

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

Hunter Foothills, LLC
Attn.: Landon Northey
729 S. Bridgeway Place
Eagle, Idaho 83616

(Space Above For Recorder's Use)

**FOURTH SUPPLEMENTAL
DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS
FOR
HARRIS NORTH**

THIS FOURTH SUPPLEMENTAL DECLARATION ("Fourth Supplemental Declaration") is made effective on the 21st day of December, 2020, by **Harris Ranch North Homeowners Association, Inc.**, an Idaho non-profit corporation (the "Association"), **Hunter Foothills, LLC**, an Idaho limited liability company (the "Harris North Declarant"), and **HRN Investments 1, LLC**, an Idaho limited liability company (the "Harris Ranch North Subdivision Owner").

- A. The Declaration of Covenants, Conditions, Restrictions and Easements for Harris North (Harris Ranch North Subdivisions No. 1 and No. 2) was recorded on July 11, 2017, as Instrument No. 2017-062655, Records of Ada County, State of Idaho (the "Declaration"); the First Supplemental Declaration of Covenants, Conditions, Restrictions and Easements for Harris North was recorded on July 5, 2018, as Instrument No. 2018-062523, Records of Ada County, State of Idaho (the "First Declaration"). The Second Supplemental Declaration of Covenants, Conditions, Restrictions and Easements for Harris North was recorded on June 11th, 2019, as Instrument No. 2019-049709, Records of Ada County, State of Idaho (the "Second Declaration"); and the Third Supplemental Declaration of Covenants, Conditions, Restrictions and Easements for Harris North was recorded on December 21st, 2020, as Instrument No. 2020-176677 Records of Ada County, State of Idaho (the "Third Declaration");
- B. The Harris North Declarant is the Class B Member and holds the Class B voting rights and is authorized to amend the Declaration pursuant to Article VII, Section 7.6 of the Declaration, and the Harris North Declarant desires to amend and supplement the Declaration as set forth in this Fourth Supplemental Declaration;
- C. Pursuant to Article VII, Section 7.6, the Harris North Declarant has obtained the express written consent of the City of Boise as recognized herein;
- D. The Declaration, the First Supplemental Declaration, the Second Supplemental Declaration, the Third Supplemental Declaration, and this Fourth Supplemental Declaration shall be jointly and collectively hereinafter referred to as the "Declaration".

FOURTH SUPPLEMENTAL DECLARATION:

NOW, THEREFORE, under and pursuant to Article VII, Section 7.6 of the Declaration, the Declarant does hereby amend, restate and supplement the Declaration as follows:

1. Section 2.1.3 is hereby amended and restated as follows:

2.1.3 **Storage Buildings:** No Sheds Allowed.

2. Section 2.10 is hereby amended and restated as follows:

2.10 **Garbage and Refuse Disposal; Recycling.** No rubbish, trash, garbage, refuse, debris, or recycling materials shall be placed or allowed to remain on any portion of the Property except for domestic residential trash and recycling materials kept and maintained within the interior of a residential Unit's garage in sanitary containers. Sanitary containers may be kept on the exterior of a Property with prior written approval. Screening must match the exterior of the Property and screen the sanitary containers from the street and driveway of neighboring residences. All equipment for the storage or disposal of such material shall be kept in a clean, neat and sanitary condition, and shall be kept within the interior of a residential Unit's garage, or approved exterior location, out of view from any street or driveway except as necessary on trash and recycling pickup days.

3. Section 2.24 is hereby amended and restated as follows:

2.24 **Fences.** All fences installed on the property lines must be 4' tall, black wrought iron fencing and must comply with all applicable City of Boise and Ada County Highway District provisions and regulations, Harris Ranch Design Guidelines, Harris Ranch Specific Plan Code, and be approved by the Harris North Declarant and/or Board and the Harris Ranch Review Board in their sole and absolute discretion. Fences are also restricted based on: Wildland-Urban Interface Fire Safety Plan, dated March 2015 and as subsequently amended; the Harris Ranch Wildlife Mitigation Plan; Slope Restriction in Section 2.33, and East Hillside Set Back in Section 2.34.

