

227493

**Conditions of Protective Covenants,
Conditions and Restrictions for**

**MOUNTAIN VIEW HEIGHTS
1ST ADDITION**

227434

1. BUILDING LOCATION:

Lot line set back for buildings.

The set back from the public road frontage on all lots shall be at least 30 feet.

The set back from property lines on all lots shall be at least 15 feet.

2. NUISANCES:

No noxious or offensive activity shall be carried on upon any lot, nor shall anything be done thereon which may become an annoyance to the neighborhood.

3. TEMPORARY STRUCTURES:

No structure of a temporary character, trailer, basement, tent, shack, garage, barn or other out building shall be used on any lot at anytime as a residence either temporarily or permanently with the following exceptions:

Lot owners will be allowed to use recreational vehicles (RV's) on their property, as temporary residences not to exceed 90 days in any 12-month period. This time limit will be extended to 18 continuous months if home construction is started within the 90-day period of time.

During the construction of any residence, it shall be permissible for the builder or contractor to place a temporary office and tool shed on the premises, which shall be removed immediately following the completion of the building.

4. SIGNS:

No sign of any kind shall be displayed to the public view on any lot except one professional sign of not more than one square foot, one sign of not more than five square feet advertising the property for sale or rent, or signs by a builder to advertise the property during the construction and sales period.

5. LIVESTOCK AND POULTRY:

No animals, livestock or poultry of any kind shall be raised, bred or kept, except that dogs, cats or other household pets may be kept provided that they are not kept, bred or maintained for any commercial purposes, and so long as the care given such animals is accomplished in such a way as to not constitute a source of annoyance to any adjoining property owner.

6. GARBAGE AND REFUSE DISPOSAL:

No lot shall be used or maintained as a dumping ground for rubbish. Trash, garbage or other waste shall not be kept except in sanitary containers. The burning of trash in outside incinerators, barbecue pits, and the such is prohibited (except at times and in containers approved by the State of Idaho) it being intended that all refuse, trash, garbage and the like shall be hauled from the subdivision.

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7. SEWAGE DISPOSAL:

No individual sewage disposal system shall be permitted on any lot unless such system is designed, located, and constructed in accordance with the requirements, standards and recommendations of the Idaho Department of Health and Welfare and Panhandle Health District. Approval of such system as installed shall be obtained from such authority. A sewage system is required.

8. USE RESTRICTIONS AND BUFFER:

No manufacturing or commercial enterprises shall be conducted or maintained upon or in connection with any residential lot or lots, nor shall said lot or lots, in any way, be used for other than strictly residential purposes except that professional office may be maintained within the main building.

9. REFUSE:

Refuse piles or other unsightly objects or material, including logging debris, shall not be allowed to be placed or remain upon the premises or easements.

10. PARKING:

Cars and pickups belonging to a lot owner shall be regularly parked off the street. No inoperable vehicles shall remain on any lot longer than 30 days. Once removed, no inoperable vehicle shall again be placed on the property for 90 days. This shall also include boats, trailers, motorcycles, ATV's, etc. Any vehicle in the process of being repaired would need to be garaged until project is completed.

11. BUILDING MATERIALS:

All materials used in the construction, alteration, or remodeling of any building, wall, fence, or other structure shall be new and of good quality and design. Used materials of good quality may be used in exceptional circumstances.

12. CONSTRUCTION TIME LIMITATIONS:

All construction of a residential nature must be completed within 18 months from commencement of construction.

13. MOBILE HOMES AND MODULAR HOMES:

No structures commonly referred to as "modular homes", "manufactured homes" and "doublewide homes" shall be placed upon any lot.

14. FUTURE SUBDIVISION:

Any future subdivision of any lot, parcel or tract of the afore mentioned property is prohibited.

15. MOTO-CROSS COURSES:

No moto-cross or other courses may be constructed on any lot.

16. TERM:

These covenants are to run with the land and shall be binding on all parties and all persons claiming under them, unless an instrument signed by a majority of the then owners of the lots has been recorded agreeing to change said covenants in whole or in part, or terminate the covenants in whole or in part.

17. DWELLING QUALITY AND SIZE:

No dwelling shall be permitted on any lot containing less than 1500 square feet, exclusive of open porches and garages.

