

DECLARATION OF COVENANTS, CONDITIONS,  
AND RESTRICTIONS  
FOR  
HORNET RIDGE ESTATES

THIS DECLARATION is made on the date hereinafter set forth by Jim L. Fultz and Doris Jean Fultz, husband and wife, hereinafter jointly referred to as the "Declarant";

RECITALS:

WHEREAS, the Declarant is the Owner of certain real property situate in the County of Adams, State of Idaho, which property is more particularly described on Exhibit "A" attached hereto, and which real property is hereinafter referred to as the "Property."

NOW, THEREFORE, Declarant hereby declares that the Property shall hereafter be held, sold, and conveyed subject to the following easements, restrictions, covenants, and conditions which are for the purpose of protecting the value and desirability of, and which shall run with and bind, the Property and each and every part, parcel, and Lot thereof. These easements, restrictions, covenants, and conditions shall be binding upon all parties hereafter having any right, title, or interest in the Property or any part, parcel, or Lot thereof, and upon their heirs, successors, and assigns. These easements, restrictions, covenants, and conditions shall also inure to the benefit of each present and future Owner of the Property and/or the Owner of any part, parcel or Lot thereof.

ARTICLE I  
DEFINITIONS

Section 1. "Association" shall mean and refer to HORNET RIDGE ESTATES HOMEOWNERS ASSOCIATION INC., a nonprofit unincorporated association organized under the laws of the State of Idaho, or any successor or assign of the Association.

Section 2. "Owner" shall mean and refer to the record owner, whether one (1) or more persons or entities, of a fee simple title to any Lot which is a part of the Property, including contract purchasers, but excluding those parties having an interest merely as security for the performance of an obligation.

Section 3. "Property" shall mean and refer to the real property described on Exhibit "A", attached hereto.

Section 4. "Lot" shall mean and refer to all lots within and shown upon the official recorded plat of HORNET RIDGE ESTATES Subdivision.

Section 5. "Declarant" shall mean and refer to Jim L. and Doris Jean Fultz, husband and wife, their successors and assigns, provided that such successors or assigns have acquired more than two (2) Lots and that such Lots constitute the entire remainder of un conveyed Lots owned by Declarant.

Section 6. "Project" shall mean and refer to the Property and all contemplated improvements thereto.

Section 7. Whenever the context so requires, the use of the singular shall include the plural, the plural the singular, and the use of any gender shall include all genders.

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