



City of Ketchum

CITY COUNCIL MEETING AGENDA MEMO

Meeting Date: 06/26/23 Staff Member/Dept: Adam Crutcher, Associate Planner
Planning and Building Department

Agenda Item: Recommendation to review and approve the Townhouse Subdivision Preliminary Plat for 402 Sage Rd and Adopt the Findings of Fact, Conclusions of Law, and Decision.

Recommended Motion:

I move to approve the Sage Mountainside Townhomes Townhouse Preliminary Plat and adopt the Findings of Fact, Conclusions of Law, and Decision.

Reasons for Recommendation:

- The request meets all applicable standards for Preliminary Plats & Townhouse Subdivisions contained in Ketchum Municipal Code (KMC) Subdivision (Title 16) regulations.
- The townhouse subdivision preliminary plat application for this project was reviewed and approved by the Planning & Zoning Commission on July 11, 2023.
- The proposed townhouse preliminary plat meets all the requirements of the preliminary plat approval, including conformance with all townhouse subdivision requirements.
- All city departments have reviewed the proposal and have no issue with the proposed subdivision.

Policy Analysis and Background (non-consent items only):

Sustainability Impact:

None OR state impact here: Approval of the townhouse preliminary plat does not limit the ability of the city to reach the goals of the Ketchum Sustainability Action Plan – 2020.

Financial Impact:

None OR Adequate funds exist in account: None

Attachments:

1. Application and Supporting Materials
2. Preliminary Plat
3. Draft Findings of Fact, Conclusions of Law, and Decision

Attachment A:
Application & Supplemental Materials



**City of Ketchum
Planning & Building**

OFFICIAL USE ONLY	
Application Number:	
Date Received:	
By:	
Fee Paid:	
Approved Date:	
By:	

Subdivision Application

Submit completed application and payment to the Planning and Building Department, PO Box 2315, Ketchum, ID 83340 or hand deliver to Ketchum City Hall, 480 East Ave. N., Ketchum. If you have questions, please contact the Planning and Building Department at (208) 726-7801. To view the Development Standards, visit the City website at: www.ketchumidaho.org and click on Municipal Code.

APPLICANT INFORMATION			
Name of Proposed Subdivision: <u>SAGE MOUNTAINSIDE TOWNHOMES</u>			
Owner of Record: <u>SAGE MOUNTAINSIDE LLC.</u>			
Address of Owner: <u>PO Box 3250, KETCHUM, ID 83340</u>			
Representative of Owner: <u>BRUCE SMITH, PLS, ALPINE ENTERPRISES INC.</u>			
Legal Description: <u>LIVING SPRINGS TOWNHOMES, SUBLOTS 1 + 2</u>			
Street Address: <u>402 SAGE ROAD, UNITS A + B</u>			
SUBDIVISION INFORMATION			
Number of Lots/Parcels: <u>2 TOWNHOUSE SUBLOTS</u>			
Total Land Area: <u>159,540 SQ. FT., 3.66 AC., CURRENTLY 2 TOWNHOUSE SUBLOTS OF 79,770 SQ. FT., 1.83 AC. EACH</u>			
Current Zoning District: <u>GENERAL RESIDENTIAL LOW DENSITY (GR-L)</u>			
Proposed Zoning District: <u>GENERAL RESIDENTIAL LOW DENSITY (GR-L)</u>			
Overlay District: <u>MOD, AVALANCHE, ELK WINTER RANGE</u>			
TYPE OF SUBDIVISION			
Condominium <input type="checkbox"/>	Land <input type="checkbox"/>	PUD <input type="checkbox"/>	Townhouse <input checked="" type="checkbox"/>
Adjacent land in same ownership in acres or square feet: <u>NONE</u>			
Easements to be dedicated on the final plat: <u>MUTUAL RECIPROCAL UTILITY EASEMENTS ON SUBLOTS 1 AND 2 FOR USE, MAINTENANCE, AND REPAIR.</u>			
Briefly describe the improvements to be installed prior to final plat approval: <u>CONSTRUCT 2 TOWNHOUSE BUILDINGS, AVALANCHE PROTECTION WALL, INFRASTRUCTURE, AND LANDSCAPING.</u>			
ADDITIONAL INFORMATION			
All lighting must be in compliance with the City of Ketchum's Dark Sky Ordinance			
One (1) copy of Articles of Incorporation and By-Laws of Homeowners Associations and/or Condominium Declarations			
One (1) copy of current title report and owner's recorded deed to the subject property			
One (1) copy of the preliminary plat			
All files should be submitted in an electronic format.			

Applicant agrees in the event of a dispute concerning the interpretation or enforcement of the Subdivision Application in which the City of Ketchum is the prevailing party to pay reasonable attorney's fees and costs, including fees and costs of appeal for the City of Ketchum. Applicant agrees to observe all City ordinances, laws and conditions imposed. Applicant agrees to defend, hold harmless and indemnify the City of Ketchum, city officials, agents and employees from and for any and all losses, claims, actions, judgments for damages, or injury to persons or property, and losses and expenses caused or incurred by Applicant, its servants, agents, employees, guests and business invitees and not caused by or arising out of the tortious conduct of city or its officials, agents or employees. Applicant certifies that s/he has read and examined this application and that all information contained herein is true and correct.

BRUCE SMITH, PLS ALPINE ENTERPRISES INC. 01/02/22
 Applicant Signature Date
 REPRESENTATIVE



October 29, 2021
Order No.: 790323

RE: 402 Sage Road, Unit A & B, Ketchum, ID 83340

Dear Valued Customer,

Thank you for giving Pioneer Title Company the opportunity to serve you. We appreciate your business and will strive to merit the confidence you have shown in us. Please find attached your title commitment. In it, you'll find your preliminary title report with supporting documentation related to the property at 402 Sage Road, Unit A & B.

Should you have any questions regarding the documents contained herein including concerns related to exceptions, legal descriptions, or vesting, please contact any one of your Pioneer Title Company team members:

Escrow Officer

Paige McAllister

Ph: (208) 726-6954

Email: pmcallister@pioneertitleco.com

Title Officer

Jeannie Dibble

Ph: (208) 726-6954

Email: jdibble@pioneertitleco.com

Best Regards,
Your Pioneer Title Co. Team



File No. 790323

Please review the following questions and contact your Escrow Officer or Title Officer if the answer to any is "Yes."

- Are any principals using a Power of Attorney?
- Are any of the parties in title incapacitated or deceased?
- Has a change in marital status occurred for any of the principals?
- Is the property now vested, or will the property be transferred, to a new trust, partnership, or corporation?
- Has any construction or remodeling been done to the property in the last 90 days?

Escrow Officer

Paige McAllister
Ph: (208) 726-6954
Email: pmcallister@pioneertitleco.com

Title Officer

Jeannie Dibble
Ph: (208) 726-6954
Email: jdibble@pioneertitleco.com

Property Address: 402 Sage Road, Unit A & B, Ketchum, ID 83340

Buyer/Borrower: SK Casablanca LLC

Seller: Mary C. Handelsman



Title Fees & Breakdown

Policy Issuing Agent For:
Old Republic National Title Insurance Company

File No.: 790323

COVERAGE

Sales Price	\$1,753,270.00	Owner's Coverage	Standard
Loan Amount		Lender's Coverage	

TITLE POLICY CALCULATIONS FOR DISCLOSURE

Product	CD Disclosed Premiums	Actual Premiums	Premium Adjustments
Loan		\$0.00	(Title Premium Adjustment) \$0.00
Owners	\$4,558.00	\$4,558.00	(Short Term Discount – If Any) \$0.00

OTHER FEES

Owners Endorsements:

Lenders Endorsements:

Owners Inspection N/A

Owners Additional Chain N/A

Lenders Inspection: N/A

Lenders Additional Chain: N/A

Recording Fees:

Deeds \$15.00 (up to 30 pages)

Deed of Trusts \$45.00 (up to 30 pages)

For all other documents the rate shall be:

\$10 for the first page / \$3 each additional page

E-file Fee: An additional \$4.75 per document

CPL Fee: \$25.00

Please contact Jeannie Dibble at jdibble@pioneertitleco.com or (208) 726-6954 with any questions.

ALTA Commitment for Title Insurance



Issued By Old Republic National Title Insurance Company

NOTICE

IMPORTANT—READ CAREFULLY: THIS COMMITMENT IS AN OFFER TO ISSUE ONE OR MORE TITLE INSURANCE POLICIES. ALL CLAIMS OR REMEDIES SOUGHT AGAINST THE COMPANY INVOLVING THE CONTENT OF THIS COMMITMENT OR THE POLICY MUST BE BASED SOLELY IN CONTRACT.

THIS COMMITMENT IS NOT AN ABSTRACT OF TITLE, REPORT OF THE CONDITION OF TITLE, LEGAL OPINION, OPINION OF TITLE, OR OTHER REPRESENTATION OF THE STATUS OF TITLE. THE PROCEDURES USED BY THE COMPANY TO DETERMINE INSURABILITY OF THE TITLE, INCLUDING ANY SEARCH AND EXAMINATION, ARE PROPRIETARY TO THE COMPANY, WERE PERFORMED SOLELY FOR THE BENEFIT OF THE COMPANY, AND CREATE NO EXTRACTIONAL LIABILITY TO ANY PERSON, INCLUDING A PROPOSED INSURED.

THE COMPANY'S OBLIGATION UNDER THIS COMMITMENT IS TO ISSUE A POLICY TO A PROPOSED INSURED IDENTIFIED IN SCHEDULE A IN ACCORDANCE WITH THE TERMS AND PROVISIONS OF THIS COMMITMENT. THE COMPANY HAS NO LIABILITY OR OBLIGATION INVOLVING THE CONTENT OF THIS COMMITMENT TO ANY OTHER PERSON.

COMMITMENT TO ISSUE POLICY

Subject to the Notice; Schedule B, Part I—Requirements; Schedule B, Part II—Exceptions; and the Commitment Conditions, Old Republic National Title Insurance Company, a Florida Corporation (the "Company"), commits to issue the Policy according to the terms and provisions of this Commitment. This Commitment is effective as of the Commitment Date shown in Schedule A for each Policy described in Schedule A, only when the Company has entered in Schedule A both the specified dollar amount as the Proposed Policy Amount and the name of the Proposed Insured.

If all of the Schedule B, Part I—Requirements have not been met within 6 months after the Commitment Date, this Commitment terminates and the Company's liability and obligation end.

Issued By:

Pioneer Title Company of Blaine County
491 N. Main Street, Suite 102
Ketchum, ID 83340

*Authorized Agent for Old Republic National
Title Insurance Company*

Authorized Signatory

OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

A Stock Company
400 Second Avenue South, Minneapolis, Minnesota 55401
(612) 371-1111

By

President

Attest

Secretary

This page is only a part of a 2016 ALTA Commitment for Title Insurance. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I – Requirements; and Schedule B, Part II – Exceptions.

COMMITMENT CONDITIONS

1. DEFINITIONS

- (a) "Knowledge" or "Known": Actual or imputed knowledge, but not constructive notice imparted by the Public Records.
- (b) "Land": The land described in Schedule A and affixed improvements that by law constitute real property. The term "Land" does not include any property beyond the lines of the area described in Schedule A, nor any right, title, interest, estate, or easement in abutting streets, roads, avenues, alleys, lanes, ways, or waterways, but this does not modify or limit the extent that a right of access to and from the Land is to be insured by the Policy.
- (c) "Mortgage": A mortgage, deed of trust, or other security instrument, including one evidenced by electronic means authorized by law.
- (d) "Policy": Each contract of title insurance, in a form adopted by the American Land Title Association, issued or to be issued by the Company pursuant to this Commitment.
- (e) "Proposed Insured": Each person identified in Schedule A as the Proposed Insured of each Policy to be issued pursuant to this Commitment.
- (f) "Proposed Policy Amount": Each dollar amount specified in Schedule A as the Proposed Policy Amount of each Policy to be issued pursuant to this Commitment.
- (g) "Public Records": Records established under state statutes at the Commitment Date for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without Knowledge.
- (a) "Title": The estate or interest described in Schedule A.

2. If all of the Schedule B, Part I—Requirements have not been met within the time period specified in the Commitment to Issue Policy, this Commitment terminates and the Company's liability and obligation end.

3. The Company's liability and obligation is limited by and this Commitment is not valid without:

- (a) the Notice;
- (b) the Commitment to Issue Policy;
- (c) the Commitment Conditions;
- (d) Schedule A;
- (e) Schedule B, Part I—Requirements;
- (f) Schedule B, Part II—Exceptions; and
- (g) a counter-signature by the Company or its issuing agent that may be in electronic form.

4. COMPANY'S RIGHT TO AMEND

The Company may amend this Commitment at any time. If the Company amends this Commitment to add a defect, lien, encumbrance, adverse claim, or other matter recorded in the Public Records prior to the Commitment Date, any liability of the Company is limited by Commitment Condition 5. The Company shall not be liable for any other amendment to this Commitment.

5. LIMITATIONS OF LIABILITY

- (a) The Company's liability under Commitment Condition 4 is limited to the Proposed Insured's actual expense incurred in the interval between the Company's delivery to the Proposed Insured of the Commitment and the delivery of the amended Commitment, resulting from the Proposed Insured's good faith reliance to:
 - (i) comply with the Schedule B, Part I—Requirements;
 - (ii) eliminate, with the Company's written consent, any Schedule B, Part II—Exceptions; or
 - (iii) acquire the Title or create the Mortgage covered by this Commitment.
- (b) The Company shall not be liable under Commitment Condition 5(a) if the Proposed Insured requested the amendment or had Knowledge of the matter and did not notify the Company about it in writing.
- (c) The Company will only have liability under Commitment Condition 4 if the Proposed Insured would not have incurred the expense had the Commitment included the added matter when the Commitment was first delivered to the Proposed Insured.
- (d) The Company's liability shall not exceed the lesser of the Proposed Insured's actual expense incurred in good faith and described in Commitment Conditions 5(a)(i) through 5(a)(iii) or the Proposed Policy Amount.
- (e) The Company shall not be liable for the content of the Transaction Identification Data, if any.
- (f) In no event shall the Company be obligated to issue the Policy referred to in this Commitment unless all of the Schedule B, Part I—Requirements have been met to the satisfaction of the Company.
- (g) In any event, the Company's liability is limited by the terms and provisions of the Policy.

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6. LIABILITY OF THE COMPANY MUST BE BASED ON THIS COMMITMENT

- (a) Only a Proposed Insured identified in Schedule A, and no other person, may make a claim under this Commitment.
- (b) Any claim must be based in contract and must be restricted solely to the terms and provisions of this Commitment.
- (c) Until the Policy is issued, this Commitment, as last revised, is the exclusive and entire agreement between the parties with respect to the subject matter of this Commitment and supersedes all prior commitment negotiations, representations, and proposals of any kind, whether written or oral, express or implied, relating to the subject matter of this Commitment.
- (d) The deletion or modification of any Schedule B, Part II—Exception does not constitute an agreement or obligation to provide coverage beyond the terms and provisions of this Commitment or the Policy.
- (e) Any amendment or endorsement to this Commitment must be in writing and authenticated by a person authorized by the Company.
- (f) When the Policy is issued, all liability and obligation under this Commitment will end and the Company's only liability will be under the Policy.

7. IF THIS COMMITMENT HAS BEEN ISSUED BY AN ISSUING AGENT

The issuing agent is the Company's agent only for the limited purpose of issuing title insurance commitments and policies. The issuing agent is not the Company's agent for the purpose of providing closing or settlement services.

8. PRO-FORMA POLICY

The Company may provide, at the request of a Proposed Insured, a pro-forma policy illustrating the coverage that the Company may provide. A pro-forma policy neither reflects the status of Title at the time that the pro-forma policy is delivered to a Proposed Insured, nor is it a commitment to insure.

9. ARBITRATION

The Policy contains an arbitration clause. All arbitrable matters when the Proposed Policy Amount is \$2,000,000 or less shall be arbitrated at the option of either the Company or the Proposed Insured as the exclusive remedy of the parties. A Proposed Insured may review a copy of the arbitration rules at <http://www.alta.org/arbitration>.



Title Insurance Commitment
First Report

Policy Issuing Agent For:
Old Republic National Title Insurance Company
Issuing Agent: Pioneer Title Company of Blaine County
Issuing Office: 491 N. Main Street, Suite 102

File No.: 790323
Reference No.:

Schedule A

1. Commitment Date: October 28, 2021 7:30AM

2. Policy or Policies to be issued:

(a) 2006 ALTA Owner's Policy - Standard	\$1,753,270.00	\$4,558.00
Proposed Insured: SK Casablanca LLC		
Endorsements:		\$0.00

Inspection Fee: N/A

(b) 2006 ALTA Lender's Policy -

Proposed Insured: \$0.00

Endorsements: \$0.00

Inspection Fee: N/A

3. The estate or interest in the land described or referred to in this Commitment is:
FEE SIMPLE

4. Title to the estate or interest in the land is at the Effective Date vested in:
The heirs or devisees of Mary C. Handelsman, also shown of record as Mary Crutchfield Handelsman, deceased, their interest being subject to the administration of the estate of said Decedent in Blaine County, Probate Case No. CV07-21-00532, wherein Thomas Grebinski is appointed Personal Representative of said estate.

5. The land referred to in this Commitment is described as follows:
SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF.

Old Republic National Title Insurance Company

Authorized Signatory

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Schedule B-I

ALTA COMMITMENT

Requirements

All of the following Requirements must be met:

1. The Proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.
2. Pay the agreed amount for the estate or interest to be insured.
3. Pay the premiums, fees, and charges for the Policy to the Company.
4. Documents satisfactory to the Company that convey the Title or create the Mortgage to be insured, or both, must be properly authorized, executed, delivered, and recorded in the Public Records.
5. We require a copy of the Certificate of Organization, Operating Agreement and Resolutions, and any amendments showing the power and authority of the party or parties who plan to execute the forthcoming conveyance or encumbrance on behalf of SK Casablanca LLC.
6. This Company will require the enclosed Seller or Borrower Affidavit (regarding State Liens and Indigent Care Services) be signed and returned in order to issue the policy herein.

Schedule B-II

ALTA COMMITMENT

Exceptions

THIS COMMITMENT DOES NOT REPUBLISH ANY COVENANT, CONDITION, RESTRICTION, OR LIMITATION CONTAINED IN ANY DOCUMENT REFERRED TO IN THIS COMMITMENT TO THE EXTENT THAT THE SPECIFIC COVENANT, CONDITION, RESTRICTION, OR LIMITATION VIOLATES STATE OR FEDERAL LAW BASED ON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN.

The Policy will not insure against loss or damage resulting from the terms and provisions of any lease or easement identified in Schedule A, and will include the following Exceptions unless cleared to the satisfaction of the Company:

General Exceptions:

1. Any defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records or is created, attaches, or is disclosed between the Commitment Date and the date on which all of the Schedule B, Part I—Requirements are met.
2. Rights or claims of parties in possession not shown by the public records.
3. Encroachments, overlaps, boundary line disputes, and any other matters which would be disclosed by an accurate survey or inspection of the premises including, but not limited to, insufficient or impaired access or matters contradictory to any survey plat shown by the public records.
4. Easements, or claims of easements, not shown by the public records.
5. Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
6. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b) or (c) are shown by the public records.
7. Taxes or special assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records. Proceedings by a public agency which may result in taxes or assessments, or notices to such proceedings, whether or not shown by the records of such agency or by the public records.

(General Exceptions 1 through 7 will not appear as printed Exceptions on Extended Coverage Policies or the ALTA Homeowners Policy)

Special Exceptions:

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8. NOTE: General taxes for the year 2020, which were liens, are paid.

Parcel No.: RPK0348000010

Amount: \$2,673.18

Affects: Sublot 1

NOTE: General taxes for the year 2020, which were liens, are paid.

Parcel No.: RPK0348000020 Amount: \$3,367.86

Affects: Sublot 2

NOTE: The above taxes reflect a Home Owners Exemption. Any new buyer must re-apply to the Blaine County Assessor's office for said exemption.

Affects: Sublot 1

NOTE: The above taxes DO NOT reflect a Home Owners Exemption. Any new buyer must apply to the Blaine County Assessor's office for said exemption.

Affects: Sublot 2

9. General taxes for the year 2021, which are liens and are not yet due and payable.

Parcel No.: RPK0348000010 and RPK0348000020

10. Reservations in United States Patent or State Deeds.

11. Water rights, claims or title to water, whether or not the matters are shown by the public records.

12. Sewer charges and special assessments, if any, for the City of Ketchum.

No search made.

13. Covenants, conditions, restrictions and easements as set forth on the plat.

Name of Plat: Warm Springs Village Subdivision Fourth Addition

Instrument No.: [115701](#)

Deleting or omitting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, or national origin to the extent such covenants, conditions or restrictions violate 42 USC 3604(c).

14. Reservations contained in an instrument

Document: Warranty Deed

Executed by: Mark B. Lloyd and Helen R. Lloyd, husband and wife

Recorded: March 11, 1966

Instrument No.: [124295](#)

15. Terms and conditions of the Affidavit as to Identification of Plats and Descriptions of Real Property, including but not limited to Ketchum Ordinance 302 regarding Avalanche Zones

Recorded: October 10, 1979

Instrument No.: [197578](#)

16. Covenants, Conditions, Restrictions, Reservations, and Easements

Dated: October 1, 2001

Executed by: Declaration, Reciprocal Easement and Party Wall Declaration

Recorded: October 3, 2001

Instrument No.: [456234](#)

Deleting or omitting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, or national origin to the extent such covenants, conditions or restrictions violate 42 USC 3604(c).

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17. Covenants, conditions, restrictions and easements as set forth on the plat.

Name of Plat: LIVING SPRINGS TOWNHOMES

Instrument No.: [453235](#)

Deleting or omitting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, or national origin to the extent such covenants, conditions or restrictions violate 42 USC 3604(c).

18. A Deed of Trust with Adjustable Rate Rider to secure an indebtedness of \$665,000.00, and any other amounts as therein provided, payable under the terms, conditions, provisions and stipulations thereof.

Dated: January 8, 2003

Grantor: Mary Crutchfield Handelsman, an unmarried woman

Trustee: Sun Valley Title Company, an Idaho Corporation

Beneficiary: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. (MERS) is a separate corporation that is acting solely as a nominee for Lender and Lender's successors and assigns

Lender: First Bank of Idaho, FSB

Recorded: January 15, 2003

Instrument No.: [476976](#)

MIN Number: 100174101000004048

Assignment of beneficial interest under said Deed of Trust by the following Instrument

To: 2010-2 SFR Venture, LLC, its successors and assigns

Recorded: August 8, 2011

Instrument No.: [589620](#)

Assignment of beneficial interest under said Deed of Trust by the following Instrument

To: Kirkland Financial LLC

Recorded: August 8, 2011

Instrument No.: [589621](#)

Assignment of beneficial interest under said Deed of Trust by the following Instrument

To: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, its successors and assigns

Recorded: August 8, 2011

Instrument No.: [589622](#)

Assignment of beneficial interest under said Deed of Trust by the following Instrument

To: U.S. Bank Trust National Association, as Trustee for CVI LCF Mortgage Loan Trust I, its successors and assigns

Recorded: July 13, 2015

Instrument No.: [627942](#)

Affects: Sublot 1

19. A Deed of Trust with Adjustable Rate Rider, 1-4 Family Rider and Planned Unit Development Rider to secure an indebtedness of \$645,500.00, and any other amounts as therein provided, payable under the terms, conditions, provisions and stipulations thereof.

Dated: June 20, 2005

Grantor: Mary C. Handelsman, a single woman and Vadim P. Kondratief, a single man

Trustee: First American Title

Beneficiary: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. (MERS) is a separate corporation that is acting solely as a nominee for Lender and Lender's successors and assigns

Lender: Express Capital Lending

Recorded: June 30, 2005

Instrument No.: [522378](#)

MIN Number: 100360426010395274

Affects: Sublot 2

20. Any lien for federal or state estate tax payable by reason of the death of Mary C. Handelsman, also shown of record as Mary Crutchfield Handelsman.

End of Exceptions

NOTE: As an accommodation and not part of this Commitment, no liability is assumed by noting the following conveyances describing all or part of the subject property, which have been recorded within the last months:

None

NOTE: The County Records and/or the City Engineer's Office show the address to be:

402 Sage Road, Unit A & B, Ketchum, ID 83340

NOTE: There is no notice of record and therefore no search has been made for any unpaid assessments, charges, or fees for sewer, water, garbage, irrigation, or other possible utility services.

NOTE: If the proposed insured under the Policy to issue has any questions concerning the coverage or exclusions from coverage, the Company will be pleased to provide an explanation.

NOTE: Pursuant to the State of Idaho insurance regulations, a cancellation fee may be charged on all cancelled orders. Unless otherwise advised, orders will be considered cancelled six months after the effective date on the Commitment. The amount of the fee assessed shall be in accordance with our rate filing with the Idaho Department of Insurance.

EXHIBIT A

Sublot 1 and Sublot 2 of LIVING SPRINGS TOWNHOMES, BLAINE COUNTY, IDAHO, according to the official plat thereof, recorded as Instrument No. 456235, records of Blaine County, Idaho.

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ALTA Commitment for Title Insurance



OLD REPUBLIC TITLE

FACTS	WHAT DOES OLD REPUBLIC TITLE DO WITH YOUR PERSONAL INFORMATION?
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Why?	Financial companies choose how they share your personal information. Federal law gives consumers the right to limit some but not all sharing. Federal law also requires us to tell you how we collect, share, and protect your personal information. Please read this notice carefully to understand what we do.
What?	<p>The types of personal information we collect and share depend on the product or service you have with us. This information can include:</p> <ul style="list-style-type: none"> • Social Security number and employment information • Mortgage rates and payments and account balances • Checking account information and wire transfer instructions <p>When you are <i>no longer</i> our customer, we continue to share your information as described in this notice.</p>
How?	All financial companies need to share customers' personal information to run their everyday business. In the section below, we list the reasons financial companies can share their customers' personal information; the reasons Old Republic Title chooses to share; and whether you can limit this sharing.

Reasons we can share your personal information	Does Old Republic Title share?	Can you limit this sharing?
For our everyday business purposes — such as to process your transactions, maintain your account(s), or respond to court orders and legal investigations, or report to credit bureaus	Yes	No
For our marketing purposes — to offer our products and services to you	No	We don't share
For joint marketing with other financial companies	No	We don't share
For our affiliates' everyday business purposes — information about your transactions and experiences	Yes	No
For our affiliates' everyday business purposes — information about your creditworthiness	No	We don't share
For our affiliates to market to you	No	We don't share
For non-affiliates to market to you	No	We don't share

Questions?	Go to www.oldrepublictitle.com (Contact Us)
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Who we are	
Who is providing this notice?	Companies with an Old Republic Title name and other affiliates. Please see below for a list of affiliates.

What we do	
How does Old Republic Title protect my personal information?	To protect your personal information from unauthorized access and use, we use security measures that comply with federal law. These measures include computer safeguards and secured files and buildings. For more information, visit https://www.oldrepublictitle.com/privacy-policy
How does Old Republic Title collect my personal information?	<p>We collect your personal information, for example, when you:</p> <ul style="list-style-type: none"> • Give us your contact information or show your driver's license • Show your government-issued ID or provide your mortgage information • Make a wire transfer <p>We also collect your personal information from others, such as credit bureaus, affiliates, or other companies.</p>
Why can't I limit all sharing?	<p>Federal law gives you the right to limit only:</p> <ul style="list-style-type: none"> • Sharing for affiliates' everyday business purposes - information about your creditworthiness • Affiliates from using your information to market to you • Sharing for non-affiliates to market to you <p>State laws and individual companies may give you additional rights to limit sharing. See the State Privacy Rights section location at https://www.oldrepublictitle.com/privacy-policy for your rights under state law.</p>

Definitions	
Affiliates	<p>Companies related by common ownership or control. They can be financial and nonfinancial companies.</p> <ul style="list-style-type: none"> • <i>Our affiliates include companies with an Old Republic Title name, and financial companies such as Attorneys' Title Fund Services, LLC, Lex Terrae National Title Services, Inc., Mississippi Valley Title Services Company, and The Title Company of North Carolina.</i>
Non-affiliates	<p>Companies not related by common ownership or control. They can be financial and nonfinancial companies.</p> <ul style="list-style-type: none"> • <i>Old Republic Title does not share with non-affiliates so they can market to you</i>
Joint marketing	<p>A formal agreement between non-affiliated financial companies that together market financial products or services to you.</p> <ul style="list-style-type: none"> • <i>Old Republic Title doesn't jointly market.</i>

Affiliates Who May be Delivering This Notice

American First Title & Trust Company	American Guaranty Title Insurance Company	Attorneys' Title Fund Services, LLC	Compass Abstract, Inc.	eRecording Partners Network, LLC
Genesis Abstract, LLC	Guardian Consumer Services, Inc.	iMarc, Inc.	Kansas City Management Group, LLC	L.T. Service Corp.
Lenders Inspection Company	Lex Terrae National Title Services, Inc.	Lex Terrae, Ltd.	Mississippi Valley Title Services Company	National Title Agent's Services Company
Old Republic Branch Information Services, Inc.	Old Republic Diversified Services, Inc.	Old Republic Escrow of Vancouver, Inc.	Old Republic Exchange Company	Old Republic National Ancillary Services, Inc.
Old Republic National Commercial Title Services, Inc.	Old Republic Title and Escrow of Hawaii, Ltd.	Old Republic National Title Insurance Company	Old Republic Title Company	Old Republic Title Companies, Inc.
Old Republic Title Company of Conroe	Old Republic Title Company of Indiana	Old Republic Title Company of Nevada	Old Republic Title Company of Oklahoma	Old Republic Title Company of Oregon
Old Republic Title Company of St. Louis	Old Republic Title Company of Tennessee	Old Republic Title Information Concepts	Old Republic Title Insurance Agency, Inc.	Old Republic Title, Ltd.
RamQuest Software, Inc.	Republic Abstract & Settlement, LLC	Sentry Abstract Company	Surety Title Agency, Inc.	The Title Company of North Carolina
Trident Land Transfer Company, LLC				



