



May 8, 2020

Valley County Planning and Zoning
219 N Main
McCall, ID 83638

RE: BP Porperties – Detailed Project Description

To Whom It May Concern:

The purpose of our CUP is to improve our 12 acres with beautifully landscaped berm around the exterior of the property. This will provide audio and visual screening for the surrounding neighbors. The site will be used for overflow parking, materials, and equipment storage with limited traffic to and from the site.

Timeframe of construction will begin mid-June and end as soon as possible.

Sincerely,

A handwritten signature in black ink, appearing to read "Dusty Bitten", is written over a horizontal line.

Dusty Bitten
Rocky Mountain Crane

Rocky Mountain Crane & Equipment Rental

P.O. Box 2888
McCall, ID 83638
(208) 696-1476 Ph. / (866) 756-0090 Fax
www.rockymtncranes.com

Valley County Planning & Zoning Department

219 N. Main
PO Box 1350
Cascade, ID 83611
www.co.valley.id.us
Phone 208-382-7115
Fax 208-382-7119



Conditional Use Permit Application

TO BE COMPLETED BY THE PLANNING AND ZONING DEPARTMENT	
FILE # <u>C.U.P. 20-09</u>	FEE \$ <u>50</u>
ACCEPTED BY _____	DEPOSIT \$ _____
CROSS REFERENCE FILE(S): _____	DATE <u>5-7-2020</u>
PROPOSED USE: <u>equipment storage</u>	

When an application has been submitted, it will be reviewed in order to determine compliance with application requirements.
A hearing date will be scheduled only after an application has been accepted as complete or if applicant requests the hearing in writing.

Applicant's Signature: [Signature] Date: 05.05.20

The following must be completed and submitted with the conditional use permit application:

- ❖ A detailed project description disclosing the purpose, strategy, and time frame of construction. Include a phasing plan if appropriate.
- ❖ A plot plan, drawn to scale, showing the boundaries, dimensions, area of lot, existing and proposed utilities, streets, easements, parking, setbacks, and buildings.
- ❖ A landscaping plan, drawn to scale, showing elements such as trees, shrubs, ground covers, and vines. Include a plant list indicating the size, quantity, location and name (both botanical and common) of all plant material to be used.
- ❖ A site grading plan clearly showing the existing site topography and detailing the best management practices for surface water management, siltation, sedimentation, and blowing of dirt and debris caused by grading, excavation, open cuts, side slopes, and other site preparation and development.
- ❖ A lighting plan.
- ❖ Names and addresses of property owners within 300 feet of the property lines. Information can be obtained through the Assessor's Office. Only one copy of this list is required.
- ❖ Ten (10) copies of the application, project description, plot plan, landscaping plan, grading plan, and impact report are required.

We recommend you review the Valley County Codes online at www.co.valley.id.us/planning-zoning or at the Planning & Zoning Office at 219 North Main Street, Cascade, Idaho

Subject to Idaho Statute 55-22 Underground Facilities Damage Prevention.

APPLICANT BP Properties PHONE 208.315.0090

Owner Purchaser Lessee Renter

APPLICANT'S MAILING ADDRESS PO Box 4110, McCall, ID ZIP 83638

OWNER'S NAME BP Properties

OWNER'S MAILING ADDRESS PO Box 4110, McCall ZIP 83638

AGENT/REPRESENTATIVE Dusty Bitton FAX 866.756.0900 PHONE 208.315.0090

AGENT/REPRESENTATIVE ADDRESS PO Box 4110, McCall, ID ZIP 83638

CONTACT PERSON (if different from above) _____

CONTACT'S ADDRESS _____ ZIP _____ PHONE _____

ADDRESS OF SUBJECT PROPERTY _____

PROPERTY DESCRIPTION (either lot, block & subdivision name or attach a recorded deed with a metes and bounds description.)
See attached Deed.

TAX PARCEL NUMBER RP18N03E289006

Quarter SESE Section 28 Township 18N Range 3E

1. PROPOSED USE: Residential Civic or Community Commercial Industrial

2. SIZE OF PROPERTY 11.82 Acres or Square Feet

3. EXISTING LAND USES AND STRUCTURES ON THE PROPERTY ARE AS FOLLOWS:
Bare land, unimproved

4. ARE THERE ANY KNOWN HAZARDS ON OR NEAR THE PROPERTY (such as canals, hazardous material spills, soil or water contamination)? If so, describe and give location: N/A

5. ADJACENT PROPERTIES HAVE THE FOLLOWING BUILDING TYPES AND/OR USES:
North Open Field and residential
South Commercial Nez Perce
East Open Field and residential
West Commercial - Idaho Power, Falvey Excavation

6. MAXIMUM PROPOSED STRUCTURE HEIGHT: N/A

7a. NON-RESIDENTIAL STRUCTURES OR ADDITIONS (if applicable):
Number of Proposed Structures: 0 Number of Existing Structures: 0

<u>Proposed Gross Square Feet</u>	<u>Existing Gross Square Feet</u>
1 st Floor _____	1 st Floor _____
2 nd Floor _____	2 nd Floor _____
Total _____	Total _____

8a. TYPE OF RESIDENTIAL USE (If applicable):
Single family residence Mobile home for single family residence Multiple residences on one parcel

8b. SQUARE FOOTAGE OF PROPOSED RESIDENTIAL STRUCTURES (If applicable): NA
SQUARE FOOTAGE OF EXISTING RESIDENTIAL STRUCTURES: NA

8c. DENSITY OF DWELLING UNITS PER ACRE: 0

9. SITE DESIGN:

Percentage of site devoted to building coverage: 0

Percentage of site devoted to landscaping: 5

Percentage of site devoted to roads or driveways: 10

Percentage of site devoted to other uses: 85, describe: Overflow parking

Total: 100%

10. PARKING (If applicable):

Office Use Only

a. Handicapped spaces proposed: N/A

Handicapped spaces required: _____

b. Parking spaces proposed: N/A

Parking spaces required: _____

c. Number of compact spaces proposed: N/A

Number of compact spaces allowed: _____

d. Restricted parking spaces proposed: N/A

e. Are you proposing off-site parking: N/A

11. SETBACKS:

	<u>BUILDING</u>	<u>Office Use Only</u>	<u>PARKING</u>	<u>Office Use Only</u>
	Proposed	Required	Proposed	Required
Front	<u>N/A</u>	_____	_____	_____
Rear	<u>N/A</u>	_____	_____	_____
Side	<u>N/A</u>	_____	_____	_____
Street Side	<u>N/A</u>	_____	_____	_____

12a. NUMBER OF EXISTING ROADS: 0 Width: _____ Private or Public? _____
Are the existing road surfaces paved or graveled? N/A

12b. NUMBER OF PROPOSED ROADS: 0 Proposed width: N/A

Will the proposed roads be publicly or privately maintained? N/A

Proposed road construction: Gravel Paved

13a. EXISTING UTILITIES ON THE PROPERTY ARE AS FOLLOWS:
N/A

13b. PROPOSED UTILITIES: N/A

Proposed utility easement width _____ Location _____

14a. SEWAGE WASTE DISPOSAL METHOD: Septic Central Sewage Treatment Facility

14b. POTABLE WATER SOURCE: Public Water Association Individual
If individual, has a test well been drilled? _____ Depth _____ Flow _____ Purity Verified? _____
Nearest adjacent well _____ Depth _____ Flow _____

15. ARE THERE ANY EXISTING IRRIGATION SYSTEMS? No
 Are you proposing any alterations, improvements, extensions or new construction? No
 If yes, Explain: _____

16. DRAINAGE (Proposed method of on-site retention): N/A
 Any special drains? _____ (Please attach map)
 Soil type (Information can be obtained from the Soil Conservation District): _____
- 17a. IS ANY PORTION OF THE PROPERTY LOCATED IN A FLOODWAY OR 100-YR FLOODPLAIN?
 (Information can be obtained from the Planning & Zoning Office) No
- 17b. DOES ANY PORTION OF THIS PARCEL HAVE SLOPES IN EXCESS OF 15%? No
- 17c. ARE THERE WETLANDS LOCATED ON ANY PORTION OF THE PROPERTY? No
18. IS THERE ANY SITE GRADING OR PREPARATION PROPOSED? Yes If yes, Explain:
Proposed parking area will be graded.

