

**FIRST SUPPLEMENTAL DECLARATION TO
DECLARATION OF CONDOMINIUM
OF
SEASONS AT SANDPOINT**

FILED BY:
C. Elliott
2004 OCT -6 1 P 2: 21
5700

MARIE SCOTT
BONNER COUNTY RECORDER

THIS FIRST SUPPLEMENTAL DECLARATION TO DECLARATION OF CONDOMINIUM OF SEASONS AT SANDPOINT is made and executed by BMG SANDPOINT LTD., a Florida limited partnership ("Declarant"), with reference to the following: *dt.*

RECITALS

WHEREAS, Declarant has executed the Declaration of Condominium of Seasons at Sandpoint recorded on July 13, 2004, as Instrument No. 654608, and re-recorded on September 10, 2004, as Instrument No. 659133, Official Records of Bonner County, Idaho (the "Declaration");

WHEREAS, Pursuant to Section 3 of the Declaration the Declarant has submitted to the Condominium Form of Ownership the property designated and described as Phase I in Exhibits "A" and "B" to the Declaration;

WHEREAS, Pursuant to Sections 4 and 5 of the Declaration the Declarant may submit additional Phases, as described in Section 4 of the Declaration, to the Condominium Form of Ownership by amendment to the Declaration; and

WHEREAS, Pursuant to Section 4 of the Declaration the Declarant reserves the right in its exclusive discretion to control the mixture and location of buildings and other improvements in future Phases of the Condominium, and to modify the Condominium Plat Map as to configuration, size and dimensions of Buildings contained within the Phase;

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

1. Pursuant to Sections 4 and 5 of the Declaration, the Declarant hereby amends the Declaration as it pertains to Phase II as depicted on the Condominium Plat Map contained in Exhibit "B" thereto. Notwithstanding the depiction of the Phase on the Condominium Plat Map contained in Exhibit "B" to the Declaration, the revised and amended Phase II shall include only the first and second floors of Building No. 8, as depicted on Exhibit "A" attached hereto and incorporated by this reference.

2. Declarant hereby submits to the Condominium Form of Ownership the property depicted as Phase II on Exhibit "A" attached hereto, and more particularly described in Exhibit "A-1" attached hereto and incorporated by this reference.

3. In all respects the Declaration is hereby ratified and confirmed except as specifically amended hereby.

28 IN WITNESS WHEREOF, the undersigned have executed this instrument this day of September, 2004.

DECLARANT:

BVG Sandpoint, Ltd., a
Florida limited partnership

By: BVG Sandpoint, Inc., a Florida
Corporation, its general partner

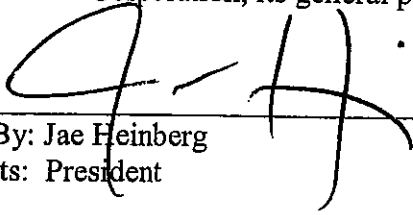
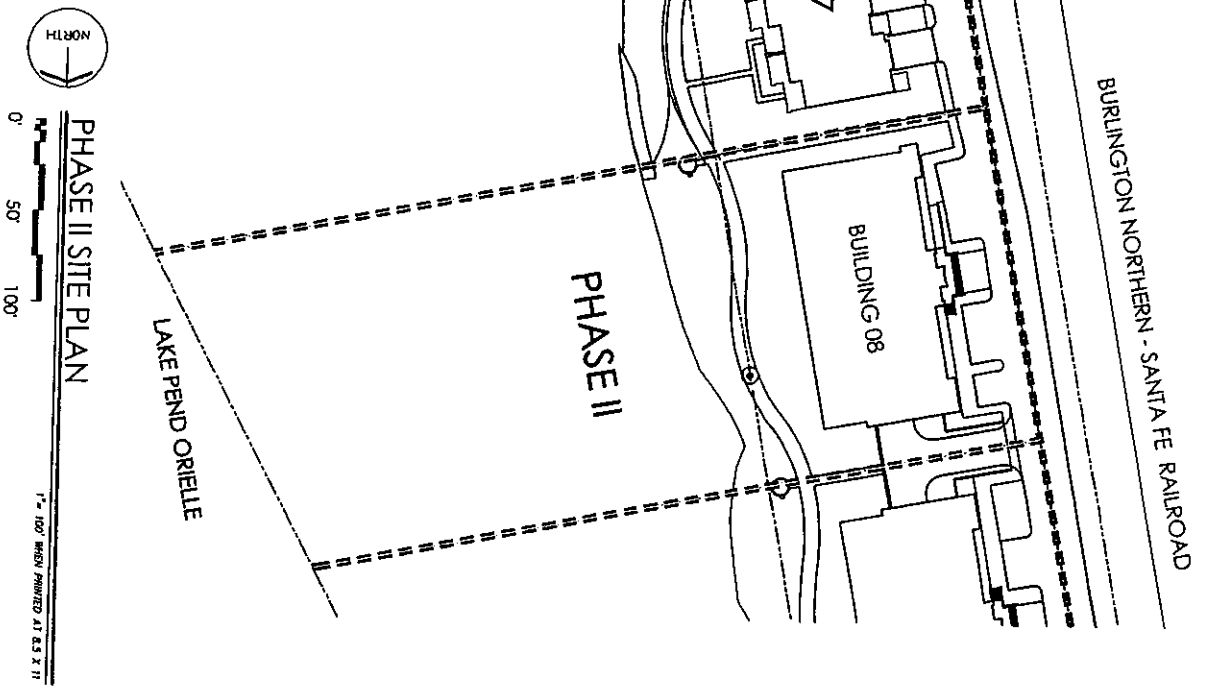