Parcel Number

RPK0348000020

Property Year

2021

Legal Description
LIVING SPRINGS TOWNHOMES
SUBLOT 2

Tax Code Area 003-002

Property Address
402 SAGE RD # B
KETCHUM ID 83340

Parcel Status Active
Property Type Real Property
Sub Type

Owner/Contact Name Type Relationship Owner% HOE
HANDELSMAN MARY C OWNER SOLE OWNR 100.00%

Mailing Address
PO BOX 2596
KETCHUM ID 83340

Land Group LIVING SPRINGS (TOWNHOUSES)
Township Range Section
4N 17E 14
Location Code EERS
Parcel Type
Zoning

Associated Parcels
None

Building Permits
None

Reappraisal Year 2018
Inspection Date 07/11/2017
Appraiser Initials TLR

Parcel Exemption: None

CB: No NC: No

Tax Certification District Roll Type Units Amount

Instrument	Eff Date	Action	Source	Target	Comments
660501	05/31/2019	Ownership	2019		
602122	10/17/2012	Ownership	2012		

SCC	CHARACTERISTIC			ROLLS			ACRES	VALUATION SUMMARY			URBAN RENEWAL	
	Type	Suffix	Description	Assessed	Occupancy	Status	Quantity	Assessed Value	Exemption Amount	Net Taxable Value	Net Taxable Base	Net Taxable Incr
20	LAND			PRIMARY	NO	E	1.830	\$ 358,400	\$ 0	\$ 358,400	--	--
41	RES	1		PRIMARY	NO	E		\$ 401,223	\$ 0	\$ 401,223	--	--
TOTALS:							1.830	\$ 759,623	\$ 0	\$ 759,623	--	--

ROLL STATUS: E Equalized (Final)



BLAINE COUNTY TREASURER

JOHN DAVID DAVIDSON

219 1ST AVE SOUTH SUITE 102

HAILEY ID 83333

TELEPHONE: (208) 788-5530

TAX HISTORY

PARCEL NUMBER

RPK0348000020

LEGAL DESCRIPTION

LIVING SPRINGS TOWNHOMES

SUBLOT 2

PRIMARY PROPERTY ADDRESS

402 SAGE RD # B

KETCHUM ID 83340

HANDELSMAN MARY C

PO BOX 2596

KETCHUM ID 83340

BALANCE DUE	INTEREST DATE 10/29/2021
Paid in Full	BALANCE AS OF 10/29/2021 09:54AM
TOTAL	

Year	Roll	Half	Type	Tax	Certification	Late Charge	Fee	Interest*	TOTAL
2020	Primary	1st	Charge	\$ 1,683.93	\$ -	\$ -	\$ -	\$ -	\$ 1,683.93
			Payment	\$ -1,683.93	\$ -	\$ -	\$ -	\$ -	\$ -1,683.93
		2nd	Charge	\$ 1,683.93	\$ -	\$ -	\$ -	\$ -	\$ 1,683.93
			Payment	\$ -1,683.93	\$ -	\$ -	\$ -	\$ -	\$ -1,683.93
2019	Primary	Charge	\$ 3,716.38	\$ -	\$ -	\$ -	\$ -	\$ 3,716.38	
		Payment	\$ -3,716.38	\$ -	\$ -	\$ -	\$ -	\$ -3,716.38	
2018	Primary	Charge	\$ 3,880.90	\$ -	\$ -	\$ -	\$ -	\$ 3,880.90	
		Payment	\$ -3,880.90	\$ -	\$ -	\$ -	\$ -	\$ -3,880.90	
2017	Primary	Charge	\$ 3,803.32	\$ -	\$ -	\$ -	\$ -	\$ 3,803.32	
		Payment	\$ -3,803.32	\$ -	\$ -	\$ -	\$ -	\$ -3,803.32	
2016	Primary	Charge	\$ 3,830.32	\$ -	\$ -	\$ -	\$ -	\$ 3,830.32	
		Payment	\$ -3,830.32	\$ -	\$ -	\$ -	\$ -	\$ -3,830.32	
2015	Primary	Charge	\$ 3,674.12	\$ -	\$ -	\$ -	\$ -	\$ 3,674.12	
		Payment	\$ -3,674.12	\$ -	\$ -	\$ -	\$ -	\$ -3,674.12	
2014	Primary	Charge	\$ 3,904.30	\$ -	\$ -	\$ -	\$ -	\$ 3,904.30	
		Payment	\$ -3,904.30	\$ -	\$ -	\$ -	\$ -	\$ -3,904.30	
2013	Primary	Charge	\$ 3,724.10	\$ -	\$ -	\$ -	\$ -	\$ 3,724.10	
		Payment	\$ -3,724.10	\$ -	\$ -	\$ -	\$ -	\$ -3,724.10	
2012	Primary	Charge	\$ 3,261.18	\$ -	\$ -	\$ -	\$ -	\$ 3,261.18	
		Payment	\$ -3,261.18	\$ -	\$ -	\$ -	\$ -	\$ -3,261.18	
2011	Primary	Charge	\$ 3,335.08	\$ -	\$ -	\$ -	\$ -	\$ 3,335.08	
		Payment	\$ -3,335.08	\$ -	\$ -	\$ -	\$ -	\$ -3,335.08	
2010	Primary	Charge	\$ 3,149.78	\$ -	\$ -	\$ -	\$ -	\$ 3,149.78	
		Payment	\$ -3,149.78	\$ -	\$ -	\$ -	\$ -	\$ -3,149.78	
2009	Primary	Charge	\$ 3,093.30	\$ -	\$ -	\$ -	\$ -	\$ 3,093.30	
		Payment	\$ -3,093.30	\$ -	\$ -	\$ -	\$ -	\$ -3,093.30	
2008	Primary	Charge	\$ 3,074.94	\$ -	\$ -	\$ -	\$ -	\$ 3,074.94	
		Payment	\$ -3,074.94	\$ -	\$ -	\$ -	\$ -	\$ -3,074.94	
2007	Primary	Charge	\$ 3,481.32	\$ -	\$ -	\$ -	\$ -	\$ 3,481.32	
		Payment	\$ -3,481.32	\$ -	\$ -	\$ -	\$ -	\$ -3,481.32	
2006	Primary	Charge	\$ 3,344.90	\$ -	\$ -	\$ -	\$ -	\$ 3,344.90	
		Payment	\$ -3,344.90	\$ -	\$ -	\$ -	\$ -	\$ -3,344.90	
2005	Primary	Charge	\$ 3,280.04	\$ -	\$ 32.80	\$ -	\$ 45.65	\$ 3,358.49	
		Payment	\$ -3,280.04	\$ -	\$ -32.80	\$ -	\$ -45.65	\$ -3,358.49	

Year	Roll	Half	Type	Tax	Certification	Late Charge	Fee	Interest*	TOTAL
2004	Primary		Charge	\$ 3,524.76	\$ -	\$ -	\$ -	\$ -	\$ 3,524.76
			Payment	\$ -3,524.76	\$ -	\$ -	\$ -	\$ -	\$ -3,524.76
2003	Primary		Charge	\$ 3,886.26	\$ -	\$ 38.86	\$ -	\$ 197.44	\$ 4,122.56
			Payment	\$ -3,886.26	\$ -	\$ -38.86	\$ -	\$ -197.44	\$ -4,122.56
2002	Primary		Charge	\$ 3,219.12	\$ -	\$ -	\$ -	\$ -	\$ 3,219.12
			Adjustment	\$ -622.90	\$ -	\$ -	\$ -	\$ -	\$ -622.90
			Payment	\$ -2,596.22	\$ -	\$ -	\$ -	\$ -	\$ -2,596.22

**BLAINE COUNTY TREASURER****JOHN DAVID DAVIDSON**

219 1ST AVE SOUTH SUITE 102

HAILEY ID 83333

TELEPHONE: (208) 788-5530

TAX MASTER INQUIRY

PARCEL NUMBER

RPK0348000020

TAX CODE AREA

003-002

LEGAL DESCRIPTION

LIVING SPRINGS TOWNHOMES

SUBLOT 2

PRIMARY PROPERTY ADDRESS

402 SAGE RD # B

KETCHUM ID 83340

HANDELSMAN MARY C

PO BOX 2596

KETCHUM ID 83340

BALANCE DUE	INTEREST DATE 10/29/2021
Paid in Full	BALANCE AS OF 10/29/2021 9:54 am
TOTAL	

Tax Year Assessment Roll

Bill Number: 334472

2020	PRIMARY	FIRST HALF	SECOND HALF	FULL YEAR		
TAX / CERTIFICATION						
Charges	\$	1,683.93	\$	1,683.93	\$	3,367.86
Adjustments	\$	0	\$	0	\$	0
Payments	\$	-1,683.93	\$	-1,683.93	\$	-3,367.86
LATE CHARGE						
Charges/Adjustments	\$	0	\$	0	\$	0
Payments	\$	0	\$	0	\$	0
FEES						
Charges/Adjustments	\$	0	\$	0	\$	0
Payments	\$	0	\$	0	\$	0
INTEREST						
Charges/Adjustments	\$	0	\$	0	\$	0
Payments	\$	0	\$	0	\$	0
AMOUNT DUE	\$	0	\$	0	\$	0

VALUATION	
TAXABLE VALUE:	\$ 576,207

CHARGES		
Tax Code Area:	003-002	Levy: 0.005844856
Tax Charge:	\$	3,367.86
Certifications:	\$	0
TOTAL CHARGES:	\$	3,367.86



Parcel Number

RPK0348000010

Property Year

2021

Legal Description
LIVING SPRINGS TOWNHOMES
SUBLOT 1

Tax Code Area 003-002

Property Address
402 SAGE RD # A
KETCHUM ID 83340

Parcel Status Active
Property Type Real Property
Sub Type

Owner/Contact Name Type Relationship Owner% HOE
HANDELSMAN MARY C OWNER SOLE OWNR 100.00% Y

Mailing Address
PO BOX 2596
KETCHUM ID 83340

Land Group LIVING SPRINGS (TOWNHOUSES)
Township Range Section
4N 17E 14
Location Code EERS
Parcel Type
Zoning

Associated Parcels
None

Building Permits
None

Reappraisal Year 2018
Inspection Date 07/11/2017
Appraiser Initials TLR

Parcel Exemption: None

CB: No NC: No

Tax Certification District Roll Type Units Amount

Instrument	Eff Date	Action	Source	Target	Comments
660500	05/31/2019	Ownership		2019	
594060	01/24/2012	Ownership		2012	

SCC	CHARACTERISTIC			ROLLS			ACRES	VALUATION SUMMARY			URBAN RENEWAL	
	Type	Suffix	Description	Assessed	Occupancy	Status	Quantity	Assessed Value	Exemption Amount	Net Taxable Value	Net Taxable Base	Net Taxable Incr
20	LAND			PRIMARY	NO	E	1.830	\$ 358,400	\$ 0	\$ 358,400	--	--
41	RES	1		PRIMARY	NO	E		\$ 366,501	\$ -125,000 HO	\$ 241,501	--	--
TOTALS:							1.830	\$ 724,901	\$ -125,000 HO	\$ 599,901	--	--

ROLL STATUS: E Equalized (Final)

Homeowner's Exemption



BLAINE COUNTY TREASURER

JOHN DAVID DAVIDSON

219 1ST AVE SOUTH SUITE 102

HAILEY ID 83333

TELEPHONE: (208) 788-5530

TAX HISTORY

PARCEL NUMBER

RPK0348000010

LEGAL DESCRIPTION

LIVING SPRINGS TOWNHOMES

SUBLOT 1

PRIMARY PROPERTY ADDRESS

402 SAGE RD # A

KETCHUM ID 83340

HANDELSMAN MARY C

PO BOX 2596

KETCHUM ID 83340

BALANCE DUE	INTEREST DATE 10/29/2021
Paid in Full	BALANCE AS OF 10/29/2021 09:52AM
TOTAL	

Year	Roll	Half	Type	Tax	Certification	Late Charge	Fee	Interest*	TOTAL
2020	Primary	1st	Charge	\$ 1,336.59	\$ -	\$ -	\$ -	\$ -	\$ 1,336.59
			Payment	\$ -1,336.59	\$ -	\$ -	\$ -	\$ -	\$ -1,336.59
		2nd	Charge	\$ 1,336.59	\$ -	\$ -	\$ -	\$ -	\$ 1,336.59
			Payment	\$ -1,336.59	\$ -	\$ -	\$ -	\$ -	\$ -1,336.59
2019	Primary	Charge	\$ 2,949.84	\$ -	\$ -	\$ -	\$ -	\$ 2,949.84	
		Payment	\$ -2,949.84	\$ -	\$ -	\$ -	\$ -	\$ -2,949.84	
2018	Primary	Charge	\$ 3,080.44	\$ -	\$ 30.80	\$ -	\$ 4.13	\$ 3,115.37	
		Payment	\$ -3,080.44	\$ -	\$ -30.80	\$ -	\$ -4.13	\$ -3,115.37	
2017	Primary	Charge	\$ 2,969.54	\$ -	\$ -	\$ -	\$ -	\$ 2,969.54	
		Payment	\$ -2,969.54	\$ -	\$ -	\$ -	\$ -	\$ -2,969.54	
2016	Primary	Charge	\$ 3,027.48	\$ -	\$ -	\$ -	\$ -	\$ 3,027.48	
		Payment	\$ -3,027.48	\$ -	\$ -	\$ -	\$ -	\$ -3,027.48	
2015	Primary	Charge	\$ 2,900.26	\$ -	\$ 29.00	\$ -	\$ 83.64	\$ 3,012.90	
		Payment	\$ -2,900.26	\$ -	\$ -29.00	\$ -	\$ -83.64	\$ -3,012.90	
2014	Primary	Charge	\$ 3,125.14	\$ -	\$ -	\$ -	\$ -	\$ 3,125.14	
		Payment	\$ -3,125.14	\$ -	\$ -	\$ -	\$ -	\$ -3,125.14	
2013	Primary	Charge	\$ 2,940.90	\$ -	\$ -	\$ -	\$ -	\$ 2,940.90	
		Payment	\$ -2,940.90	\$ -	\$ -	\$ -	\$ -	\$ -2,940.90	
2012	Primary	Charge	\$ 3,023.44	\$ -	\$ 30.23	\$ -	\$ 86.68	\$ 3,140.35	
		Payment	\$ -3,023.44	\$ -	\$ -30.23	\$ -	\$ -86.68	\$ -3,140.35	
2011	Primary	Charge	\$ 3,120.08	\$ -	\$ -	\$ -	\$ -	\$ 3,120.08	
		Payment	\$ -3,120.08	\$ -	\$ -	\$ -	\$ -	\$ -3,120.08	
2010	Primary	Charge	\$ 2,955.74	\$ -	\$ -	\$ -	\$ -	\$ 2,955.74	
		Payment	\$ -2,955.74	\$ -	\$ -	\$ -	\$ -	\$ -2,955.74	
2009	Primary	Charge	\$ 2,923.38	\$ -	\$ -	\$ -	\$ -	\$ 2,923.38	
		Payment	\$ -2,923.38	\$ -	\$ -	\$ -	\$ -	\$ -2,923.38	
2008	Primary	Charge	\$ 2,920.00	\$ -	\$ -	\$ -	\$ -	\$ 2,920.00	
		Payment	\$ -2,920.00	\$ -	\$ -	\$ -	\$ -	\$ -2,920.00	
2007	Primary	Charge	\$ 2,911.84	\$ -	\$ -	\$ -	\$ -	\$ 2,911.84	
		Payment	\$ -2,911.84	\$ -	\$ -	\$ -	\$ -	\$ -2,911.84	
2006	Primary	Charge	\$ 3,193.50	\$ -	\$ -	\$ -	\$ -	\$ 3,193.50	
		Payment	\$ -3,193.50	\$ -	\$ -	\$ -	\$ -	\$ -3,193.50	
2005	Primary	Charge	\$ 3,077.12	\$ -	\$ -	\$ -	\$ -	\$ 3,077.12	
		Payment	\$ -3,077.12	\$ -	\$ -	\$ -	\$ -	\$ -3,077.12	

