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Smith Knowles, PLLC
943 W. Overland Road, Ste. 112
Meridian, Idaho 83642

2025-034418	
RECORDED	
09/25/2025 03:56 PM	
RICK HOGABOAM	
CANYON COUNTY RECORDER	
Pgs=6 JWINSLOW	\$25.00
TYPE: CCR	
TITLEONE BOISE	
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**FIRST AMENDMENT TO THE
DECLARATION OF COVENANTS, CONDITIONS & RESTRICTIONS FOR
MIDDLETON INDUSTRIAL PARK CONDOMINIUMS**

This First Amendment to the Declaration of Covenants, Conditions and Restrictions for Middleton Industrial Park Condominiums (hereinafter "First Amendment") hereby amends that certain Declaration of Covenants, Conditions and Restrictions for Middleton Industrial Park Condominiums, recorded on July 24, 2025, in the Canyon County Recorder's Office, as Instrument No. 2025-025890 ("Enabling Declaration") and is hereby made and executed, as of the last date set forth in the notarized signature below and made effective as of the date recorded in the Canyon County Recorder's Office.

RECITALS:

- A. This First Amendment affects and concerns the real property located in Canyon County, Idaho, and more particularly described in the attached **Exhibit "1"** ("Property").
- B. On or around July 26, 2024, a Plat Map depicting the Property was recorded in the Canyon County Recorder's Office as Instrument No. 2024-023408.
- C. On or around July 24, 2025, the Declaration of Covenants, Conditions and Restrictions for Middleton Industrial Park Condominiums was recorded in the Canyon County Recorder's Office as Instrument No. 2025-025890 ("Enabling Declaration").
- D. On or around September 22, 2025, the plat showing Middleton Commons Condominium Phase 1 was recorded in the Canyon County Recorder's Office as Instrument No. 2025-033948, which plat depicts a portion of the Property.
- E. On or around September 22, 2025, the plat showing Middleton Commons Condominium Phase 2 was recorded in the Canyon County Recorder's Office as Instrument No. 2025-033947, which plat depicts a portion of the Property.
- F. The Enabling Declaration contains an Exhibit B which depicts the Allocated Interest as expressed by the percentage of undivided interest of an Owner in the

Common Areas and facilities. The purpose of this First Amendment is to delete the Exhibit B contained in the Enabling Declaration and adopt the new Exhibit B as attached to this First Amendment.

- G. Adoption Statement. Pursuant to Article XI, Section 11.1 of the Enabling Declaration, the Declarant may amend the Enabling Declaration at the Declarant's sole discretion during the Class B Control Period. Declarant consents to the recording of this First Amendment.
- H. No Other Changes. Except as otherwise expressly provided in this First Amendment, the Enabling Declaration remains in full force and effect.
- I. Definitions. All terms used but not defined herein shall have the meanings given them under the Enabling Declaration.
- J. Authorization. The individuals signing for the respective entities below make the following representations: (i) he/she has read this First Amendment, (ii) he/she has authority to act for the entity designated below, and (iii) he/she shall execute this First Amendment acting in said capacity.
- K. Conflicts. In the case of any conflict between the provisions of this First Amendment and the provisions of the Enabling Declaration, as amended and supplemented, the provisions of this First Amendment shall in all respects govern and control. In the case of any existing provision with the Enabling Declaration, as amended and supplemented, that could be interpreted as prohibiting the modifications set forth in this First Amendment, such provision(s) is hereby modified in order to accomplish the purpose and intent of this First Amendment.
- L. These Recitals are hereby incorporated herein by reference and made a part hereof.

NOW, THEREFORE, pursuant to the foregoing, the Declarant hereby makes and executes this First Amendment to the Enabling Declaration as follows.

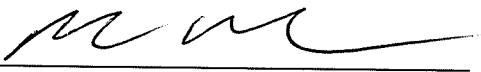
AMENDMENTS

1. Exhibit B in the Enabling Declaration is hereby deleted in its entirety and a new **Exhibit B** is created and adopted as attached to this First Amendment below.

[Signature Page Follows]

DATED this 24 day of September, 2025.