By: Jae Heinberg
Its: President

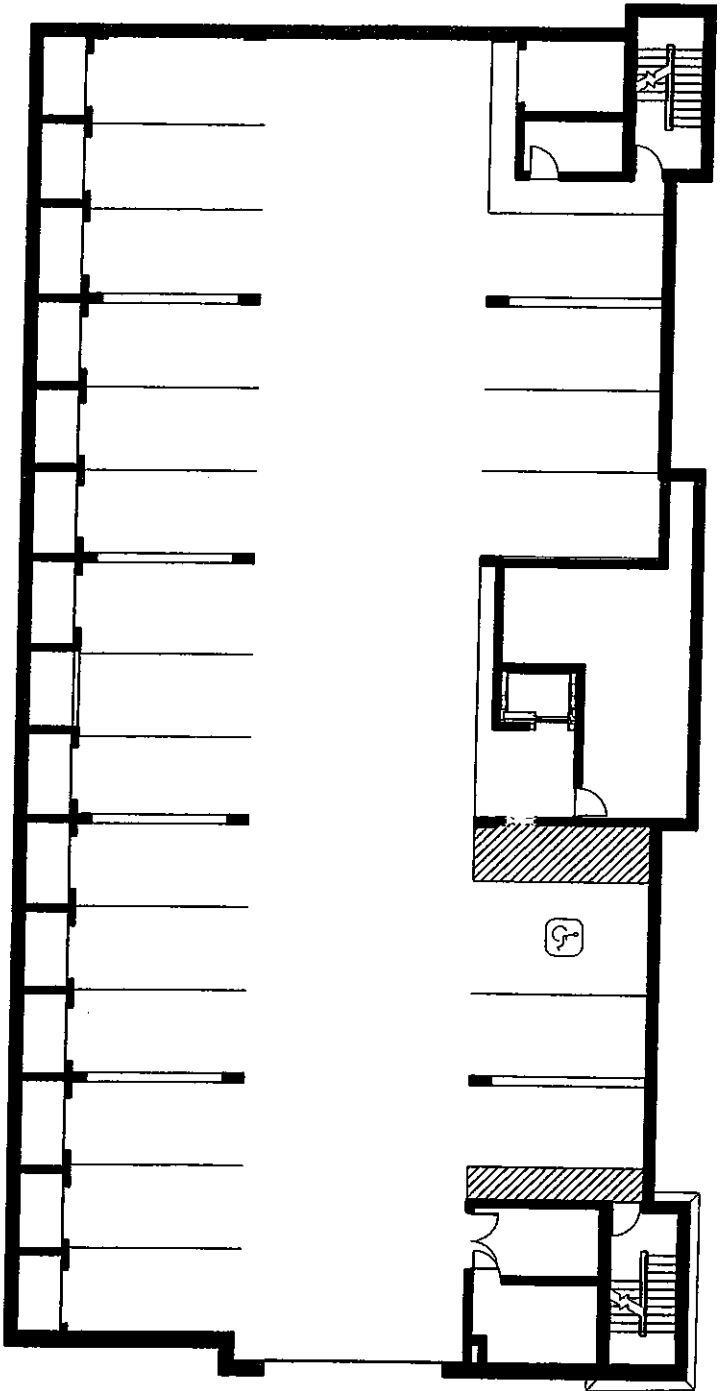
EXHIBIT A

Phase II

PHASE II
SEASONS AT SANDPOINT
SANDPOINT, IDAHO
PAGE 2



Owner is submitting of the plan only for Phase II Property or item on the Condominium Plan Map and described in the Supplemental Declaration to Condominium and Exhibit A to same to the condominium form of use and occupancy. The plan is the product of the Idaho Condominium Property Act, 1961, Chapter 15, Idaho Code, pursuant to the Declaration of Condominium, and from the location of Condominium, the Supplemental Declaration, Exhibit A and the Condominium Plan Map, Phase II through VI and any subdivision of the plan, although the Declaration reserves the right to subsequently do so, at any point in the future in the Declaration of Condominium.



BUILDING # 08
FLOOR PLAN - PARKING LEVEL
1" = 20'-0" NOT PRINTED AT 8.5 X 11"
