

INSTRUMENT NO. 85609

State of Idaho)
County of Adams) ss.

Filed for record at the request of
Timberline Title & Escrow
40 min. past 15 o'clock P.M.
this 14th day of March, 1994

DECLARATION OF
PROTECTIVE RESTRICTIONS AND COVENANTS
ADAMS COUNTY, IDAHO

MICHAEL FISK, RECORDER
by Peggy Linbal
Deputy

Fee \$24.00

DB

THIS DECLARATION, Made as of the 29th day of September
1993 by BALBACH LOGGING, INC., ~~Whispering Pine Estates, a partnership~~ hereafter
referred to as "Grantor";

WITNESSETH:

WHEREAS, Grantor is the owner of all that certain real estate situated in Adams County, Idaho, more particularly described in the plat of Whispering Pine Estates, (hereafter referred to as the "Subdivision"), recorded on the 29th day of September, 1993, as instrument No. 84823 records of Adams County, Idaho; and

WHEREAS, it is the desire and intent of the Grantor to create a residential community in which certain standards shall be established for the mutual protection of all residents, with due regard for the preservation and protection of the environment, and the restrictions and covenants established in this Declaration are intended to serve such objectives;

NOW, THEREFORE, Granter hereby declares that all property in the Subdivision (as herein defined) is and shall be held, conveyed, encumbered, leased, and used subject to the following uniform covenants, restrictions, and equitable servitudes in furtherance of a plan for the subdivision, improvement and sale of said property, and to enhance the value, desirability, and attractiveness of such property. The restrictions set forth herein shall run with the real property included within the Subdivision; shall be binding upon all persons having or acquiring any interest in such real property or any part thereof; shall inure to the benefit of every portion of such real property and any interest therein; and shall inure to the benefit of an shall be binding upon grantor, its successors in interest, and may be enforced by Grantor, by the Owner or such Owner's successors in interest.

DEFINITIONS 1. In construing this instrument, the following definitions shall be applied: