Instrument # 2026-083000
Ada County, Boise, Idaho
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River Run Homeowners Association, Inc.
975 E. River Run Drive
Boise, ID 83706

THIRD AMENDMENT TO THE AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR RIVER RUN HOMEOWNERS ASSOCIATION, INCORPORATED

This Third Amendment to Amended and Restated Declaration of Covenants, Conditions and Restrictions for River Run Homeowners Association, Inc. ("Third Amendment") is made on the date noted below by River Run Homeowners Association, Inc. (the "Association").

RECITALS:

1. On July 30, 1979, the Declaration of Covenants, Conditions, and Restrictions for River Run Homeowners Association, Incorporated, was recorded in the real property records of Ada County, Idaho as Instrument No. 7941486 ("Original Declaration");

2. On April 17, 1995, the Association caused to be recorded that certain Amended and Restated Declaration of Covenants, Conditions, and Restrictions for River Run Homeowners Association, Incorporated in the real property records of Ada County, Idaho as Instrument No. 95025281 ("Amended and Restated Declaration") thereby replacing the Original Declaration;

3. On August 26, 1997, the Association caused to be recorded that certain Amendment to the Declaration of Covenants, Conditions, and Restrictions for River Run Homeowners Association, Inc., in the real property records of Ada County, Idaho as Instrument No. 97069106 ("First Amendment");

4. On September 28, 2017, the Association caused to be recorded that certain Second Amendment to Amended and Restated Declaration of Covenants, Conditions and Restrictions for River Run Homeowners Association, Incorporated, in the real property records of Ada County, Idaho as Instrument Number 2017-092064 ("Second Amendment");

5. Pursuant to Section 15.2 of the Amended and Restated Declaration, as amended, the Amended and Restated Declaration may be amended by an instrument in writing signed by the president and secretary of the Association certifying that the amendment has been approved by a vote or the written consent of Owners owning at least fifty-one percent (51%) of the Building Lots of the River Run Homeowners Association, Inc.;

6. The Association, through its board of directors, sent or otherwise provided to each Owner a written consent form titled *2026 Community Stewardship Ballot*, and which presented the *Third Amendment to Amended and Restated Declaration of Covenants, Conditions and Restrictions for River Run Homeowners Association, Inc.*;

7. In accordance with Section 15.2 of the Amended and Restated Declaration, Owners owning at least fifty-one percent (51%) of the Building Lots of the Association consented to the adoption and recordation of this Third Amendment;

8. At least fifty-one percent (51%) of such Owners which are Members of a Recreation Facility also consented to the adoption and recordation of this Third Amendment; and

9. This Third Amendment shall become effective upon its recordation in the real property records of Ada County, Idaho.

NOW, THEREFORE, the Association does hereby amend the Amended and Restated Declaration as follows:

1. Section 7.3 of the Amended and Restated Declaration is hereby deleted in its entirety and replaced with the following:

   Section 7.3 Increase in Regular Assessments:

   The Board of an Association may increase the Regular Assessments effective January 1 of each year by an amount not in excess of twenty percent (20%) of the Regular Assessment per Building Lot assessed by such Association for the previous year in the case of the River Run Homeowners Association, and by an amount not in excess of twenty percent (20%) of the applicable Recreation Assessment, without the vote or consent of a majority of the Members voting through Delegate Directors as provided in Section 6.1 in the case of the River Run Homeowners Association, Inc. or a majority of the owners in the case of a Recreation Facility.

2. Section 7.4(A.) of the Amended and Restated Declaration is hereby deleted in its entirety and replaced with the following. Sections 7.4(B.), 7.4(C.) and 7.4(D.) of the Amended and Restated Declaration are unaffected by this Third Amendment and remain in full force and effect:

   Section 7.4 Special Assessments.

   A. In the event that the Board of an Association shall determine that the Regular Assessment for a given calendar year is or will become inadequate to meet the expenses of such Association for any reason, including but not limited to costs of construction, reconstruction, repairs or replacement of existing capital improvements upon the Common Area owned or managed by such Association, the Board thereof shall determine the approximate amount necessary to defray such expenses and levy a Special Assessment; provided that no Special Assessment shall be levied which alone, or in combination with any prior Special Assessment(s) for that calendar year, exceeds thirty percent (30%) of the Regular Assessment (including operating and reserve) for that calendar year without the vote or written assent required under the governing documents. Notwithstanding the foregoing, a "New Capital Improvement" shall require a vote of at least fifty-one percent (51%) of the voting membership through Delegate Directors as provided in Section 4.3 in the case of the River Run Homeowners Association and Recreation Facilities. For purposes of this Section, a "New Capital Improvement" is defined as a capital improvement that

creates a new asset, facility, or amenity, or that materially (as determined by the Board in its sole discretion) changes the purpose or function of an existing asset, facility, or amenity. The Board may, at its discretion, prorate any Special Assessment over the remaining months of the calendar year or levy such Assessment immediately against each Building Lot.

3. A new Section 7.10 is hereby added to Article VII of the Amended and Restated Declaration, to read as follows:

Section 7.10 Violation Assessment.

The Board of Directors is authorized to levy a fine, also to be known as or otherwise referred to herein as a Violation Assessment, against any Owner and the Owner's Building Lot for any violation of this Declaration, any Supplemental Declaration, the Articles, the Bylaws, or the Association rules and regulations. A Violation Assessment may include the Association's actual costs of enforcement or cure and/or a reasonable fine or penalty, including escalating or continuing amounts for repeated or ongoing violations. No fine may be imposed except in accordance with Idaho law. No portion of any fine shall be used to increase the compensation of any Board member or agent of the Board. Every Violation Assessment shall constitute an Assessment under this Declaration, shall be a charge on the land and a continuing lien upon the Building Lot, and shall be enforceable in the same manner as all other Assessments under Article VIII of this Declaration.

4. A new Section 7.11 is hereby added to Article VII of the Amended and Restated Declaration, to read as follows:

Section 7.11 Voluntary Private Contributions.

The Association may accept voluntary private contributions from Owners, residents, families, or third parties for the purpose of enhancing, constructing, maintaining, or programming Common Areas or community initiatives. Such contributions may include memorial gifts, recognition gifts, legacy donations, or community enhancement contributions. All contributions shall be subject to Board approval, and no contribution shall confer ownership rights or override the governing documents.

5. In executing this Third Amendment, the undersigned President and Secretary of the Association certify that this Third Amendment has been approved by the written consent of Owners owning at least fifty-one percent (51%) of the Building Lots of the River Run Homeowners Association, Inc.

6. All capitalized terms not otherwise defined herein shall have the meaning given in the Amended and Restated Declaration, as amended.

7. All other terms and conditions of the Amended and Restated Declaration, as amended, and of any prior amendments thereto, shall remain in full force and effect, except as specifically modified by this Third Amendment.

[intentionally blank/signature page(s) to follow]

DATED as of the 6th day of November, 2026.

RIVER RUN HOMEOWNERS ASSOCIATION,
INC., an Idaho nonprofit corporation.

By: Corrine E Cook
President

Attest: Janet A. Stephens
Secretary

STATE OF IDAHO)
): ss
COUNTY OF ADA)

On this 6 day of November, 2026, before me, a Notary Public in and for said state, personally appeared Corrine Cook, known or identified to me to be the President of the River Run Homeowners Association, Incorporated, an Idaho non-profit corporation, and who subscribed said name to the foregoing instrument, and acknowledged to me that he/she executed the same in said company name.

Misty McMillan
Notary Public for Idaho
Residing at: Canyon County ID
My commission expires: 4/25/31

Misty D McMillan
Notary Public, State of Idaho
My Commission Expires 04/25/2031
Commission # 20251680

Notary Public, State of Idaho
My Commission Expires 04/25/2031
Commission # 20251680

STATE OF IDAHO)
): ss
COUNTY OF ADA)

On this 6 day of November, 2026, before me, a Notary Public in and for said state, personally appeared Janet Stephens, known or identified to me to be the Secretary of the River Run Homeowners Association, Incorporated, an Idaho non-profit corporation, and who subscribed said name to the foregoing instrument, and acknowledged to me that he/she executed the same in said company name.

Misty McMillan
Notary Public for Idaho
Residing at: Canyon County ID
My commission expires: 4/25/31

Misty D McMillan
Notary Public, State of Idaho
My Commission Expires 04/25/2031
Commission # 20251680