19. COMPLETE ATTACHED PLAN FOR IRRIGATION if you have water rights and are in an irrigation district.
20. COMPLETE ATTACHED WEED CONTROL AGREEMENT
21. COMPLETE ATTACHED IMPACT REPORT. It must address potential environmental, economic, and social impacts and how these impacts are to be minimized.



VALLEY COUNTY PLANNING & ZONING DEPARTMENT

219 North Main Street
PO Box 1350
Cascade, ID 83611

Phone 208-382-7115
Fax 208-382-7119
www.co.valley.id.us

APPLICATION FOR IRRIGATION PLAN APPROVAL submitted with C.U.P. & Subdivision Applications (Idaho Code 31-3805)

Applicant(s): BP Properties

PO Box 4110

McCall, ID

83638

Mailing Address

City, State

Zip

Telephone Numbers: 208.315.0090

Location of Subject Property: _____

(Property Address or Two Nearest Cross Streets)

Assessor's Account Number(s): RP _____ Section ____ Township ____ Range ____

C.U.P Number: _____

This land: Has water rights available to it
 Is dry and has no water rights available to it. If dry, please sign this document and return to the Planning & Zoning Department as part of your application.

Idaho Code 31-3805 states that when all or part of a subdivision is "located within the boundaries of an existing irrigation district or canal company, ditch association, or like irrigation water deliver entity ... no subdivision plat or amendment to a subdivision plat or any other plat or map recognized by the city or county for the division of land will be accepted, approved, and recorded unless:"

- A. The appropriate water rights and assessment of those water rights have been transferred from said lands or excluded from an irrigation entity by the owner; or
- B. The owner filing the subdivision plat or amendment to a subdivision plat or map has provided for the division of land of underground tile or conduit for lots of one acre or less or a suitable system for lots of more than one acre which will deliver water to those land owners within the subdivision who are also within the irrigation entity with the appropriate approvals:
 1. For proposed subdivisions located within an area of city impact, both city and county zoning authorities must approve such irrigation system in accordance with 50-the irrigation system.
 2. For proposed subdivisions outside of negotiated areas of city impact, the delivery system must be approved by the Planning and Zoning Commission and the Board of County Commissioners with the advice of the irrigation entity charged with the delivery of water to said lands.

To better understand your irrigation request, we need to ask you a few questions. A list of the map requirements follows the short questionnaire. Any missing information may result in the delay of your request before the Planning and Zoning Commission and ultimately the approval of your irrigation plan by the Board of County Commissioners as part of final plat approval.

1. Are you within an area of negotiated City Impact? _____ Yes X No

2. What is the name of the irrigation and drainage entities servicing the property?

Irrigation: N/A

Drainage: N/A

3. How many acres is the property being subdivided? N/A

4. What percentage of this property has water? N/A

5. How many inches of water are available to the property? N/A

6. How is the land currently irrigated? surface sprinkler irrigation well
 above ground pipe underground pipe

7. How is the land to be irrigated after it is subdivided?

surface sprinkler irrigation well
 above ground pipe underground pipe

8. Please describe how the head gate/pump connects to the canal and irrigated land and where ditches &/or pipes go.

N/A

9. Is there an irrigation easement(s) on the property? Yes No

10. How do you plan to retain storm and excess water on each lot? N/A

11. How do you plan to process this storm water and/or excess irrigation water prior to it entering the established drainage system? (i.e. oil, grease, contaminated aggregates) N/A

