

**FIRST AMENDMENT TO
THE DECLARATION OF
COVENANTS, CONDITIONS, AND RESTRICTIONS FOR THE
HEIRLOOM RIDGE SUBDIVISION**

Addition of Provisions Regarding Holiday Lights and Controlled Substances

This First Amendment to the Declaration of Covenants, Conditions, and Restrictions for the Heirloom Ridge Subdivision (this “**First Amendment**”) is made effective as of the date this First Amendment is recorded in the real property records of Ada County, Idaho (the “**Effective Date**”) by Toll Southwest LLC, a Delaware limited liability company (“**Grantor**”).

WHEREAS, Grantor recorded that certain Declaration of Covenants, Conditions, and Restrictions for the Heirloom Ridge Subdivision in the real property records of Ada County, Idaho, as Instrument No. 2021-176543 (the “**Declaration**”). Capitalized terms not otherwise defined in the text of this First Amendment are defined in the Declaration;

WHEREAS, Section 12.2.1 of the Declaration provides that after the recordation of the first deed from Grantor for a Lot, any Amendment to any provision of the Declaration must be by an instrument in writing signed and acknowledged by the president and secretary of the Association certifying and attesting that such Amendment has been approved by the written consent of Members representing more than 65% of the total voting power of the Association and such amendment shall be effective upon its recordation in the office of the recorder of Ada County, Idaho; and

WHEREAS, Section 1.3.2 provides that prior to the Class B Member Termination Date, the Class B Member shall be the sole voting Member of the Association entitled to vote the collective voting power of all Lots until the Class B Member Termination Date; and

WHEREAS, the Class B Termination Date has not yet occurred, so Grantor retains all necessary votes in the Association to amend the Declaration; and

WHEREAS, Grantor desires to amend the Declaration regarding Holiday Lights, and Controlled Substances; and

NOW, THEREFORE, Grantor hereby amends the Declaration as follows:

1. A new Section, Section 6.25, called “Holiday Lights,” is hereby created to read as follows:

6.25 Holiday Lights. Winter holiday decorations and lighting displays are permitted starting on November 15 of each year and must be removed by January 15 of the following year. Any other holiday decorations, holiday lights, or lighting displays (such as Halloween) are permitted up to fifteen (15) days prior to the holiday and must be fully removed within three (3) days after the holiday. All LED lighting displays must comply with the time limitations set forth in this Section 6.25. Permanent LED lighting is not considered security lighting and must follow this Section and any other adopted holiday lighting policy.

2. A new Section, Section 6.26, called “Controlled Substances,” is hereby created to read as follows:

6.26 Controlled Substances. No Owner, Occupant or guest may use any Lot (or any portion thereof) for the sale, cultivation, manufacture, distribution, or marketing of any controlled substance or any item containing any amount of any controlled substance under the federal Controlled Substances Act (21 U.S.C. § 801 *et. seq.* or its successor), or for any similar activities for substances controlled by local or state law. These activities are prohibited in the Community whether or not the activities are lawful under applicable law. Any violation of this section shall be a nuisance per se and the offending Lot and Owner shall be subject to enforcement actions by the Association under this Declaration.

3. Except as specifically set forth herein, the Declaration shall remain in full force and effect.

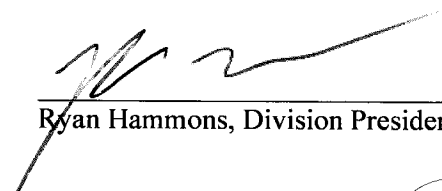
[end of document; signature pages follow]

Dated Effective as of the Effective Date.

“Grantor”

TOLL SOUTHWEST LLC, a Delaware limited liability company

By:


Ryan Hammons, Division President

STATE OF IDAHO)

) ss.

County of Ada)

This record was acknowledged before me on April 1st, 2026, by Ryan Hammons as Division President of Toll Southwest LLC.

KYLE PREWETT
Notary Public - State of Idaho
Commission Number 20223246
My Commission Expires Jul 7, 2028


Notary Signature

My commission expires: 7/7/2028