



CITY OF STAR

LAND USE STAFF REPORT

TO: Mayor & Council

FROM: City of Star Planning Department *Shen T. Smith*

MEETING DATE: July 18, 2023 – PUBLIC HEARING

FILE(S) #: VAC-23-01- Vacation of Utility Easements Milestone Ranch Subdivision

OWNER/APPLICANT/REPRESENTATIVE

Property Owner:

BHEG Milestone Ranch LLC
1140 Virginia Drive
Fort Washington, PA 19034

Applicant/Representative:

Kyle Prewett, Toll Brothers
3103 W. Sheryl Drive Suite 100
Meridian, ID 83642

REQUEST

Request: The Applicant is seeking approval of a vacation of an access easement for the Iron Mountain Vista Subdivision. The easement was for an original private street (N. Worsley Lane) accessing the property from W. Floating Feather Road. The property is located at 2327 N. Worsley Lane in Star, Idaho.

PROPERTY INFORMATION

Property Location: The Applicant is seeking approval of a vacation of existing utility, drainage and irrigation easements within the new Milestone Ranch Subdivision and original Hoot Nanny Farms Subdivision. . The property is located at 8542 Broken Arrow Street (formerly W. Floating Feather Road) in Star, Idaho and consists of approximately 70.52 acres with a proposed density of 4.24 dwelling units per acre. The subject property is generally located on the northwest corner of W. W. Broken Arrow Street (formerly Floating Feather Road) and Highway 16. Ada County Parcel No's. R3721750010, R3721750020 and R3721750030.

APPLICATION REQUIREMENTS

Pre-Application Meeting Held	April 20, 2023
Application Submitted & Fees Paid	April 27, 2023
Application Accepted	April 27, 2023
Residents within 300' Notified	June 27, 2023
Legal Notice Published	June 30, 2023
Property Posted	July 6, 2023

HISTORY

October 12, 2021	Council approved applications for Annexation and Zoning (AZ-21-20), Rezone (RZ-21-06), Development Agreement (DA-21-15) and Preliminary Plat (PP-21-14) for Milestone Ranch Subdivision. The preliminary plat was approved for 284 residential lots and 33 common lots on 70.52 acres.
May 3, 2022	Council approved the Final Plat for Milestone Ranch Subdivision, Phase 1 consisting of 57 residential lots and 15 common lots on 18.66 acres.
June 7, 2022	Council approved the Final Plat for Milestone Ranch Subdivision, Phase 2 consisting of 42 residential lots and 7 common lots on 8.69 acres.
June 21, 2022	Council approved the Final Plat for Milestone Ranch Subdivision Phase 3 consisting of 38 residential lots and 4 common lots on 8.97 acres. The Council also approved the Final Plat for Phase 4 consisting of 34 residential lots and 7 common lots on 5.96 acres.
June 20, 2023	Council approved the Final Plat for Milestone Ranch Subdivision Phase 5 consisting of 52 residential lots and 10 common lots on 12.43 acres.

STAFF REVIEW AND RECOMMENDATIONS

Based upon the information provided to staff in the application, staff finds that the proposed vacation of easements meets the requirements, standards and intent of the Comprehensive Plan and Zoning Ordinance. The Council should consider the entire record and testimony presented at their scheduled public hearing prior to rendering its decision on the matter.

COUNCIL ACTION

The Council may **approve, conditionally approve, deny** or **table** this request for vacation of easements.

Council may consider:

1. This application complies with the framework of Star's Comprehensive Plan;
2. The vacations do not create any landlocked property;
3. The vacations do not restrict access to any parcel;
4. The vacations do not reduce the quality of public services to any parcel of land.

PROPOSED CONDITIONS OF APPROVAL
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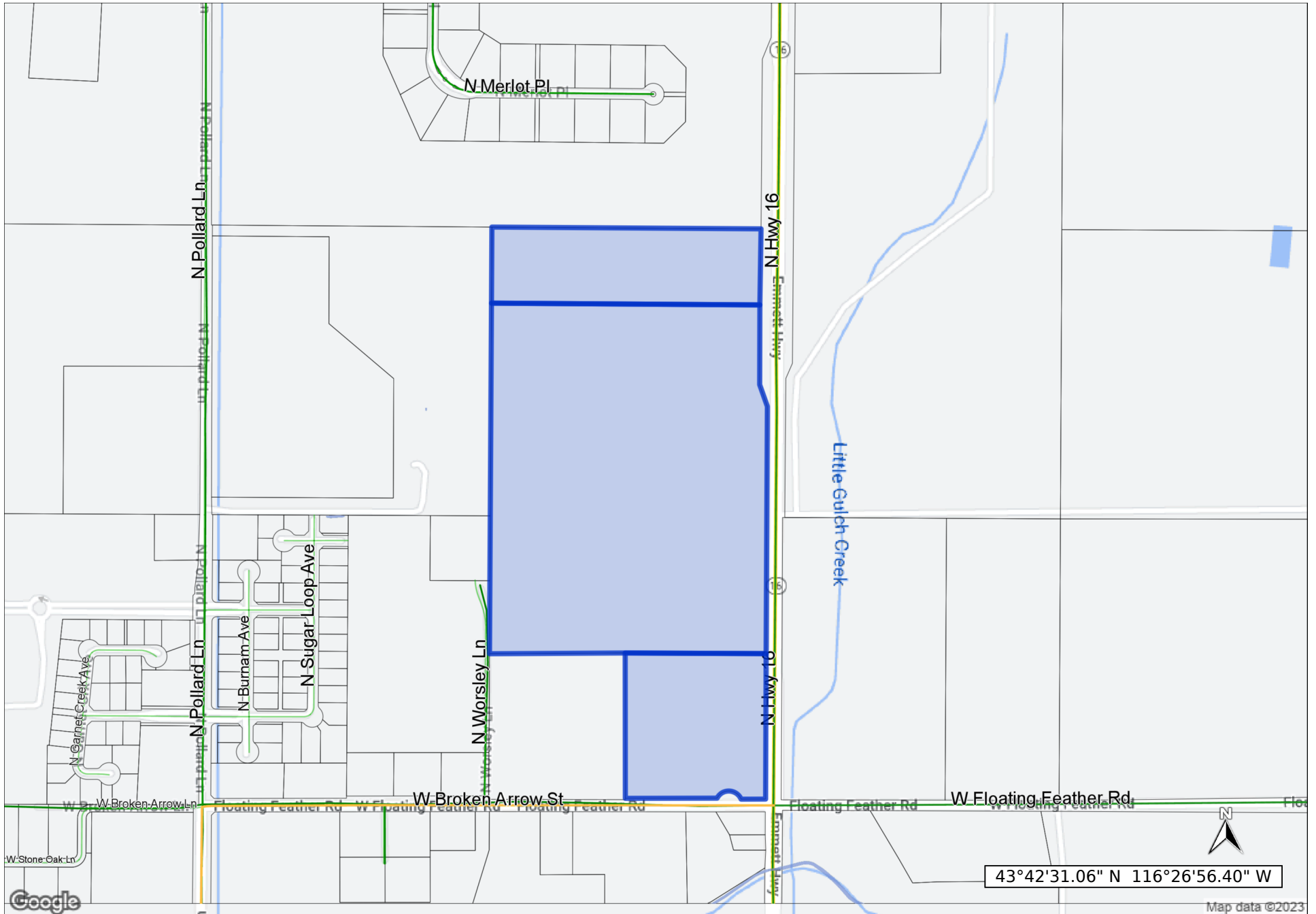
1. The future Final Plats for Milestone Ranch Subdivision shall continue to comply with all conditions of approval for the final plat, along with all statutory requirements of applicable agencies and districts having jurisdiction in the City of Star.
2. The applicant shall comply with all requirements of the City Engineer.
3. Any additional site-specific conditions and considerations as required by Staff or Council.

