

**SECOND ARTICLES OF AMENDMENT  
TO THE  
ARTICLES OF INCORPORATION  
OF**

**-FILED-**

File #: 0003939163

Date Filed: 7/13/2020 1:11:00 PM

**BRIGHTWATER I HOMEOWNERS' ASSOCIATION, INC.**

Pursuant to the provisions of Section 30-30-703 of the Idaho Nonprofit Corporation Act, the Brightwater I Homeowners' Association, Inc., an Idaho non-profit corporation (the "**Association**") adopts the following Articles of Amendment to its Articles of Incorporation (as amended from time to time the "**Articles of Incorporation**") which were referenced as Exhibit C to the Declaration of Covenants, Conditions and Restrictions for Brightwater I recorded as **Instrument No. 114656**, Recorder's Office, Valley County, Idaho.

**FIRST:** The name of the corporation is Brightwater I Homeowners' Association, Inc.

**SECOND:** The Articles of Incorporation are amended as follows:

A. As used in the Articles of Incorporation the term: (i) "Certificate of Membership" shall mean the list of Condominium Owners maintained by the Association which sets forth the name of the Owner(s) and Unit number of each Condominium; and (ii) the terms "Articles," "Bylaws," "Declaration," and "Condominium Property Act" shall mean, as applicable, the "Articles," "Bylaws," "Declaration," and "Condominium Property Act" as amended and as they may be amended from time to time.

B. Article IV is deleted in its entirety and replaced with the following:

The principal office of the corporate shall be the address of the registered agent of the corporation set forth in the corporation's most recent Annual Report filed with the office of the Idaho Secretary of State.

C. Article VII C is deleted in its entirety and replaced with the following:

C. Each certificate of membership shall entitle the Owner(s) thereof to one vote in the Association. The total number of votes which may be cast in connection with any matter shall be sixteen (16). If there is more than one person who constitutes the Owner of a Condominium, each such person shall be entitled to attend any meeting of Owners of the Association, but the voting power attributed to the Condominium shall not be increased. In all cases in which more than one person constitutes the Owner of a Condominium, including instances in which a Condominium is owned by a husband and wife, then, unless written notice to the contrary signed by any one of the persons is given to the Board of Directors of the Association prior to the meeting, any one such person shall be entitled to cast, in person or by proxy, the vote

attributable to the Condominium and it shall be presumed they are in agreement with respect to the manner that such vote is cast. If, however, more than one person constituting such Owner attends a meeting in person or by proxy, and seeks to cast the vote attributable to the Condominium then the action of those persons owning a majority interest of such Condominium shall be entitled to cast the vote attributable to such Condominium.

D. Article VII D of the Articles of Incorporation is deleted in its entirety and replaced with the following:

D. Cumulative Voting by Owners in the election of directors shall not be permitted.

THIRD: The Association has one class of members. There are sixteen (16) Certificates of Membership in the Association and therefore there are sixteen (16) votes that may be cast. The approval of this Amendment by the members is required. The total number of votes cast in favor of this Amendment was 14 and the total number of votes cast against this Amendment was 2, with 0 owners not voting. This Amendment was duly adopted on the 13<sup>th</sup> day of JUNE, 2020, Title 30, Chapter 30 Idaho Code by the affirmative vote of the membership of the Association holding more than two-thirds (2/3rds) of: (a) the sixteen (16) votes entitled to be cast; and (b) the voting power of the Association.

DATED as of the 18<sup>th</sup> day of JUNE, 2020.

**Brightwater I Homeowners' Association, Inc.**

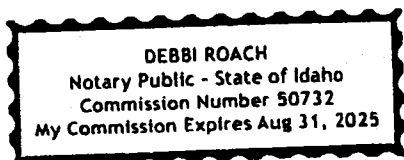
By: David Spurgeon  
David Spurgeon, President

By: Kristin Hoff Sinclair  
Kristin Hoff Sinclair, Secretary

**Acknowledgement**

State of Idaho )  
 County of Valley ) ss.

On this 18 day of June, 2020 before me, the undersigned Notary Public for said state, personally appeared before me David Spurgeon, known to me or identified to me to be the President of Brightwater I Homeowners' Association, Inc., and Kristin Hoff Sinclair, known to me or identified to me to be the Secretary of Brightwater I Homeowners' Association, Inc., and that they executed the foregoing instrument on behalf of said corporation.



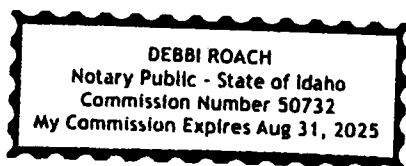
Debbi Roach  
 Notary Public for Idaho  
 Residing at: New Meadows  
 My commission expires: 8/31/2025

**CERTIFICATE**

State of Idaho )  
 County of Valley ) ss.

David Spurgeon and Kristin Hoff Sinclair, being first duly sworn, depose and say:

David Spurgeon is the President and Kristin Hoff Sinclair is the Secretary of Brightwater I Homeowners' Association, Inc., an Idaho non-profit corporation and are the persons who executed the above and foregoing Articles of Amendment to the Articles of Incorporation of the Brightwater I Homeowners' Association, Inc. and that the facts set forth in said Articles of Amendment are true and correct.



By: David Spurgeon  
 David Spurgeon, President of Brightwater I Homeowners' Association, Inc.

By: Kristin Hoff Sinclair  
 Kristin Hoff Sinclair, Secretary of Brightwater I Homeowners' Association, Inc.

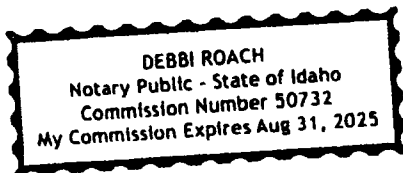
6/18/2020 Debbi Roach  
Notary For State of IDAHO  
County of Valley

Debbi Roach  
com. Exp. 8/31/2025

**Acknowledgement**

State of Idaho )  
County of Valley ) ss.

On this 18 day of June, 2020, before me, the undersigned Notary Public for said state, personally appeared before me David Spurgeon and Kristin Hoff Sinclair, known to me or identified to me to be the persons whose names are subscribed to the within Certificate and acknowledged to me that they executed the same.



Debbi Roach  
Notary Public for Idaho  
Residing at: New Meadows  
My commission expires: 8/31/2025

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