IN WITNESS WHEREOF, Virgil Unruh and Marjorie Unruh have executed this document this 11th day of JULY, 2006

Virgil Unruh
Virgil Unruh

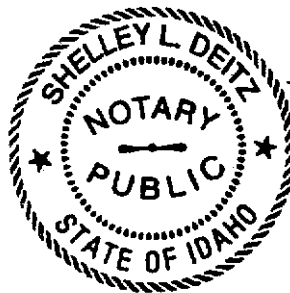
Marjorie Unruh
Marjorie Unruh

State of Idaho

ss

County of Boundary

On this 11 day of JULY, 2006, before me, the undersigned Notary Public in and for said State, personally appeared **Virgil Unruh and Marjorie Unruh**, known or identified to me to be the owners of Mountain View Heights 1st Addition Subdivision, and whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.



Shelley L. Deitz
NOTARY PUBLIC—State of Idaho
Residing at: BONNERS FERRY
Commission Expires: 12-19-08

STATE OF IDAHO }
County of Boundary } SS.
Filed by: JPS Surveying
on 7-17-06 at 2:00
Glenda Poston
County Recorder Glenda Poston
By Deputy
Fee \$ 9.00
Mail to JPS

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OWNER'S CERTIFICATION

Be it known, that Virgil and Marjorie Unruh, husband and wife, have caused to be surveyed and divided into lots, a parcel of land situated in the Northwest Quarter of the Northwest Quarter (NW1/4 NW1/4) of Section Twenty-two (22), Township Sixty-two (62) North, Range Two (2) East of the Boise Meridian, Boundary County, Idaho; more particularly described as follows:

Commencing at the southwest corner of the NW1/4 NW1/4 of Section 22; thence, along the south line of said NW1/4 NW1/4, S 89°50'25" E, 905.69 feet to a 5/8" rebar and Aluminum Cap stamped PLS 7877 and the TRUE POINT OF BEGINNING, thence, leaving said south line N 14°15'11" W, 458.13 feet to a 5/8" rebar and plastic cap stamped PLS 7877; thence N 01°13'59" W, 117.28 feet to a 5/8" rebar and plastic cap stamped PLS 7877, which marks on the ground the southwest corner of Lot Six (6) of Mountain View Heights Subdivision as recorded in Book 2 of Plats, Page 92, as Instrument No. 226584, Boundary County, Idaho records; thence S 89°51'29" E, 166.48 feet to the southeast corner of said Lot 6, which is marked on the ground by a 5/8" rebar and plastic cap stamped PLS 7877; thence, along the westerly right of way of that Sixty (60) foot wide public road described in Instrument No. 194945, the following Three (3) courses: S 02°07'54" W, 160.30 feet to a 5/8" rebar and plastic cap stamped PLS 7877; thence S 27°00'57" E, 248.51 feet to a 5/8" rebar and plastic cap stamped PLS 7877; thence S 27°35'16" E, 203.08 feet to the intersection with the south line of the NW1/4 NW1/4 of Section 22, which is marked on the ground by a 5/8" rebar and plastic cap stamped PLS 7877; thence, leaving said right of way and along said south line N 89°50'25" W, 252.13 feet to the TRUE POINT OF BEGINNING, encompassing an area of 2.43 acres.

The above described parcel shall be known as MOUNTAIN VIEW HEIGHTS 1ST ADDITION.

PLAT OF MOUNTAIN VIEW HEIGHTS 1ST ADDITION

IN THE NW 1/4 OF SECTION 22 TOWNSHIP 68 NORTH, RANGE 2 EAST, B.M. BOUNDARY COUNTY, IDAHO SHEET 1 OF 2

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- LEGEND**
- Found corner evidence as noted
 - Found 50' rebar/plastic cap - PLS 7577
 - Set 50' rebar/plastic cap - PLS 7577
 - Completed point - not set or tied
 - Set 5' rebar/aluminum cap - PLS 7577

SURVEYOR'S CERTIFICATION

I, John D. Mumpster, (Idaho Land Surveyor No. 7977, do hereby certify that the plat herein is a true and correct representation of a survey made by me in accordance with the laws and rules of the State of Idaho and the rules of the State Board of Land Surveyors. I have used the most accurate methods and procedures of surveying.



COUNTY RECORDER

This Plat was filed for record in the office of the Recorder of Boundary County, Idaho, on 2006 at _____ m. and duly recorded in Book _____ of Plats, Page _____ an instrument No. _____.