COUNCIL DECISION

The Star City Council _____ File VAC-23-01 Easement Vacation for Milestone Ranch Subdivision/Hoot Nanny Subdivision on _____, 2023.

Milestone Ranch

Easement Vacation





04/27/2023 10:27:34 AM

City of Star
P.O. Box 130
Star, Idaho 83669
P: 208-286-7247 F: 208-286-7569

VACATION APPLICATION

***All information must be filled out to be processed.

FILE NO.: **VAC-23-01**

Date Application Received: **4/27/2023** Fee Paid: **\$980.00**

Processed by: City: **Barbara Norgrove**

Applicant Information:

PRIMARY CONTACT IS: Applicant Owner Representative ☒

Applicant Name: Toll West Inc.

Applicant Address: 3103 W Sheryl Dr, Suite 100, Meridian, ID Zip: 83642

Phone: 208.424.0020 Fax: Email: acapell@tollbrothers.com

Owner Name: BHEG Milestone Ranch LLC

Owner Address: 1140 Virginia Dr, Fort Washington, PA Zip: 19034

Phone: 208.424.0020 Fax: Email:

Representative (e.g., architect, engineer, **developer**):

Contact: Kyle Prewett Firm Name: Toll Brothers

Address: 3103 W Sheryl Dr, Suite 100, Meridian, ID Zip: 83642

Phone: 208.576.3625 Fax: Email: kprewett@tollbrothers.com

Property Information:

Site Location: NW of intersection of N Hwy 16 & W Broken Arrow St

Parcel Number(s): R3721750015, R3721750020, R3721750030

Approved Zoning Designation: R-5-DA, MU

Application Requirements:

(Applications are required to contain one copy of the following unless otherwise noted.)

Applicant (√)	Description	Staff (√)
✓	Pre-application meeting with the Planning Department required prior to neighborhood meeting.	
N/A	Copy of neighborhood meeting notice sent to property owners within 300' and meeting sign-in sheet. (Applicants are required to hold a neighborhood meeting to provide an opportunity for public review of the proposed project prior to the submittal of an application.)	
✓	Completed and signed Vacation Application	
✓	Fee	
✓	If the signature on this application is not the owner of the property, an original notarized statement (Affidavit of Legal Interest) from the owner stating the applicant is authorized to submit this application is required.	

✓	Narrative fully describing the proposed request including the following: <ul style="list-style-type: none"> • Particular circumstances regarding the request to vacate • Names of the persons affected by the proposed vacation 	
To be provided	Relinquishment of easement letters from the applicable parties (e.g. public utilities: phone, power, gas, cable, applicable irrigation and/or drainage entity, etc.)	
✓	Legal description of platted area or property to be vacated (with engineers seal). <ul style="list-style-type: none"> • Submit two (2) paper and one (1) electronic copy See Hoot Nanney Farms Subdivision Plat 	
✓	Copy of recorded deed.	
✓	One (1) 8 ½" X 11" vicinity map showing the location of subject property	
✓	Two (2) 11" X 17" copies of site plan or plat showing the proposed vacation	
N/A	Names and addresses, printed on address labels, of property owners within three hundred feet (300') of the external boundaries of the property being considered as shown on record in the County Assessor's office.	
✓	Two (2) Electronic versions of the site plan or plat showing the easement proposed to be vacated and vicinity map in PDF format submitted on disks with the files named with project name and plan type. We encourage you to also submit at least one color version for presentation purposes.	
N/A	Signed Certification of Posting with pictures. (see attached posting requirements and certification form)	
N/A	Submit (1) 11" X 17" and (1) 18" X 24" recorded copy of Plat to the Star City Planning Department prior to any building permits being issued.	

FEE REQUIREMENT:

*** I have read and understand the above requirements. I further understand fees are due at the time of filing. I understand that there may be other fees associated with this application incurred by the City in obtaining reviews or referrals by architect, engineering, or other professionals necessary to enable the City to expedite this application. I understand that I, as the applicant, am responsible for all payments to the City of Star.*


Applicant/Representative Signature

4/27/23
Date

****Note:** All presentation boards, material boards, and documentation that are a part of the public hearing shall become property of the City of Star.

Toll Brothers[®] LAND DEVELOPMENT

PAVING THE WAY FOR AMERICA'S LUXURY HOMEBUILDER

April 27, 2023

City of Star Planning and Zoning
10769 W State St
Star, Idaho 83669

RE: Proposed Easement Vacation – Assessor Parcel No.'s R3721750015, R3721750020 & R3721750030

City of Star Planning and Zoning Staff,

The referenced parcels are owned by BHEG Milestone Ranch LLC. The site is located at the approved Milestone Ranch Subdivision, located within the NW ¼ of the SE ¼, and the SW ¼ of the NE ¼ of Section 4, Township 4N, Range 1W, Boise Meridian.

The owner desires to obtain approval for an easement Vacation Application through the City of Star. The existing lots are in the soon-to-be platted Milestone Ranch Subdivision. The future platting requires an easement vacation of the existing ten-foot utility easement located along the exterior boundary of this subdivision, except for 90 feet along the south boundary of Lot 1 as shown on the Hoot Nanney Farms Subdivision Plat. Also, the request is to vacate the ten-foot public utilities, drainage, and irrigation easement lying five feet on either side of all interior lot lines. These are remnants of the platted Hoot Nanney Farms Subdivision, Notes 5 & 6.

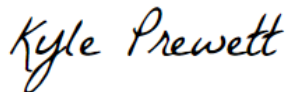
The purpose of the easement vacation is due to the approved Milestone Ranch Subdivision. Milestone Ranch Phases 1-6 have not been platted. Phases 1-3 are currently under development, phase 4 has received civil improvement plan approval, and phases 5-6 are yet to receive civil improvement plan approval. To plat these future phases, the existing public utilities easements must be vacated from the formerly platted Hoot Nanney Farms Subdivision. The platting of Milestone Ranch Subdivision will reinstate the public utilities easement common to prescriptive ROW and to current City of Star Municipal Code.

Letters of relinquishment of all pertinent public utilities will be provided as soon as possible. No known persons are to be affected by the proposed vacation.

Please find attached for your review and approval the required documents for a Vacation Application.

Thank you for your time and consideration of this request. If you have any questions or need further information, please don't hesitate to reach out to me at (208) 576-3625 or by email at kprewett@tollbrothers.com.

