS IN OR ABOUT THE SURROUNDINGS NON-AGRICULTURAL ACTIVITIES AFTER IT HAS BEEN IN OPERATION FOR MORE THAN ONE (1) YEAR, WHEN THE OPERATION, FACILITY OR EXPANSION WAS NOT A NUISANCE AT THE TIME IT BEGAN OR WAS CONSTRUCTED, PROVIDED THAT THE PROVISIONS OF THIS SECTION SHALL NOT APPLY WHENEVER A NUISANCE RESULTS FROM THE IMPROPER OR NEGLECTED OPERATION OF ANY AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF.
- LOTS 23 & 24, BLOCK 3; LOTS 22 & 23, BLOCK 11; AND LOTS 6, 9 & 13, BLOCK 12 ARE COMMON LOTS TO BE OWNED AND MAINTAINED BY THE PRESERVE HOMEOWNERS' ASSOCIATION, INC., OR ITS ASSIGNS. ALL OTHER LOTS IN THIS SUBDIVISION ARE FOR SINGLE-FAMILY DWELLINGS. A BLANKET EASEMENT OVER LOT 23, BLOCK 3 AND LOT 22, BLOCK 11 IN FAVOR OF THE MIDDLETON MILL IRRIGATION ASSOCIATION IS HEREBY GRANTED FOR OPERATION AND MAINTENANCE OF THE MIDDLETON CANAL AND FOOTHILL DITCH. A BLANKET EASEMENT OVER LOT 13, BLOCK 12 IS HEREBY GRANTED IN FAVOR OF THE MIDDLETON MILL IRRIGATION ASSOCIATION FOR OPERATION AND MAINTENANCE OF THE FOOTHILL DITCH.
- THIS SUBDIVISION IS SUBJECT TO THE TERMS OF AN ADA COUNTY HIGHWAY DISTRICT LICENSE AGREEMENT RECORDED AS INSTRUMENT NO. 2015-061048, RECORDS OF ADA COUNTY, IDAHO.
- LOT 24, BLOCK 3; LOT 6, BLOCK 12; LOT 23, BLOCK 11 AND PORTIONS OF LOTS 25, BLOCK 3 AND LOTS 5 AND 7, BLOCK 12 AS SHOWN HEREIN ARE SERVIENT TO AND CONTAIN THE ACHD STORM WATER DRAINAGE SYSTEM. THESE LOTS ARE ENCUMBERED BY THAT CERTAIN MASTER PERPETUAL STORM WATER DRAINAGE EASEMENT RECORDED ON MAY 8, 2009, AS INSTRUMENT NO. 109053259, OFFICIAL RECORDS OF ADA COUNTY, AND INCORPORATED HEREIN BY THIS REFERENCE AS IF SET FORTH IN FULL (THE "MASTER EASEMENT"). THE MASTER EASEMENT AND THE STORM WATER DRAINAGE SYSTEM ARE DEDICATED TO ACHD PURSUANT TO SECTION 40-2302 IDAHO CODE. THE MASTER EASEMENT IS FOR THE OPERATION AND MAINTENANCE OF THE STORM WATER DRAINAGE SYSTEM.
- THIS SUBDIVISION SHALL BE SUBJECT TO THE TERMS AND CONDITIONS OF THE RECORDED C&R'S FOR THE PRESERVE SUBDIVISION AND THE PRESERVE HOMEOWNERS' ASSOCIATION, INC., RECORDED AS INSTRUMENT NOS. 108089699, 108103785, 111049089, 112081411, 113068209, 113072726, 113115548 AND 114021466, RECORDS OF ADA COUNTY, IDAHO.
- AN EASEMENT IN FAVOR OF THE EAGLE SEWER DISTRICT IS HEREBY GRANTED OVER PORTIONS OF LOT 6, BLOCK 12 AND LOTS 22 & 36, BLOCK 11 AS SHOWN HEREON FOR SANITARY SEWER LINE OPERATION AND MAINTENANCE.
- LOT 36, BLOCK 11 AND THAT PORTION OF LOT 22, BLOCK 11 LOCATED BETWEEN LOTS 35 AND 36 OF SAID BLOCK 11 ARE COVERED BY A TEMPORARY ADA COUNTY HIGHWAY DISTRICT VEHICULAR ACCESS/TURN-AROUND EASEMENT, RECORDED AS INSTRUMENT NO. 2015-061047, RECORDS OF ADA COUNTY, IDAHO. LOT 36 BLOCK 11 SHALL BE DESIGNATED AS NON-BUILDABLE UNTIL SUCH TIME AS W. SAGUARO DRIVE IS EXTENDED THROUGH THE ADJACENT PROPERTY TO THE EAST OF THIS SUBDIVISION, AND SAID TEMPORARY EASEMENT IS RELINQUISHED.
- THIS SUBDIVISION IS SUBJECT TO THE TERMS AND CONDITIONS OF A LICENSE AGREEMENT WITH DRAINAGE DISTRICT NO. 2, RECORDED AS INSTRUMENT NO. 2015-060988, RECORDS OF ADA COUNTY, IDAHO.
- THIS SUBDIVISION IS SUBJECT TO THE TERMS AND CONDITIONS OF A LICENSE AGREEMENT WITH MIDDLETON MILL DITCH COMPANY, MIDDLETON IRRIGATION ASSOCIATION, INC., AND FOOT HILL DITCH COMPANY, RECORDED AS INSTRUMENT NO. 2015-060971, RECORDS OF ADA COUNTY, IDAHO.

