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First American Title Company

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AMENDMENT AND SUPPLEMENTAL DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR PHASE II OF ROCK CREEK HOLLOW A PLANNED UNIT DEVELOPMENT, MADISON COUNTY, IDAHO

This Amendment and Supplemental Declaration of Covenants, Conditions and Restrictions for Rock Creek Hollow - Phase II, A Planned Unit Development, Madison County, Idaho (this "Amendment and Supplemental Declaration") is made to be effective as of the 5th day of June, 2009, by Rock Creek Hollow, LLC, an Idaho limited liability company (the "Declarant").

A. A Declaration of Covenants, Conditions and Restrictions for property generally known as Rock Creek Hollow PUD was recorded, on April 24, 2007, as Instrument No. 336579 Official Records of Madison County, Idaho (the "Original Declaration").

B. The Original Declaration made certain property described therein in the development generally known as "Rock Creek Hollow PUD" subject to the Original Declaration.

C. Paragraphs 1.2.18, 13.5, and Article 12 of the Original Declaration provide for the amendment of the Original Declaration for the annexation of additional properties to be subject to the terms and provisions of the Original Declaration, during the Period of Declarant Control. Paragraph 1.2.27 of the Original Declaration defines the Period of Declarant Control. The Period of Declarant Control has not ended. This Amendment is executed by the undersigned, Rock Creek Hollow, LLC, an Idaho limited liability company, the Declarant under the Original Declaration.

D. Paragraph 1.2.18.vi of the Original Declaration provides for the amendment of the Original Declaration to comply with rules or guidelines of governmental entities. The amendment herein of paragraph 4.22 of the Original Declaration is required by the City of Rexburg.

E. Declarant desires to annex to Rock Creek Hollow PUD the property located within the boundaries of Rock Creek Hollow - Phase II, A Planned Unit Development, Madison County, Idaho, as shown on the Plat recorded on February 8, 2008 as Instrument No. 343465, Official Records of Madison County, Idaho.

NOW, THEREFORE, the Declarant does hereby declare the that Original Declaration is amended and supplemented as set forth below.

1. Annexation of Additional Property. The Declarant does hereby annex the following described property which shall be subject to and bound by the Original Declaration (the "Annexed Property"):

> All property located within the boundaries of Rock Creek Hollow - Phase II, A Planned Unit Development, Madison County, Idaho, according to the Plat recorded in the records of Madison County, Idaho, on February 8, 2008, as Instrument No. 343465, including, but not limited to, the following Units: 1-82.

The Annexed Property shall be subject to all of the covenants, conditions and restrictions contained in the Original Declaration and any amendments thereto, to the same effect as if the Annexed Property had been included within the description of the property described in the Original Declaration, and the Association shall accept, have and exercise jurisdiction over the Annexed Property the same as if the Annexed Property had been originally described in the Original Declaration.

2. Authority and Effect of Annexation.

a. Definitions. In the construction of this Amendment and Supplemental Declaration, all words herein which are defined in the Original Declaration shall have the definitions set forth in the Original Declaration unless otherwise provided in this Supplemental Declaration.

b. Unit. The Reference to "Unit" or "Units" in the Original Declaration shall also refer to each of the following Units identified in the Plat for Rock Creek Hollow - Phase II, A Planned Unit Development, recorded on February 8, 2008 as Instrument No. 343465, Official Records of Madison County, Idaho, including, but not limited to, the following Units: 1- 82.

c. Authority of Annexation. The annexation in this Amendment and Supplemental Declaration is made to the provisions of the Original Declaration, including Paragraphs 1.2.18, 13.5, and Article 12, which reserve to the Declarant the right to amend the Original Declaration to annex additional properties to be subject to the Original Declaration. Except as supplemented by this Amendment and Supplemental Declaration the Original Declaration remains in full force and effect and is binding upon all property described in the Original Declaration and all property annexed pursuant to this Supplemental Declaration.