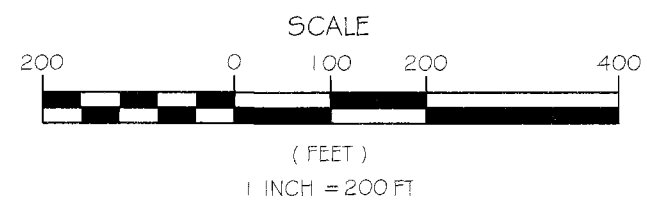
Sincerely,



Kyle Prewett
Land Entitlement Manager

HOOT NANNEY FARMS SUBDIVISION

A PARCEL OF LAND WITHIN THE NW 1/4 OF THE SE 1/4,
AND THE SW 1/4 OF THE NE 1/4, OF SECTION 4,
T. 4 N., R. 1 W., B.M., ADA COUNTY, IDAHO
2010



NOTES

1. THE LAND WITHIN THIS PLAT IS NOT WITHIN AN IRRIGATION DISTRICT AS DEFINED IN IDAHO CODE 31-3805, AND THE REQUIREMENTS IN IDAHO CODE 31-3805 ARE NOT APPLICABLE.
IRRIGATION FOR THE DEVELOPMENT IS PROVIDED BY AN EXISTING IRRIGATION WELL LOCATED IN LOT 2, BLOCK 1, SERVING UNDERGROUND IRRIGATION LINES IN LOTS 1, 2 AND 3, BLOCK 1. THIS IRRIGATION SYSTEM IS SUBJECT TO A WATER USERS AGREEMENT RECORDED AS INST. NO. 110113411.

2. THIS DEVELOPMENT RECOGNIZES SECTION 22-4503 OF THE IDAHO CODE, RIGHT TO FARM ACT, WHICH STATES: "NO AGRICULTURAL OPERATION OR AN APPURTENANCE TO IT SHALL BE OR BECOME A NUISANCE, PRIVATE OR PUBLIC, BY ANY CHANGED CONDITIONS IN OR ABOUT THE SURROUNDING NONAGRICULTURAL ACTIVITIES AFTER THE SAME HAS BEEN IN OPERATION FOR MORE THAN ONE (1) YEAR, WHEN THE OPERATION WAS NOT A NUISANCE AT THE TIME THE OPERATION BEGAN: PROVIDED, THAT THE PROVISIONS OF THIS SECTION SHALL NOT APPLY TO WHENEVER A NUISANCE RESULTS FROM THE IMPROPER OR NEGLIGENT OPERATION OF ANY AGRICULTURAL OPERATION OR APPURTENANCE TO IT."

3. BUILDING SETBACKS AND DIMENSIONAL STANDARDS IN THIS SUBDIVISION SHALL BE IN COMPLIANCE WITH THE APPLICABLE ZONING REGULATIONS OF ADA COUNTY.

4. ANY RE-SUBDIVISION OF THIS PLAT SHALL COMPLY WITH THE APPLICABLE REGULATIONS IN EFFECT AT THE TIME OF THE RE-SUBDIVISION.

5. A TEN FOOT UTILITY EASEMENT IS LOCATED ALONG THE EXTERIOR BOUNDARY OF THIS SUBDIVISION, EXCEPT FOR 90 FEET ALONG THE SOUTH BOUNDARY OF LOT 1 AS SHOWN HEREON.

6. ALL INTERIOR LOTS HAVE A TEN FOOT PUBLIC UTILITIES, DRAINAGE AND IRRIGATION EASEMENT LYING FIVE FEET ON EITHER SIDE OF SAID LOT LINES.

7. CONSTRUCTION OF A STRUCTURE ON ANY LOT SHALL BE SUBJECT TO THE REQUIREMENTS OF THE STAR JOINT FIRE PROTECTION DISTRICT OR EQUIVALENT AS AUTHORIZED BY THE APPLICABLE FIRE CODE IN EFFECT AT TIME OF CONSTRUCTION.

A. THE OWNERS OF LOTS 2 AND 3, BLOCK 1, WILL BE REQUIRED TO MEET WITH THE STAR JOINT FIRE PROTECTION DISTRICT TO DISCUSS ALTERNATIVE MATERIALS AND METHODS FOR FIRE PROTECTION PRIOR TO ISSUANCE OF A BUILDING PERMIT FOR THESE LOTS, UNLESS AN APPROVED PRESSURIZED FIRE HYDRANT SYSTEM OR FIRE SPRINKLER SYSTEM IS VOLUNTARILY INSTALLED.

B. CONSTRUCTION OF ADDITIONAL DWELLING UNITS (BEYOND THE EXISTING HOME ON LOT 1, BLOCK 1, AND INDIVIDUAL HOMES ON LOTS 2 AND 3, BLOCK 1). WILL REQUIRE THE INSTALLATION OF AN APPROVED PRESSURIZED FIRE HYDRANT SYSTEM CAPABLE OF A MINIMUM FIRE FLOW OF 1000 GALLONS PER MINUTE, UNLESS OTHERWISE APPROVED IN WRITING BY THE STAR JOINT FIRE PROTECTION DISTRICT.

C. LOT DRIVEWAYS/ACCESS LANES THAT ARE 150 FEET LONG OR LESS SHALL BE AT LEAST 16 FEET WIDE AND SHALL BE CONSTRUCTED TO SUPPORT A MINIMUM IMPOSED LOAD OF 75,000 POUNDS, UNLESS OTHERWISE APPROVED IN WRITING BY THE STAR JOINT FIRE PROTECTION DISTRICT. LOT DRIVEWAYS/ACCESS LANES THAT ARE MORE THAN 150 FEET SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE ADOPTED FIRE CODE AT THE TIME OF CONSTRUCTION.

8. EXISTING OVERHEAD IDAHO POWER LINE LIES WITHIN THE 20 FOOT WIDE STRIP AS SHOWN HEREON, AND THIS STRIP IS DEDICATED HEREON AS A NEW IDAHO POWER EASEMENT. ALTHOUGH THE LINE IS EXISTING, THE WESTERLY 1023 FEET IS OUTSIDE OF THE EXISTING EASEMENTS AND THE EASTERLY 245 FEET IS WITHIN THE EXISTING EASEMENTS PER INST. NO. 196640 AND 253108.

9. AT THE TIME OF BUILDING PERMIT SUBMITTAL FOR EITHER LOT 2 OR 3 OF BLOCK 1, ITD WILL REQUIRE THE RELOCATION OF THE EXISTING APPROACH TO THE COMMON LOT LINE FOR USE AS A SINGLE JOINT USE APPROACH. THIS SHARED ACCESS FOR LOTS 2 AND 3 IS ALLOWED FOR AGRICULTURAL ACCESS AND/OR A SINGLE FAMILY HOME IN EACH LOT AND ASSOCIATED USES ONLY. NO OTHER ACCESS TO SH 16 (EMMETT HWY) IS ALLOWED.

10. THE EXISTING IRRIGATION EASEMENT AS SHOWN HEREON IS TO BENEFIT USERS TO THE WEST. THE BURIED IRRIGATION LINE SHALL BE MAINTAINED BY SAID USERS TO THE WEST. THE OWNER OF LOT 3, BLOCK 1, AS SHOWN HEREON SHALL NOT ERECT ANY STRUCTURES OR ENCUMBRANCES WITHIN SAID EASEMENT.

11. LOTS SHALL NOT BE REDUCED IN SIZE WITHOUT PRIOR APPROVAL FROM THE HEALTH AUTHORITY.

12. NO ADDITIONAL DOMESTIC WATER SUPPLIES SHALL BE INSTALLED BEYOND THE WATER SYSTEM APPROVED IN SANITARY RESTRICTION RELEASE.

13. REFERENCE IS MADE TO PUBLIC HEALTH LETTER ON FILE REGARDING ADDITIONAL RESTRICTIONS.

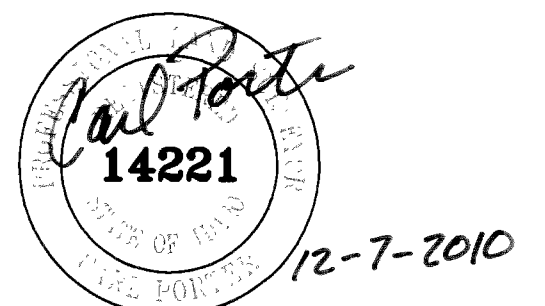
14. OTHER THAN APPROVED WITH THIS PLAT, NO ADDITIONAL DIRECT LOT ACCESS TO W. FLOATING FEATHER ROAD IS ALLOWED, UNLESS OTHERWISE APPROVED IN WRITING BY ADA COUNTY HIGHWAY DISTRICT.