MOSCA SECA SUBD. NO. 2
BOOK 101, PAGE 13328

MOSCA SECA SUBD. NO. 1
BOOK 100, PAGE 13035

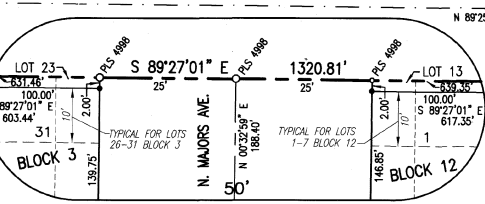
THE PRESERVE SUBD. NO. 4
BOOK 102, PAGE 15394

CURVE TABLE

CURVE	LENGTH	RADIUS	DELTA	CHORD BRG	CHORD	CURVE	LENGTH	RADIUS	DELTA	CHORD BRG	CHORD	CURVE	LENGTH	RADIUS	DELTA	CHORD BRG	CHORD
C1	67.38	775.00	4°58'52"	N 16°59'35" E	67.35	C20	24.35	475.00	2°56'13"	N 57°34'50" W	24.35	C39	62.38	59.50	58°04'54"	N 85°04'24" E	59.50
C2	23.58	175.00	7°43'13"	N 23°20'37" E	23.56	C21	10.45	125.00	4°47'18"	S 32°10'09" W	10.44	C40	20.56	20.00	58°54'08"	S 84°29'31" E	19.67
C3	30.32	225.00	7°43'13"	S 23°20'37" W	30.29	C22	31.88	125.00	14°36'51"	S 41°52'13" W	31.80	C41	25.40	75.00	19°24'09"	S 39°28'35" E	25.28
C4	71.72	825.00	4°58'52"	S 16°59'35" W	71.70	C23	16.33	575.00	1°37'39"	N 56°54'06" W	16.33	C42	71.76	125.00	23°31'42"	S 35°58'04" E	71.36
C5	38.62	450.00	4°55'01"	N 87°00'00" W	38.61	C24	43.26	31.50	78°41'20"	S 88°31'19" W	39.94	C43	68.77	625.00	6°18'15"	S 59°14'24" E	68.73
C6	223.28	450.00	28°25'45"	N 70°19'36" W	221.00	C25	55.12	11.50	1001°35'	N 02°00'14" W	48.35	C44	100.53	175.00	32°54'47"	S 67°11'19" E	99.65
C7	43.32	800.00	4°08'13"	N 58°09'23" W	43.31	C26	10.76	22.50	27°23'59"	S 34°25'34" W	10.66	C45	80.70	575.00	8°02'29"	S 63°34'52" E	80.14
C8	33.86	100.00	19°24'09"	S 39°28'35" W	33.70	C27	23.76	22.50	60°29'50"	S 09°31'21" E	22.67	C46	50.22	800.00	3°35'49"	S 57°54'38" E	50.21
C9	149.90	200.00	42°56'37"	S 69°04'11" W	144.42	C28	93.46	31.50	169°58'27"	N 45°13'28" E	62.76	C47	7.20	800.00	0°30'57"	S 59°56'01" E	7.20
C10	7.80	225.00	1°56'06"	S 28°10'17" W	7.80	C29	71.19	200.00	20°23'39"	S 37°24'03" W	70.81	C48	120.57	600.00	11°30'50"	S 61°50'42" E	120.37
C11	3.36	225.00	0°51'21"	S 66°29'06" W	3.36	C30	34.85	575.00	3°28'20"	S 57°49'27" E	34.84						
C12	21.06	175.00	6°53'47"	S 87°05'36" W	21.05	C31	45.13	625.00	4°08'13"	N 58°09'23" W	45.12						
C13	87.61	225.00	22°18'35"	S 78°04'04" W	87.06	C32	32.04	825.00	2°13'31"	S 57°13'29" E	32.04						
C14	5.18	225.00	1°19'09"	S 89°52'35" W	5.18	C33	27.18	825.00	1°53'16"	S 59°16'52" E	27.18						
C15	78.91	425.00	10°36'20"	N 84°08'20" W	78.80	C34	56.83	625.00	5°12'35"	S 64°59'49" E	56.81						
C16	100.23	425.00	13°30'46"	N 72°03'46" W	100.00	C35	25.18	575.00	2°30'34"	N 58°58'13" W	25.18						
C17	68.20	425.00	8°11'41"	N 60°42'54" W	68.13	C36	20.58	20.00	58°54'08"	N 00°16'44" W	19.57						
C18	86.40	475.00	10°25'20"	N 74°31'37" W	86.28	C37	82.77	59.50	60°28'54"	S 00°27'39" W	59.90						
C19	85.11	475.00	10°16'00"	N 64°10'57" W	85.00	C38	35.53	59.50	34°12'33"	S 47°47'22" W	35.00						