0' 10' 20'

PHASE II
SEASONS CONDO PLAT MAP
SEASONS AT SANDPOINT
SANDPOINT, IDAHO PAGE 3

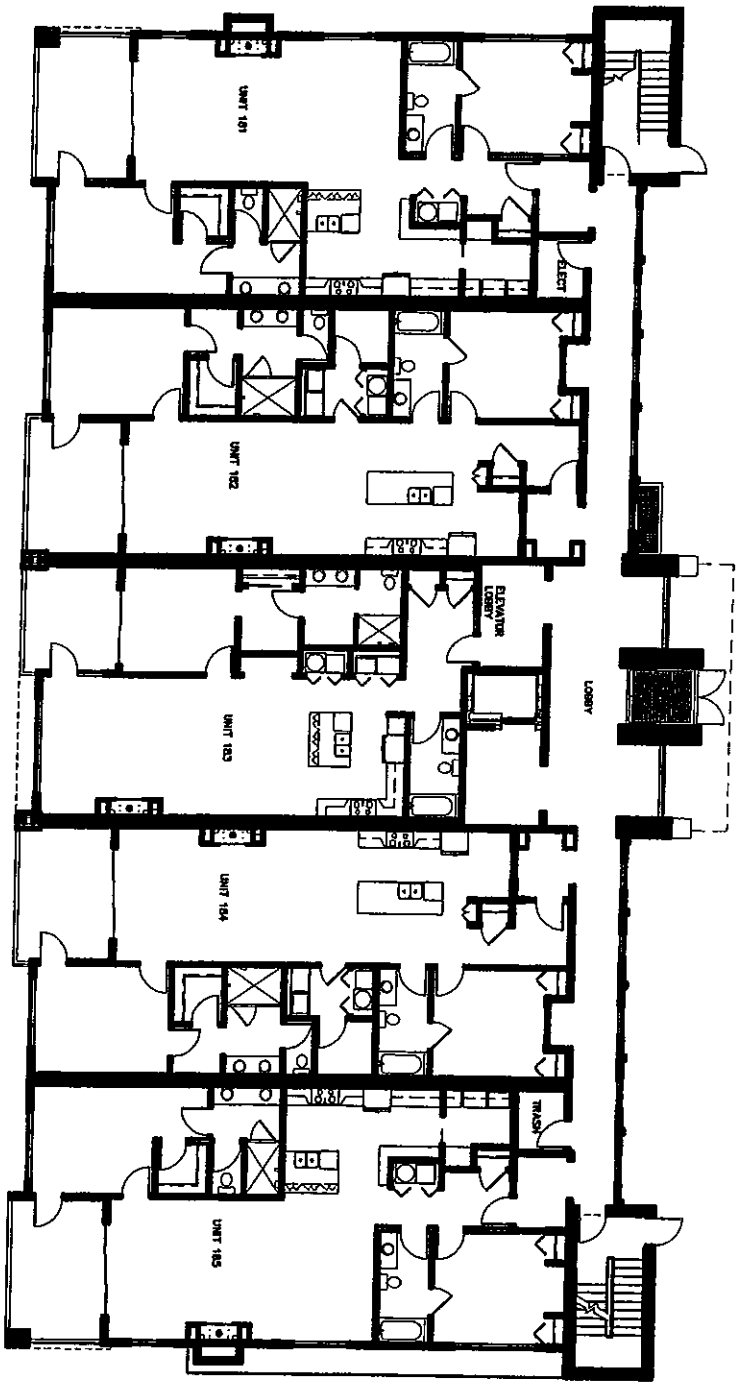
Decedent is submitting of the firm only the Plans I hereby set forth on the Condominium that they and described in the Supplemental Condominium Report and Exhibit A to same for the Condominium form of use and ownership for the purposes of the Idaho Condominium Act, Title 55, Chapter 12, Idaho Code. The Decedent, agent under the Declaration of Condominium, the Applicant for the said Phase II as originally described in the Declaration of Condominium and from here on forth of which I described in the Supplemental Declaration, Exhibit A and the Condominium for this Phase II Plan I hereby set forth being governed by the terms, although the Decedent reserves the right to subsequently do so, as a more particular yet fully in the Declaration of Condominium.