LEGEND

---	LINE SURVEYED
---	OTHER DEED LINE
---	NEW LOT LINE
---	SECTIONAL LINE
---	EXISTING EASEMENTS
---	RIGHT OF WAY
●	FOUND BRASS CAP MONUMENT
■	FOUND ALUMINUM CAP MONUMENT
⊙	FOUND 5/8" REBAR AS NOTED
●	SET 5/8" REBAR/CAP PLS 14221
●	SET 1/2" REBAR/CAP PLS 14221
△	CALCULATED POINT
()	RECORD INFORMATION
①	NEW LOT NUMBER
WC	WITNESS CORNER
RM	REFERENCE MONUMENT

REFERENCE

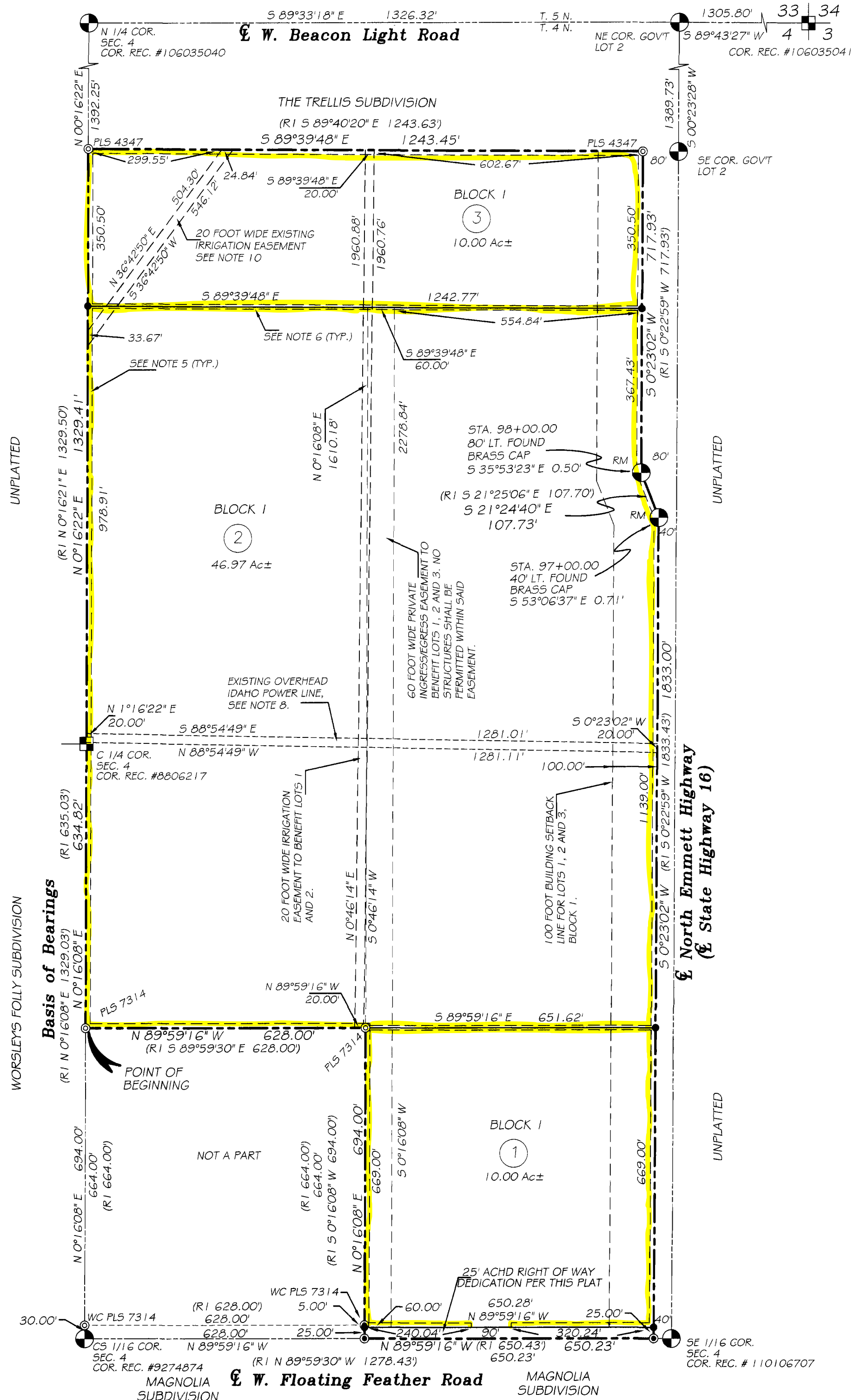
- R1=RECORD OF SURVEY NO. 5321, INST. NO. 101024252
 R2=RECORD OF SURVEY NO. 6981, INST. NO. 105094451
 R3=ITD, 1929 RIGHT OF WAY PLANS, STATE AID PROJECT NO. 142
 R4=WARRANTY DEED INST. NO. 7624878
 R5=PLAT OF THE TRELLIS SUBDIVISION BK 87 PGS 9991-9996
 ADA COUNTY BOOK OF PLATS
 R6=PLAT OF MAGNOLIA SUBDIVISION BOOK 61 PGS 6075-6076
 ADA COUNTY BOOK OF PLATS
 R7=PLAT OF WORSLEYS FOLLY SUBDIVISION BOOK 86 PGS 9656
 AND 9657 ADA COUNTY BOOK OF PLATS



207 W. MAIN ST.
 EMMETT, ID 83617
 (208) 398-8104
 FAX (208) 398-8105

WWW.SANTOOTHLS.COM

SHEET:	DATE:	DRAWN BY:	CHECKED BY:	JOB#:	DWG#:
1 OF 3	11/24/2010	GP	CP	10019	10019-FP



HOOT NANNEY FARMS SUBDIVISION
A PARCEL OF LAND WITHIN THE NW 1/4 OF THE SE 1/4,
AND THE SW 1/4 OF THE NE 1/4, OF SECTION 4,
T. 4 N., R. 1 W., B.M., ADA COUNTY, IDAHO
2010

CERTIFICATE OF OWNER

KNOW ALL MEN BY THESE PRESENTS:

THAT WE THE UNDERSIGNED DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE REAL PROPERTY AS DESCRIBED BELOW AND IT IS OUR INTENTION TO INCLUDE SAID PROPERTY IN THIS SUBDIVISION PLAT.

THE INDIVIDUAL LOTS IN THE PLAT WILL NOT BE SERVED BY ANY WATER SYSTEM COMMON TO ONE (1) OR MORE OF THE LOTS, BUT WILL BE SERVED BY INDIVIDUAL WELLS.

THE PUBLIC STREETS, AS SHOWN ON THIS PLAT, ARE HEREBY DEDICATED TO THE PUBLIC.

THE EASEMENTS AS SHOWN ON THIS PLAT ARE NOT DEDICATED TO THE PUBLIC, BUT THE RIGHT TO USE SAID EASEMENTS IS HEREBY RESERVED FOR PUBLIC UTILITIES AND FOR ANY OTHER USES AS DESIGNATED HEREON, AND NO PERMANENT STRUCTURES ARE TO BE ERECTED WITHIN THE LINES OF SAID EASEMENTS.