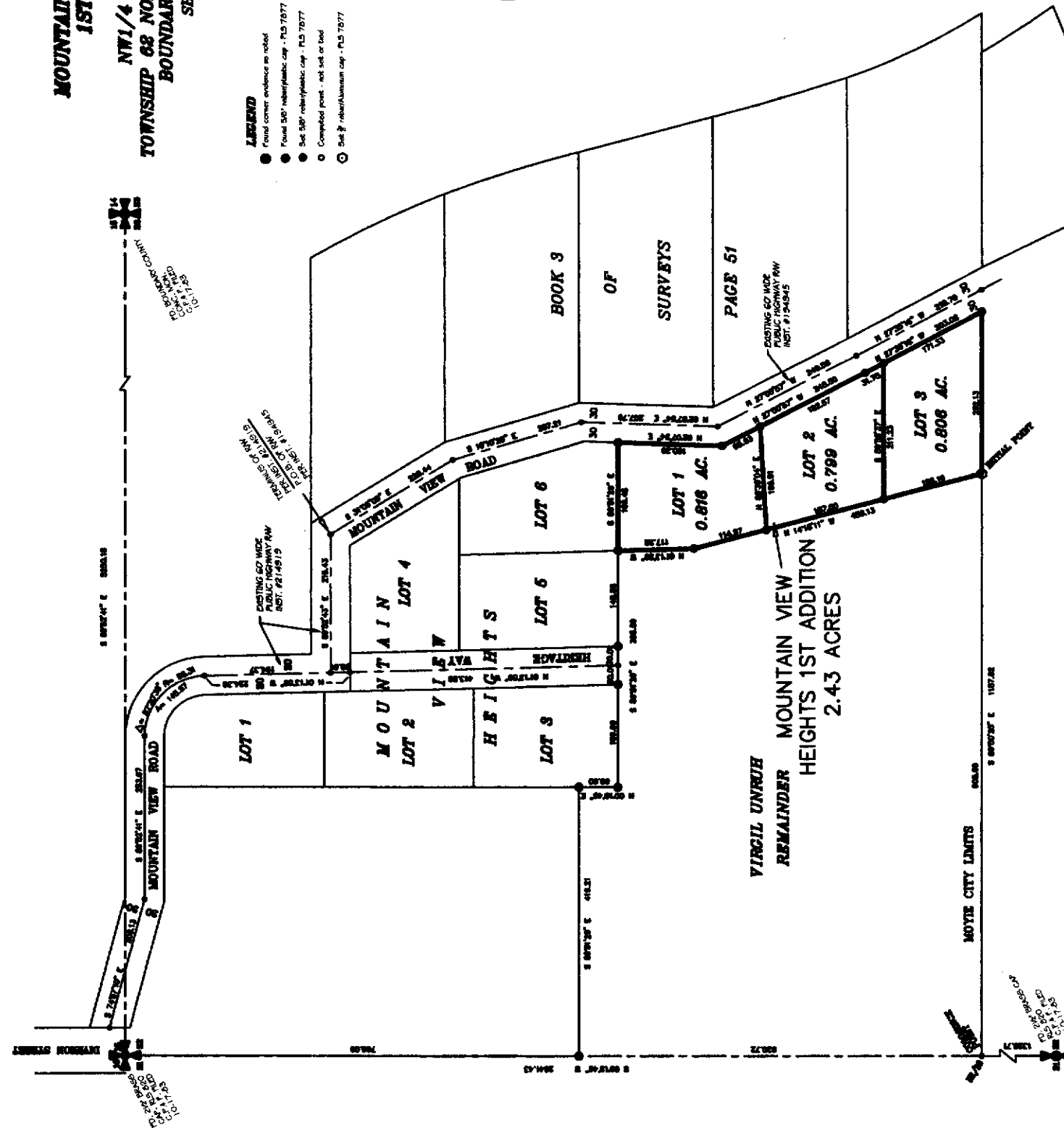
County Recorder _____

Deputy Recorder _____

J. R. S. SURVEYING, INC.

P. O. BOX 3007 - 6496 MAY ST.
BEND, OREGON, 97705-0307

PLAT-MOUNTAIN VIEW HEIGHTS 1ST ADDITION	
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BOOK	PAGE
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BOOK	PAGE
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PLAT OF MOUNTAIN VIEW HEIGHTS 1ST ADDITION IN THE NW1/4 OF SECTION 22 TOWNSHIP 63 NORTH, RANGE 2 EAST, B.M. BOUNDARY COUNTY, IDAHO SHEET 2 OF 2

BASIS OF BEARINGS

Bearings and Section Subdivision are based on Book 1 of Deeds, Page 220, Instrument No. 141767, Boundary County, Idaho records.

