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Attorneys for Plaintiff/Counterdefendant,
 Wagon Wheel Ranch Recreation Corporation

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE
 STATE OF IDAHO, IN AND FOR THE COUNTY OF VALLEY

WAGON WHEEL RANCH RECREATION)	Case No.: <u>CV-2009-450C</u>
CORPORATION, an Idaho corporation,)	
)	MEMORANDUM OF SETTLEMENT
Plaintiff/Counterdefendant,)	
)	
vs.)	
)	
ROBERT WAGNER,)	
)	
Defendant/Counterclaimant.)	
_____)	

1. The parties have resolved the captioned action and direct their attorneys to dismiss with prejudice the pending claims and counterclaims, and each party to bear their own fees and costs.

2. Wagon Wheel Ranch agrees to erect the signs at the entrances to both the North Meadow and the South Meadow that provide substantially as follows:

(i) The Meadows are reserved for the exclusive use of the Owners of Lots in Wagon Wheel Ranch Subdivisions 1 through 5.

(ii) Use of the Meadows is for recreational purposes only, and motorized vehicles may only be operated in the Meadows during the hours of 8:00 a.m. to 8:00 p.m.

(iii) Appropriate language to comport with the requirements of the Idaho Code so that any use of the Meadows other than in accordance with these terms would constitute a trespass.

(iv) Use of the Meadows with a motorized vehicle implies that the user has agreed and consents that the rules of the road apply to the use of any motorized vehicles on the Meadows.

(v) Users are expected to respect rights of the adjoining property owners.

(vi) Any use of the Meadows is at the user's own risk.

3. Other than erecting the signage as described above, Wagners' recognize and acknowledge that Wagon Wheel Ranch is not assuming or undertaking any duty to enforce the terms of use.

4. Wagners agree to pay \$2,250.00 to Wagon Wheel Ranch.

DATED This 7th day of September, 2011.

WAGON WHEEL RANCH:

WAGON WHEEL RANCH RECREATION CORPORATION, an Idaho corporation,

By: _____

Art Plitt, President

APPROVED AS TO FORM AND CONTENT:

Richard A. Cummings
Attorneys for Plaintiff

WAGNERS:

Robert Wagner

Deana Wagner

APPROVED AS TO FORM AND CONTENT:

A. J. Bohner
Attorney for Defendant