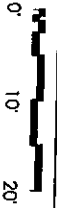
WALTON H. CHANCEY
& ASSOCIATES ARCHITECTS, P.A.
Printed: August 18, 2004

PHASE II
SEASONS CONDO PLAT MAP
SEASONS AT SANDPOINT
SANDPOINT, IDAHO

PAGE 4



BUILDING # 08
FLOOR PLAN - LIVING LEVEL 1
1" = 20'-0" WHEN PRINTED AT 8.5 X 11"

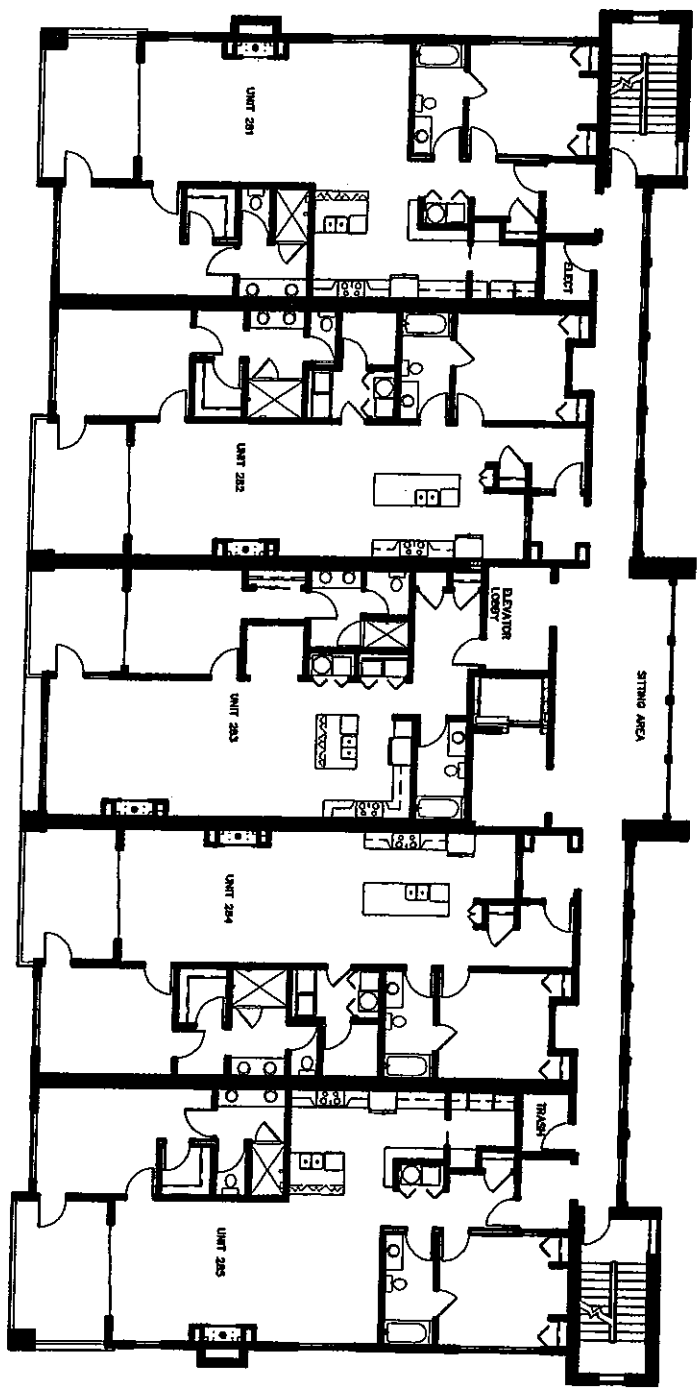


Disclaimer: This drawing is submitted for the record only. The owner is responsible for the accuracy of the information shown on this drawing. The architect is not responsible for the accuracy of the information shown on this drawing. The architect is not responsible for the accuracy of the information shown on this drawing. The architect is not responsible for the accuracy of the information shown on this drawing.