A PARCEL OF LAND WITHIN THE NW 1/4 OF THE SE 1/4, AND THE SW 1/4 OF THE NE 1/4 OF SECTION 4, T. 4 N., R. 1 W., B.M., ADA COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND BRASS CAP MARKING THE SOUTHWEST CORNER OF SAID NW 1/4 OF THE SE 1/4 OF SECTION 4, (CS 1116 CORNER);

THENCE NORTH 0°16'08" EAST COINCIDENT WITH THE WEST LINE OF SAID NW 1/4 OF THE SE 1/4 OF SECTION 4, AND THE EAST BOUNDARY OF WORSLEY'S FOLLY SUBDIVISION AS SHOWN IN BOOK 86 OF PLATS AT PAGE 9656 AND 9657 ADA COUNTY RECORDS, 694.00 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING NORTH 0°16'08" EAST COINCIDENT WITH SAID WEST LINE OF THE NW 1/4 OF THE SE 1/4 OF SECTION 4, AND SAID EAST BOUNDARY OF WORSLEY'S FOLLY SUBDIVISION, 634.82 FEET TO THE NORTHEAST CORNER OF SAID WORSLEY'S FOLLY SUBDIVISION AND THE NORTHWEST CORNER OF SAID NW 1/4 OF THE SE 1/4 OF SECTION 4;

THENCE NORTH 0°16'22" EAST COINCIDENT WITH THE WEST LINE OF SAID SW 1/4 OF THE NE 1/4 OF SECTION 4 TO THE SOUTHWEST CORNER OF GOVERNMENT LOT 2 AND THE SOUTHERLY BOUNDARY OF THE TRELLIS SUBDIVISION AS SHOWN IN BOOK 87 OF PLATS AT PAGE 9991 THROUGH 9996, ADA COUNTY RECORDS, 1329.41 FEET;

THENCE SOUTH 89°39'48" EAST COINCIDENT WITH THE SOUTH LINE OF SAID GOVERNMENT LOT 2 AND THE SOUTH LINE OF SAID THE TRELLIS SUBDIVISION, 1243.45 FEET TO THE WESTERLY RIGHT OF WAY OF STATE HIGHWAY 16;

THENCE SOUTH 0°23'02" WEST COINCIDENT WITH SAID WESTERLY RIGHT OF WAY OF STATE HIGHWAY 16, A DISTANCE OF 717.93 FEET;

THENCE SOUTH 21°24'40" EAST COINCIDENT WITH SAID WESTERLY RIGHT OF WAY OF STATE HIGHWAY 16, A DISTANCE OF 107.73 FEET;

THENCE SOUTH 0°23'02" WEST COINCIDENT WITH SAID WESTERLY RIGHT OF WAY OF STATE HIGHWAY 16, A DISTANCE OF 1833.00 FEET TO THE SOUTH LINE OF SAID NW 1/4 OF THE SE 1/4 OF SECTION 4;

THENCE NORTH 89°59'16" WEST COINCIDENT WITH SAID SOUTH LINE OF THE NW 1/4 OF THE SE 1/4 OF SECTION 4, A DISTANCE OF 650.23 FEET;

THENCE NORTH 0°16'08" EAST, PARALLEL WITH SAID WEST LINE OF THE NW 1/4 OF THE SW 1/4 OF SECTION 4, A DISTANCE OF 694.00 FEET;

THENCE NORTH 89°59'16" WEST, PARALLEL WITH SAID SOUTH LINE OF THE NW 1/4 OF THE SE 1/4 OF SECTION 4, A DISTANCE OF 628.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 67.35 ACRES MORE OR LESS.

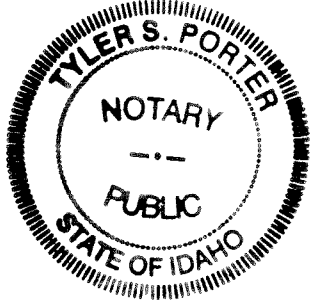
Hazel Dixon
HOOT NANNEY FARMS, INC.
HAZEL DIXON, VICE PRESIDENT

ACKNOWLEDGEMENT

STATE OF IDAHO }
COUNTY OF ADA } SS

ON THIS 15 DAY OF NOVEMBER, 2010, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED HAZEL DIXON, KNOWN OR IDENTIFIED TO ME TO BE THE VICE PRESIDENT OF HOOT NANNEY FARMS INC., THAT EXECUTED THE INSTRUMENT ON BEHALF OF SAID HOOT NANNEY FARMS INC., AND ACKNOWLEDGED TO ME THAT HOOT NANNEY FARMS INC., EXECUTED THE SAME.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND SEAL THE DAY AND YEAR IN THIS CERTIFICATE FIRST ABOVE WRITTEN.

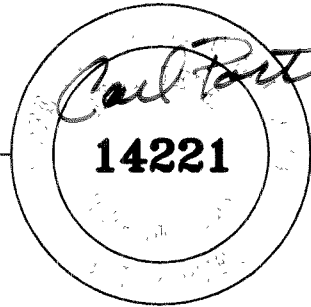



Tyler S. Porter
NOTARY PUBLIC FOR IDAHO
RESIDING AT EMMETT
MY COMMISSION EXPIRES 3/29/2016

CERTIFICATE OF SURVEYOR

I, CARL PORTER, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, LICENSED BY THE STATE OF IDAHO, AND THAT THIS PLAT, AS DESCRIBED IN THE "CERTIFICATE OF OWNERS" AND THE ATTACHED PLAT, WAS DRAWN FROM AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY DIRECT SUPERVISION AND ACCURATELY REPRESENTS THE POINTS PLATTED THEREON IN CONFORMITY WITH THE STATE OF IDAHO CODES RELATING TO PLATS, SURVEYS AND THE CORNER PERPETUATION AND FILING ACT, IDAHO CODE 55-1601 THROUGH 55-1612.

CARL PORTER
CARL PORTER
11-10-2010
P.L.S. 14221





207 W. MAIN ST.
EMMETT, ID 83617
(208) 398-8104
FAX (208) 398-8105
WWW.SAWTOOTHLS.COM

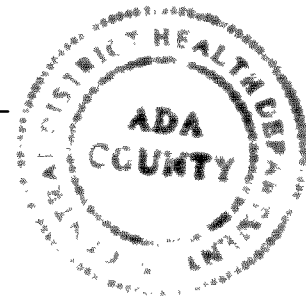
SHEET:	DATE:	DRAWN BY:	CHECKED BY:	JOB#:	DWG#:
2 OF 3	11/10/2010	GP	CP	10019	10019-FP

HOOT NANNEY FARMS SUBDIVISION
A PARCEL OF LAND WITHIN THE NW 1/4 OF THE SE 1/4,
AND THE SW 1/4 OF THE NE 1/4, OF SECTION 4,
T. 4 N., R. 1 W., B.M., ADA COUNTY, IDAHO
2010

CENTRAL DISTRICT HEALTH DEPARTMENT

SANITARY RESTRICTIONS AS REQUIRED BY IDAHO CODE, TITLE 50, CHAPTER 13 HAVE BEEN SATISFIED. ACCORDING TO THE LETTER TO BE READ ON FILE WITH THE COUNTY RECORDER OR HIS AGENT LISTING THE CONDITIONS OF APPROVAL. SANITARY RESTRICTIONS MY BE RE-IMPOSED, IN ACCORDANCE WITH SECTION 50-1326, IDAHO CODE, BY THE ISSUANCE OF A CERTIFICATE OF DISAPPROVAL.

