

598699
Microfilm No. 27 Day April 20 23
At 11:21 O'Clock AM
ABBIE MACE
FREMONT CO RECORDER
Fee \$ 112 - 81 Deputy
Recorded at Request of
North Henry's Lake HOA

**FIRST AMENDMENT TO AMENDED DECLARATION OF COVENANTS,
CONDITIONS, AND RESTRICTIONS OF THE NORTH HENRY'S LAKE HOME
OWNERS ASSOCIATION, INC.**

DIVISION NO. 5

The Amended Declaration of Covenants, Conditions, and Restrictions of the North Henry's Lake Home Owners Association, Inc. Division No. 5, recorded on September 20, 2016 as Document No. 560201 in the Records of Fremont County, Idaho ("Phase 5 Declaration"). The provisions listed below of the Phase 5 Declaration are hereby amended in accordance with Section 15 of the Phase 5 Declaration. The unmodified remainder of the Phase 5 Declaration remains in full force and effect as executed and previously recorded.

AMENDMENTS:

1. Article 11 of the Phase 5 Declaration is hereby amended so that it reads in its entirety as follows:

11. Except as otherwise provided for by the laws of the State of Idaho, no signs of any kind shall be displayed or maintained to the public view on or from any lot, except that signs advertising all or a portion of said property to be for sale or rent may be temporarily maintained.

2. A new Article 19 is hereby added to the Phase 5 Declaration to read in its entirety as follows:

19. If the Board of Directors determines that an Owner or lot has violated a provision of the Declaration, Bylaws, or Rules and Regulations, including but not limited to failure to pay assessments as more fully provided within the Bylaws, the Association may take enforcement action. Fines, charges, and expenses incurred in enforcing this Declaration, the Bylaws and Rules and Regulations, and for any costs incurred by the Association in connection with any enforcement action, including attorney fees and costs (regardless of whether or not legal proceedings are initiated), are assessments which are levied against the Owner and lot that may be collected and foreclosed by the Association as provided in the Bylaws.

3. A new Article 20 is hereby added to the Phase 5 Declaration to read in its entirety as follows:

20. Upon a majority vote of the Board of Directors, the Association may impose fines on Owners for a violation of any covenant, condition, restriction, rule or regulation of the Association. Fines shall be levied in accordance with Idaho Code and Association's Schedule of Fines adopted by a resolution of the Board of Directors. The Schedule of Fines may be updated by the Board of Directors from time to time. Fines levied in accordance with this section are assessments and are collectable by the Association as assessments as more fully provided within the Bylaws.

**Certification of 2/3 Vote Approval
Pursuant to Phase 5 Declaration Section 15**

I Jeff Ringelman, the undersigned President of North Henry's Lake Homeowners Association, Inc. an Idaho nonprofit corporation, hereby acknowledge and certify that on January 26, 2023, the Association presented the foregoing *First Amendment to Amended Declaration of Covenants, Conditions, and Restrictions of the North Henry's Lake Home Owners Association, Inc. Division No. 5* to the Association membership for a vote of approval and adoption. The results of said election were 205 votes for approving adoption of these amendments and 0 votes against. The "for approval" votes cast constitute more than 2/3 of the total voting power of the Division 5 Owners and, therefore, the foregoing *First Amendment to Amended Declaration of Covenants, Conditions, and Restrictions of the North Henry's Lake Home Owners Association, Inc. Division No. 5* are hereby adopted by the Association and are effective upon the date filed and recorded in the Fremont County Recorder's Office.

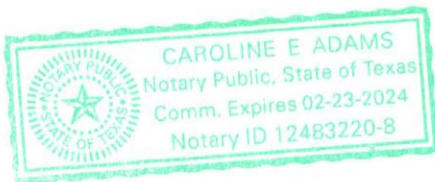
Jeff Ringelman
President,

North Henry's Lake Homeowners Association, Inc.

STATE OF TEXAS)
) ss.
County of Hays)

April 18, 2023

Personally appeared before me the above-named Jeff Ringelman who, being duly sworn, did say that he is the President of North Henry's Lake Homeowners Association, Inc. an Idaho nonprofit corporation, and that said instrument was signed in behalf of said Association by authority of its Board of Directors, and acknowledged said instrument to be its voluntary act and deed.



Caroline Adams
Notary Public for Texas