Irrigation Plan Map Requirements

The irrigation plan **must be on a scalable map** and show all of the irrigation system including all supply and drainage structures and easements. Please include the following information on your map:

- All canals, ditches, and laterals with their respective names.
- Head gate location and/or point of delivery of water to the property by the irrigation entity.
- Pipe location and sizes, if any
- Rise locations and types, if any.
- Easements of all private ditches that supply adjacent properties (i.e. supply ditches and drainage ways).
- Slope of the property in various locations.
- Direction of water flow (use short arrows on your map to indicate water flow direction →).
- Direction of wastewater flow (use long arrows on your map to indicate waste water direction →).
- Location of drainage ponds or swales, if any where wastewater will be retained on property
- Other information: _____

Also, provide the following documentation:

- Legal description of the property.
- Proof of ownership.
- A written response from the irrigation entity and/or proof of agency notification.
- Copy of any water users' association agreement currently in effect which shows water schedules and maintenance responsibilities.
- Copy of all new easements ready for recording (irrigation supply and drainage).
- If you are in a city area of impact, please include a copy of the approvals by the city planning and zoning commission and city council of your irrigation plan.

=====Applicant Acknowledgement=====

I, the undersigned, agree that prior to the Planning and Zoning Department accepting this application, I am responsible to have all the required information and site plans.

I further acknowledge that the irrigation system, as approved by the Planning and Zoning Commission and ultimately the Board of County Commissioners, must be **bonded** and/or **installed** prior to the recording of the plat or building permit.

Signed: 
Applicant/Property Owner

Date: 05 / 05 / 2020
(Application Submitted)



VALLEY COUNTY

WEED CONTROL AGREEMENT

The purpose of this agreement is to establish a cooperative relationship between Valley County and the undersigned Cooperator to protect the natural and economic values in the Upper Payette River watershed from damages related to the invasion and expansion of infestations of noxious weeds and invasive plants. This is a cooperative effort to prevent, eradicate, contain and control noxious weeds and invasive plants on public and private lands in this area. Factors related to the spread of weeds are not related to ownership nor controllable at agency boundaries. This agreement formalizes the cooperative strategy for management of these weeds addressed in Valley County's Integrated Weed Management Plan.

In this continuing effort to control Noxious Weeds, Valley County Weed Control will consult with the undersigned Cooperator and outline weed identification techniques, present optional control methods and recommend proper land management practices.

The undersigned Cooperator acknowledges that he/she is aware of any potential or real noxious weed problems on his/her private property and agrees to control said weeds in a timely manner using proper land management principles.

COOPERATOR

By: Dusty Bilton

Date: 5/5/20

By: _____

Valley County Weed Control

Date: _____

IMPACT REPORT (from Valley County Code 9-5-3-D)

You may add information to the blanks below or attach additional sheets.

- ❖ An impact report shall be required for all proposed Conditional Uses.
- ❖ The impact report shall address potential environmental, economic, and social impacts and how these impacts are to be minimized as follows:
 1. Traffic volume, character, and patterns including adequacy of existing or proposed street width, surfacing, alignment, gradient, and traffic control features or devices, and maintenance. Contrast existing with the changes the proposal will bring during construction and after completion, build-out, or full occupancy of the proposed development. Include pedestrian, bicycle, auto, and truck traffic.
Very minimal increase in traffic volume. The only construction to take place will be for the entrance, landscape berm and parking pad.
 2. Provision for the mitigation of impacts on housing affordability.
N/A
 3. Noise and vibration levels that exist and compare to those that will be added during construction, normal activities, and special activities. Include indoor and outdoor, day and night variations.
Noise and vibration will be short, 1-2 weeks.
 4. Heat and glare that exist and that might be introduced from all possible sources such as autos in parking areas, outdoor lights, water or glass surfaces, buildings or outdoor activities.
Glare from windshields in parked equipmentm, however surrounding properties and roads will not be impacted with proposed landscape berm.
 5. Particulate emissions to the air including smoke, dust, chemicals, gasses, or fumes, etc., both existing and what may be added by the proposed uses.
N/A

6. Water demand, discharge, supply source, and disposal method for potable uses, domestic uses, and fire protection. Identify existing surface water drainage, wet lands, flood prone areas and potential changes. Identify existing ground water and surface water quality and potential changes due to this proposal.

N/A

7. Fire, explosion, and other hazards existing and proposed. Identify how activities on neighboring property may affect the proposed use.

N/A

8. Removal of existing vegetation or effects thereon including disturbance of wet lands, general stability of soils, slopes, and embankments and the potential for sedimentation of disturbed soils.

N/A

9. Include practices that will be used to stabilize soils and restore or replace vegetation.

N/A

10. Soil characteristics and potential problems in regard to slope stability, embankments, building foundation, utility and road construction. Include suitability for supporting proposed landscaping.

N/A

11. Site grading or improvements including cuts and fills, drainage courses and impoundments, sound and sight buffers, landscaping, fencing, utilities, and open areas.

Open parking area surrounded by a landscape berm.

12. Visibility from public roads, adjoining property, and buildings. Include what will be done to reduce visibility of all parts of the proposal but especially cuts and fills and buildings. Include the affect of shadows from new features on neighboring property.

14' tall landscape berm around the perimeter of the property.

13. Reasons for selecting the particular location including topographic, geographic and similar features, historic, adjoining land ownership or use, access to public lands, recreation, utilities, streets, etc., in order to illustrate compatibility with and opportunities presented by existing land uses or character.

All properties adjacent to the lot off of Burr Ln serve commercial/industrial purposes. The property is also near our current business located at 14032 HWY 55.

14. Approximation of increased revenue from change in property tax assessment, new jobs available to local residents, and increased local expenditures.

N/A

15. Approximation of costs for additional public services, facilities, and other economic impacts.

N/A

16. State how the proposed development will impact existing developments providing the same or similar products or services.

No impact.

17. State what natural resources or materials are available at or near the site that will be used in a process to produce a product and the impacts resulting from the depletion of the resource. Describe the process in detail and describe the impacts of each part.

N/A

18. What will be the impacts of a project abandoned at partial completion?

N/A

19. Number of residential dwelling units, other buildings and building sites, and square footage or gross non-residential floor space to be available.

0

20. Stages of development in geographic terms and proposed construction time schedule.

Excavation and landscape, 1-2 weeks.

21. Anticipated range of sale, lease or rental prices for dwelling units, building or other site, or non-residential floor space in order to insure compatibility with adjacent land use and development.

N/A



WARRANTY DEED

Order No.: 287812AM

FOR VALUE RECEIVED

John R. Dawson Living Trust, dated December 2, 2005

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

BP Property LLC, an Idaho Limited Liability company

whose current address is:

Po Box 4110
McCall, ID 83638

the grantee(s), the following described premises, in Valley County, Idaho, TO WIT:

A parcel of land situated in the SE¼ of the SE¼ of Section 28, Township 18 North Range 3 East 3 of the Boise Meridian Valley County, Idaho described as follows:

Commencing at a brass cap marking the South 1/16 corner common to Section 27 and 28 of said Township 18 North Range 3 East; Thence North 89°51'00" West a distance of 35.77 feet, along the northerly boundary of said SE¼ of the SE¼ to the True Point of Beginning; Thence South 00°38'00" West a distance of 340.56 feet to the center line of Lake Irrigation District Canal; Thence Westerly and Northerly along said canal center line, South 72°34' West a distance of 33.64 feet; Thence South 86°00' West a distance of 160.00 feet; Thence North 78°00' West a distance of 105.00 feet; Thence North 62°00' West a distance of 147.00 feet; Thence North 42°00' West a distance of 105.00 feet; Thence North 29°00' West a distance of 110.00 feet; Thence North 21°00' West a distance of 541.65 feet to the Northerly boundary of said SE¼ of the SE¼; Thence South 89°51'00" East a distance of 787.04 feet to the True Point of Beginning.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record. And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: April 1, 2019



This document has been recorded electronically
Please see the attached Copy to view the County
Recorder's stamp as it now appears in the public
record.