WALTON H. CHANCEY
& ASSOCIATES ARCHITECTS, P.A.
Printed: August 17, 2004



PHASE II
 SEASONS CONDO PLAT MAP
 SEASONS AT SANDPOINT
 SANDPOINT, IDAHO PAGE 3



BUILDING # 08
 FLOOR PLAN - LIVING LEVEL 2
 1" = 20'-0" WHEN PRINTED AT 8.5 X 11"
 0' 10' 20'

Decision is advisory of the law only. The Phase II Property as shown on the Condominium Plat Map and described in the Supplemental Declaration to Condominium and Exhibit A is shown to the condominium form of law and ownership in the name of the Seasons Condominium Property, Inc., 55 Chapter 15 Idaho Code. Pursuant to the Declaration of Condominium, the Declaration of Condominium, the Supplemental Declaration to Condominium, and the Condominium Plat Map, Seasons II through VI, and being members of the firm, otherwise known as, or known particularly as, or known particularly as both, the Declaration of Condominium.



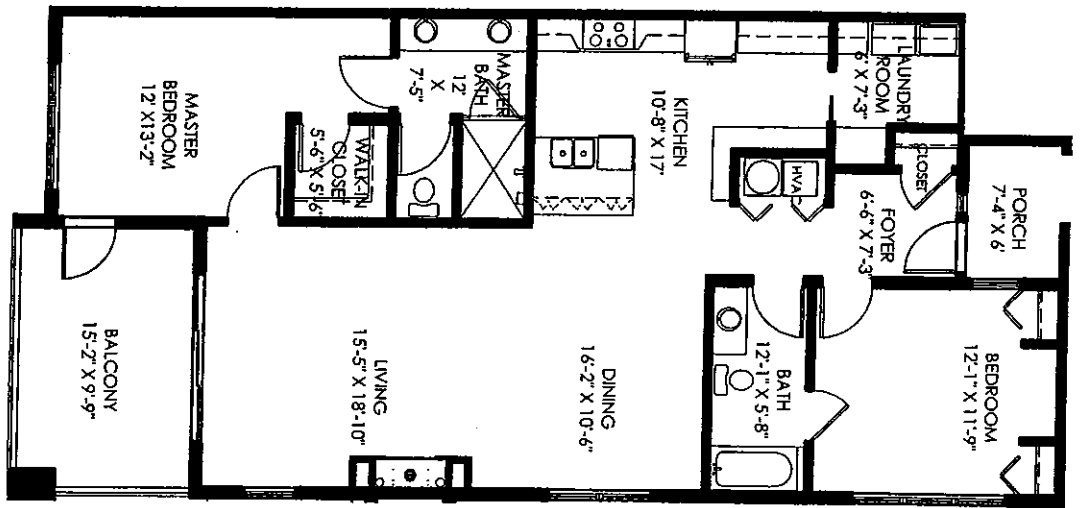
WALTON H. CHANCEY
 & ASSOCIATES ARCHITECTS P.A.
 Printed: August 17, 2004

PHASE II
SEASONS CONDO PLAT MAP
 SEASONS AT SANDPOINT
 SANDPOINT, IDAHO PAGE 09



BUILDING 08
 UNIT PLAN - TYPE A

1/32" = 1'-0" WHEN PRINTED AT 3.5 X 11"



PHASE II
 TYPE A UNIT NUMBERS:
 BUILDING #08: 185, 285.

UNIT TYPE A AREAS	
UNIT TYPE A	1397 S.F.
UNIT TYPE A - BALCONY	168 S.F.
TOTAL	1565 S.F.



