

**FIRST SET OF AMENDMENTS TO ARTICLES  
OF INCORPORATION OF  
BOYDSTUN BEACH ASSOCIATION, INC.**

**FILED**  
99 AUG 19 AM 9:03  
SECRETARY OF STATE  
STATE OF IDAHO

The undersigned, acting as the Board of Directors and Officers of BOYDSTUN BEACH ASSOCIATION, INC., a nonprofit corporation organized under and pursuant to the Idaho Nonprofit Corporation Act, Chapter 3, Title 30, Idaho Code, on behalf of the directors and members, adopt the following first set of amendments to the original Articles of Incorporation dated September 6, 1973, which were recorded in Valley County, Idaho, as Instrument No. 241677. The amendments are as follows:

**ARTICLE V.**

Any person, corporation, association, partnership, or other legal entity owning legal title to a legally-recognized parcel of land (as recognized by Valley County or other governmental unit charged with the determination and monitoring of legal parcels) lying with the property described below is eligible for one membership in this Association; provided, however, that should any legal parcel have multiple owners, then that parcel shall have only one membership and one vote; provided, further, that a member's right to vote is forfeited if said member's dues, assessments and other payments to the Association are not current at the time of the vote. Admission to membership is by resolution of the Board of Directors, under such conditions as the Bylaws and Board may prescribe. To be eligible for membership, a person must own property lying within either: (1) that certain triangular-shaped parcel of approximately six (6) acres lying to the west of Warren Wagon Road in the southwest corner of Government Lot 1, of Section 8 (more particularly described on Exhibit "A" attached hereto and incorporated herein by this reference), or (2) that certain thirty (30) acre parcel which is the south 30 acres of the Northeast quarter of the Northeast quarter (NE $\frac{1}{4}$  NE $\frac{1}{4}$ ) of Section 7, all within T18N, R3E, B.M., Valley County, Idaho.

**ARTICLE VI.**

The rights and interests of all memberships in the Association are equal, and no membership can have or acquire a greater interest therein than any other membership; provided, however, that a person or other legal entity may hold more than one membership if said person or entity holds legal title to multiple legal parcels and keeps the dues, fees and other Association assessments against said multiple parcels paid current. The Association will not issue capital stock, but will issue a non-assignable membership certificate, renewable annually, to each membership. Each membership is transferable upon sale or other transfer of the legal parcel to which it is appurtenant, provided that all Association dues, assessments, and fees are paid current as part of the transfer. Said dues, assessments and fees are further delineated in the Association's Bylaws (as they may be amended from time to time) and the other Association documents. Information regarding said dues, assessments and fees may be obtained from any officer of the Association.

IDAHO SECRETARY OF STATE  
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## **ARTICLE VII.**

The affairs of the Association will be managed by a board of at least five (5) directors, who must be members of the Association and who are elected by the membership for a term of at least one (1) year, and each of whom serves until his successor is elected and qualified. The board shall consist of the officers of the Association and such members-at-large (presently two, also known as trustees) as the membership shall determine. The terms of office for the directors and officers may be staggered.

## **ARTICLE VIII.**

The membership shall annually elect a president, vice-president, a secretary and a treasurer, and, as their respective terms expire, shall also elect one or more trustees, all of whom shall also serve on the board of directors. The offices of secretary and treasurer may be combined in one person.

## **ARTICLE IX.**

Bylaws, Beach Rules, and other rules and policies consistent with these Articles may be adopted or amended by the Board of Directors in accordance with the laws of the State of Idaho.

## **ARTICLE X.**

The Association has the power to impose dues, assessments, admission fees, new membership fees, initiation fees, transfer fees, and other similar fees upon its members and upon each membership. Said dues, assessments, and fees may be in different amounts or proportions or upon a different basis upon different members, and the Association may exempt some members from said dues, assessments and fees. The Board of Directors is authorized to fix the amount of said dues, assessments, and fees from time to time, and the Board may make them payable at such times or intervals, and upon such notice and by such methods as the Board may prescribe. The payment of said dues, assessments and fees may be enforced by any method available, including but not limited to civil court action and/or forfeiture of membership in the Association, upon notice given in writing twenty (20) days before commencement of such action or such forfeiture. Said dues, assessments, and fees are secured by a lien upon the real property to which the membership rights are appurtenant, and said lien can be enforced and/or foreclosed by any method available, including but not limited to civil court action.

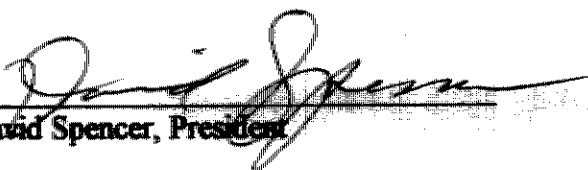
## **END OF AMENDMENTS**

The foregoing amendments were duly adopted by the Board of Directors first, and then by the members pursuant to Idaho Code Section 30-3-91. This Corporation has only one class and designation of membership. There are 55 memberships outstanding and 20 memberships voted on these amendments. At a duly called and noticed meeting of the members held on July 31, 1999, 19 votes were cast for these amendments and one vote was cast against these amendments. The number of votes cast for

these amendments was sufficient for approval of these amendments. No further approval was required under Idaho Code Section 30-3-99.

The foregoing amendments totally replace the affected Articles dated September 6, 1973. In all other respects, the original Articles of Incorporation, dated September 6, 1973, shall remain in full force and effect.

IN WITNESS WHEREOF, We, as the Board of Directors and Officers of said corporation, have hereunto set our hands effective the 31<sup>st</sup> day of July, 1999.

  
David Spencer, President

  
Jean Stark, Vice-President

  
Margery H. Pecht, Secretary-Treasurer

  
Marlow Pounds, Trustee

  
Howard Gillis, Trustee

**EXHIBIT "A"**  
**TO FIRST SET OF AMENDMENTS TO ARTICLES**  
**OF INCORPORATION OF**  
**BOYDSTUN BEACH ASSOCIATION, INC.**

That certain piece of land, beginning at a point six hundred and sixty-eight (668) feet South, and along the west line of Lot 1, Section 8, Township 13 North, Range 3 East, B.M., of the section corner common to Sections 5, 6, 7 and 8 of said Township 13 North, Range 3 East, B.M., at which point the section line common between sections 7 and 8 intersects the west boundary line of the County-State Highway; thence running in a southeasterly direction along the west boundary of said County-State Highway a distance of 890 feet, more or less to the intersection of said west boundary line of said County-State Highway with the south boundary line of said Lot 1; thence north along the section line common between said sections 7 and 8 a distance of 650 feet more or less to a point of beginning, being a part of said Lot 1, and containing about six (6) acres