3. Ownership Interest. Attached as Exhibit B hereto, and incorporated herein by

this reference, is an amended Exhibit B, applicable to the entire Rock Creek Hollow PUD, showing each Unit by Unit Number, together with the respective ownership interest percentages attributable to each Unit in the project as a result of this Amendment and Supplemental Declaration.

4. Variances. Paragraph 4.22 of the Original Declaration shall be amended to provide for the addition of the following at the end thereof:

> "Anything to the contrary herein notwithstanding, no variance shall be granted to allow the parking of motor homes, recreational vehicles, trailers, travel trailers, tent trailers, camper shells, detached campers, boats, boat trailers, mobile homes, or other similar machinery or equipment other than in a fully-enclosed garage."

IN WITNESS WHEREOF, the Declarant has executed this Amendment and Supplemental Declaration to be effective as of the date first above written.

DECLARANT

ROCK CREEK HOLLOW, LLC

By: Rodney D. Sainsbury, Manager

STATE OF ~~IDAHO~~ Utah)
)ss.
County of Washington)

On the 8 day of June, 2009, before me the undersigned, a notary public in and for said State, personally appeared Rodney D. Sainsbury, known or identified to me to be the manager in the limited liability company of Rock Creek Hollow, LLC, and the manager who subscribed said limited liability company name to the foregoing instrument, and acknowledged to me that such manager executed the same in said limited liability company name

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

NOTARY PUBLIC
KILEY MICHELLE KRAMER
382 S. BLUFF STREET #100
ST. GEORGE, UT 84770
MY COMM EXP 05/09/2010
STATE OF UTAH
(seal)

Kiley Michelle Kramer
Notary Public for ~~Idaho~~ Utah
Residing at St. George UT
My Commission Expires: 5/9/2010

[Signatures continue on following page]

ROCK CREEK HOLLOW, LLC

By: Quenalee Nelson, Manager

STATE OF IDAHO)
)ss.
County of Bonneville)

On the 5th day of June, 2009, before me the undersigned, a notary public in and for said State, personally appeared Quenalee Nelson, known or identified to me to be the manager in the limited liability company of Rock Creek Hollow, LLC, and the manager who subscribed said limited liability company name to the foregoing instrument, and acknowledged to me that such manager executed the same in said limited liability company name

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

(Seal) CHARLES A. HOMER NOTARY PUBLIC STATE OF IDAHO

Notary Public for Idaho
Residing at Idaho Falls, Idaho
My Commission Expires: 12/6/2011

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EXHIBIT B
Units and Ownership Interest Percentages

Phase	Unit	Percentage
Phase 1	Unit 1	.81967%
Phase 1	Unit 2	.81967%
Phase 1	Unit 3	.81967%
Phase 1	Unit 4	.81967%
Phase 1	Unit 5	.81967%
Phase 1	Unit 6	.81967%
Phase 1	Unit 7	.81967%
Phase 1	Unit 8	.81967%
Phase 1	Unit 9	.81967%
Phase 1	Unit 10	.81967%
Phase 1	Unit 11	.81967%
Phase 1	Unit 12	.81967%
Phase 1	Unit 13	.81967%
Phase 1	Unit 14	.81967%
Phase 1	Unit 15	.81967%
Phase 1	Unit 16	.81967%
Phase 1	Unit 17	.81967%
Phase 1	Unit 18	.81967%
Phase 1	Unit 19	.81967%
Phase 1	Unit 20	.81967%
Phase 1	Unit 21	.81967%
Phase 1	Unit 22	.81967%
Phase 1	Unit 23	.81967%
Phase 1	Unit 24	.81967%
Phase 1	Unit 25	.81967%
Phase 1	Unit 26	.81967%
Phase 1	Unit 27	.81967%
Phase 1	Unit 28	.81967%
Phase 1	Unit 29	.81967%
Phase 1	Unit 30	.81967%
Phase 1	Unit 31	.81967%
Phase 1	Unit 32	.81967%
Phase 1	Unit 33	.81967%
Phase 1	Unit 34	.81967%
Phase 1	Unit 35	.81967%
Phase 1	Unit 36	.81967%
Phase 1	Unit 37	.81967%
Phase 1	Unit 38	.81967%