OWNER'S CERTIFICATION

Be it known, that Virgil and Marjorie Unruh, husband and wife, have caused to be surveyed and divided into lots, a parcel of land situated in the Northwest Quarter of the Northwest Quarter (NW1/4 NW1/4) of Section Twenty-two (22), Township Sixty-two (62) North, Range Two (2) East of the Boise Meridian, Boundary County, Idaho, lying within the limits of the City of Moyie Springs, more particularly described as follows:

Commencing at the southwest corner of the NW1/4 NW1/4 of Section 22; thence, along the south line of said NW1/4 NW1/4, S 89° 50' 25" E, 905.63 feet to a 5/8" rebar and Aluminum Cap stamped PLS 7877 and the TRUE POINT OF BEGINNING; thence, leaving said rebar and cap, S 14° 11' 14" E, 115.15 feet to a 5/8" rebar and plastic cap stamped PLS 7877; thence, leaving said rebar and cap, S 89° 50' 25" E, 17.20 feet to the southeast corner of Lot 5; (S) of Mountain View Heights Subdivision as recorded in Book 2 of Plats, Page 92, of Instrument No. 226504, Boundary County, Idaho records; thence S 63° 15' 12" E, 166.45 feet to the southeast corner of said Lot 5, which is marked on the ground by a 5/8" rebar and plastic cap stamped PLS 7877; thence, along the westerly right of way of that Sixty (60) foot wide public road described in Instrument No. 194945, the following Three (3) courses: S 02° 07' 34" W, 160.30 feet to a 5/8" rebar and plastic cap stamped PLS 7877; thence S 27° 35' 16" E, 249.51 feet to a 5/8" rebar and plastic cap stamped PLS 7877; thence S 27° 35' 16" E, 203.08 feet to the intersection with the south line of the NW1/4 NW1/4 of Section 22, which is marked on the ground by a 5/8" rebar and plastic cap stamped PLS 7877; thence, leaving said right of way and along said south line N 86° 50' 25" W, 252.13 feet to the TRUE POINT OF BEGINNING, encompassing an area of 2.421 acres.

The above described parcel shall be known as MOUNTAIN VIEW HEIGHTS 1ST ADDITION.

Virgil Unruh Date
Marjorie Unruh Date

NOTARY PUBLIC ACKNOWLEDGEMENT

State of Idaho)
County of Boundary)
I hereby certify that on the _____ day of _____, 2006, before me the undersigned, a Notary Public in and for the State of Idaho, duly commissioned and sworn, personally appeared Virgil and Marjorie Unruh, known to me to be the person(s) who executed the foregoing Owner's Certificate and acknowledged to me that they signed the same as their free and voluntary act and deed for the uses and purposes herein stated.

WITNESS my hand and official seal on the day and year above mentioned.

Notary Public in and for the State of Idaho
Residing at
Commission Expires:

COUNTY SURVEYOR'S CERTIFICATE

I hereby certify that I have examined the hereon Plat of MOUNTAIN VIEW HEIGHTS 1ST ADDITION and have determined that it complies with applicable State statutes and County ordinances regarding plats and subdivision regulations.

Dated this _____ day of _____, 20____.

Acting Boundary County Surveyor

PANHANDLE HEALTH DISTRICT

A sanitary restriction according to Idaho Code 50-1326 to 50-1329 is imposed on this plat. No building, dwelling, or structure shall be erected until sanitary restriction requirements are satisfied and lifted.

This Plat approved this _____ day of _____, 20____.

Panhandle Health District

Sanitary restrictions satisfied and lifted this _____ day of _____, 20____.

Panhandle Health District

APPROVAL OF THE CITY OF MOYIE SPRINGS

Mayor in and for the City of Moyie Springs, Boundary County, Idaho, do hereby certify that a regular meeting of the city council held on the _____ day of _____, 20____, the plat of MOUNTAIN VIEW HEIGHTS 1ST ADDITION was duly approved.

Mayor

STATE OF IDAHO }
County of Boundary } SS.

Filed by: JRS Surveying on 7-20-06 at 4:00
Glenda Poston County Recorder By Deputy
Fee \$ 18.00 chg
Mail to JRS

COUNTY TREASURER'S CERTIFICATE

I hereby certify that the required taxes on the above described property have been fully paid to and including the year 20____.

Dated this _____ day of _____, 20____.

Boundary County Treasurer

Table with columns for JAS. SURVEYING, INC., PLAT NO. 227493, SHEET 2 OF 2, and other surveying details.