4. Section 2.27 is hereby amended and restated as follows:

2.27 **Landscaping.** Notwithstanding anything contrary in this Section 2.27 and 2.27.1, all landscaping and maintenance shall be subject to the Harris Ranch Specific Plan, Foothills Landscape and consistent with the Harris Ranch North Wildland- Urban Interface Fire Safety Plan dated March 2015, Harris North Fire Wise Landscape and Hardscape Guidelines, and Harris North Planting List.

2.27.2 Harris North Planting List.

- **Deciduous trees:**

- Autumn Purple Ash
- Armstrong Gold Maple
- Crimson Spire Red Oak
- Fallgold Ash
- Heritage River Birch
- Autumn Blaze Maple
- Swamp White Oak
- Cimmaron Ash
- Shademaster Honeylocust
- Heritage River Birch
- Columnar Hornbeam
- Crimson Spire Red Oak
- October Glory Maple
- Skyline Honeylocust
- Green Ash
- European Hornbeam
- Redmond Linden
- Heritage River Birch
- Crimson Sunset Maple

- **Evergreen trees:**

- Bruns Serbian Spruce
- Baby Blue Eyes Spruce
- Vanderwolf Pine
- Cupressina Spruce
- Columnar White Pine
- Austrian Pine
- Layered Colorado Blue Spruce
- Arnold Sentinel Pine
- Bakeri Spruce
- Fat Albert Spruce
- Hoop's Spruce
- Norway Spruce
- Columnar Eastern White Pine
- Black Hills Spruce

- **Ornamental trees:**

- Weeping White Pine

- Bruns Weeping Serbian Spruce
- Snow Fountains Weeping Cherry
- Newport Plum
- Bloodgood Japanese Maple
- Weeping Norway Spruce
- Coral Bark Japanese Maple
- Schubert Chokecherry
- Pom Pom Pine
- Flame Maple
- Autumn Brilliance Serviceberry
- Eastern Redbud
- Canada Red Chokecherry
- Redspire Paar
- Prairie Fire Crabapple
- Weeping Norway Spruce
- Weeping White Spruce
- Thornless Cockspur Hawthorn
- Robin Hill Serviceberry
- Chanticleer Pear
- Donald Wyman Crabapple
- Spring Snow Crabapple
- Canada Red Chokecherry
- Thundercloud Plum
- Flame Maple

- **Deciduous shrubs:**

- Fine Line Buckthorn
- Double Knock Out Rose
- Ash Leaf False Spirea
- Red Coralberry
- Dwarf Burning Bush
- Miss Kim Lilac
- Annabelle Hydrangea
- Limelight Hydrangea
- Pinky Winky Hydrangea
- Ivory Halo Dogwood
- Kelsey Dogwood
- Tiger Eye Sumac

- Wine and Roses Weigela
- Red Prince Weigela
- Blue Chip Butterfly Bush
- Texas Scarlet Flowering Quince
- Mountain Snowberry
- Gold Tide Forsythia
- Dwarf Arctic Willow
- Dwarf Korean Lilac
- Blue Mist Spirea
- Dwarf Mockorange
- Dwarf Burning Bush
- Eastern Snowball Viburnum
- Double Knockout Rose
- Glacier Magic Rose
- Magic Carpet Spirea
- Miss Kim Lilac
- Madame Lemoine Lilac
- Gro Low Sumac
- Crimson Pygmy Barberry
- Sunjoy Gold Pillar Barberry
- Orange Rocket Barberry
- Cranberry Cotoneaster
- Dwarf Mockorange
- Dart's Gold Ninebark
- Little Devil Ninebark
- Black Lace Elderberry
- Goldmound Spirea
- Anthony Waterer Spirea
- Abbotswood Potentilla
- Gold Star Potentilla

• **Evergreen shrubs:**

- Blue Arrow Juniper
- Slowmound Mugo Pine
- Green Velvet Boxwood
- Powis Castle
- Bird's Nest Spruce
- P.J.M. Rhododendron
- Creeping Mahonia
- Boxwood
- Dwarf Mugo Pine
- Niagara Falls Pine

