

INSTRUMENT NO. 90346

A 1 of 35

DECLARATION OF PROTECTIVE
COVENANTS, CONDITIONS AND RESTRICTIONS
FOR
HIGHLAND ESTATES SUBDIVISION

THIS DECLARATION is made this 31st day of January, 1996 by PAYETTE RIVER DEVELOPMENT COMPANY, INC., an Idaho corporation. (herein "Declarant"). This Declaration of Covenants, Conditions and Restrictions for Highland Estates is a statement in its entirety of the covenants, conditions and restrictions for the Highland Estates Subdivision and is as follows:

ARTICLE 1
RECITALS

1.1 **Property Covered.** Declarant is the owner of certain real property (the Property") described as: Highland Estates Subdivision, formerly known as Phase IV of the MeadowCreek Subdivision, Adams County, Idaho. The legal description of the Property is provided in Exhibit A attached hereto.

1.2 **Purpose.** Declarant hereby subjects all of the Property to certain protective covenants, conditions and restrictions for the benefit of the Property and present and future owners thereof. This Declaration of Covenants, Conditions and Restrictions ("Declaration") is intended to preserve the value, desirability and attractiveness of the Property, to create and protect the highest quality development of the Property and to ensure proper maintenance thereof.

1.3 **Goals.** The project is being developed to provide a limited number of recreational residential sites within the 200+ acre Highland Estates Subdivision. The Property provides many unique natural resources including its meadows, forests and wildlife populations. The project has been designed and will be managed to preserve and enhance these natural resources for the benefit of all Lot owners.

ARTICLE 2
DECLARATION

2.1 **Scope of Declaration.** Declarant hereby declares that all of the Property and each Lot therein, is and shall be held, sold and conveyed, encumbered, hypothecated, leased, used, occupied and improved subject to the following covenants, conditions, restrictions, easements and