Year	Roll	Half	Type	Tax	Certification	Late Charge	Fee	Interest*	TOTAL
2004	Primary		Charge	\$ 3,306.68	\$ -	\$ -	\$ -	\$ -	\$ 3,306.68
			Payment	\$ -3,306.68	\$ -	\$ -	\$ -	\$ -	\$ -3,306.68
2003	Primary		Charge	\$ 3,643.86	\$ -	\$ 36.44	\$ -	\$ 185.12	\$ 3,865.42
			Payment	\$ -3,643.86	\$ -	\$ -36.44	\$ -	\$ -185.12	\$ -3,865.42
2002	Primary		Charge	\$ 3,291.82	\$ -	\$ -	\$ -	\$ -	\$ 3,291.82
			Adjustment	\$ -622.90	\$ -	\$ -	\$ -	\$ -	\$ -622.90
			Payment	\$ -2,668.92	\$ -	\$ -	\$ -	\$ -	\$ -2,668.92



BLAINE COUNTY TREASURER

JOHN DAVID DAVIDSON

219 1ST AVE SOUTH SUITE 102

HAILEY ID 83333

TELEPHONE: (208) 788-5530

TAX MASTER INQUIRY

PARCEL NUMBER

RPK0348000010

TAX CODE AREA

003-002

LEGAL DESCRIPTION

LIVING SPRINGS TOWNHOMES

SUBLOT 1

PRIMARY PROPERTY ADDRESS

402 SAGE RD # A

KETCHUM ID 83340

HANDELSMAN MARY C

PO BOX 2596

KETCHUM ID 83340

BALANCE DUE	INTEREST DATE 10/29/2021
Paid in Full	BALANCE AS OF 10/29/2021 9:52 am
TOTAL	

Tax Year Assessment Roll

Bill Number: 334471

2020 PRIMARY	FIRST HALF	SECOND HALF	FULL YEAR
TAX / CERTIFICATION			
Charges	\$ 1,336.59	\$ 1,336.59	\$ 2,673.18
Adjustments	\$ 0	\$ 0	\$ 0
Payments	\$ -1,336.59	\$ -1,336.59	\$ -2,673.18
LATE CHARGE			
Charges/Adjustments	\$ 0	\$ 0	\$ 0
Payments	\$ 0	\$ 0	\$ 0
FEES			
Charges/Adjustments	\$ 0	\$ 0	\$ 0
Payments	\$ 0	\$ 0	\$ 0
INTEREST			
Charges/Adjustments	\$ 0	\$ 0	\$ 0
Payments	\$ 0	\$ 0	\$ 0
AMOUNT DUE	\$ 0	\$ 0	\$ 0

VALUATION

Assessed Value:	\$	557,358
Homeowner's Exemption:	\$	-100,000
TAXABLE VALUE:	\$	457,358

CHARGES

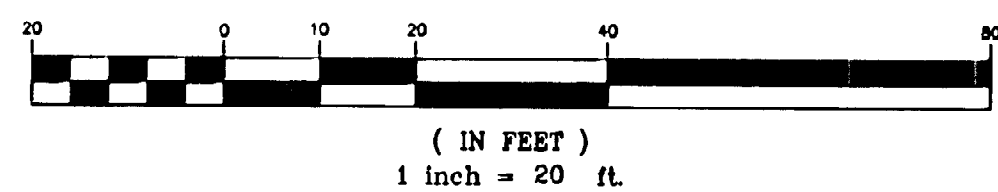
Tax Code Area:	003-002	Levy:	0.005844856
Tax Charge:	\$		2,673.18
Certifications:	\$		0
TOTAL CHARGES:	\$		2,673.18

LIVING SPRINGS TOWNHOMES #456235
 S14 T4N R17E 1 OF 2
 PLAN HOLD CORPORATION • IRVINE, CALIFORNIA
 RECORDED BY NUMBER 07548
 REC. DATE OF PRINT ON THIS LINK

DRAWING NUMBER
 Instrument # 456235
 BLAINE, IDAHO 2200 No. of Pages: 1
 2011-11-15
 Recorded for: SUN VALLEY TITLE
 MARGARET BRENNAN
 Ex-Officio
 RECORDED BY NUMBER 07548
 REC. DATE OF PRINT ON THIS LINK

DRAWING NUMBER
 CORPORATION • IRVINE, CALIFORNIA
 RECORDED BY NUMBER 07548
 REC. DATE OF PRINT ON THIS LINK

A PLAT SHOWING
LIVING SPRINGS TOWNHOMES
 WHEREIN LOT 22, BLOCK 3, WARM SPRINGS VILLAGE SUBDIVISION FOURTH ADDITION IS DIVIDED INTO 2 TOWNHOUSE SUBLOTS
 LOCATED WITHIN A PORTION OF THE SW/4 AND GOVT. LOT 4, SECTION 14, T.4 N., R.17 E., B.M., CITY OF KETCHUM, BLAINE COUNTY, IDAHO
 SEPTEMBER 2001
 GRAPHIC SCALE



NOTES

- 1). SUBJECT PROPERTY LIES WITHIN THE CITY OF KETCHUM'S AVALANCHE ZONE DISTRICT AND MOUNTAIN OVERLAY ZONING DISTRICT AS DEFINED IN ZONING CODE TITLE 15. PERSONS DWELLING IN THIS AREA SHOULD BECOME FAMILIAR WITH THESE PORTIONS OF THE ORDINANCE AND DWELL HERE AT THEIR OWN RISK.
- 2). TOWNHOUSE DECLARATION, RECIPROCAL EASEMENT AND PARTY WALL AGREEMENT FOR LIVING SPRINGS TOWNHOMES IS RECORDED IN BLAINE COUNTY AS INSTRUMENT NO. _____
- 3). THERE SHALL BE NO CONSTRUCTION OUTSIDE OF THE BUILDING ENVELOPE AS DELINEATED BY THE 25% SLOPE LINE AND ZONING SETBACKS.
- 4). BASIS OF BEARINGS IS IDAHO STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD83(1992) AT GRID IN U.S. SURVEY FEET. COMBINED SCALE FACTOR IS 0.999681, GROUND DISTANCES WILL BE SLIGHTLY LONGER. CONVERGENCE ANGLE IS -0°15'50.213".

LEGEND

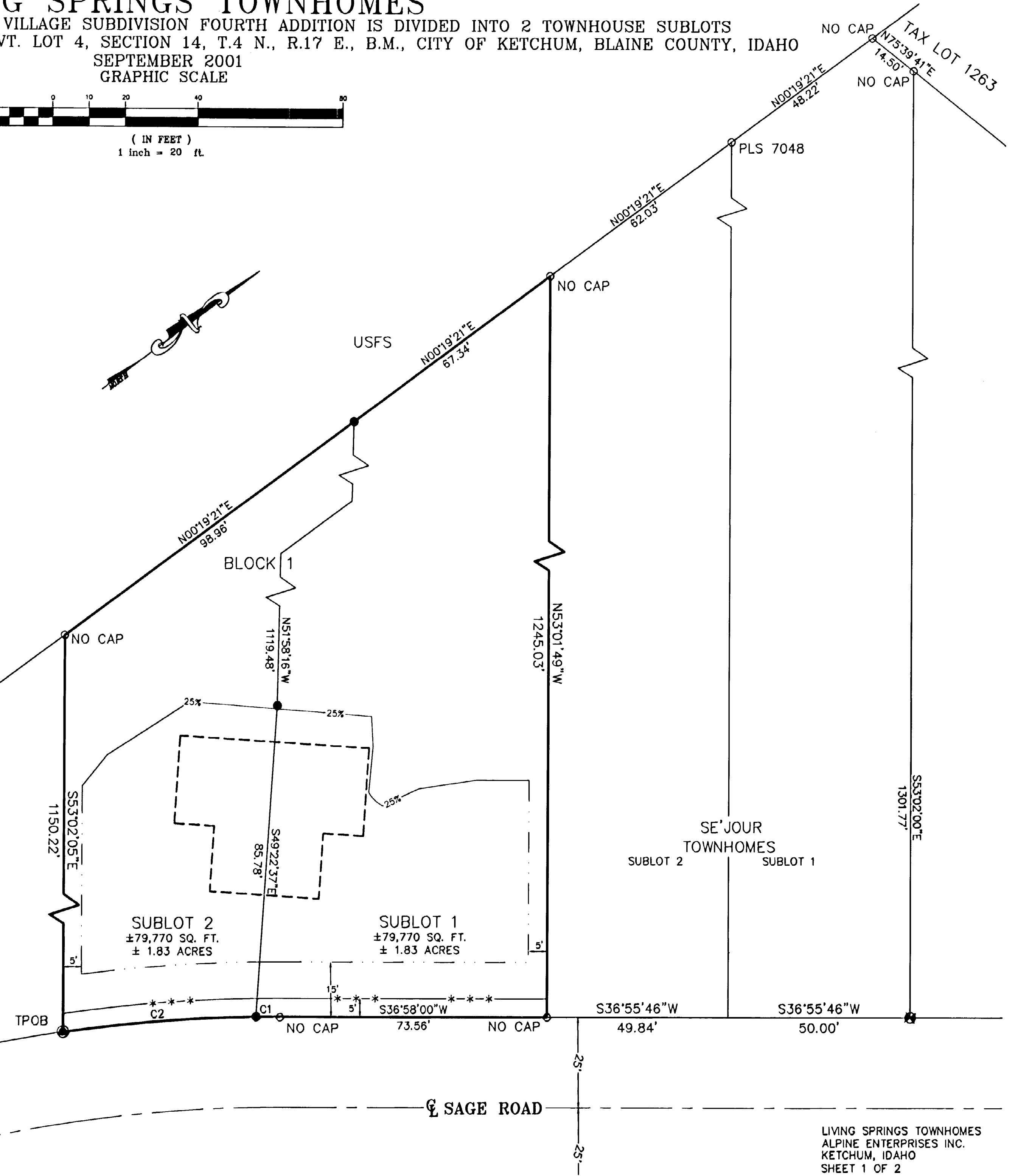
- = FOUND 1/2" REBAR - NO CAP
- ⊕ = FOUND BLM BRASS CAP
- ⊙ = FOUND ALUMINUM CAP
- ⊗ = SET ALUMINUM CAP - TPOB
- = SET 1/2" REBAR - PLS7048
- — — — — = MINIMUM GR-L FRONT AND SIDE SETBACKS
- 25% — = 25% SLOPE LINE
- * — * — = 5' PUBLIC UTILITY EASEMENT
- - - - - = EXISTING STRUCTURE FOOTPRINT

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD	CH BRG
C1	6.63	404.52	0°56'21"	6.63	S36°29'50"W
C2	53.37	404.52	7°33'33"	53.33	S32°14'53"W



HEALTH CERTIFICATE: Sanitary restrictions as required by Idaho Code Title 50, Ch. 13, have been satisfied. Sanitary restrictions may be reimposed in accordance with Idaho Code Title 50, Ch. 13, Sec. 50-1326, by issuance of a Certificate of Disapproval.

Date 9-19-2001
 Signature: Robert Weidman
 South Central District Health Dept., EHS



DRAWING NUMBER
LIVING SPRINGS TOWNHOMES #45235
S14 T4N R17E 2 of 2
PLAN HOLD CORPORATION • IRVINE, CALIFORNIA
RECORDER BY NUMBER 075AR
PORTION DEAL OF PRINT ON THIS LINK

DRAWING NUMBER
Instrument # 45235
HAILEY, BLAINE, IDAHO 11:22:00 No. of Pages: 2
2001-10-03
Recorded for: SUN VALLEY TITLE
MARSHA RIEMANN
EX-OFFICIO Recorder Deputy Fee: 11.00
IRVINE, CALIFORNIA
RECORDER BY NUMBER 075AR
PORTION DEAL OF PRINT ON THIS LINK

DRAWING NUMBER
CORPORATION • IRVINE, CALIFORNIA
RECORDER BY NUMBER 075AR
PORTION DEAL OF PRINT ON THIS LINK

CERTIFICATE OF OWNERSHIP

This is to certify that I, the undersigned, am the owner in fee simple of the following described parcel of land:

A parcel of land located within Section 11, Township 4 North, Range 17 East, Boise Meridian, City of Ketchum, Blaine County, Idaho; more particularly described as follows:

Lot 22, Block 3, Warm Springs Village Subdivision Fourth Addition, according to the official plat thereof, recorded in Book 1 of Plats, Page 9, records of Blaine County, Idaho; to be replatted as Living Springs Townhomes.

The easements indicated hereon are not dedicated to the public, but the right to use said easements is hereby reserved for the public utilities and for any other uses indicated hereon and no permanent structures are to be erected within the lines of said easements. I do hereby certify that all lots in this plat will be eligible to receive water service from an existing water distribution system and that the existing water distribution system has agreed in writing to serve all of the lots shown within this plat.