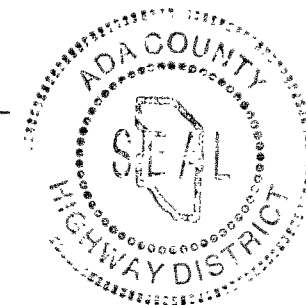
[Signature] 11-22-10
CENTRAL DISTRICT HEALTH DEPARTMENT, EHS DATE



APPROVAL OF ADA COUNTY HIGHWAY DISTRICT

THE FOREGOING PLAT WAS ACCEPTED AND APPROVED BY THE BOARD OF ADA COUNTY HIGHWAY DISTRICT COMMISSIONERS ON THE 15 DAY OF DECEMBER 2010

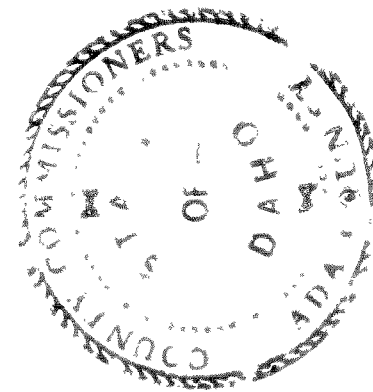
[Signature] _____
CHAIRMAN, ADA COUNTY HIGHWAY DISTRICT DATE



APPROVAL OF COUNTY COMMISSIONERS

I, *[Signature]*, CHAIRMAN OF THE ADA COUNTY COMMISSIONERS, ADA COUNTY, IDAHO, DO HEREBY CERTIFY THAT A REGULAR MEETING OF THE COMMISSIONERS HELD ON THE 15 DAY OF DECEMBER, 2010, THIS PLAT WAS ACCEPTED AND APPROVED.

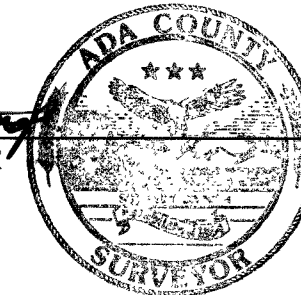
[Signature] 12-14-10
CHAIRMAN DATE



APPROVAL OF COUNTY SURVEYOR

I, THE UNDERSIGNED COUNTY SURVEYOR IN AND FOR ADA COUNTY, IDAHO, DO HEREBY CERTIFY THAT I HAVE CHECKED THIS PLAT, AND FIND THAT IT COMPLIES WITH IDAHO CODE RELATING TO PLATS AND SURVEYS.

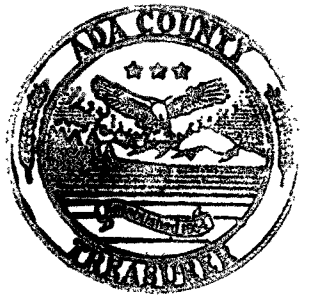
[Signature] PLS 5359
COUNTY SURVEYOR DATE 12-8-2010



CERTIFICATE OF COUNTY TREASURER

I, THE UNDERSIGNED, COUNTY TREASURER IN AND FOR THE COUNTY OF ADA, STATE OF IDAHO, DO HEREBY CERTIFY THAT ANY AND ALL CURRENT AND/OR DELINQUENT PROPERTY TAXES FOR THE PROPERTY INCLUDED IN THIS PROPOSED SUBDIVISION HAVE BEEN PAID IN FULL. THIS CERTIFICATION IS VALID FOR THE NEXT THIRTY (30) DAYS.

[Signature] 12-15-2010
COUNTY TREASURER DATE

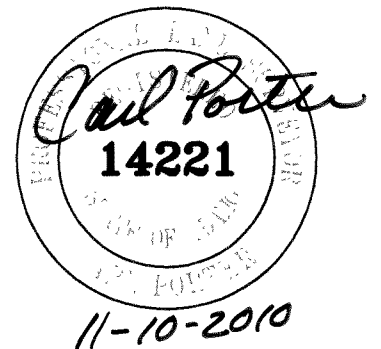


CERTIFICATE OF COUNTY RECORDER

STATE OF IDAHO } SS
COUNTY OF ADA }

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED AT THE REQUEST OF SAWTOOTH LAND SURVEYING, LLC, AT 18 MINUTES PAST 11 O'CLOCK A.M. ON THIS 16 DAY OF DEC, 2010, IN BOOK 103 OF PLATS, AT PAGES 13839 THROUGH 13841, INSTRUMENT NO. 1191844

[Signature] *[Signature]*
DEPUTY EX-OFFICIO RECORDER
Fee \$16.00



207 W. MAIN ST.
EMMETT, ID 83617
(208) 398-8104
FAX (208) 398-8105

WWW.SAWTOOTHLS.COM

SHEET:	DATE:	DRAWN BY:	CHECKED BY:	JOB#:	DWG#:
3 OF 3	11/10/2010	GP	CP	10019	10019-FP

Toll Brothers[®] LAND DEVELOPMENT

PAVING THE WAY FOR AMERICA'S LUXURY HOMEBUILDER

July 10, 2023

City of Star Planning and Zoning
10769 W State St
Star, Idaho 83669

RE: Application for Vacation (VAC-23-01)

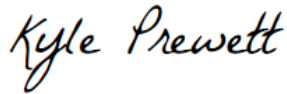
City of Star Planning and Zoning Staff,

Please see the attached letters of approval/no objection from the public utility companies listed below for the application for Vacation (VAC-23-01) for Milestone Ranch Subdivision.

- Intermountain Gas Company
- Sparklight
- Star Sewer & Water District
- Idaho Power
- CenturyLink
- CTC Telecom

Thank you for your time, if you have any questions or need further information, please don't hesitate to reach out to me at (208) 576-3625 or by email at kprewett@tollbrothers.com.

Sincerely,



Kyle Prewett
Land Entitlement Manager, Idaho
Toll Brothers



NAMPA DISTRICT OFFICE
2921 CALDWELL BLVD • NAMPA, ID. 83651
(208) 468-6711 • Fax (208) 468-6727 www.intgas.com

May 8, 2023

To whom it may concern,

Intermountain Gas Company has no objection to the vacation of public utility easement outlined on Notes 5 and 6 of the Hoot Nanney Farms Subdivision plat. Located in Sec 4, T. 4N., R.1W., Star, Ada County Idaho. The platting of Milestone Ranch Subdivision will reinstate the public utilities easement common to prescriptive ROW and to current City of Star Municipal Code. For questions, please contact Monica Taylor at monica.taylor@intgas.com or phone 208-468-6711.

Monica Taylor

GIS Field Technician
Intermountain Gas Company

From: Horak, Jason <Jason.Horak@sparklight.biz>
Sent: Monday, May 8, 2023 1:40 PM
To: Kyle Prewett
Cc: Lyle Dennison-Swisse; Shawn Nickel; Ryan Field; Ryan Morgan
Subject: RE: Milestone Ranch Subdivision - Easement Vacation

Follow Up Flag: Follow up
Flag Status: Flagged

This message came from outside Toll Brothers

This message came from a sender outside Toll Brothers. Please be careful before clicking on or opening any links. If you are unsure about any of the contents, click the "Report Suspicious" button to report this email to Information Security and they will determine if the email is secure.

Report Suspicious

We are good to Vacate the Easements listed. Please use this as approval from our office.

