

Instrument # 313410

VALLEY COUNTY, CASCADE, IDAHO

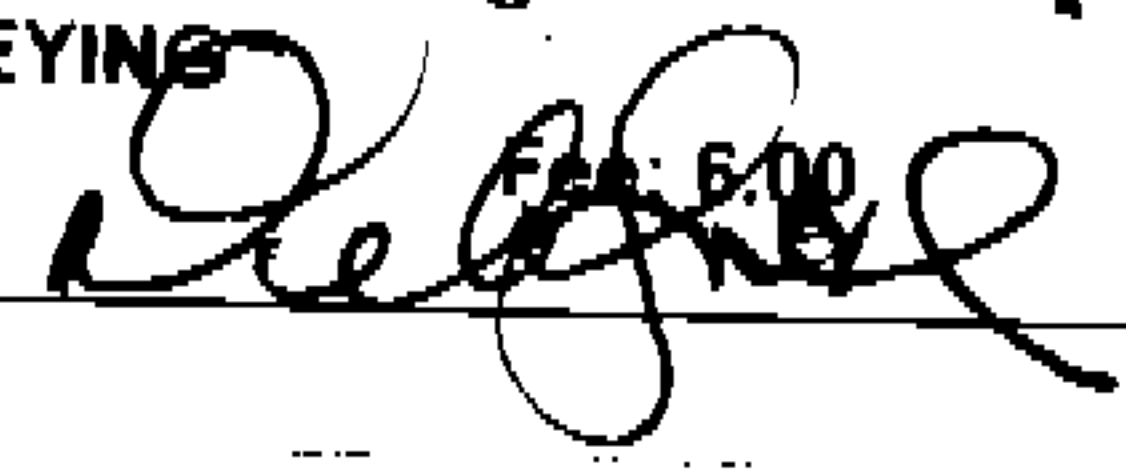
2006-09-18 02:24:00 No. of Pages: 2

Recorded for : KERR SURVEYING

LELAND G. HEINRICH

Ex-Officio Recorder Deputy

Index to: MISCELLANEOUS RECORD



**OWNER'S DECLARATION OF PRIVATE ROADS
FOR THE WILLOWS, PHASE II
VALLEY COUNTY, IDAHO**

This **DECLARATION** is made this 18th day of September, 2006, by **Alan F. Pearson and Finn-80, LLC** (hereinafter collectively referred to as "Finn-80"), which are the owners of certain lands located in Valley County, Idaho, which are platted as The Willows, Phase II.

WHEREAS, Finn-80 did, on the 18th day of September, 2006, record with the Office of Recorder of Valley County, Idaho, as Instrument No: _____, in Plat Book 10, on page 63, the Final Plat for The Willows, Phase II, which is located in Section 12, T.17N., R.3E., B.M. (hereinafter "Phase II").

WHEREAS, the aforesaid Final Plat is hereinafter referred to as "the Final Plat".

WHEREAS, Finn-80 is the Owner of the real property depicted in the Final Plat.

WHEREAS, this Declaration is being recorded, in compliance with the Valley County Land Use and Development Ordinance, to describe the status of the Phase II Roads, the maintenance responsibility therefor, and the standards and provisions governing completion thereof.

NOW, THEREFORE, Finn-80 hereby states and declares as follows:

1. All Roads Are Private: All roads which are depicted on the Final Plat (including, but not limited to, those roads which are labeled as "Place" or "Court") are PRIVATE ROADS and shall remain PRIVATE ROADS, for the use and enjoyment of the members of The Willows Lot Owners Association, Inc., together with their guests, invitees, and assigns, subject to the terms, conditions, and reserved Declarant's rights contained in the General Declaration of Covenants, Conditions and Restrictions for The Willows, and, as applicable, any Supplemental Declarations that may be recorded in the future.

2. Finn-80 Is Solely Responsible For The Costs Of Road Design And Construction: Finn-80 is solely responsible for the costs of the design and construction of all said roads, pursuant to the approved design criteria for The Willows, as incorporated into Valley County CUP No. 05-09.

3. Valley County Is Not Responsible For The Roads: Valley County shall have no responsibility for the costs of the design, construction, maintenance, upkeep, repair or replacement of any of said roads.

4. **The Willows Lot Owners Association Responsible For Maintenance Of Roads:** The Willows Lot Owners Association, Inc., a duly formed Idaho non-profit corporation, whose members shall include the owners of Lots in The Willows, shall be solely responsible for the maintenance, repair, upkeep, replacement, and control of all of the aforesaid roads.

5. **Status And Completion Of Phase II Roads:** The roads depicted on the Final Plat are complete and have been fully constructed.