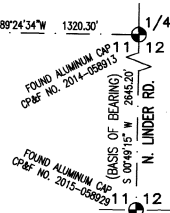
LINE TABLE

LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE
L1	S 45°32'44" W	28.28	L10	N 18°13'30" W	14.14	L19	N 62°47'46" W	50.00
L2	N 39°35'39" W	25.79	L11	S 49°46'49" E	60.95	L20	N 40°19'38" E	6.34
L3	S 79°29'59" W	30.65	L12	N 45°11'11" E	46.90	L21	N 37°01'41" E	23.37
L4	N 15°13'30" W	14.14	L13	N 49°10'39" E	29.19	L22	N 23°24'12" E	10.45
L5	N 35°00'00" W	22.01	L14	S 83°24'47" E	13.70	L23	S 83°24'47" E	21.69
L6	S 00°31'58" W	26.94	L15	N 40°49'21" W	53.00	L24	S 63°38'46" E	55.07
L7	S 00°31'58" W	26.94	L16	N 49°10'39" E	77.66	L25	S 63°36'07" E	18.32
L8	S 26°08'39" E	51.09	L17	N 49°10'39" E	53.00	L26	N 16°40'14" E	14.76
L9	S 49°46'49" E	17.14	L18	S 48°15'17" E	60.72			



DETAIL N.T.S.

CABRA CREEK SUBD.
BOOK 102, PAGE 13511



THE PRESERVE LLC
DEVELOPER
MERIDIAN, ID

ENGINEERING SOLUTIONS LLP
MERIDIAN, IDAHO

LandSolutions
Land Surveying and Consulting
231 E. 9th St., Ste. A, Meridian, ID 83442
(208) 288-2242 • (208) 288-2557 fax

THE PRESERVE SUBDIVISION NO. 5

CERTIFICATE OF OWNERS

KNOW ALL MEN BY THESE PRESENTS:

THAT THE PRESERVE LLC, AN IDAHO LIMITED LIABILITY COMPANY, ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF IDAHO AND DULY QUALIFIED TO DO BUSINESS IN THE STATE OF IDAHO, DOES HEREBY CERTIFY THAT IT IS THE OWNER OF THE REAL PROPERTY AS DESCRIBED BELOW AND IT IS ITS INTENTION TO INCLUDE SAID REAL PROPERTY IN THIS SUBDIVISION PLAT. THE OWNER ALSO HEREBY CERTIFIES THAT THIS PLAT COMPLIES WITH IDAHO CODE 50-1334(2). ALL LOTS IN THIS SUBDIVISION WILL RECEIVE DOMESTIC WATER FROM AN EXISTING WATER SYSTEM AND THE CITY OF EAGLE HAS AGREED IN WRITING TO SERVE THE LOTS IN THIS SUBDIVISION.

A PARCEL OF LAND LOCATED IN THE SW $\frac{1}{4}$ OF THE NE $\frac{1}{4}$ OF SECTION 11, T. 4 N., R. 1 W., B.M., EAGLE, ADA COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE E $\frac{1}{4}$ CORNER OF SAID SECTION 11, FROM WHICH THE SE CORNER OF SAID SECTION 11 BEARS SOUTH 00°49'15" WEST, 2645.20 FEET; THENCE ALONG THE SOUTHERLY BOUNDARY OF THE NE $\frac{1}{4}$ OF SAID SECTION 11 NORTH 89°24'34" WEST, 1320.30 FEET TO A 5/8" IRON PIN MARKING THE CE 1/16 CORNER OF SAID SECTION 11, SAID POINT BEING ON THE WESTERLY BOUNDARY OF CABRA CREEK SUBDIVISION, AS FILED FOR RECORD IN BOOK 102 OF PLATS AT PAGE 13511, RECORDS OF ADA COUNTY, IDAHO, AND ON THE EASTERLY BOUNDARY OF THE PRESERVE SUBDIVISION NO. 4, AS FILED FOR RECORD IN BOOK 109 OF PLATS AT PAGE 13322, RECORDS OF ADA COUNTY, IDAHO; THENCE ALONG THE WESTERLY BOUNDARY OF SAID CABRA CREEK SUBDIVISION, AND THE EASTERLY BOUNDARY OF THE SW $\frac{1}{4}$ OF THE NE $\frac{1}{4}$ OF SAID SECTION 11 AND OF SAID THE PRESERVE SUBDIVISION NO. 4, NORTH 00°31'58" EAST, 520.95 FEET TO THE NORTHEASTERLY CORNER OF SAID THE PRESERVE SUBDIVISION NO. 4, THE POINT OF BEGINNING.