From: Kyle Prewett <kprewett@tollbrothers.com>
Sent: Thursday, May 4, 2023 8:41 AM
To: Horak, Jason <Jason.Horak@sparklight.biz>
Cc: Lyle Dennison-Swisse <ldennison-swisse@tollbrothers.com>; Shawn Nickel <snickel@staridaho.org>; Ryan Field <rfield@staridaho.org>; Ryan Morgan <rmorgan@staridaho.org>
Subject: Milestone Ranch Subdivision - Easement Vacation

CAUTION: External source. **THINK BEFORE YOU CLICK!**

Good Morning Jason,

Thank you for reaching out to me yesterday, as I mentioned, Toll Brothers' intent is to vacate easements located in parcels R3721750015, R3721750020 & R3721750030. The referenced parcels are owned by BHEG Milestone Ranch LLC. The site is located at the approved Milestone Ranch Subdivision, located within the NW ¼ of the SE ¼, and the SW ¼ of the NE ¼ of Section 4, Township 4N, Range 1W, Boise Meridian.

The owner desires to obtain approval for an easement Vacation Application through the City of Star. The existing lots are in the soon-to-be platted Milestone Ranch Subdivision. The future platting requires an easement vacation of the existing ten-foot utility easement located along the exterior boundary of this subdivision, except for 90 feet along the south boundary of Lot 1 as shown on the attached plat. Also, the request is to vacate the ten-foot public utilities, drainage, and irrigation easement lying five feet on either side of all interior lot lines. These are remnants of the platted Hoot Nannee Farms Subdivision, Notes 5 & 6.

The purpose of the easement vacation is due to the approved Milestone Ranch Subdivision. Milestone Ranch Phases 1-6 have not been platted. Phases 1-3 are currently under development, phase 4 has received civil improvement plan approval, and phases 5-6 are yet to receive civil improvement plan approval. To plat these future phases, the existing public utilities easements must be vacated from the

formerly platted Hoot Nanney Farms Subdivision. The platting of Milestone Ranch Subdivision will reinstate the public utilities easement common to prescriptive ROW and to the current City of Star Municipal Code.

If you could provide a letter of relinquishment or another form of written approval for the release of these easements for the future platting of this subdivision, it would be greatly appreciated. No known persons are to be affected by the proposed vacation.

Thank you for your time and consideration of this request. Please let me know if you have any questions or need further information.

Kyle Prewett

Land Entitlement Manager, Idaho

Toll Brothers

3103 W Sheryl Dr., Suite 100, Meridian, Idaho 83642

Office: (208) 576-3625 | Cell: (831) 801-9724



Toll Brothers
#1 HOME BUILDER
**FORTUNE WORLD'S MOST
ADMIRABLE COMPANIES
2023**

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Star Sewer & Water District

P.O. Box 400 ★ 10831 W. State Street ★ Star, ID 83669
(208) 286-7388 • Fax (208) 286-7361

May 19, 2023

Toll Brothers
3103 W. Sheryl Drive, Suite 100
Meridian, ID 83642

SUBJECT: Easement Vacation – Assessor Parcel No.'s R3721750015, R3721750020 & R3721750030. Parcels are located at the approved Milestone Ranch Subdivision, located within the NW ¼ of the SE ¼, and the SW ¼ of the NE ¼ of Section 4, Township 4N, Range 1W, Boise Meridian.

To Whom It May Concern:

We, the undersigned public utility company, Star Sewer & Water District, release the rights for the following in Hoot Nanney Farms Subdivision:

1. The ten-foot utility easement located along the exterior boundary of this subdivision except for 90 feet along the south boundary of Lot 1 as shown on the attached plat.
2. The ten-foot public utilities, drainage and irrigation easement lying five feet on either side of all interior lot lines.

This vacation response is submitted with the stipulation that the platting of Milestone Ranch Subdivision will reinstate the public utilities easement common to prescriptive ROW and to the current City of Star Municipal Code.

Please let me know if you have any questions or if you need any additional information.

Thank you,



John A. Kirtley, Chairman
Star Sewer & Water District

June 7, 2023

Sent via email to kprewett@tollbrothers.com

BHEG Milestone Ranch LLC
%Kyle Prewett (Toll Brothers)
1140 Virginia Dr.
Fort Washington, PA 19034

Re: Relinquishment of Public Utility Easements of the exterior boundary and the interior lots
of Hoot Nanney Farms Subdivision, Ada County, ID

Dear Kyle,

This is in response to the relinquishment request submitted to Idaho Power Company and received in our office April 2023, regarding the possible relinquishment of a public utility easement (PUE) located as noted above. The attached Exhibit A more specifically identifies the requested area for relinquishment highlighted in yellow.

Idaho Power's review of your request indicated that we do not have facilities located within the requested area. As such, Idaho Power agrees to relinquish our interest in the PUE as shown in Exhibit A.

Thank you once again for providing Idaho Power Company the opportunity to review and comment upon the subject petition for relinquishment.

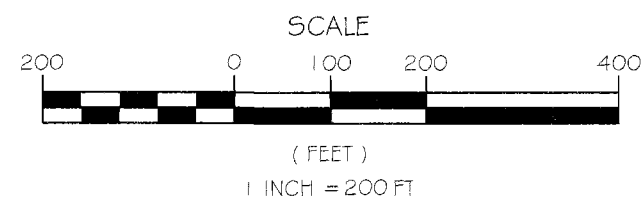
Sincerely,



Laura Lacy
Associate Real Estate Specialist
Corporate Real Estate / Idaho Power Company
208-388-5070
llacy@idahopower.com

HOOT NANNEY FARMS SUBDIVISION

A PARCEL OF LAND WITHIN THE NW 1/4 OF THE SE 1/4,
AND THE SW 1/4 OF THE NE 1/4, OF SECTION 4,
T. 4 N., R. 1 W., B.M., ADA COUNTY, IDAHO
2010



NOTES

1. THE LAND WITHIN THIS PLAT IS NOT WITHIN AN IRRIGATION DISTRICT AS DEFINED IN IDAHO CODE 31-3805, AND THE REQUIREMENTS IN IDAHO CODE 31-3805 ARE NOT APPLICABLE.
IRRIGATION FOR THE DEVELOPMENT IS PROVIDED BY AN EXISTING IRRIGATION WELL LOCATED IN LOT 2, BLOCK 1, SERVING UNDERGROUND IRRIGATION LINES IN LOTS 1, 2 AND 3, BLOCK 1. THIS IRRIGATION SYSTEM IS SUBJECT TO A WATER USERS AGREEMENT RECORDED AS INST. NO. 110113411.

2. THIS DEVELOPMENT RECOGNIZES SECTION 22-4503 OF THE IDAHO CODE, RIGHT TO FARM ACT, WHICH STATES: "NO AGRICULTURAL OPERATION OR AN APPURTENANCE TO IT SHALL BE OR BECOME A NUISANCE, PRIVATE OR PUBLIC, BY ANY CHANGED CONDITIONS IN OR ABOUT THE SURROUNDING NONAGRICULTURAL ACTIVITIES AFTER THE SAME HAS BEEN IN OPERATION FOR MORE THAN ONE (1) YEAR, WHEN THE OPERATION WAS NOT A NUISANCE AT THE TIME THE OPERATION BEGAN: PROVIDED, THAT THE PROVISIONS OF THIS SECTION SHALL NOT APPLY TO WHENEVER A NUISANCE RESULTS FROM THE IMPROPER OR NEGLIGENT OPERATION OF ANY AGRICULTURAL OPERATION OR APPURTENANCE TO IT."