IN WITNESS WHEREOF, the undersigned Owners of The Willows, Phase II, have executed this Declaration the day and year first above noted.

FINN-80, LLC,

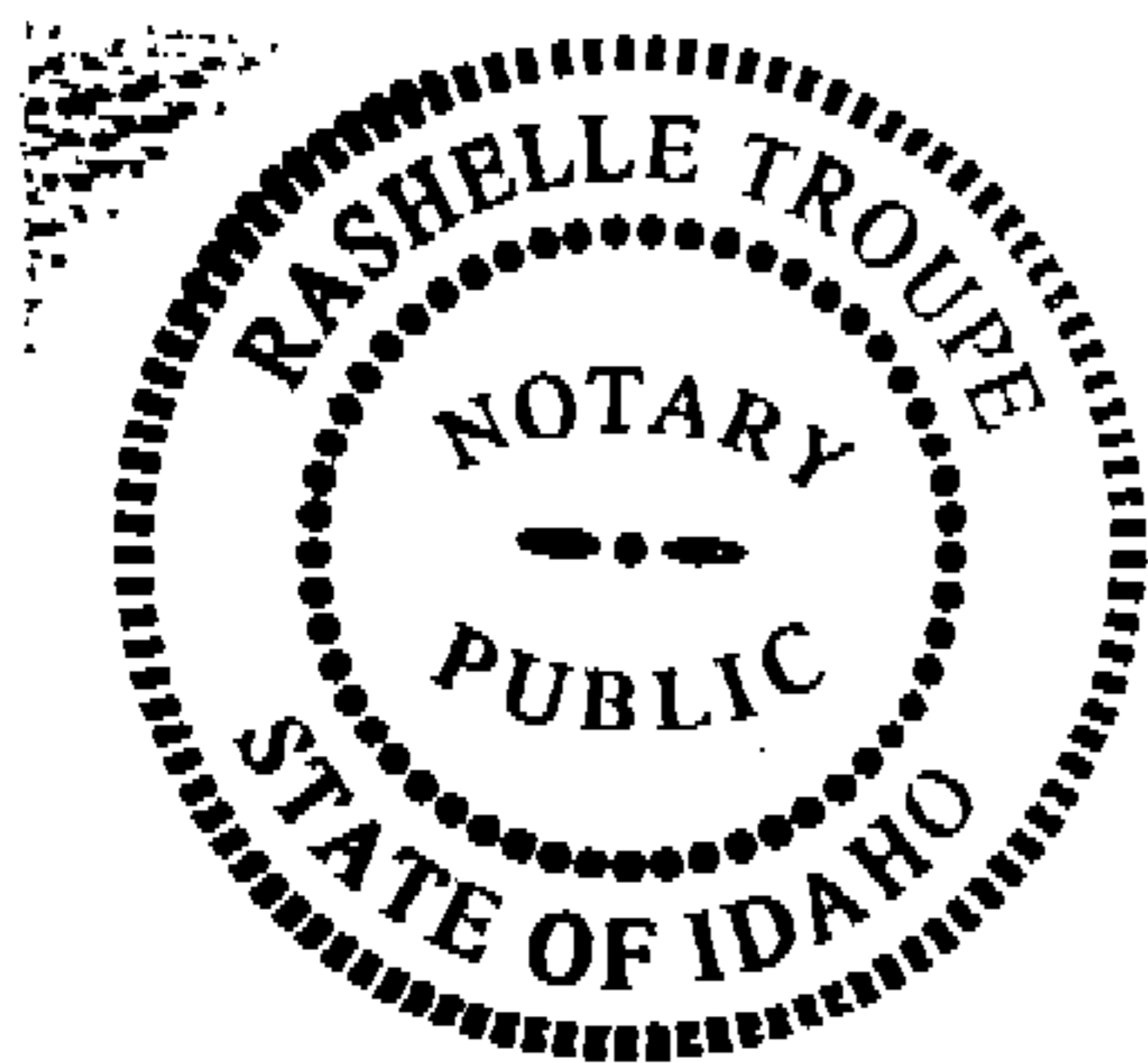
By: *Alan F. Pearson*
Alan F. Pearson, Individually

By: *Alan F. Pearson*
Alan F. Pearson, Member/Manager

STATE OF IDAHO,)
 (ss
County of Valley.)

On this 18th day of September, 2006, before me, a Notary Public in and for said State, personally appeared **Alan F. Pearson**, individually, and as the Member/Manager of **Finn-80, LLC**, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same individually and for and on behalf of said Limited Liability Company.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.



Rashelle Troupe
NOTARY PUBLIC FOR IDAHO
My Commission Expires: 8/16/2012