- Powis Castle
- Medora Juniper
- Bird's Nest Spruce

• **Perennials**

- Stella De Oro Daylily
- Patriot Hosta
- Candy Hearts Hosta
- Fried Bananas Hosta
- Snow Hill Meadow Sage
- Sunny Border Blue Veronica
- Arizona Sun Blanket Flower
- Zagreb Coreopsis
- Henry's Sweetspire
- Black-Eyed Susan Urban Contemporary
- Fire Alarm Coral Bells
- Palace Purple Coral Bells
- Citronelle Coral Bells
- Spotted Gayfeather
- Poppy Mallow
- Kim's Knee High Coneflower
- Fire Alarm Coral Bells
- Palace Purple Coral Bells
- Citronelle Coral Bells
- Shasta Daisy
- Catmint
- Russian Sage
- May Night Salvia
- Hummingbird Mint
- Jupiter's Beard
- Moonbeam Coreopsis
- Big Bang Star Cluster Coreopsis
- Henry's Sweetspire
- Black-eyed Susan
- Red Rocks Penstemon
- Pike's Peak Penstemon
- Dark Towers Penstemon
- Black-Eyed Susan
- Double Bubble Mint
- Flames of Passion Geum

- **Ornamental Grasses**

- Karl Foerster Feather Reed Grass
- Dwarf Hameln Fountain Grass
- Flame Maiden Grass
- 'The Blues' Little Bluestem
- 'The Blues' Little Bluestem
- Dwarf Maiden Grass
- Karl Foerster Feather Reed Grass
- Bowles Golden Sedge
- Morning Light Maiden Grass
- Variegated Japanese Sedge
- Little Bunny Fountain Grass

- **Ground Cover**

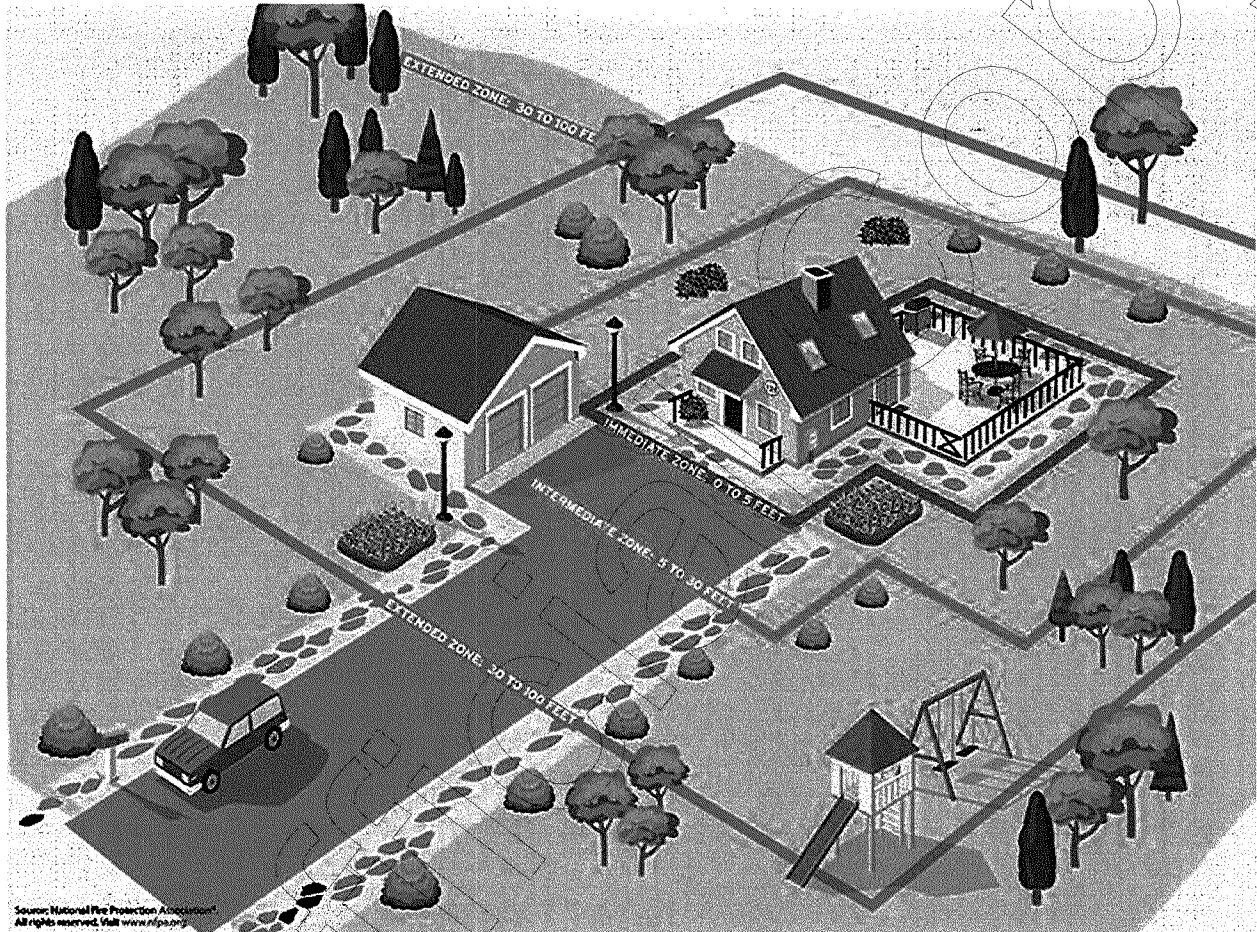
- Hancock Coralberry
- Candytuff
- Bronze Carpet Stonecrop
- Emerald Blue Creeping Phlox
- Periwinkle
- Cotton Candy Creeping Phlox
- Pink Chintz Thyme
- Blue Chip Juniper
- Dwarf Japanese Garden Juniper
- Glacier Magic Carpet Rose
- Scarlet Flame Creeping Phlox
- Angelina Stonecrop