THENCE ALONG THE NORTHERLY BOUNDARY OF SAID THE PRESERVE SUBDIVISION NO. 4:

THENCE NORTH 56°54'18" WEST, 377.38 FEET;
THENCE NORTH 61°53'45" WEST, 91.20 FEET;
THENCE NORTH 62°47'44" WEST, 160.14 FEET;
THENCE NORTH 64°49'55" WEST, 104.39 FEET;
THENCE SOUTH 83°58'56" WEST, 92.63 FEET;
THENCE SOUTH 74°49'50" WEST, 81.70 FEET;
THENCE SOUTH 87°05'03" WEST, 75.10 FEET;
THENCE NORTH 72°33'15" WEST, 74.66 FEET;
THENCE NORTH 72°12'51" WEST, 80.41 FEET;

THENCE NORTH 70°11'52" WEST, 114.51 FEET TO A POINT ON A CURVE;
THENCE 67.38 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 775.00 FEET, A DELTA ANGLE OF 04°58'52", AND A LONG CHORD BEARING NORTH 16°59'35" EAST, 67.35 FEET TO A POINT OF COMPOUND CURVATURE;

THENCE 23.58 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 175.00 FEET, A DELTA ANGLE OF 07°43'13", AND A LONG CHORD BEARING NORTH 23°20'37" EAST, 23.56 FEET;

THENCE NORTH 62°47'46" WEST, 50.00 FEET TO A POINT ON A CURVE;

THENCE 30.32 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 225.00 FEET, A DELTA ANGLE OF 07°43'13", AND A LONG CHORD BEARING SOUTH 23°20'37" WEST, 30.29 FEET TO A POINT OF COMPOUND CURVATURE;

THENCE 71.72 FEET ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 825.00 FEET, A DELTA ANGLE OF 04°58'52", AND A LONG CHORD BEARING SOUTH 16°59'35" WEST, 71.70 FEET;

THENCE NORTH 81°14'41" WEST, 134.69 FEET TO THE NORTHWESTERLY CORNER OF SAID THE PRESERVE SUBDIVISION NO. 4, SAID POINT BEING ON THE WESTERLY BOUNDARY OF THE SW $\frac{1}{4}$ OF THE NE $\frac{1}{4}$ OF SAID SECTION 11, AND ALSO BEING ON THE SOUTHEASTERLY BOUNDARY OF MOSCA SECA SUBDIVISION NO. 2, AS FILED FOR RECORD IN BOOK 101 OF PLATS AT PAGE 13328, RECORDS OF ADA COUNTY, IDAHO;

THENCE LEAVING SAID NORTHERLY SUBDIVISION BOUNDARY, AND ALONG SAID WESTERLY BOUNDARY AND MOSCA SECA SUBDIVISION NO. 2 BOUNDARY NORTH 00°30'45" EAST, 363.32 FEET TO THE NW CORNER OF SAID SW $\frac{1}{4}$ OF THE NE $\frac{1}{4}$;

THENCE CONTINUING ALONG SAID MOSCA SECA SUBDIVISION NO. 2 BOUNDARY, AND ALONG THE NORTHERLY BOUNDARY OF SAID SW $\frac{1}{4}$ OF THE NE $\frac{1}{4}$, AND ALSO ALONG A PORTION OF THE SOUTHERLY BOUNDARY OF MOSCA SECA SUBDIVISION NO. 1, AS FILED FOR RECORD IN BOOK 100 OF PLATS AT PAGE 13035, RECORDS OF ADA COUNTY, IDAHO, SOUTH 89°27'01" EAST, 1320.81 FEET TO THE NE CORNER OF SAID SW $\frac{1}{4}$ OF THE NE $\frac{1}{4}$;

THENCE LEAVING SAID SUBDIVISION BOUNDARY AND ALONG THE EASTERLY BOUNDARY OF SAID SW $\frac{1}{4}$ OF THE NE $\frac{1}{4}$ SOUTH 00°31'58" WEST, 801.15 FEET TO THE POINT OF BEGINNING, CONTAINING 15.53 ACRES, MORE OR LESS.