Townhouse Declaration of Covenants, Conditions and Restrictions and Party Wall Agreement for Living Springs Townhomes is recorded in Blaine County as Instrument No. Att# 4516234.

It is the intent of the owner to hereby include said land in this plat.

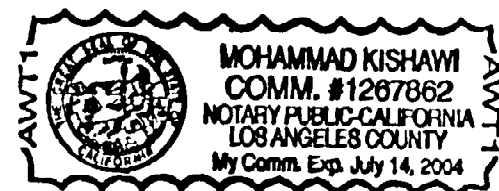
Mary Crutchfield Handelsman
Mary Crutchfield Handelsman

ACKNOWLEDGMENT

STATE OF California }
COUNTY OF Los Angeles } ss

On this 13 day of Sept, 2001, before me, a Notary Public in and for said State, personally appeared Mary Crutchfield Handelsman, a widow, known or identified to me, to be the person whose name is subscribed to the Owner's Certificate and acknowledged to me that she executed the same.

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



Mohammad Kishawi
Notary Public
Los Angeles, California
Residing at
July 14, 2004
My Commission Expires

SURVEYOR'S CERTIFICATE

I, Bruce Smith, a duly licensed Professional Land Surveyor in the State of Idaho, do hereby certify that this plat of LIVING SPRINGS, is a true and accurate map of the land surveyed under my direct supervision and that it is in accordance with the Idaho State Code relating to plats and surveys.



COUNTY SURVEYOR'S APPROVAL

I, Jim W. Koonce, County Surveyor for Blaine County, Idaho, have checked the foregoing plat and computations for making the same and have determined that they comply with the laws of the State of Idaho relating thereto.

Jim W. Koonce
9/17/01

APPROVAL OF CITY COUNCIL

The foregoing plat was approved by the City Council of Ketchum on this 25th day of September, 2001.

Sandra E. Coody
City Clerk



CITY ENGINEER'S APPROVAL

The foregoing plat was approved by Richard Fosbury, City Engineer for the City of Ketchum on this 19 day of September, 2001.

Richard Fosbury
City Engineer

COUNTY TREASURER'S APPROVAL

The taxes on the foregoing parcel of land have been paid to this date and this plat of Living Springs Townhomes is hereby approved this 19th day of September, 2001.

Licki Lick by D. Baird
Blaine County Treasurer

COUNTY RECORDER'S CERTIFICATE


STATE OF IDAHO }
COUNTY OF BLAINE } ss

This is to certify that the foregoing plat was filed in the office of the Recorder of Blaine County, Idaho, on this _____ day of _____, 2001, at _____ M., and duly recorded in Plat Book _____, at page _____.

Merla Payne
Ex-officio Recorder

Instrument # 45235
HAILEY, BLAINE, IDAHO 11:22:00 No. of Pages: 2
2001-10-03
Recorded for: SUN VALLEY TITLE
MARSHA RIEMANN Fee: 11.00
Ex-Officio Recorder Deputy MPP
Index to: PLATS

Sun Valley Title

 A TitleOne Company

File # 19327126

Quitclaim Deed

For value received, Vadim P. Kondratief, an unmarried man,

Does hereby convey, release, remise, and forever quit claim unto

Mary C. Handelsman, an unmarried woman,

whose current address is P.O. Box 2596, Ketchum, ID 83340,

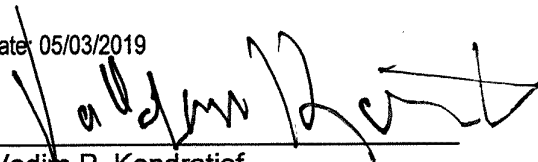
the following described premises:

Sublot 1 of LIVING SPRINGS TOWNHOMES, BLAINE COUNTY, IDAHO, according to the official plat thereof, recorded as Instrument No. 456235, records of Blaine County, Idaho.

This Deed is being recorded to extinguish any life estate interest.

To have and to hold the said premises, unto the said grantees, heirs and assigns forever.

Date: 05/03/2019



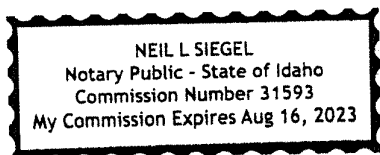
Vadim P. Kondratief

State of Idaho
County of Blaine, ss.

On this 10th day of May in the year of 2019, before me, the undersigned, a Notary Public in and for said State, personally appeared Vadim P. Kondratief known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.




Notary Public
Residing at: Ketchum, Idaho
My Commission Expires: 8/16/2023
(seal)



Instrument # 660501

HAILEY, BLAINE, IDAHO
05-31-2019 4:35:34 PM No. of Pages: 1
Recorded for: TITLEONE - TWIN FALLS
JOLYNN DRAGE Fee: \$15.00
Ex-Officio Recorder Deputy: JB
Electronically Recorded by Simplifile

Sun Valley Title

 A TitleOne Company

File # 19327032

Quitclaim Deed

For value received, Vadim P. Kondratief, an unmarried man,

Does hereby convey, release, remise, and forever quit claim unto

Mary C. Handelsman, an unmarried woman,

whose current address is P.O. Box 2596, Ketchum, ID 83340,

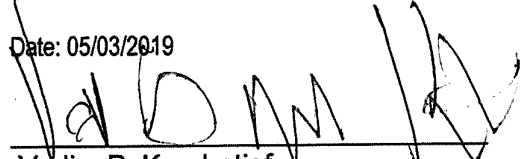
the following described premises:

Sublot 2 of LIVING SPRINGS TOWNHOMES, BLAINE COUNTY, IDAHO, according to the official plat thereof, recorded as Instrument No. 456235, records of Blaine County, Idaho.

This Deed is being recorded to extinguish any life estate interest.

To have and to hold the said premises, unto the said grantees, heirs and assigns forever.


Date: 05/03/2019



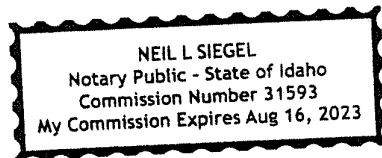
Vadim P. Kondratief

State of Idaho
County of Blaine, ss.

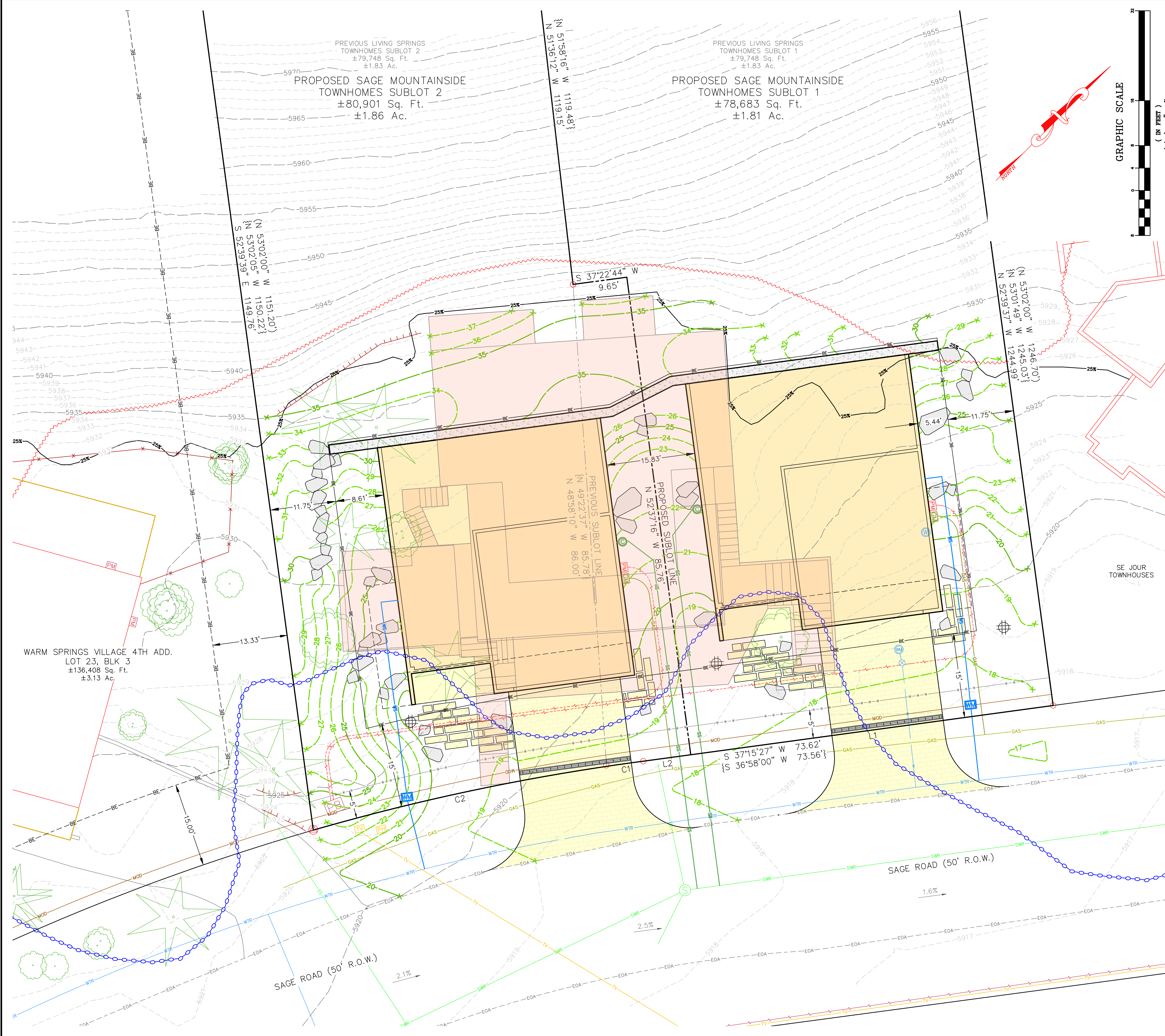
On this 10th day of May in the year of 2019, before me, the undersigned, a Notary Public in and for said State, personally appeared Vadim P. Kondratief known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.



Notary Public
Residing at: Ketchum Idaho
My Commission Expires: 8/16/2023
(seal)



Attachment B:
Townhouse Preliminary Plat



LEGEND

- Subject Boundary
- - - Existing/Proposed Sublot Line
- - - Previous Sublot Line
- - - Adjoiners Boundary
- - - Existing Edge of Asphalt Roadway
- - - Proposed Building Envelope
- - - Existing 5' Public Utility Easement
- - - Mountain Overlay District (City of Ketchum)
- - - 25% Slope Line (Alpine 2022)
- - - Existing 5' Major Contour Line (Alpine 2022)
- - - Existing 1' Minor Contour Line (Alpine 2022)
- - - Proposed 5' Major Contour
- - - Proposed 1' Minor Contour
- - - Existing Wooden Fence
- - - Existing Retaining Wall
- - - Existing Overhead Power
- - - Proposed Underground Power
- - - Existing Water Main
- - - Existing Water Service
- - - Proposed Water Service (C2.0, Detail 4)
- - - Existing Sewer Main
- - - Existing Sewer Service
- - - Proposed Sewer Service (C2.0, Detail 4)
- - - Existing CA/TV
- - - Existing Gas Main
- - - Proposed Gas Service
- - - Red Avalanche Hazard Zone (Alpine 2022)
- - - Blue Avalanche Hazard Zone (Alpine 2022)
- Found 1/2" Rebar
- Set 1/2" Rebar, PLS 7048
- Existing Power Pole
- Existing Sewer Manhole
- Proposed Sewer Cleanout
- Existing Water Meter
- Existing Water Valve
- Existing Well
- Proposed Water Meter (C2.0, Detail 1)
- Proposed Sewer Cleanout
- Existing Phone Box
- Existing CA/TV Box
- Existing Power Box
- Proposed Power Meter
- Proposed Gas Meter
- Existing Conifer Tree
- Existing Deciduous Tree
- Existing Road Grade
- Existing Structure/Deck
- Proposed Structure
- Proposed Concrete Avalanche Protection Wall
- Proposed Deck Line (See Arch. Plan)
- Proposed Paver Driveway
- Proposed Stone Entry
- Proposed Boulders
- Proposed Landscape Dry Well
- Proposed 6" Driveway Trench Drain

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	404.52'	6.60'	6.60'	S 36°58'27" W
(C1)	(404.52')	(6.63')	(6.63')	(S 36°29'50" W)
C2	404.52'	53.44'	53.40'	S 32°43'21" W
(C2)	(404.52')	(53.37')	(53.33')	(N 32°14'53" E)

LINE	LENGTH	BEARING
L1	65.09'	S 37°15'27" W
L2	8.53'	S 37°15'27" W

- NOTES**
- 1) Basis of Bearings is Idaho State Plane Coordinate System, NAD83, Central Zone, at Grid in US Survey Feet. Vertical Datum is NAVD1988.
 - 2) Boundary Information is from the Plat of Living Springs Townhomes, Instrument Number 456235; Records of Blaine County, Idaho.
 - 3) Refer to the Plat Notes, Conditions, Covenants, & Restrictions on the Original Plat.
 - 4) Utility Locations shown are based on visual surface evidence and a DIGLINE INC. locate. Utility locations should be verified by DIGLINE INC. before any excavation.
 - 5) Current Zoning appears to be General Residential Low Density, (GR-L). Please refer to City of Ketchum Zoning Ordinances for more information about this Zone. Front Setbacks are as shown, Side Setbacks are the greater of 1' for every 3' in building height or 5'. Rear Setbacks are the greater of 1' for every 3' in building height or 15'.
 - 6) Subject property lies within the City of Ketchum's Avalanche Zone District and Mountain Overlay Zoning District as defined in Zoning Code Title 15. Persons dwelling in this area should become familiar with these portions of the Ordinance and dwell here at their own risk.
 - 7) Subject property lies within the Blaine County Elk Winter Range Zone.
 - 8) Not all trees and vegetation are shown. Some locations are approximate.
 - 9) Avalanche Zoning is from a 2022 RAMMS Study conducted by Alpine Enterprises Inc. This study is site specific; it should not be applied to adjacent lands.
 - 10) Name & Address of Owner/Subdivider
Sage Mountainside LLC.
P.O. Box 3250
Ketchum, ID 83340
 - 11) Sublots shall have Mutual Reciprocal Utility Easements, for Use, Maintenance, and Repair.

PROJECT PATH AND PRINT DATE U:\LD3\214_L22B3WSV4_CS_214_SageMountainsideTHMS_PrelPlat2023_Rev.dwg 6/9/2023 6:16:29 PM MST

ALPINE ENTERPRISES INC.
Surveying, Mapping, Civil Engineering,
and Natural Hazards Consulting
660 Bell Dr., Unit 1
P.O. Box 2037, Ketchum, ID 83340 USA
(208) 722-1988
email: alpine@alpineenterprisesinc.com

A PRELIMINARY PLAT SHOWING
SAGE MOUNTAINSIDESIDE TOWNHOMES
WITHIN S11 & S14, T.4N., R.17E., B.M., CITY OF KETCHUM, BLAINE COUNTY, IDAHO
PREPARED FOR SAGE MOUNTAINSIDESIDE LLC.