PHASE II
 SEASONS AT SANDPOINT
 SANDPOINT, IDAHO

PAGE 10

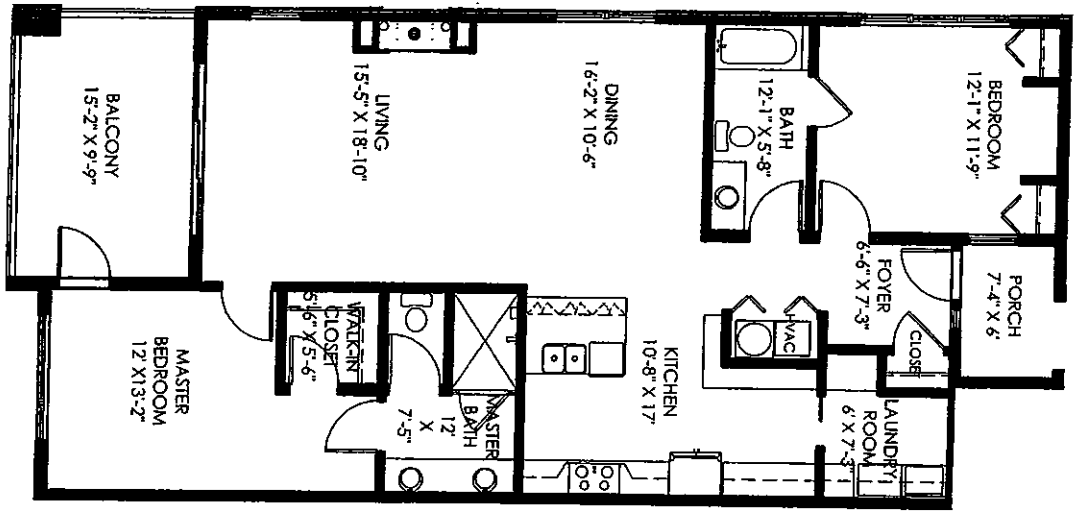
SEASONS CONDO PLAT MAP



BUILDING 08
 UNIT PLAN - TYPE A(R)



3/32" = 1'-0" WHEN PRINTED AT 4.5 X 11



PHASE II
 TYPE A(R) UNIT NUMBERS:
 BUILDING #08: 181, 281.

UNIT TYPE A(R) AREAS	
UNIT TYPE A(R)	1397 S.F.
UNIT TYPE A(R) - BALCONY	168 S.F.
TOTAL	1565 S.F.

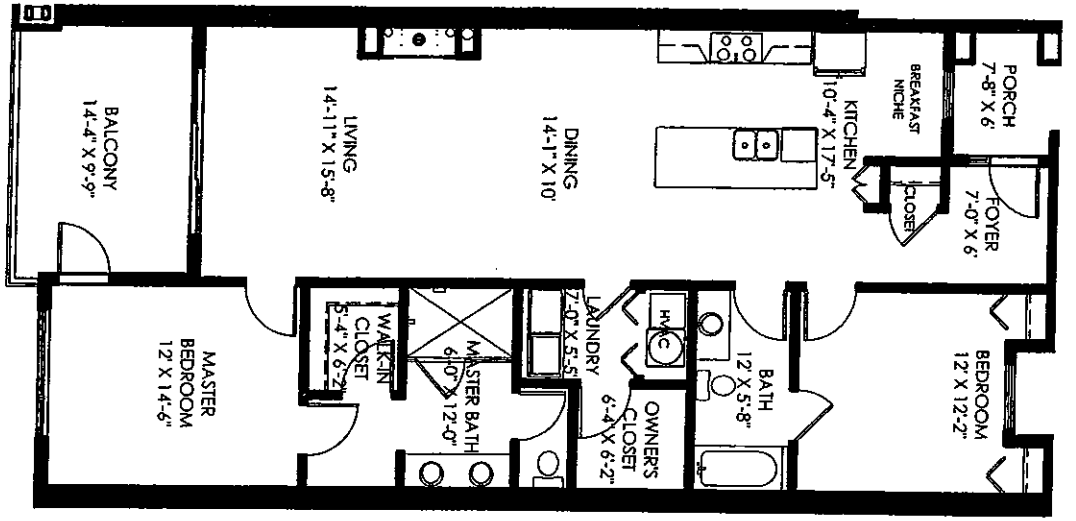


PHASE II
 SEASONS AT SANDPOINT
 SANDPOINT, IDAHO PAGE 11

SEASONS CONDO PLAT MAP



BUILDING 08
 UNIT PLAN - TYPE B
 0' 8' 16'
 1/32" = 1'-0" WHEN PRINTED AT 8.5 X 11"