THE PUBLIC STREETS AS SHOWN ON THIS PLAT ARE HEREBY DEDICATED TO THE PUBLIC BUT THE EASEMENTS AS SHOWN ON THIS PLAT ARE NOT DEDICATED TO THE PUBLIC. HOWEVER, THE RIGHT TO USE SAID EASEMENTS IS HEREBY RESERVED FOR PUBLIC UTILITIES AND SUCH OTHER USES AS DESIGNATED UPON THIS PLAT AND NO PERMANENT STRUCTURES ARE TO BE ERRECTED WITHIN THE LINES OF SAID EASEMENTS.

IN WITNESS WHEREOF, WE HAVE HEREUNTO SET OUR HANDS THIS 23rd DAY OF September, 2015

THOMAS M. COLEMAN, JR.

MANAGER, THE PRESERVE LLC
MANAGER, COLEMAN HOMES LLC
PRESIDENT, COLEMAN COMMUNITIES, INC.

ACKNOWLEDGMENT

STATE OF IDAHO)
COUNTY OF ADA) SS

ON THIS 23rd DAY OF September, 2015, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED THOMAS M. COLEMAN, JR., KNOWN OR IDENTIFIED TO ME TO BE THE PRESIDENT OF COLEMAN COMMUNITIES, INC., A DELAWARE CORPORATION; THE MANAGER OF COLEMAN HOMES LLC, AN IDAHO LIMITED LIABILITY COMPANY; THE MANAGER OF THE PRESERVE LLC, AN IDAHO LIMITED LIABILITY COMPANY, WHO SUBSCRIBED SAID LIMITED LIABILITY COMPANY'S NAME TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME IN SAID LIABILITY COMPANY'S NAME.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND SEAL THE DAY AND YEAR IN THIS CERTIFICATE FIRST ABOVE WRITTEN.



REBECCA L. McChay
NOTARY PUBLIC FOR IDAHO
RESIDING AT EAGLE, IDAHO

MY COMMISSION EXPIRES: 8/16/18

CERTIFICATE OF SURVEYOR

I, CLINTON W. HANSEN, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR LICENSED BY THE STATE OF IDAHO, AND THAT THIS PLAT AS DESCRIBED IN THE "CERTIFICATE OF OWNERS" WAS DRAWN FROM AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY DIRECT SUPERVISION AND ACCURATELY REPRESENTS THE POINTS PLATTED THEREON, AND IS IN CONFORMITY WITH THE STATE OF IDAHO CODE RELATING TO PLATS AND SURVEYS.

CLINTON W. HANSEN, P.L.S.



LICENSE NO. 11118

THE PRESERVE LLC
DEVELOPER
MERIDIAN, ID

JOB NO. 140723
SHEET 2 OF 3
140723--PLT.DWG 12/18/14

ENGINEERING SOLUTIONS LLP
MERIDIAN, IDAHO

LandSolutions
Land Surveying and Consulting
231 E. 8th St., Ste. A, Meridian, ID 83442
(208) 288-2040 • (208) 288-2557 fax

THE PRESERVE SUBDIVISION NO. 5

CERTIFICATE OF CITY ENGINEER

I, THE UNDERSIGNED, CITY ENGINEER IN AND FOR THE CITY OF EAGLE, ADA COUNTY, IDAHO, DO HEREBY CERTIFY THAT I HAVE CHECKED THIS FINAL PLAT AND THAT THE EAGLE CITY REQUIREMENTS REGARDING FINAL PLATS HAVE BEEN MET.

Michael W. Davis 10-7-15
EAGLE CITY ENGINEER

APPROVAL OF CITY COUNCIL

I, THE UNDERSIGNED, CITY CLERK IN AND FOR THE CITY OF EAGLE, ADA COUNTY, IDAHO, DO HEREBY CERTIFY THAT AT A REGULAR MEETING OF THE CITY COUNCIL HELD ON THE 14 DAY OF April, 2015, THIS PLAT WAS DULY ACCEPTED AND APPROVED.

Tracy E. Olsen
EAGLE CITY CLERK



ACCEPTANCE OF ADA COUNTY HIGHWAY DISTRICT COMMISSIONERS

THE FOREGOING PLAT WAS ACCEPTED AND APPROVED BY THE BOARD OF ADA COUNTY HIGHWAY DISTRICT COMMISSIONERS ON THE 15th DAY OF July, 2015.