5. Section 2.38. is hereby amended and restated as follows:

2.38 Fire Wise Community and Defensible Space. Owners shall maintain defensible space on their Lot consistent with the Harris Ranch North Wildland-Urban Interface Fire Safety Plan dated March 2015, Harris North Fire Wise Guidelines, and as subsequently amended. In the event a Lot is not in compliance with such Fire Safety Plan, the Association may, consistent with this Declaration, take such action as necessary to bring the Lot into compliance with the Fire Safety Plan and assess the Owner such cost of compliance. EACH OWNER RECOGNIZES AND ACKNOWLEDGES THAT THE RISK OF WILDFIRE TO THE PROPERTY CANNOT BE COMPLETELY MITIGATED AND IN PURCHASING THE LOT ASSUMES SUCH RISK AND HOLDS HARRIS NORTH DECLARANT AND ADJACENT PROPERTY OWNERS HARMLESS OF SUCH RISK.

2.38.1 Harris North Fire Wise Guidelines, Hardscape and Landscape.

Home Ignition Zones (HIZ)



Immediate zone

The home and the area 0-5' from the furthest attached exterior point of the home; defined as a non-combustible area.

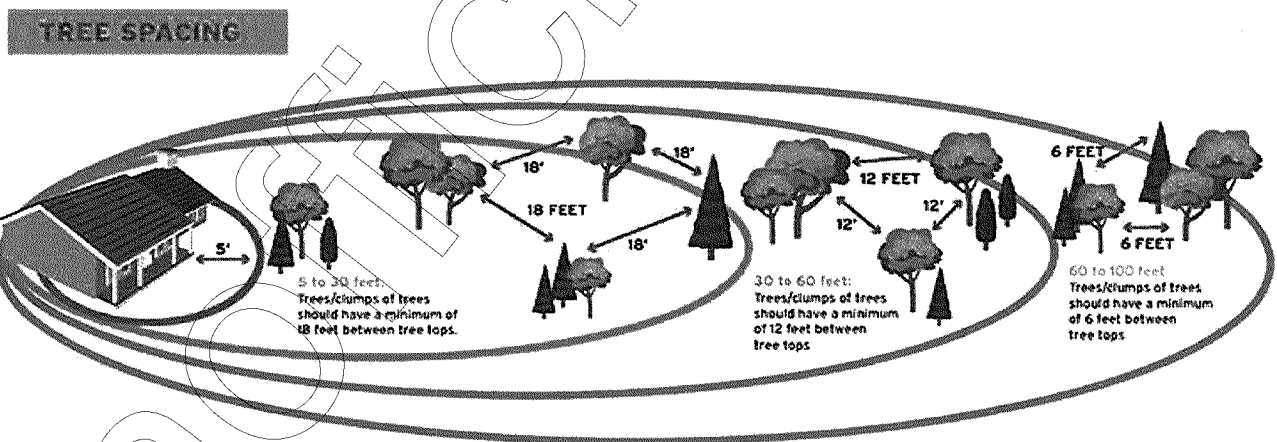
- Clean roofs and gutters of dead leaves, debris and pine needles that could catch embers.
- Replace or repair any loose or missing shingles or roof tiles to prevent ember penetration.
- Reduce embers that could pass through vents in the eaves by installing 1/8 inch metal mesh screening.
- Clean debris from exterior attic vents and install 1/8 inch metal mesh screening to reduce embers.