MIDDLETON INDUSTRIAL HOLDINGS, LLC, the Declarant



By: Robert Nash

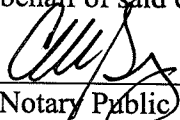
Its: Member

STATE OF Idaho)

: ss

COUNTY OF Ada)

On this 24th day of Sept, 2025, personally appeared before me Camille VanScoy, who being by me duly sworn, did say that they are the authorized representative for the Declarant corporation of the Association, and that the within and foregoing instrument was signed on behalf of said corporation and duly acknowledged to me that they executed the same.


Notary Public

Residing at: ADA County

My Commission Expires: 9-13-2030



Exhibit "1"
Legal Description of Property

A PARCEL OF LAND LOCATED IN THE NE1/4 OF THE NE1/4 OF SECTION 18,
TOWNSHIP 4 NORTH, RANGE 2 WEST, BOISE MERIDIAN, CITY OF MIDDLETON, CANYON
COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 18; THENCE, ALONG THE
EAST BOUNDARY OF SAID NE1/4 OF THE NE1/4,

A) S.01°21'47"W., 364.93 FEET TO THE SOUTH RIGHT-OF-WAY OF BASS LANE, AND
THE POINT OF BEGINNING; THENCE, CONTINUING,

1) S.01°21'47"W., 947.39 FEET TO THE SOUTHEAST CORNER OF SAID NE1/4 OF THE
NE1/4; THENCE, ALONG THE SOUTH BOUNDARY THEREOF,

2) N.89°30'25"W., 745.67 FEET TO THE SOUTHEAST CORNER OF MIDDLETON
INDUSTRIAL PARK NO. 1, RECORDED IN BOOK 48 OF PLATS AT PAGE 27,
RECORDS OF CANYON COUNTY, IDAHO; THENCE, ALONG THE EAST BOUNDARY OF
SAID MIDDLETON INDUSTRIAL PARK NO. 1,

3) N.00°34'04"E., 948.24 FEET TO NORTHEAST CORNER OF SAID MIDDLETON
INDUSTRIAL PARK NO. 1 AND THE SOUTH RIGHT-OF-WAY OF SAID BASS LANE;
THENCE, ALONG SAID RIGHT-OF-WAY,

4) S.89°26'05"E., 758.81 FEET TO THE POINT OF BEGINNING.

CONTAINING: 16.37 ACRES, MORE OR LESS.

Declaration Exhibit "B"
Allocated Interest

<u>Block/Lot/Unit Number</u>	<u>Square Footage</u>	<u>Interest Percentage</u>
Block 1/Lot 100		
Unit 101	3,609	2.46%
Unit 102	3,678	2.50%
Unit 103	3,678	2.50%
Unit 104	3,678	2.50%
Unit 105	3,678	2.50%
Unit 106	3,678	2.50%
Unit 107	3,678	2.50%
Unit 108	3,609	2.46%
Block 1/Lot 200		
Unit 201	3,609	2.46%
Unit 202	3,678	2.50%
Unit 203	3,678	2.50%
Unit 204	3,678	2.50%
Unit 205	3,678	2.50%
Unit 206	3,678	2.50%
Unit 207	3,678	2.50%
Unit 208	3,609	2.46%
Block 2/Lot 300		
Unit 301	2,882	1.96%
Unit 302	2,954	2.01%
Unit 303	2,954	2.01%
Unit 304	2,954	2.01%
Unit 305	2,882	1.96%
Block 2/Lot 400		
Unit 401	2,882	1.96%
Unit 402	2,954	2.01%
Unit 403	2,954	2.01%
Unit 404	2,954	2.01%
Unit 405	2,882	1.96%

Exhibit "B"
Allocated Interest – Continued

Block 2/Lot 500

Unit 501	2,882	1.96%
Unit 502	2,954	2.01%
Unit 503	2,954	2.01%
Unit 504	2,954	2.01%
Unit 505	2,882	1.96%

Block 2/Lot 600

Unit 601	2,995	2.04%
Unit 602	3,085	2.10%
Unit 603	3,085	2.10%
Unit 604	3,085	2.10%
Unit 605	3,085	2.10%
Unit 606	3,085	2.10%
Unit 607	3,085	2.10%
Unit 608	2,995	2.04%

Block 2/Lot 700

Unit 701	3,943	2.68%
Unit 702	4,028	2.74%
Unit 703	4,028	2.74%
Unit 704	4,028	2.74%
Unit 705	3,943	2.68%

Total: 100%