Jon Hansen
CHAIRMAN
ADA COUNTY HIGHWAY DISTRICT

DATE: 7/15/15



APPROVAL OF CENTRAL DISTRICT HEALTH DEPARTMENT

SANITARY RESTRICTIONS AS REQUIRED BY IDAHO CODE, TITLE 50, CHAPTER 13 HAVE BEEN SATISFIED ACCORDING TO THE LETTER TO BE READ ON FILE WITH THE COUNTY RECORDER OR HIS AGENT LISTING THE CONDITIONS OF APPROVAL. SANITARY RESTRICTIONS MAY BE RE-IMPOSED, IN ACCORDANCE WITH SECTION 50-1326, IDAHO CODE, BY THE ISSUANCE OF A CERTIFICATE OF DISAPPROVAL.

Don Baskin RPHS 6-1-15
CENTRAL DISTRICT HEALTH DEPARTMENT



CERTIFICATE OF COUNTY SURVEYOR

I, THE UNDERSIGNED, PROFESSIONAL LAND SURVEYOR FOR ADA COUNTY, IDAHO, HEREBY CERTIFY THAT I HAVE CHECKED THIS PLAT AND FIND THAT IT COMPLIES WITH THE STATE OF IDAHO CODE RELATING TO PLATS AND SURVEYS.

Jerome L. Hastings 10-26-2015
COUNTY SURVEYOR DATE
PLS 5359



CERTIFICATE OF COUNTY TREASURER

I, Vicki McIntyre, COUNTY TREASURER IN AND FOR THE COUNTY OF ADA, STATE OF IDAHO, PER THE REQUIREMENTS OF IDAHO CODE 50-1308, DO HEREBY CERTIFY THAT ANY AND ALL CURRENT AND/OR DELINQUENT COUNTY PROPERTY TAXES FOR THE PROPERTY INCLUDED IN THIS PROPOSED SUBDIVISION HAVE BEEN PAID IN FULL. THIS CERTIFICATION IS VALID FOR THE NEXT THIRTY (30) DAYS ONLY.

Vicki McIntyre 10-26-15
COUNTY TREASURER DATE
Signed by Cindy Stewart Deputy Treasurer



CERTIFICATE OF COUNTY RECORDER

INSTRUMENT NO. 2015-098982 FEE: \$16.00
STATE OF IDAHO)
COUNTY OF ADA) SS

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED AT THE REQUEST OF Engineering Solutions AT 14 MINUTES PAST 10 O'CLOCK A.M., THIS 27th DAY OF October, 2015, IN MY OFFICE AND WAS DULY RECORDED IN BOOK 109 OF PLATS AT PAGES 15397-15399.

[Signature] Christopher D. Rice
DEPUTY EX-OFFICIO RECORDER



ELECTRONICALLY RECORDED - DO NOT
REMOVE THE COUNTY STAMPED FIRST
PAGE AS IT IS NOW INCORPORATED AS
PART OF THE ORIGINAL DOCUMENT.

ACCOMMODATION

RECORDED AT THE REQUEST OF:
THE PRESERVE LLC
AFTER RECORDING, RETURN TO:
Samantha Skidmore
COLEMAN HOMES LLC
3103 W. Sheryl Dr., Suite 100
Meridian, Idaho 83642

**SIXTH SUPPLEMENT TO THE DECLARATION OF COVENANTS, CONDITIONS
AND RESTRICTIONS FOR THE PRESERVE SUBDIVISION**

THIS SIXTH SUPPLEMENT TO THE DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS FOR THE PRESERVE SUBDIVISION ("Sixth
Supplemental Declaration") is made as of January 22, 2016, by THE PRESERVE LLC, an Idaho
limited liability company ("Company"), and THE PRESERVE HOMEOWNERS
ASSOCIATION, INC., an Idaho non-profit corporation ("Association").

1. PRELIMINARY

1.1 Definitions: Capitalized terms used but not defined in this Sixth
Supplemental Declaration have the meanings ascribed to them in the Declaration (defined
below). The following capitalized terms used in this Sixth Supplemental Declaration have the
following meanings:

(a) "Annexed Common Lots" means a portion of the Annexed Land
consisting of Lot 19, Block 5; Lot 20, Block 6; and Lots 8 & 21, Block 11 as platted on the Plat
of Preserve No. 4; and Lots 23 & 24, Block 3; Lots 22 & 23, Block 11; and Lots 6, 9 & 13,
Block 12 as platted on the Plat of Preserve No. 5.

(b) "Annexed Land" means all lots in all blocks platted on the Plat of
Preserve No. 4 and on the Plat of Preserve No. 5.