- Repair or replace damaged or loose window screens and any broken windows Screen or box-in areas below patios and decks with wire mesh to prevent debris and combustible materials from accumulating.
- Move any flammable material away from wall exteriors – wooden mulch, flammable plants, leaves and needles, firewood piles – anything that can burn.

Intermediate zone

5-30' from the furthest exterior point of the home. Landscaping/hardscaping- creating breaks that can help influence and decrease fire behavior

- Create fuel breaks with driveways, walkways/paths, patios, and decks.
- Keep lawns and native grasses mowed to a height of four inches.
- Remove ladder fuels (vegetation, pine needles, leaves under trees) so a surface fire cannot reach the crowns. Prune trees up to six to ten feet from the ground; for shorter trees do not exceed 1/3 of the overall tree height.
- Space trees to have a minimum of eighteen feet between crowns with the distance increasing with the percentage of slope.
- Tree placement should be planned to ensure the mature canopy is no closer than ten feet to the edge of the structure.
- Tree and shrubs in this zone should be limited to small clusters of a few each to break up the continuity of the vegetation across the landscape.



Extended zone

30-100 feet, out to 200 feet. Landscaping – the goal here is not to eliminate fire but to interrupt fire's path and keep flames smaller and on the ground.

- Dispose of heavy accumulations of ground litter/debris.
- Remove dead plant and tree material.

- Remove vegetation adjacent to storage sheds or other outbuildings within this area.
- Tree clusters 30 to 60 feet from the home should have at least 12 feet between canopy tops.*
- Tree clusters 60 to 100 feet from the home should have at least 6 feet between the canopy tops.*

6. Section 2.39 is hereby amended and restated as follows:

2.39 **Swimming Pools Prohibited.** The construction of below grade swimming pools and landscape water features is prohibited, unless specifically approved by Declarant in writing in its sole discretion and in conjunction with required municipality approvals . The construction of above grade landscape water features and hot tubs may be permitted as set forth in Section 2.2.

7. Section 2.6 is hereby amended and restated as follows:

2.6 **Temporary Structures.** No house trailer, mobile home, tent (other than short term recreational use after construction of a Building Upon the Unit), shack, shed, or other temporary building improvement or structure shall be placed upon any portion of the Subdivision, except temporarily as may be required by construction activity undertaken on the Subdivision.

8. Section 4.2.5.5 is hereby amended and restated as follows:

4.2.5.5 **Fire Wise Community Fee Assessments.** The Property is subject to participation in the Fire Wise Community Program. The purpose of the program is to educate owners of the risk of wildfire and steps that can be taken to maintain defensible space in the event of a wildfire. Each Owner is required to annually invest one volunteer hour per Lot or be assessed the equivalent rate based on an independent national hourly volunteer rate for the respective year identified in the discretion of the Association (for 2020 the hourly rate is \$25.43 by Independent Sector) per Lot per year and will be paid to the Association to be used by the Association in furtherance of the Fire Wise Community Program or until the Barber Valley Neighborhood Association or designated entity can accepts such assessment in furtherance of the Fire Wise Community Program.

GENERAL PROVISIONS

Declaration Controlling. Except as amended by this Fourth Supplemental Declaration, the Declaration shall remain unchanged and in full force and effect and terms and phrases shall have the definitions of the Declaration.

Recitals. All of the recitals referenced herein in this Fourth Supplemental Declaration are fully incorporated by this reference as if set forth in full, and are deemed included.

By: James H. Hunter
Its: Manager