REVISED	NO	DATE	BY
REVISIONS	1	08DEC22	AHN
	2	02MAR23	AHN
	3	15JUN23	AHN

PROFESSIONAL LAND SURVEYOR
7048
STATE OF IDAHO
BRUCE H. HANSEN

SHEET 1 OF 1

**TOWNHOME DECLARATION
OF
COVENANTS, CONDITIONS AND RESTRICTIONS
FOR
SAGE MOUNTAINSIDE
TOWNHOMES**

THIS DECLARATION is made on the _____ Day of _____ 2022 by Sage Mountainside LLC, a limited liability, (collectively "Declarant").

RECITALS

- A. Declarant is the owner of certain real property described as Sage Mountainside Townhomes Sublot 1 and Sublot 2 according to the official plat thereof, recorded as Instrument No. _____, Blaine County, Idaho ("Property").
- B. The Property is presently improved by two unattached townhome residential family dwellings thereon described as Sublot 1 and Sublot 2, Sage Mountainside Townhomes, Blaine County, Idaho.
- C. The street address of Sublot 1 is 402 Sage Road #A, Ketchum, ID 83340. The street address of Sublot 2 is 402 Sage Road #B, Ketchum, ID 83340.
- D. Declarant intends that townhome subplot owners of Sage Mountainside Townhomes shall be subject to this Declaration and shall be members of the management body created hereby.

DECLARATION

NOW, THEREFORE, DECLARANT HEREBY DECLARES THAT:

1. Declaration. This Declaration is hereby established upon Sage Mountainside Townhomes in furtherance of a general plan for improvement and sale of townhome sublots within the Property for the purpose of enhancing and perfecting the value of each townhome unit therein, and for the benefit of each owner of a townhome unit in Sage Mountainside Townhomes.

a) Townhome sublots within Sage Mountainside Townhomes shall be held, conveyed, encumbered, leased, occupied or otherwise used, improved or transferred, in whole or in part, subject to this Declaration and any supplemental declaration.

b) This Declaration and any supplemental declaration shall run with Sage Mountainside Townhomes real property and all townhome sublots located therein, and shall be binding upon and inure to the benefit of all parties having or hereafter acquiring any right, title or interest in Sage Mountainside Townhomes or any portion thereof.

2. Definitions.

a) Townhome Sublot. A "townhome subplot" means an estate in real property with a fee interest in a townhome subplot shown and described on the plat for Sage Mountainside Townhomes.

b) Townhome Unit. A "townhome unit" means a building on a townhome subplot shown and described on the plat for Sage Mountainside Townhomes.

3. Property Rights.

a) Utilities. All townhome subplot owners shall have mutual non-exclusive reciprocal easements for existing and future water, cable tv, sewage, telephone and electrical lines under and across their townhome units and townhome sublots for the repair, maintenance and replacement thereof subject to the restoration of the easement premises for any damage resulting from such repair or replacement.

b) Encroachments. If any portion of a townhome subplot or unit encroaches on the other townhome subplot or unit, regardless of the cause, a valid easement exists for such encroachment and for the maintenance of it so long as it remains.

c) Drywells. There are approximately four (4) dry wells located on the Property as shown on Exhibit "A" attached hereto and by this reference made a part hereof. A reciprocal easement for maintenance and repair exists for the dry wells and connecting underground conduit. Each subplot owner is responsible to keep the dry well and connecting conduit on their subplot free from debris. Both subplot owners are equally responsible to keep the dry wells on their common subplot property boundary free from debris.

d) Shared Avalanche Wall. Owners of subplot 1 and subplot 2 agree to share in the maintenance and repairs of the avalanche wall.

4. Use Restrictions.

a) Residential Use. The townhome sublots are restricted to residential uses

permitted by the Ketchum Zoning Ordinance as amended from time to time.

b) Maintenance. Each owner of a townhome subplot shall be responsible for maintaining their townhome subplot landscaping and all improvements thereon in a clean, sanitary, and attractive condition.

c) Offensive Conduct. No noxious or offensive activities shall be conducted within a townhome unit or townhome subplot. Nothing shall be done on or within the townhome units or townhome sublots that may be or may become an annoyance or nuisance to the residents of the townhome sublots, or that in any way interferes with the quiet enjoyment of the occupants of townhome units.

5. Parking Restrictions. No inoperative vehicle, unsightly vehicle, or any improperly parked or stored vehicle shall be located on a townhome subplot.

6. External Fixtures. No television or radio poles, antenna, flag poles, clotheslines, or other external fixtures other than those originally installed by Declarant or unanimously approved by the subplot owners shall be constructed, erected or maintained on or within Sage Mountainside Townhomes.

7. Trash. Trash, garbage or other waste shall be keep only in sanitary containers situated within the garage of the townhome unit. No owner shall permit or cause any trash or refuse to be keep on any portion of the Sage Mountainside Townhomes other than receptacles customarily used for it, which shall be located in the garage of the townhome unit, except on the scheduled day for trash pickup.

8. Architectural Control.

a) Architectural Committee. The architectural committee shall be the subplot owners of Sage Mountainside Townhomes as constituted from time to time. The architectural committee shall exercise its best judgment to see that all improvements, construction, landscaping and alterations that affect the exterior of Sage Mountainside Townhomes conform and harmonize with the existing structures as to external design, materials, color and topography.

b) Approval. No improvements of any kind or of any nature shall ever be altered, constructed, erected or permitted, nor shall any excavating, clearing or landscaping be done on any townhome subplot within Sage Mountainside Townhomes unless the same are approved by the architectural committee prior to the commencement of such work. The management body shall consider the materials to be used on the exterior features of said proposed improvements, including exterior colors and harmony of the exterior design with existing structures within Sage Mountainside Townhomes.

9. Insurance. The townhome subplot owners shall provide and be responsible for their

Attachment C:
Draft Findings of Fact Conclusions of Law &
Decision



City of Ketchum
Planning & Building

IN RE:)
)
Sage Mountainside Townhomes) KETCHUM CITY COUNCIL
Townhouse Preliminary Plat) FINDINGS OF FACT, CONCLUSIONS OF LAW, AND
File Number: P22-070A) DECISION
)
Date: July 17, 2023)
)

PROJECT: Sage Mountainside Townhomes

APPLICATION TYPE: Townhouse Preliminary Plat

FILE NUMBER: P22-070A

ASSOCIATED APPLICATIONS: Mountain Overlay Design Review & Conditional Use Permit Applications
(File No. P22-070 & P22-070B)

PROPERTY OWNER: Sage Mountainside LLC

REPRESENTATIVE: Shilpa Sushil, Connect Homes (Architect)

LOCATION: 400 & 402 Sage Road (Living Springs Townhomes)

ZONING: General Residential – Low Density (GR-L) & Mountain Overlay (MO)

RECORD OF PROCEEDINGS

The Planning and Zoning Commission considered the Sage Mountainside Townhomes Mountain Overlay Design Review Application File No. P22-070 during their meeting on May 9, 2023. The meeting was continued to June 27, 2023. The application was considered concurrently with Townhouse Preliminary Plat and Conditional Use Permit Applications File No. P22-070A & P22-070B and the public hearings were combined in accordance with Idaho Code §67-6522.

Public Hearing Notice & Public Comment

A public hearing notice for the project was mailed to all owners of property within 300 feet of the project site and all political subdivisions on April 19, 2023. The public hearing notice was published in the Idaho Mountain Express on April 19, 2023. A notice was posted on the project site and the city’s website on April 24, 2023. The story pole was installed on the project site on May 2, 2023.

FINDINGS OF FACT

The City Council, having reviewed the entire project record, provided notice, and conducted the required public hearing, does hereby make and set forth these Findings of Fact, Conclusions of Law, and Decision as follows:

BACKGROUND

The applicant is proposing to demolish an existing attached townhouse and construct two new detached modular townhomes (the “project”) located at 400 & 402 Sage Road (the “subject property”) within the General Residential – Low Density Zoning District (the “GR-L Zone”) and Mountain Overlay District (the “MOD”). The proposed townhomes are 4,820 square feet each and contain four bedrooms and a two-car garage. A conditional use permit is required for the project as an avalanche protective wall spanning the length of the two townhomes is proposed. A townhouse preliminary plat to vacate the existing Living Springs Townhomes subdivision and reestablish new townhouse sublots.

The subject property is comprised of one lot subdivided into two townhouse sublots. The lot is part of the Warm Springs Village Subdivision, Fourth Addition that was created in 1961 under the jurisdiction of Blaine County. The attached townhouse was constructed in 1966 under Blaine County’s development standards prior to the subject property being annexed into the City of Ketchum. At the time of construction, there were no development standards specific to hillside development. After annexation into the City of Ketchum, approval for the townhouse subdivision was granted in 2001.

While the existing attached townhome is more than 50 years old, the building is not designated on the city’s adopted Historic Building/Site List. Review by the Historic Preservation Commission is not required; however, a demolition permit cannot be issued for the existing residence until a 60-day waiting period has concluded (KMC §15.16.040.B3) and a complete building permit application for a replacement project on the property has been accepted by the city and required fees have been paid (KMC §17.20.010.B).

All improvements to the right-of-way have been preliminarily reviewed by the Streets Department and City Engineer with no comments on the proposed access and right-of-way improvements. Final review of the proposed improvements will be conducted by the City Engineer and Streets Department prior to issuance of a building permit.

FINDINGS REGARDING COMPLIANCE WITH TOWNHOUSE SUBDIVISION REQUIREMENTS

Townhouse Plat Requirements				
Compliant			Standards	
Yes	No	N/A	City Code	City Standards
<input type="checkbox"/>	<input type="checkbox"/>	X	16.04.080.B	Townhouse Owners' Documents: The subdivider of the townhouse project shall submit with the preliminary plat application a copy of the proposed party wall agreement and any proposed document(s) creating an association of owners of the proposed townhouse sublots, which shall adequately provide for the control and maintenance of all commonly held facilities, garages, parking and/or open spaces. Prior to final plat approval, the subdivider shall submit to the city a final copy of such documents and shall file such documents prior to recordation of the plat, which shall reflect the recording instrument numbers.

			<i>Commission Findings</i>	The applicants have provided draft covenant documents as part of the application materials. The party wall agreement for the shared avalanche protective wall is shown in section 3.d of the draft covenant documents
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.080.C.1	<p>Preliminary Plat Procedure: Townhouse developments shall be administered consistent with the procedures and design and development regulations established in §16.04.030 and §16.04.040 and the standards of this subsection.</p> <p>All townhouse developments shall be platted under the procedures contained in the subdivision ordinance in effect and shall be required to obtain design review approval prior to building permit issuance.</p>
			<i>Commission Findings</i>	The applicant submitted a Design Review application for the project in conjunction with the townhouse subdivision application. Both applications were reviewed by the Planning & Zoning Commission.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.080.C.2	The subdivider may apply for preliminary plat approval from the commission pursuant to subsection 16.04.030D of this chapter at the time application is made for design review approval pursuant to title 17, chapter 17.96 of this code. The commission may approve, deny or conditionally approve such preliminary plat upon consideration of the action taken on the application for design review of the project.
			<i>Commission Findings</i>	The applicant submitted a Design Review application for the project in conjunction with the townhouse subdivision application. Both applications were reviewed by the Planning & Zoning Commission.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.080.C.3	The preliminary plat, other data, and the commission's findings may be transmitted to the council prior to commencement of construction of the project under a valid building permit issued by the City. The council shall act on the preliminary plat pursuant to subsection 16.04.030E and F of this chapter.
			<i>Commission Findings</i>	Following adoption of the Findings of Fact for the Townhouse Subdivision application, staff will transmit the application and findings to the City Council for review and approval prior to issuance of a building permit for the project.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.080.C.4	4. In the event a phased townhouse development project is proposed, after preliminary plat is granted for the entirety of a project, the final plat procedure for each phase of a phased development project shall follow §16.04.030.G and comply with the additional provisions of §16.04.110 of this code.
			<i>Commission Findings</i>	No phased development agreement is proposed.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.080.D	<p>D. Final Plat Procedure:</p> <p>1. The final plat procedure contained in subsection 16.04.030G of this chapter shall be followed. However, the final plat shall not be signed by the city clerk and recorded until the townhouse has received either:</p> <p>a. A certificate of occupancy issued by the city of Ketchum for all structures in the townhouse development and completion of all design review elements as approved by the planning and zoning administrator; or</p> <p>b. Signed council approval of a phased development project consistent with §16.04.110 herein.</p> <p>2. The council may accept a security agreement for any design review elements not completed on a case by case basis pursuant to title 17, chapter 17.96 of this code.</p>

			<i>Commission Findings</i>	Following receipt of a certificate of occupancy, the applicant shall submit an application for final plat following all procedures as outlined in Title 16 of the Ketchum Municipal Code.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.080.E.1	<p>E. Required Findings: In addition to all Townhouse Developments complying with the applicable provisions of Title 17 and this Subdivision Chapter (§16.04), the Administrator shall find that</p> <p>All Townhouse Developments, including each individual subplot, shall not exceed the maximum building coverage requirements of the zoning district.</p>
			<i>Commission Findings</i>	The maximum building coverage in the GR-L zone district is 35% of the lot. The subject property is 159,529 square feet. The proposed detached townhomes have a building coverage of 10,158 square feet. This results in a total building coverage of 6% of the lot.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.080.E.2	<p>Garage: All garages shall be designated on the preliminary and final plats and on all deeds as part of the particular townhouse units. Detached garages may be platted on separate sublots; provided, that the ownership of detached garages is tied to specific townhouse units on the townhouse plat and in any owner's documents, and that the detached garage(s) may not be sold and/or owned separate from any dwelling unit(s) within the townhouse development.</p>
			<i>Commission Findings</i>	Both sublots include two car garages.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.080.E.3	<p>General Applicability: All other provisions of this chapter and all applicable ordinances, rules and regulations of the city and all other governmental entities having jurisdiction shall be complied with by townhouse subdivisions. (Ord. 1061 § 3, 2009; Ord. 879 § 4, 2001; Ord. 460 § 2, 1987)</p>
			<i>Commission Findings</i>	During department review of the Design Review application, staff reviewed the project for compliance with the Zoning Regulations, dimensional standards, and development standards for the City of Ketchum. As conditioned, the townhouse subdivision application meets all applicable regulations.