(c) “Declaration” means that certain AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR THE PRESERVE SUBDIVISION dated June 8, 2011 and recorded June 16, 2011 as Instrument No. 111049099 in the office of the Recorder of Ada County, Idaho, as amended by that certain FIRST AMENDMENT TO THE AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR THE PRESERVE SUBDIVISION dated August 1, 2012, and recorded September 6, 2012 as Instrument No. 112091411 in the office of the Recorder of Ada County, Idaho, as supplemented by that certain FIRST SUPPLEMENT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR THE PRESERVE SUBDIVISION dated June 18, 2013 and recorded June 19, 2013 as Instrument No. 113068209 in the office of the Recorder of Ada County, Idaho, as supplemented by that certain SECOND SUPPLEMENT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR THE PRESERVE SUBDIVISION dated June 21, 2013 and recorded July 11, 2013 as Instrument No. 113077279 in the office of the Recorder of Ada County, Idaho, as supplemented by that certain THIRD SUPPLEMENT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR THE PRESERVE SUBDIVISION dated October 7, 2013 and recorded October 15, 2013 as Instrument No. 113115549 in the office of the Recorder of Ada County, Idaho, as supplemented by that certain FOURTH SUPPLEMENT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR THE PRESERVE SUBDIVISION dated March 13, 2014 and recorded March 25, 2014 as Instrument No. 114021466 in the office of the Recorder of Ada County, Idaho, as supplemented by that certain FIFTH SUPPLEMENT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR THE PRESERVE SUBDIVISION dated October 13, 2015 and recorded October 16, 2015 as Instrument No. 2015-095898 in the office of the Recorder of Ada County, Idaho, and as the same may be further amended and supplemented from time to time.

(d) “Plat of Preserve No. 4” means that certain plat of The Preserve Subdivision No. 4 as recorded October 23, 2015 in Book 109 of Plats, Pages 15394 through 15396, as Inst. No. 2015-098118 in the office of the Recorder of Ada County, Idaho.

(c) "Plat of Preserve No. 5" means that certain plat of The Preserve Subdivision No. 5 as recorded October 27, 2015 in Book 109 of Plats, Pages 15397 through 15399, as Inst. No. 2015-098982 in the office of the Recorder of Ada County, Idaho.

1.2 Parties: Company is the Grantor as defined in the Declaration and the owner of the fee simple interest in the Annexed Land except for the Annexed Common Lots. Association is the owner of the fee simple interest in the Annexed Common Lots.

1.3 Purpose: The purpose of this Sixth Supplemental Declaration is to annex to the Property all of the Annexed Land, to designate additional Common Areas, and to otherwise subject the Annexed Land to the Declaration as set forth below.

2. SPECIFIC PROVISIONS

2.1 Annexation: Pursuant to Section 10.11 of the Declaration, the Annexed Land is hereby declared to be an additional part of the "Property" as defined in the Declaration. The Annexed Land is hereby subjected to the Declaration, except as the Declaration may be modified by this Sixth Supplemental Declaration with respect to the Annexed Land. Company assumes no obligation to annex additional lands to the Property or to annex any particular tract, or to annex tracts in any particular sequence, or to annex contiguous tracts. Company reserves the right to decline to further exercise the rights granted in Section 10.11 of the Declaration or to further exercise those rights only to a limited extent.

2.2 Additional Common Area: The Annexed Common Lots are hereby declared to be additional "Common Area" as defined in the Declaration.

2.3 Drainage: Lot 24, Block 3; Lot 6, Block 12; Lot 23, Block 11 as platted on the Plat of Preserve No. 5; portions of Lot 19, Block 5; and of Lots 8 & 9, Block 11 as shown on the Plat of Preserve No. 4; and portions of Lot 25, Block 3 and of Lots 5 and 7, Block 12 as shown on the Plat of Preserve No. 5, are hereby made servient to the ACHD storm water drainage system pursuant to that certain Master Perpetual Storm Water Drainage Easement recorded on May 8, 2009 as Instrument No. 109053259 in the office of the Recorder of Ada County, Idaho, which instrument is incorporated herein by this reference as if set forth in full. This easement and the storm water drainage system located in this easement are dedicated to

ACHD pursuant to Idaho Code Section 40-2302. This easement is for the operation and maintenance of the storm water drainage system. The area that is the subject of this easement must remain free of all encroachments and obstructions (including fences and trees) that may adversely affect the operation and maintenance of the storm drainage facilities. As more fully set forth in the Declaration, including Section 6.14 thereof, the Association must operate and maintain portions of the storm water drainage system.

2.4 Irrigation System: Upon annexation of the Annexed Land, the Irrigation System on the Annexed Land will become an Improvement and a part of the Common Area. As such, the Association must operate and maintain the Irrigation System on the Annexed Land pursuant to Section 1.5.2.1 of the Declaration and the Association must establish and fund a reserve account to repair and replace the Irrigation System on the Annexed Land pursuant to Section 1.5.2.3 of the Declaration. In operating and maintaining the Irrigation System, the Association must comply with all applicable laws including any applicable requirement to operate and maintain the Irrigation System in accordance with an operations and maintenance manual approved by the City of Eagle. Pursuant to Section 3.1 of the Declaration, each Owner of a Lot within the Annexed Land must pay Assessments to the Association including Irrigation System Assessments. As more fully set forth in the Declaration, Irrigation System Assessments are for payment of the expenses of operating, maintaining, repairing and replacing the Irrigation System including any charges or assessments imposed on the Association by the irrigation district supplying the water.