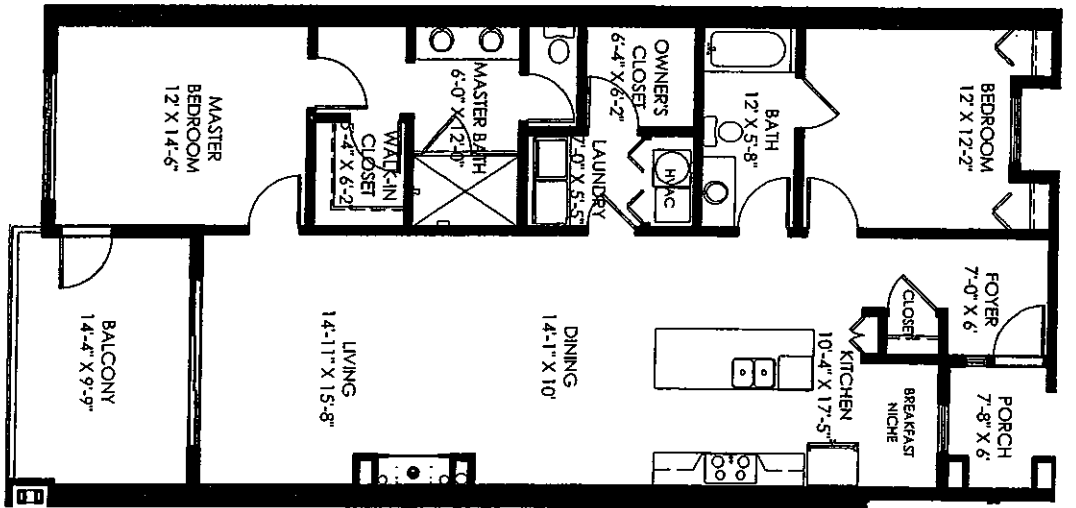
PHASE II
 TYPE B UNIT NUMBERS:
 BUILDING #08: 184, 284.

UNIT TYPE B AREAS	
UNIT TYPE B	1389 S.F.
UNIT TYPE B - BALCONY	153 S.F.
TOTAL	1542 S.F.

PHASE II
 SEASONS AT SANDPOINT
 SANDPOINT, IDAHO PAGE 12



BUILDING 08
 UNIT PLAN - TYPE B(R)
 0' 8' 16'
 1/32" = 1'-0" MEASUREMENT AT 8.5 X 11"



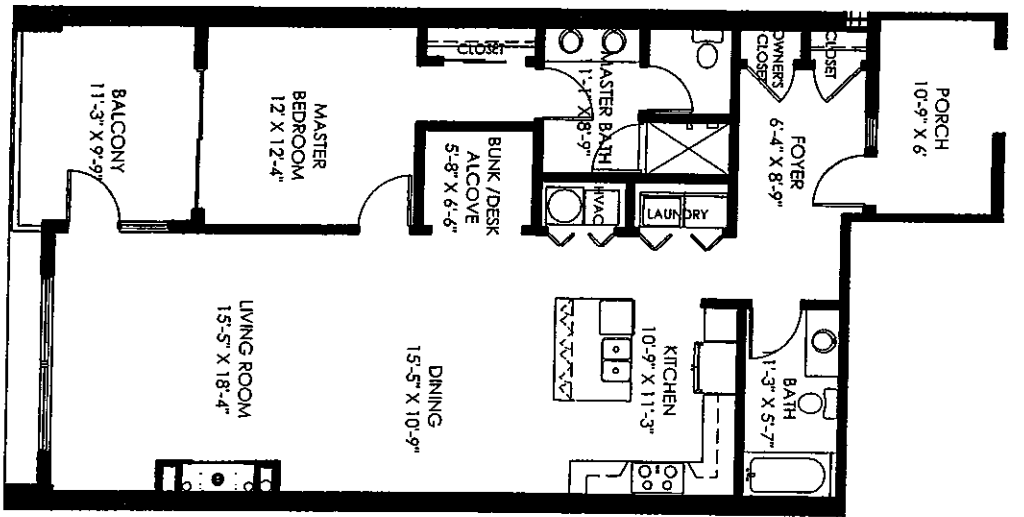
PHASE II
 TYPE B(R) UNIT NUMBERS: _____
 BUILDING #08: 182, 282.

UNIT TYPE B(R) AREAS	
UNIT TYPE B(R)	1389 S.F.
UNIT TYPE B(R) - BALCONY	153 S.F.
TOTAL	1542 S.F.