Submitted by: AMERITITLE

WARRANTY DEED

Order No.: 287812AM

FOR VALUE RECEIVED

John R. Dawson Living Trust, dated December 2, 2005

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

BP Properties LLC, an Idaho limited liability company

whose current address is:

Po Box 4110
McCall, ID 83638

the grantee(s), the following described premises, in Valley County, Idaho, TO WIT:

A parcel of land situated in the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 28, Township 18 North Range 3 East 3 of the Boise Meridian Valley County, Idaho described as follows:

Commencing at a brass cap marking the South 1/16 corner common to Section 27 and 28 of said Township 18 North Range 3 East; Thence North 89°51'00" West a distance of 35.77 feet, along the northerly boundary of said SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ to the True Point of Beginning; Thence South 00°38'00" West a distance of 840.86 feet to the center line of Lake Irrigation District Canal; Thence Westerly and Northerly along said canal center line, South 72°34' West a distance of 33.64 feet; Thence South 86°00' West a distance of 160.00 feet; Thence North 78°00' West a distance of 105.00 feet; Thence North 62°00' West a distance of 147.00 feet; Thence North 42°00' West a distance of 105.00 feet; Thence North 29°00' West a distance of 110.00 feet; Thence North 21°00' West a distance of 641.65 feet to the Northerly boundary of said SE $\frac{1}{4}$ of the SE $\frac{1}{4}$; Thence South 89°51'00" East a distance of 787.04 feet to the True Point of Beginning.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record. And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: April 1, 2019

The John R. Dawson Living Trust

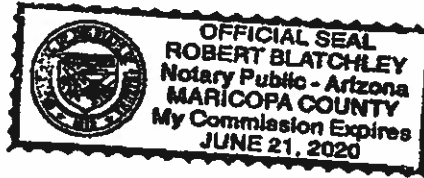
X [Signature]
By John R. Dawson, Trustee

State of ARIZONA } ss.
County of MARICOPA }

On this 23rd day of April, 2019, before me, ROBERT D. BLATCHLEY a Notary Public in and for said state, personally appeared John R. Dawson known or identified to me to be the person whose name is subscribed to the foregoing instrument as trustee of the John R. Dawson Living Trust, dated December 2, 2005, and acknowledged to me that he/she/they executed the same as Trustee.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

* [Signature]
Notary Public for the State of ARIZONA
Residing at: 3104 E. CANTON BACK RD PHX AZ 85014
Commission Expires: 6/21/2020



*

OWNER'S POLICY OF TITLE INSURANCE

O-9301-4742024

Issued by

STEWART TITLE GUARANTY COMPANY

Any notice of claim and any other notice or statement in writing required to be given to the Company under this Policy must be given to the Company at the address shown in Section 18 of the Conditions.

COVERED RISKS

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS FROM COVERAGE CONTAINED IN SCHEDULE B, AND THE CONDITIONS, STEWART TITLE GUARANTY COMPANY, a Texas corporation (the "Company") insures, as of Date of Policy and, to the extent stated in Covered Risks 9 and 10, after Date of Policy, against loss or damage, not exceeding the Amount of Insurance, sustained or incurred by the Insured by reason of:

1. Title being vested other than as stated in Schedule A.
2. Any defect in or lien or encumbrance on the Title. This Covered Risk includes but is not limited to insurance against loss from
 - (a) A defect in the Title caused by
 - (i) forgery, fraud, undue influence, duress, incompetency, incapacity, or impersonation;
 - (ii) failure of any person or Entity to have authorized a transfer or conveyance;
 - (iii) a document affecting Title not properly created, executed, witnessed, sealed, acknowledged, notarized, or delivered;
 - (iv) failure to perform those acts necessary to create a document by electronic means authorized by law;
 - (v) a document executed under a falsified, expired, or otherwise invalid power of attorney;
 - (vi) a document not properly filed, recorded, or indexed in the Public Records including failure to perform those acts by electronic means authorized by law; or
 - (vii) a defective judicial or administrative proceeding.
 - (b) The lien of real estate taxes or assessments imposed on the Title by a governmental authority due or payable, but unpaid.
 - (c) Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land. The term "encroachment" includes encroachments of existing improvements located on the Land onto adjoining land, and encroachments onto the Land of existing improvements located on adjoining land.
3. Unmarketable Title.
4. No right of access to and from the Land.
5. The violation or enforcement of any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (a) the occupancy, use, or enjoyment of the Land;
 - (b) the character, dimensions, or location of any improvement erected on the Land;
 - (c) the subdivision of land; or
 - (d) environmental protectionif a notice, describing any part of the Land, is recorded in the Public Records setting forth the violation or intention to enforce, but only to the extent of the violation or enforcement referred to in that notice.
6. An enforcement action based on the exercise of a governmental police power not covered by Covered Risk 5 if a notice of the enforcement action, describing any part of the Land, is recorded in the Public Records, but only to the extent of the enforcement referred to in that notice.
7. The exercise of the rights of eminent domain if a notice of the exercise, describing any part of the Land, is recorded in the Public Records.
8. Any taking by a governmental body that has occurred and is binding on the rights of a purchaser for value without Knowledge.
9. Title being vested other than as stated in Schedule A or being defective
 - (a) as a result of the avoidance in whole or in part, or from a court order providing an alternative remedy, of a transfer of all or any part of the title to or any interest in the Land occurring prior to the transaction vesting Title

as shown in Schedule A because that prior transfer constituted a fraudulent or preferential transfer under federal bankruptcy, state insolvency, or similar creditors' rights laws; or

(b) because the instrument of transfer vesting Title as shown in Schedule A constitutes a preferential transfer under federal bankruptcy, state insolvency, or similar creditors' rights laws by reason of the failure of its recording in the Public Records

(i) to be timely, or

(ii) to impart notice of its existence to a purchaser for value or to a judgment or lien creditor.

10. Any defect in or lien or encumbrance on the Title or other matter included in Covered Risks 1 through 9 that has been created or attached or has been filed or recorded in the Public Records subsequent to Date of Policy and prior to the recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A. The Company will also pay the costs, attorneys' fees, and expenses incurred in defense of any matter insured against by this Policy, but only to the extent provided in the Conditions.

Countersigned by:

Molly Landers



Matt Morris

Matt Morris
President and CEO

Authorized Countersignature



Denise Carraux

Denise Carraux
Secretary

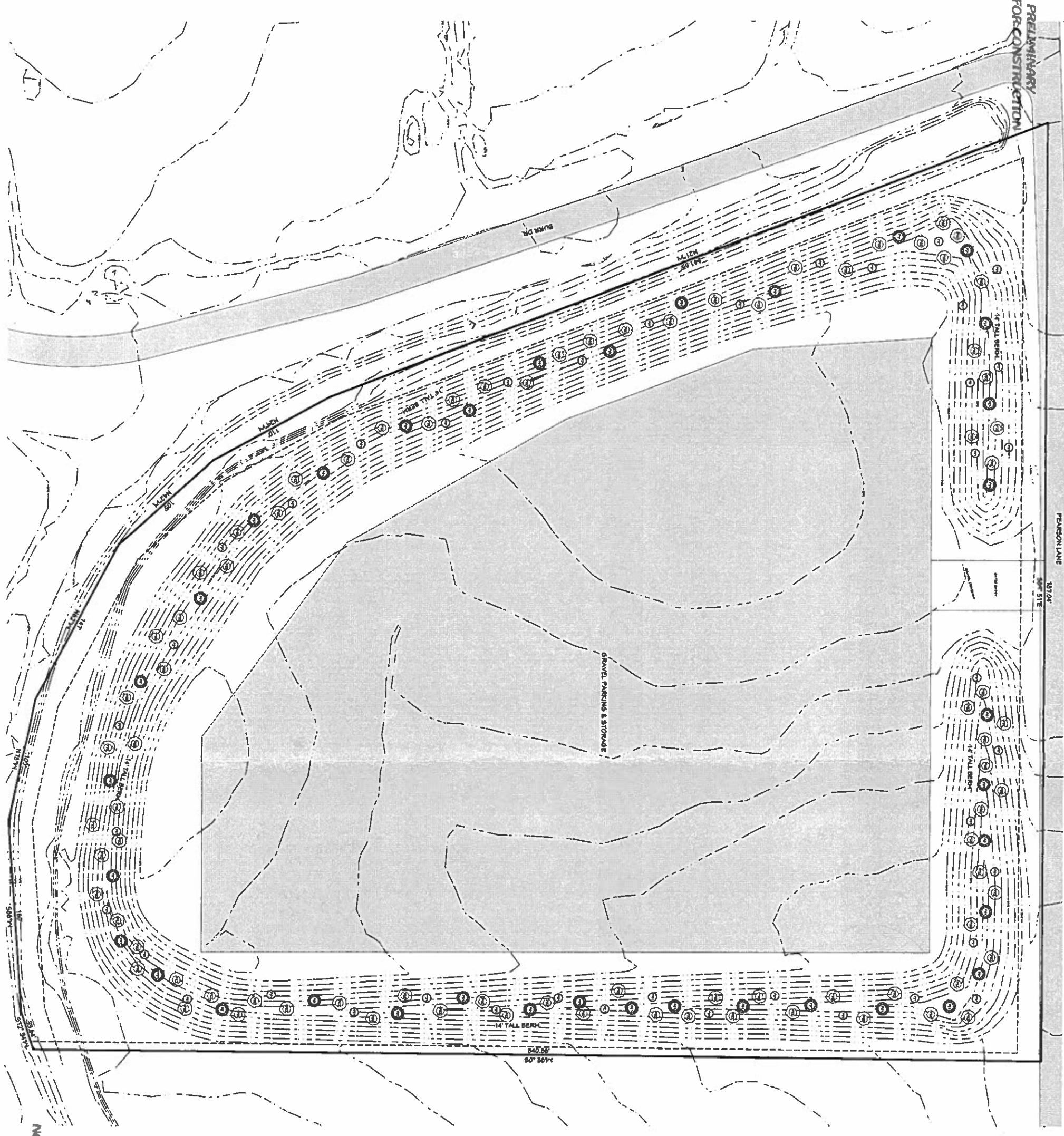
AmerTitle

PO Box 798, 700 S Main St.

Cascade, ID 83611



PRELIMINARY
NOT FOR CONSTRUCTION



PEARSON LANE
SITE 11E
SITE 11E

NO.	DATE	DESCRIPTION	BY	CHECKED
1	1/2/2019	DESIGNED	STEVE	
2	5/6/2020	REVISED	STEVE	

PLAT PLAN - SCALE 1" = 30'-0"
PRELIMINARY
NOT FOR CONSTRUCTION

SHEET NUMBER
A1
PAGE 1 OF 1

SMC Design
SMC Design
208.249.7288
Nampa, ID

DRAWN BY: Steve
INITIAL DATE: 1/2/2019
PRINT DATE: 5/6/2020
SHEET SIZE: ARCH E1 (30" x 42")

PEARSON STORAGE FACILITY
VALLEY CO., ID

PROJECT NO.
PT-19001

SITE PLAN

CONTRACTOR TO VERIFY ALL DETAILS, DIMENSIONS, AND SPECIFICATIONS PRIOR CONSTRUCTION, AND REPORT ANY OMISSIONS AND/OR ERRORS TO SMC DESIGN. THE PURCHASER OR BUILDER OF THIS PLAN RELEASES SMC DESIGN FROM ANY CLAIMS, LITIGATIONS OR SUITS THAT MAY ARISE DURING CONSTRUCTION OR ANYTIME THEREAFTER.