FINDINGS REGARDING PRELIMINARY PLAT SUBDIVISION REQUIREMENTS

Preliminary Plat Requirements				
Compliant				
Yes	No	N/A	City Code	City Standards
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.C.1	The subdivider shall file with the administrator copies of the completed subdivision application form and preliminary plat data as required by this chapter.
			<i>Commission Findings</i>	The City of Ketchum Planning and Building Department received the subdivision application and all applicable application materials on December 8, 2022.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.I	Contents Of Preliminary Plat: The preliminary plat, together with all application forms, title insurance report, deeds, maps, and other documents reasonably required, shall constitute a complete subdivision application.
			<i>Commission Findings</i>	The subdivision application was deemed complete on April 13, 2022.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.I .1	The preliminary plat shall be drawn to a scale of not less than one inch equals one hundred feet (1" = 100') and shall show the following: The scale, north point and date.
			<i>Commission Findings</i>	This standard is met as shown on Sheet 1 of the preliminary plat.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.I .2	The name of the proposed subdivision, which shall not be the same or confused with the name of any other subdivision in Blaine County, Idaho.
			<i>Commission Findings</i>	As shown on Sheet 1 of the preliminary plat, the subdivision is named "Sage Mountainside Townhomes" which is not the same as any other subdivision in Blaine County, Idaho.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.I .3	The name and address of the owner of record, the subdivider, and the engineer, surveyor, or other person preparing the plat.
			<i>Commission Findings</i>	As shown on Sheet 1, the owner and subdivider is Sage Mountainside LLC. The plat was prepared by Bruce Smith of Alpine Enterprises.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.I .4	Legal description of the area platted.
			<i>Commission Findings</i>	The legal description of the area platted is shown on the preliminary plat.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.I .5	The names and the intersecting boundary lines of adjoining subdivisions and parcels of property.
			<i>Commission Findings</i>	The preliminary plat indicates the boundary lines of the adjoining lots including townhouse lots and lots within Warm Springs Village 4 th Addition.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.I .6	A contour map of the subdivision with contour lines and a maximum interval of five feet (5') to show the configuration of the land based upon the United States geodetic survey data, or other data approved by the city engineer.
			<i>Commission Findings</i>	The preliminary plat shows the contour lines for the subject property.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.I 7	The scaled location of existing buildings, water bodies and courses and location of the adjoining or immediately adjacent dedicated streets, roadways and easements, public and private.
			<i>Commission Findings</i>	The preliminary plat shows the location of the proposed units and all adjacent streets and easements.
			16.04.030.I .8	Boundary description and the area of the tract.

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Commission Findings</i>	The preliminary plat provides the boundary description of the area and includes square footage and acreage of both sublots.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.I .9	Existing zoning of the tract.
			<i>Commission Findings</i>	Plat note #5 of the preliminary plat lists the existing zoning of the subject property.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.I .10	The proposed location of street rights of way, lots, and lot lines, easements, including all approximate dimensions, and including all proposed lot and block numbering and proposed street names.
			<i>Commission Findings</i>	The preliminary plat shows the locations and lot lines for the proposed townhouse sublots. No new streets or blocks are being proposed with this application.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.030.I .11	The location, approximate size and proposed use of all land intended to be dedicated for public use or for common use of all future property owners within the proposed subdivision.
			<i>Commission Findings</i>	This standard is not applicable as there is no requirement or proposal for land dedicated for public or common use.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.I .12	The location, size and type of sanitary and storm sewers, water mains, culverts and other surface or subsurface structures existing within or immediately adjacent to the proposed sanitary or storm sewers, water mains, and storage facilities, street improvements, street lighting, curbs, and gutters and all proposed utilities.
			<i>Commission Findings</i>	As shown on Sheet 1, each detached townhouse will have separate services for water and sewer from the main lines in Sage Road
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.030.I .13	The direction of drainage, flow and approximate grade of all streets.
			<i>Commission Findings</i>	This standard does not apply as no new streets are proposed.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.030.I .14	The location of all drainage canals and structures, the proposed method of disposing of runoff water, and the location and size of all drainage easements, whether they are located within or outside of the proposed plat.
			<i>Commission Findings</i>	This standard does not apply as no new drainage canals or structures are proposed.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.030.I .15	All percolation tests and/or exploratory pit excavations required by state health authorities.
			<i>Commission Findings</i>	This standard does not apply as no addition tests are required.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.030.I .16	A copy of the provisions of the articles of incorporation and bylaws of homeowners' association and/or condominium declarations to be filed with the final plat of the subdivision.
			<i>Commission Findings</i>	This standard does not apply as there will not be a homeowner's association for the two properties.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.I .17	Vicinity map drawn to approximate scale showing the location of the proposed subdivision in reference to existing and/or proposed arterials and collector streets.
			<i>Commission Findings</i>	The project plans includes a vicinity map that satisfies this requirement.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.030.I .18	The boundaries of the floodplain, floodway and avalanche zoning district shall also be clearly delineated and marked on the preliminary plat.
			<i>Commission Findings</i>	The subject property is not within a floodplain or floodway district. Avalanche district boundaries are shown on preliminary plat.

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.030.I .19	Building envelopes shall be shown on each lot, all or part of which is within a floodway, floodplain, or avalanche zone; or any lot that is adjacent to the Big Wood River, Trail Creek, or Warm Springs Creek; or any lot, a portion of which has a slope of twenty five percent (25%) or greater; or upon any lot which will be created adjacent to the intersection of two (2) or more streets.
			<i>Commission Findings</i>	Building envelope is shown on preliminary plat as the lot contains 25% slope.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.I .20	Lot area of each lot.
			<i>Commission Findings</i>	As shown on Sheet 1 of the preliminary plat, the area of Sublot 1 is 78,686 square feet and the area of Sublot 2 is 80,843 square feet.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.I .21	Existing mature trees and established shrub masses.
			<i>Commission Findings</i>	As shown on the preliminary plat, there are a variety of trees and shrubs existing on the property.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.I .22	A current title report shall be provided at the time that the preliminary plat is filed with the administrator, together with a copy of the owner's recorded deed to such property.
			<i>Commission Findings</i>	The applicant provided a title commitment issued by Pioneer Title Co. dated October 29, 2021 and a warranty deed recorded at Instrument Number 691850 with the initial application.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.I .23	Three (3) copies of the preliminary plat shall be filed with the administrator.
			<i>Commission Findings</i>	The City of Ketchum received hard and digital copies of the preliminary plat at the time of application.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.040.A	Required Improvements: The improvements set forth in this section shall be shown on the preliminary plat and installed prior to approval of the final plat. Construction design plans shall be submitted and approved by the city engineer. All such improvements shall be in accordance with the comprehensive plan and constructed in compliance with construction standard specifications adopted by the city. Existing natural features which enhance the attractiveness of the subdivision and community, such as mature trees, watercourses, rock outcroppings, established shrub masses and historic areas, shall be preserved through design of the subdivision.
			<i>Commission Findings</i>	All proposed improvements to the public right-of-way are shown in the project plans. The applicant also submitted a set of preliminary construction design plans for review by the City Engineer. Final review and approval of the right-of-way improvements will be conducted during building permit review per the conditions of approval. The subject property does not include any watercourses, rock outcroppings, shrub masses or historic areas.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.B	Improvement Plans: Prior to approval of final plat by the commission, the subdivider shall file two (2) copies with the city engineer, and the city engineer shall approve construction plans for all improvements required in the proposed subdivision. Such plans shall be prepared by a civil engineer licensed in the state.
			<i>Commission Findings</i>	This standard does not apply as this is a preliminary plat application, not a final plat application.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.C	Prior to final plat approval, the subdivider shall have previously constructed all required improvements and secured a certificate of completion from the city

				<p>engineer. However, in cases where the required improvements cannot be constructed due to weather conditions or other factors beyond the control of the subdivider, the city council may accept, in lieu of any or all of the required improvements, a performance bond filed with the city clerk to ensure actual construction of the required improvements as submitted and approved. Such performance bond shall be issued in an amount not less than one hundred fifty percent (150%) of the estimated costs of improvements as determined by the city engineer. In the event the improvements are not constructed within the time allowed by the city council (which shall be one year or less, depending upon the individual circumstances), the council may order the improvements installed at the expense of the subdivider and the surety. In the event the cost of installing the required improvements exceeds the amount of the bond, the subdivider shall be liable to the city for additional costs. The amount that the cost of installing the required improvements exceeds the amount of the performance bond shall automatically become a lien upon any and all property within the subdivision owned by the owner and/or subdivider.</p>
			<i>Commission Findings</i>	This standard does not apply as this is a preliminary plat application, not a final plat application.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.D	<p>As Built Drawing: Prior to acceptance by the city council of any improvements installed by the subdivider, two (2) sets of as built plans and specifications, certified by the subdivider's engineer, shall be filed with the city engineer. Within ten (10) days after completion of improvements and submission of as built drawings, the city engineer shall certify the completion of the improvements and the acceptance of the improvements, and shall submit a copy of such certification to the administrator and the subdivider. If a performance bond has been filed, the administrator shall forward a copy of the certification to the city clerk. Thereafter, the city clerk shall release the performance bond upon application by the subdivider.</p>
			<i>Commission Findings</i>	This standard does not apply as this is a preliminary plat application, not a final plat application.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.E	<p>Monumentation: Following completion of construction of the required improvements and prior to certification of completion by the city engineer, certain land survey monuments shall be reset or verified by the subdivider's engineer or surveyor to still be in place. These monuments shall have the size, shape, and type of material as shown on the subdivision plat. The monuments shall be located as follows:</p> <ol style="list-style-type: none"> 1. All angle points in the exterior boundary of the plat. 2. All street intersections, points within and adjacent to the final plat. 3. All street corner lines ending at boundary line of final plat. 4. All angle points and points of curves on all streets. 5. The point of beginning of the subdivision plat description.
			<i>Commission Findings</i>	This standard does not apply as this is a preliminary plat application, not a final plat application.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.040.F	<p>Lot Requirements:</p> <ol style="list-style-type: none"> 1. Lot size, width, depth, shape and orientation and minimum building setback lines shall be in compliance with the zoning district in which the property is located and compatible with the location of the subdivision and the type of development, and preserve solar access to adjacent properties and buildings. 2. Whenever a proposed subdivision contains lot(s), in whole or in part, within the floodplain, or which contains land with a slope in excess of twenty five percent (25%), based upon natural contours, or creates corner lots at the intersection of

			<p>two (2) or more streets, building envelopes shall be shown for the lot(s) so affected on the preliminary and final plats. The building envelopes shall be located in a manner designed to promote harmonious development of structures, minimize congestion of structures, and provide open space and solar access for each lot and structure. Also, building envelopes shall be located to promote access to the lots and maintenance of public utilities, to minimize cut and fill for roads and building foundations, and minimize adverse impact upon environment, watercourses and topographical features. Structures may only be built on buildable lots. Lots shall only be created that meet the definition of "lot, buildable" in section 16.04.020 of this chapter. Building envelopes shall be established outside of hillsides of twenty five percent (25%) and greater and outside of the floodway. A waiver to this standard may only be considered for the following:</p> <ol style="list-style-type: none"> a. For lot line shifts of parcels that are entirely within slopes of twenty five percent (25%) or greater to create a reasonable building envelope, and mountain overlay design review standards and all other city requirements are met. b. For small, isolated pockets of twenty five percent (25%) or greater that are found to be in compliance with the purposes and standards of the mountain overlay district and this section. <p>3. Corner lots shall have a property line curve or corner of a minimum radius of twenty five feet (25') unless a longer radius is required to serve an existing or future use.</p> <p>4. Side lot lines shall be within twenty degrees (20°) to a right angle or radial line to the street line.</p> <p>5. Double frontage lots shall not be created. A planting strip shall be provided along the boundary line of lots adjacent to arterial streets or incompatible zoning districts.</p> <p>6. Every lot in a subdivision shall have a minimum of twenty feet (20') of frontage on a dedicated public street or legal access via an easement of twenty feet (20') or greater in width. Easement shall be recorded in the office of the Blaine County recorder prior to or in conjunction with recordation of the final plat.</p>	
		<p><i>Commission Findings</i></p>		<ol style="list-style-type: none"> 1. The proposed townhouse subdivision meets all dimensional standards as outlined in the GR-L zone district for the parent lot. The minimum lot size is 8,000 square feet and the parent lot is 159,529 square feet. The new detached townhouses meet minimum setback requirements in the GR-L for the front, side, and rear. There are no minimum setbacks to the interior lot line of a townhouse lot. 2. A building envelope is required as the lot contains areas greater than 25%. A waiver has been granted for the building envelope to encroach into the 25% slope area as it is believed the site was previously entirely within the 25% slope area. The Commission found the siting of the structures to meet the Mountain Overlay standards and therefor were willing to allow the development to encroach further into the 25% slope. 3. The subject property is not a corner lot. 4. The parent lot of the townhouse subdivision and the newly created subplot lot line is within 20 degrees to a right angle to the street lot line along Sage Road. 5. The subject property is not a double frontage lot. 6. Both Sublots have a minimum of 20 feet of frontage on Sage Road.