2.5 Design of Improvements: The following additional requirements apply to the design of Improvements in the Annexed Land. A residential structure must not be constructed on a Lot adjacent to, or directly across a street from, a Lot improved with a residential structure having identical exterior elevations. If three Lots improved with residential structures having identical exterior elevations are separated from each other by single Lots improved with residential structures having exterior elevations different from the first three, a fourth Lot improved with a residential structure having exterior elevations identical to the first three must not be constructed unless separated from the first three by at least three Lots improved with residential structures having different exterior elevations.

3. GENERAL PROVISIONS

3.1 Covenants Run With the Land: The provisions of this Sixth Supplemental Declaration will be a burden on the Property (including, without limitation, the Annexed Land) and each part thereof, will be appurtenant to and for the benefit of the Property (including, without limitation, the Annexed Land) and each part thereof, and will run with the land.

3.2 Successors and Assigns: The provisions of this Sixth Supplemental Declaration will inure to the benefit of and be binding upon the Owners, their heirs, personal representatives, successors and assigns, and upon any person acquiring the Property (including, without limitation, the Annexed Land), or any portion thereof, or any interest therein, whether by operation of law or otherwise.

3.3 Modification and Termination: No modification or termination of this Sixth Supplemental Declaration, in whole or in part, will be effective unless it is pursuant to the procedures for modifying or terminating the Declaration as set forth therein.

3.4 Severability: If any term or provision of this Sixth Supplemental Declaration or the application of it to any person or circumstance is to any extent invalid or unenforceable, the remainder of this Sixth Supplemental Declaration or the application of that term or provision to persons or circumstances, other than those as to which it is invalid or unenforceable, will not be affected thereby, and each term and provision of this Sixth Supplemental Declaration will be valid and enforced to the extent permitted by law.

3.5 No Third Party Beneficiary Rights: This Sixth Supplemental Declaration is not intended to create, nor will it be in any way interpreted or construed to create, any third party beneficiary rights in any person not a party hereto, except as expressly set forth herein.

3.6 Captions and Headings: The captions and headings in this Sixth Supplemental Declaration are for reference only and will not be deemed to define or limit the scope or intent of any of the terms, covenants, conditions or agreements contained herein.

3.7 Entire Agreement: This Sixth Supplemental Declaration contains the entire agreement between the parties hereto and supersedes all prior agreements, oral or written,

with respect to the subject matter hereof. The provisions of this Sixth Supplemental Declaration will be construed as a whole and not strictly for or against any party.

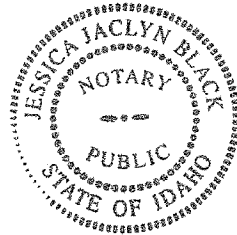
3.8 Recordation: This Sixth Supplemental Declaration will be recorded in the office of the recorder of the county in which the Property is located.

{signature pages follow}

By: Thomas M. Coleman, Jr., President

STATE OF IDAHO)
County of Ada) ss.

On this 25th day of January, 2016, before me, a Notary Public in and for said State, personally appeared Thomas M. Coleman, Jr., known or identified to me to be the President of COLEMAN HOMES LLC, the Manager of THE PRESERVE LLC, an Idaho limited liability company, who subscribed said limited liability company's name to the foregoing instrument, and acknowledged to me that he executed the same in said limited liability company's name.

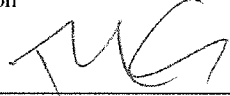


Notary Public for Idaho
Print Name: Jessica T. Hall
Residing at: Ada County
My commission expires: 3/28/19

EXECUTED as of the day and year first above-written.

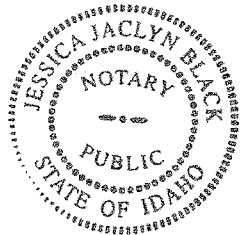
ASSOCIATION:

THE PRESERVE HOMEOWNERS
ASSOCIATION, INC., an Idaho non-profit
corporation

By: 
Thomas M. Coleman, Jr., President

STATE OF IDAHO)
) ss.
County of Ada)

On this 22nd day of January, 2016, before me, a Notary Public in and for said State,
personally appeared Thomas M. Coleman, Jr., known or identified to me to be the President of
THE PRESERVE HOMEOWNERS ASSOCIATION, INC., an Idaho non-profit corporation,
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.




Notary Public for Idaho
Print Name: Jessica Black
Residing at: Ada County
My commission expires: 2/25/17