PHASE II
 SEASONS AT SANDPOINT
 SANDPOINT, IDAHO PAGE 13

SEASONS CONDO PLAT MAP



BUILDING 08
 UNIT PLAN - TYPE C(R)

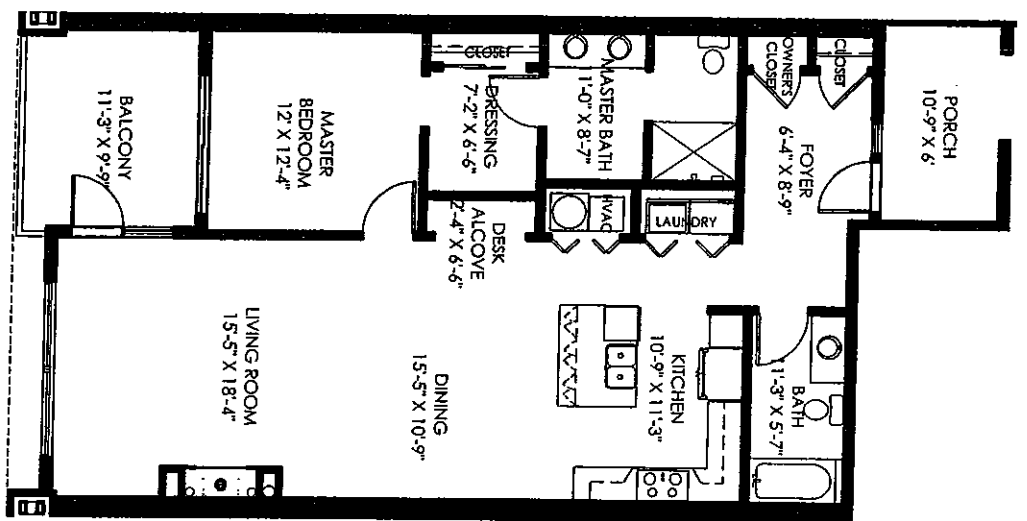
3/32" = 1'-0" WHEN PRINTED AT 8.5 x 11"

PHASE II
 UNIT TYPE C(R) NUMBERS: _____
 BUILDING #08: 283

UNIT TYPE C(R) AREAS	
UNIT TYPE C(R)	1176 S.F.
UNIT TYPE C(R) - BALCONY	118 S.F.
TOTAL	1294 S.F.



PHASE II
 SEASONS AT SANDPOINT
 SANDPOINT, IDAHO
 PLAT 14



BUILDING 08
 UNIT PLAN - TYPE CH(R) - HC ACCESSIBLE
 0' 8' 16'
 1/2" = 1'-0" WHEN PRINTED AT 8.5 X 11"

PHASE II
 UNIT TYPE CH(R) NUMBERS: _____
 BUILDING #08: 183

UNIT TYPE CH(R) AREAS	
UNIT TYPE CH(R)	1176 S.F.
UNIT TYPE CH(R) - BALCONY	118 S.F.
TOTAL	1294 S.F.

EXHIBIT A-1

**Phase II
Legal Description**

**LEGAL DESCRIPTION OF
PHASE II, BUILDING 8 CONDOMINIUM PARCEL**

September 17, 2004

All of Residential Levels 1 and 2, and the Parking Garage Level of Building 8 of the Seasons At Sandpoint Phase II Condominium as shown on the attached copy of the Seasons At Sandpoint Condo Plat Map – Phase II, and situated on the Phase II parcel of land as shown on the attached Exhibit A, specifically excluding the air space above Residential Level 2.

The description of said Phase II parcel follows:

A parcel of land located in a portion of Section 23, Township 57 North, Range 2 West, B.M., Bonner County, Idaho more particularly described as follows:

COMMENCING at the northwest corner of said Section 23; thence N89°55'47"E along the north line of said section, a distance of 130.95 feet to the intersection of said line with the easterly right-of-way line of the Burlington Northern-Santa Fe (B.N.S.F.) railroad; thence S10°45'10"E along said easterly right-of-way line, a distance of 171.53 feet; thence S79°14'50"W, 150.00 feet to a point on a line which is parallel with and 50.00 feet easterly of, as measured at right angles to, the centerline of said B.N.S.F. railroad; thence S10°45'10"E along said parallel line, 373.55 feet to the **POINT OF BEGINNING**;

thence continuing S10°45'10"E along said parallel line, 185.70 feet; thence N79°14'50"E to the Original Mean High Water Line of Lake Pend Oreille; thence northwesterly along said high water line to a point which bears N79°14'50"E from the Point Of Beginning; thence S79°14'50"W to the **POINT OF BEGINNING**.