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.G	<p>G. Block Requirements: The length, width and shape of blocks within a proposed subdivision shall conform to the following requirements:</p> <ol style="list-style-type: none"> 1. No block shall be longer than one thousand two hundred feet (1,200'), nor less than four hundred feet (400') between the street intersections, and shall have sufficient depth to provide for two (2) tiers of lots. 2. Blocks shall be laid out in such a manner as to comply with the lot requirements. 3. The layout of blocks shall take into consideration the natural topography of the land to promote access within the subdivision and minimize cuts and fills for roads and minimize adverse impact on environment, watercourses and topographical features. 4. Corner lots shall contain a building envelope outside of a seventy five foot (75') radius from the intersection of the streets.
<i>Commission Findings</i>			This standard does not apply as no new blocks are being created.	
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.H	<p>Street Improvement Requirements:</p> <ol style="list-style-type: none"> 1. The arrangement, character, extent, width, grade and location of all streets put in the proposed subdivision shall conform to the comprehensive plan and shall be considered in their relation to existing and planned streets, topography, public convenience and safety, and the proposed uses of the land; 2. All streets shall be constructed to meet or exceed the criteria and standards set forth in chapter 12.04 of this code, and all other applicable ordinances, resolutions or regulations of the city or any other governmental entity having jurisdiction, now existing or adopted, amended or codified; 3. Where a subdivision abuts or contains an existing or proposed arterial street, railroad or limited access highway right of way, the council may require a frontage street, planting strip, or similar design features; 4. Streets may be required to provide access to adjoining lands and provide proper traffic circulation through existing or future neighborhoods; 5. Street grades shall not be less than three-tenths percent (0.3%) and not more than seven percent (7%) so as to provide safe movement of traffic and emergency vehicles in all weather and to provide for adequate drainage and snow plowing; 6. In general, partial dedications shall not be permitted, however, the council may accept a partial street dedication when such a street forms a boundary of the proposed subdivision and is deemed necessary for the orderly development of the neighborhood, and provided the council finds it practical to require the dedication of the remainder of the right of way when the adjoining property is subdivided. When a partial street exists adjoining the proposed subdivision, the remainder of the right of way shall be dedicated; 7. Dead end streets may be permitted only when such street terminates at the boundary of a subdivision and is necessary for the development of the subdivision or the future development of the adjacent property. When such a dead end street serves more than two (2) lots, a temporary turnaround easement shall be provided, which easement shall revert to the adjacent lots when the street is extended; 8. A cul-de-sac, court or similar type street shall be permitted only when necessary to the development of the subdivision, and provided, that no such street shall have a maximum length greater than four hundred feet (400') from entrance to center of turnaround, and all cul-de-sacs shall have a minimum

				<p>turnaround radius of sixty feet (60') at the property line and not less than forty five feet (45') at the curb line;</p> <p>9. Streets shall be planned to intersect as nearly as possible at right angles, but in no event at less than seventy degrees (70°);</p> <p>10. Where any street deflects an angle of ten degrees (10°) or more, a connecting curve shall be required having a minimum centerline radius of three hundred feet (300') for arterial and collector streets, and one hundred twenty five feet (125') for minor streets;</p> <p>11. Streets with centerline offsets of less than one hundred twenty five feet (125') shall be prohibited;</p> <p>12. A tangent of at least one hundred feet (100') long shall be introduced between reverse curves on arterial and collector streets;</p> <p>13. Proposed streets which are a continuation of an existing street shall be given the same names as the existing street. All new street names shall not duplicate or be confused with the names of existing streets within Blaine County, Idaho. The subdivider shall obtain approval of all street names within the proposed subdivision from the commission before submitting same to council for preliminary plat approval;</p> <p>14. Street alignment design shall follow natural terrain contours to result in safe streets, usable lots, and minimum cuts and fills;</p> <p>15. Street patterns of residential areas shall be designed to create areas free of through traffic, but readily accessible to adjacent collector and arterial streets;</p> <p>16. Reserve planting strips controlling access to public streets shall be permitted under conditions specified and shown on the final plat, and all landscaping and irrigation systems shall be installed as required improvements by the subdivider;</p> <p>17. In general, the centerline of a street shall coincide with the centerline of the street right of way, and all crosswalk markings shall be installed by the subdivider as a required improvement;</p> <p>18. Street lighting may be required by the commission or council where appropriate and shall be installed by the subdivider as a requirement improvement;</p> <p>19. Private streets may be allowed upon recommendation by the commission and approval by the council. Private streets shall be constructed to meet the design standards specified in subsection H2 of this section;</p> <p>20. Street signs shall be installed by the subdivider as a required improvement of a type and design approved by the administrator and shall be consistent with the type and design of existing street signs elsewhere in the city;</p> <p>21. Whenever a proposed subdivision requires construction of a new bridge, or will create substantial additional traffic which will require construction of a new bridge or improvement of an existing bridge, such construction or improvement shall be a required improvement by the subdivider. Such construction or improvement shall be in accordance with adopted standard specifications;</p> <p>22. Sidewalks, curbs and gutters may be a required improvement installed by the subdivider; and</p> <p>23. Gates are prohibited on private roads and parking access/entranceways, private driveways accessing more than one single-family dwelling unit and one accessory dwelling unit, and public rights of way unless approved by the city council.</p>
				This standard does not apply as no new streets are proposed.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.I	Alley Improvement Requirements: Alleys shall be provided in business, commercial and light industrial zoning districts. The width of an alley shall be not

				less than twenty feet (20'). Alley intersections and sharp changes in alignment shall be avoided, but where necessary, corners shall be provided to permit safe vehicular movement. Dead end alleys shall be prohibited. Improvement of alleys shall be done by the subdivider as required improvement and in conformance with design standards specified in subsection H2 of this section.
			<i>Commission Findings</i>	This standard does not apply as there are no alleys adjacent to the subject property.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.040.J	<p>Required Easements: Easements, as set forth in this subsection, shall be required for location of utilities and other public services, to provide adequate pedestrian circulation and access to public waterways and lands.</p> <p>1. A public utility easement at least ten feet (10') in width shall be required within the street right of way boundaries of all private streets. A public utility easement at least five feet (5') in width shall be required within property boundaries adjacent to Warm Springs Road and within any other property boundary as determined by the city engineer to be necessary for the provision of adequate public utilities.</p> <p>2. Where a subdivision contains or borders on a watercourse, drainageway, channel or stream, an easement shall be required of sufficient width to contain such watercourse and provide access for private maintenance and/or reconstruction of such watercourse.</p> <p>3. All subdivisions which border the Big Wood River, Trail Creek and Warm Springs Creek shall dedicate a ten foot (10') fish and nature study easement along the riverbank. Furthermore, the council shall require, in appropriate areas, an easement providing access through the subdivision to the bank as a sportsman's access. These easement requirements are minimum standards, and in appropriate cases where a subdivision abuts a portion of the river adjacent to an existing pedestrian easement, the council may require an extension of that easement along the portion of the riverbank which runs through the proposed subdivision.</p> <p>4. All subdivisions which border on the Big Wood River, Trail Creek and Warm Springs Creek shall dedicate a twenty five foot (25') scenic easement upon which no permanent structure shall be built in order to protect the natural vegetation and wildlife along the riverbank and to protect structures from damage or loss due to riverbank erosion.</p> <p>5. No ditch, pipe or structure for irrigation water or irrigation wastewater shall be constructed, rerouted or changed in the course of planning for or constructing required improvements within a proposed subdivision unless same has first been approved in writing by the ditch company or property owner holding the water rights. A written copy of such approval shall be filed as part of required improvement construction plans.</p> <p>6. Nonvehicular transportation system easements including pedestrian walkways, bike paths, equestrian paths, and similar easements shall be dedicated by the subdivider to provide an adequate nonvehicular transportation system throughout the city.</p>
			<i>Commission Findings</i>	No new easements are required. However a 5' public utility easement from the living springs townhome subdivision is being carried over to the subject preliminary plat.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.K	Sanitary Sewage Disposal Improvements: Central sanitary sewer systems shall be installed in all subdivisions and connected to the Ketchum sewage treatment system as a required improvement by the subdivider. Construction plans and specifications for central sanitary sewer extension shall be prepared by the

				<p>subdivider and approved by the city engineer, council and Idaho health department prior to final plat approval. In the event that the sanitary sewage system of a subdivision cannot connect to the existing public sewage system, alternative provisions for sewage disposal in accordance with the requirements of the Idaho department of health and the council may be constructed on a temporary basis until such time as connection to the public sewage system is possible. In considering such alternative provisions, the council may require an increase in the minimum lot size and may impose any other reasonable requirements which it deems necessary to protect public health, safety and welfare.</p>
			<i>Commission Findings</i>	This standard does not apply as this application does not create a new subdivision. Both sublots are directly connected to the City of Ketchum sewer system main found in Sage Rd.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.L	<p>Water System Improvements: A central domestic water distribution system shall be installed in all subdivisions by the subdivider as a required improvement. The subdivider shall also be required to locate and install an adequate number of fire hydrants within the proposed subdivision according to specifications and requirements of the city under the supervision of the Ketchum fire department and other regulatory agencies having jurisdiction. Furthermore, the central water system shall have sufficient flow for domestic use and adequate fire flow. All such water systems installed shall be looped extensions, and no dead end systems shall be permitted. All water systems shall be connected to the municipal water system and shall meet the standards of the following agencies: Idaho department of public health, Idaho survey and rating bureau, district sanitarian, Idaho state public utilities commission, Idaho department of reclamation, and all requirements of the city.</p>
			<i>Commission Findings</i>	This standard does not apply as this application does not create a new subdivision. Both sublots are directly connected to the City of Ketchum sewer system main found in Sage Rd.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.M	<p>Planting Strip Improvements: Planting strips shall be required improvements. When a predominantly residential subdivision is proposed for land adjoining incompatible uses or features such as highways, railroads, commercial or light industrial districts or off street parking areas, the subdivider shall provide planting strips to screen the view of such incompatible features. The subdivider shall submit a landscaping plan for such planting strip with the preliminary plat application, and the landscaping shall be a required improvement.</p>
			<i>Commission Findings</i>	This standard does not apply as this application does not create a new subdivision. There are no incompatible uses adjacent to the proposed townhouse sublots.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.N	<p>Cuts, Fills, And Grading Improvements: Proposed subdivisions shall be carefully planned to be compatible with natural topography, soil conditions, geology and hydrology of the site, as well as to minimize cuts, fills, alterations of topography, streams, drainage channels, and disruption of soils and vegetation. The design criteria shall include the following:</p> <ol style="list-style-type: none"> 1. A preliminary soil report prepared by a qualified engineer may be required by the commission and/or council as part of the preliminary plat application. 2. Preliminary grading plan prepared by a civil engineer shall be submitted as part of all preliminary plat applications. Such plan shall contain the following information: <ol style="list-style-type: none"> a. Proposed contours at a maximum of five foot (5') contour intervals. b. Cut and fill banks in pad elevations.

				<p>c. Drainage patterns.</p> <p>d. Areas where trees and/or natural vegetation will be preserved.</p> <p>e. Location of all street and utility improvements including driveways to building envelopes.</p> <p>f. Any other information which may reasonably be required by the administrator, commission or council to adequately review the affect of the proposed improvements.</p> <p>3. Grading shall be designed to blend with natural landforms and to minimize the necessity of padding or terracing of building sites, excavation for foundations, and minimize the necessity of cuts and fills for streets and driveways.</p> <p>4. Areas within a subdivision which are not well suited for development because of existing soil conditions, steepness of slope, geology or hydrology shall be allocated for open space for the benefit of future property owners within the subdivision.</p> <p>5. Where existing soils and vegetation are disrupted by subdivision development, provision shall be made by the subdivider for revegetation of disturbed areas with perennial vegetation sufficient to stabilize the soil upon completion of the construction. Until such times as such revegetation has been installed and established, the subdivider shall maintain and protect all disturbed surfaces from erosion.</p> <p>6. Where cuts, fills, or other excavations are necessary, the following development standards shall apply:</p> <p>a. Fill areas shall be prepared by removing all organic material detrimental to proper compaction for soil stability.</p> <p>b. Fills shall be compacted to at least ninety five percent (95%) of maximum density as determined by AASHO T99 (American Association of State Highway Officials) and ASTM D698 (American standard testing methods).</p> <p>c. Cut slopes shall be no steeper than two horizontal to one vertical (2:1). Subsurface drainage shall be provided as necessary for stability.</p> <p>d. Fill slopes shall be no steeper than three horizontal to one vertical (3:1). Neither cut nor fill slopes shall be located on natural slopes of three to one (3:1) or steeper, or where fill slope toes out within twelve feet (12') horizontally of the top and existing or planned cut slope.</p> <p>e. Toes of cut and fill slopes shall be set back from property boundaries a distance of three feet (3'), plus one-fifth (1/5) of the height of the cut or the fill, but may not exceed a horizontal distance of ten feet (10'); tops and toes of cut and fill slopes shall be set back from structures at a distance of at least six feet (6'), plus one-fifth (1/5) of the height of the cut or the fill. Additional setback distances shall be provided as necessary to accommodate drainage features and drainage structures.</p>
			<i>Commission Findings</i>	This standard does not apply as this application is the subdivision of an existing lot. On-site grading for the new detached townhouses meet all grading requirements and all disturbance will be revegetated per the landscape plan included in the project plans.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.040.O	Drainage Improvements: The subdivider shall submit with the preliminary plat application such maps, profiles, and other data prepared by an engineer to indicate the proper drainage of the surface water to natural drainage courses or storm drains, existing or proposed. The location and width of the natural drainage courses shall be shown as an easement common to all owners within the subdivision and the city on the preliminary and final plat. All natural drainage

				courses shall be left undisturbed or be improved in a manner that will increase the operating efficiency of the channel without overloading its capacity. An adequate storm and surface drainage system shall be a required improvement in all subdivisions and shall be installed by the subdivider. Culverts shall be required where all water or drainage courses intersect with streets, driveways or improved public easements and shall extend across and under the entire improved width including shoulders.
			<i>Commission Findings</i>	The applicant submitted a site grading and drainage plan with the townhouse subdivision application showing drainage for each subplot. No common drainage courses are utilized or disturbed. The grading and drainage plan meets all requirements and each subplot is managing stormwater runoff independently, not impacting adjacent properties.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.040.P	Utilities: In addition to the terms mentioned in this section, all utilities including, but not limited to, electricity, natural gas, telephone and cable services shall be installed underground as a required improvement by the subdivider. Adequate provision for expansion of such services within the subdivision or to adjacent lands including installation of conduit pipe across and underneath streets shall be installed by the subdivider prior to construction of street improvements.
			<i>Commission Findings</i>	All utilities are proposed underground per the KMC requirements.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.Q	Off Site Improvements: Where the offsite impact of a proposed subdivision is found by the commission or council to create substantial additional traffic, improvements to alleviate that impact may be required of the subdivider prior to final plat approval, including, but not limited to, bridges, intersections, roads, traffic control devices, water mains and facilities, and sewer mains and facilities.
			<i>Commission Findings</i>	The proposed townhouse development does not create substantial additional traffic, therefore, no improvements are required.

CONCLUSIONS OF LAW

1. The City of Ketchum is a municipal corporation established in accordance with Article XII of the Constitution of the State of Idaho and Title 50 Idaho Code and is required and has exercised its authority pursuant to the Local Land Use Planning Act codified at Chapter 65 of Title 67 Idaho Code and pursuant to Chapters 3, 9 and 13 of Title 50 Idaho Code to enact the ordinances and regulations, which ordinances are codified in the Ketchum Municipal Code (“KMC”) and are identified in the Findings of Fact and which are herein restated as Conclusions of Law by this reference and which City Ordinances govern the applicant’s Townhouse Preliminary Plat application for the development and use of the project site.
2. The City Council has authority to review and recommend approval of the applicant’s Townhouse Subdivision Preliminary Plat Application pursuant to Chapter 16.04 of Ketchum Code Title 16.
3. The City of Ketchum Planning Department provided notice for the review of this application in accordance with Ketchum Municipal Code §16.04.030.
4. The Townhouse Subdivision Preliminary Plat application is governed under Chapter 16.04 of Ketchum Municipal Code.

5. The Sage Mountainside Townhouse Subdivision Preliminary Plat application meets all applicable standards specified in Title 16 of Ketchum Municipal Code.

DECISION

THEREFORE, the City Council **approves** of this Townhouse Preliminary Plat Application File No. P22-070 this Tuesday, July 17, 2023 subject to the following conditions of approval.

CONDITIONS OF APPROVAL

1. The preliminary plat is subject to all conditions of approval associated with Mountain Overlay Design Review Approval P22-070.
2. Failure to record a Final Plat within two (2) years of Council's approval of a Preliminary Plat shall cause the Preliminary Plat to be null and void.

Findings of Fact **adopted** this 17th day of July 2023.

Neil Bradshaw, Mayor
City of Ketchum