EXHIBIT B
Units and Ownership Interest Percentages

Phase	Unit	Percentage
Phase 1	Unit 39	.81967%
Phase 1	Unit 40	.81967%
Phase 2	Unit 1	.81967%
Phase 2	Unit 2	.81967%
Phase 2	Unit 3	.81967%
Phase 2	Unit 4	.81967%
Phase 2	Unit 5	.81967%
Phase 2	Unit 6	.81967%
Phase 2	Unit 7	.81967%
Phase 2	Unit 8	.81967%
Phase 2	Unit 9	.81967%
Phase 2	Unit 10	.81967%
Phase 2	Unit 11	.81967%
Phase 2	Unit 12	.81967%
Phase 2	Unit 13	.81967%
Phase 2	Unit 14	.81967%
Phase 2	Unit 15	.81967%
Phase 2	Unit 16	.81967%
Phase 2	Unit 17	.81967%
Phase 2	Unit 18	.81967%
Phase 2	Unit 19	.81967%
Phase 2	Unit 20	.81967%
Phase 2	Unit 21	.81967%
Phase 2	Unit 22	.81967%
Phase 2	Unit 23	.81967%
Phase 2	Unit 24	.81967%
Phase 2	Unit 25	.81967%
Phase 2	Unit 26	.81967%
Phase 2	Unit 27	.81967%
Phase 2	Unit 28	.81967%
Phase 2	Unit 29	.81967%
Phase 2	Unit 30	.81967%
Phase 2	Unit 31	.81967%
Phase 2	Unit 32	.81967%
Phase 2	Unit 33	.81967%
Phase 2	Unit 34	.81967%
Phase 2	Unit 35	.81967%

EXHIBIT B
Units and Ownership Interest Percentages

Phase	Unit	Percentage
Phase 2	Unit 36	.81967%
Phase 2	Unit 37	.81967%
Phase 2	Unit 38	.81967%
Phase 2	Unit 39	.81967%
Phase 2	Unit 40	.81967%
Phase 2	Unit 41	.81967%
Phase 2	Unit 42	.81967%
Phase 2	Unit 43	.81967%
Phase 2	Unit 44	.81967%
Phase 2	Unit 45	.81967%
Phase 2	Unit 46	.81967%
Phase 2	Unit 47	.81967%
Phase 2	Unit 48	.81967%
Phase 2	Unit 49	.81967%
Phase 2	Unit 50	.81967%
Phase 2	Unit 51	.81967%
Phase 2	Unit 52	.81967%
Phase 2	Unit 53	.81967%
Phase 2	Unit 54	.81967%
Phase 2	Unit 55	.81967%
Phase 2	Unit 56	.81967%
Phase 2	Unit 57	.81967%
Phase 2	Unit 58	.81967%
Phase 2	Unit 59	.81967%
Phase 2	Unit 60	.81967%
Phase 2	Unit 61	.81967%
Phase 2	Unit 62	.81967%
Phase 2	Unit 63	.81967%
Phase 2	Unit 64	.81967%
Phase 2	Unit 65	.81967%
Phase 2	Unit 66	.81967%
Phase 2	Unit 67	.81967%
Phase 2	Unit 68	.81967%
Phase 2	Unit 69	.81967%
Phase 2	Unit 70	.81967%
Phase 2	Unit 71	.81967%
Phase 2	Unit 72	.81967%
Phase 2	Unit 73	.81967%

EXHIBIT B
Units and Ownership Interest Percentages

Phase	Unit	Percentage
Phase 2	Unit 74	.81967%
Phase 2	Unit 75	.81967%
Phase 2	Unit 76	.81967%
Phase 2	Unit 77	.81967%
Phase 2	Unit 78	.81967%
Phase 2	Unit 79	.81967%
Phase 2	Unit 80	.81967%
Phase 2	Unit 81	.81967%
Phase 2	Unit 82	.81993%
TOTAL UNITS	122	100.00000%