3. BUILDING SETBACKS AND DIMENSIONAL STANDARDS IN THIS SUBDIVISION SHALL BE IN COMPLIANCE WITH THE APPLICABLE ZONING REGULATIONS OF ADA COUNTY.

4. ANY RE-SUBDIVISION OF THIS PLAT SHALL COMPLY WITH THE APPLICABLE REGULATIONS IN EFFECT AT THE TIME OF THE RE-SUBDIVISION.

5. A TEN FOOT UTILITY EASEMENT IS LOCATED ALONG THE EXTERIOR BOUNDARY OF THIS SUBDIVISION, EXCEPT FOR 90 FEET ALONG THE SOUTH BOUNDARY OF LOT 1 AS SHOWN HEREON.

6. ALL INTERIOR LOTS HAVE A TEN FOOT PUBLIC UTILITIES, DRAINAGE AND IRRIGATION EASEMENT LYING FIVE FEET ON EITHER SIDE OF SAID LOT LINES.

7. CONSTRUCTION OF A STRUCTURE ON ANY LOT SHALL BE SUBJECT TO THE REQUIREMENTS OF THE STAR JOINT FIRE PROTECTION DISTRICT OR EQUIVALENT AS AUTHORIZED BY THE APPLICABLE FIRE CODE IN EFFECT AT TIME OF CONSTRUCTION.

A. THE OWNERS OF LOTS 2 AND 3, BLOCK 1, WILL BE REQUIRED TO MEET WITH THE STAR JOINT FIRE PROTECTION DISTRICT TO DISCUSS ALTERNATIVE MATERIALS AND METHODS FOR FIRE PROTECTION PRIOR TO ISSUANCE OF A BUILDING PERMIT FOR THESE LOTS, UNLESS AN APPROVED PRESSURIZED FIRE HYDRANT SYSTEM OR FIRE SPRINKLER SYSTEM IS VOLUNTARILY INSTALLED.

B. CONSTRUCTION OF ADDITIONAL DWELLING UNITS (BEYOND THE EXISTING HOME ON LOT 1, BLOCK 1, AND INDIVIDUAL HOMES ON LOTS 2 AND 3, BLOCK 1). WILL REQUIRE THE INSTALLATION OF AN APPROVED PRESSURIZED FIRE HYDRANT SYSTEM CAPABLE OF A MINIMUM FIRE FLOW OF 1000 GALLONS PER MINUTE, UNLESS OTHERWISE APPROVED IN WRITING BY THE STAR JOINT FIRE PROTECTION DISTRICT.

C. LOT DRIVEWAYS/ACCESS LANES THAT ARE 150 FEET LONG OR LESS SHALL BE AT LEAST 16 FEET WIDE AND SHALL BE CONSTRUCTED TO SUPPORT A MINIMUM IMPOSED LOAD OF 75,000 POUNDS, UNLESS OTHERWISE APPROVED IN WRITING BY THE STAR JOINT FIRE PROTECTION DISTRICT. LOT DRIVEWAYS/ACCESS LANES THAT ARE MORE THAN 150 FEET SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE ADOPTED FIRE CODE AT THE TIME OF CONSTRUCTION.

8. EXISTING OVERHEAD IDAHO POWER LINE LIES WITHIN THE 20 FOOT WIDE STRIP AS SHOWN HEREON, AND THIS STRIP IS DEDICATED HEREON AS A NEW IDAHO POWER EASEMENT. ALTHOUGH THE LINE IS EXISTING, THE WESTERLY 1023 FEET IS OUTSIDE OF THE EXISTING EASEMENTS AND THE EASTERLY 245 FEET IS WITHIN THE EXISTING EASEMENTS PER INST. NO. 196640 AND 253108.

9. AT THE TIME OF BUILDING PERMIT SUBMITTAL FOR EITHER LOT 2 OR 3 OF BLOCK 1, ITD WILL REQUIRE THE RELOCATION OF THE EXISTING APPROACH TO THE COMMON LOT LINE FOR USE AS A SINGLE JOINT USE APPROACH. THIS SHARED ACCESS FOR LOTS 2 AND 3 IS ALLOWED FOR AGRICULTURAL ACCESS AND/OR A SINGLE FAMILY HOME IN EACH LOT AND ASSOCIATED USES ONLY. NO OTHER ACCESS TO SH 16 (EMMETT HWY) IS ALLOWED.

10. THE EXISTING IRRIGATION EASEMENT AS SHOWN HEREON IS TO BENEFIT USERS TO THE WEST. THE BURIED IRRIGATION LINE SHALL BE MAINTAINED BY SAID USERS TO THE WEST. THE OWNER OF LOT 3, BLOCK 1, AS SHOWN HEREON SHALL NOT ERECT ANY STRUCTURES OR ENCUMBRANCES WITHIN SAID EASEMENT.

11. LOTS SHALL NOT BE REDUCED IN SIZE WITHOUT PRIOR APPROVAL FROM THE HEALTH AUTHORITY.

12. NO ADDITIONAL DOMESTIC WATER SUPPLIES SHALL BE INSTALLED BEYOND THE WATER SYSTEM APPROVED IN SANITARY RESTRICTION RELEASE.

13. REFERENCE IS MADE TO PUBLIC HEALTH LETTER ON FILE REGARDING ADDITIONAL RESTRICTIONS.

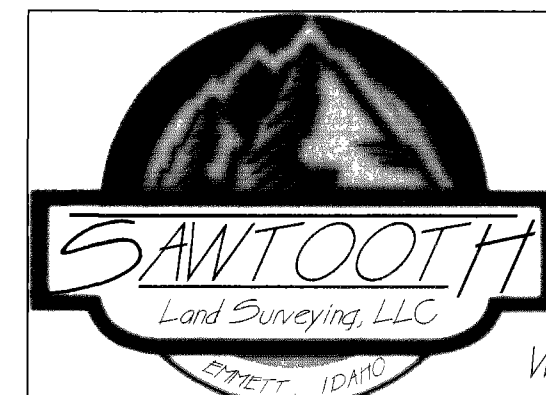
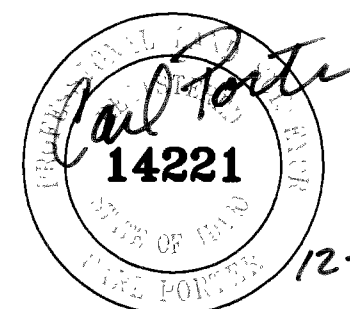
14. OTHER THAN APPROVED WITH THIS PLAT, NO ADDITIONAL DIRECT LOT ACCESS TO W. FLOATING FEATHER ROAD IS ALLOWED, UNLESS OTHERWISE APPROVED IN WRITING BY ADA COUNTY HIGHWAY DISTRICT.

LEGEND

---	LINE SURVEYED
---	OTHER DEED LINE
---	NEW LOT LINE
---	SECTIONAL LINE
---	EXISTING EASEMENTS
---	RIGHT OF WAY
●	FOUND BRASS CAP MONUMENT
■	FOUND ALUMINUM CAP MONUMENT
⊙	FOUND 5/8" REBAR AS NOTED
●	SET 5/8" REBAR/CAP PLS 14221
●	SET 1/2" REBAR/CAP PLS 14221
△	CALCULATED POINT
()	RECORD INFORMATION
①	NEW LOT NUMBER
WC	WITNESS CORNER
RM	REFERENCE MONUMENT

REFERENCE

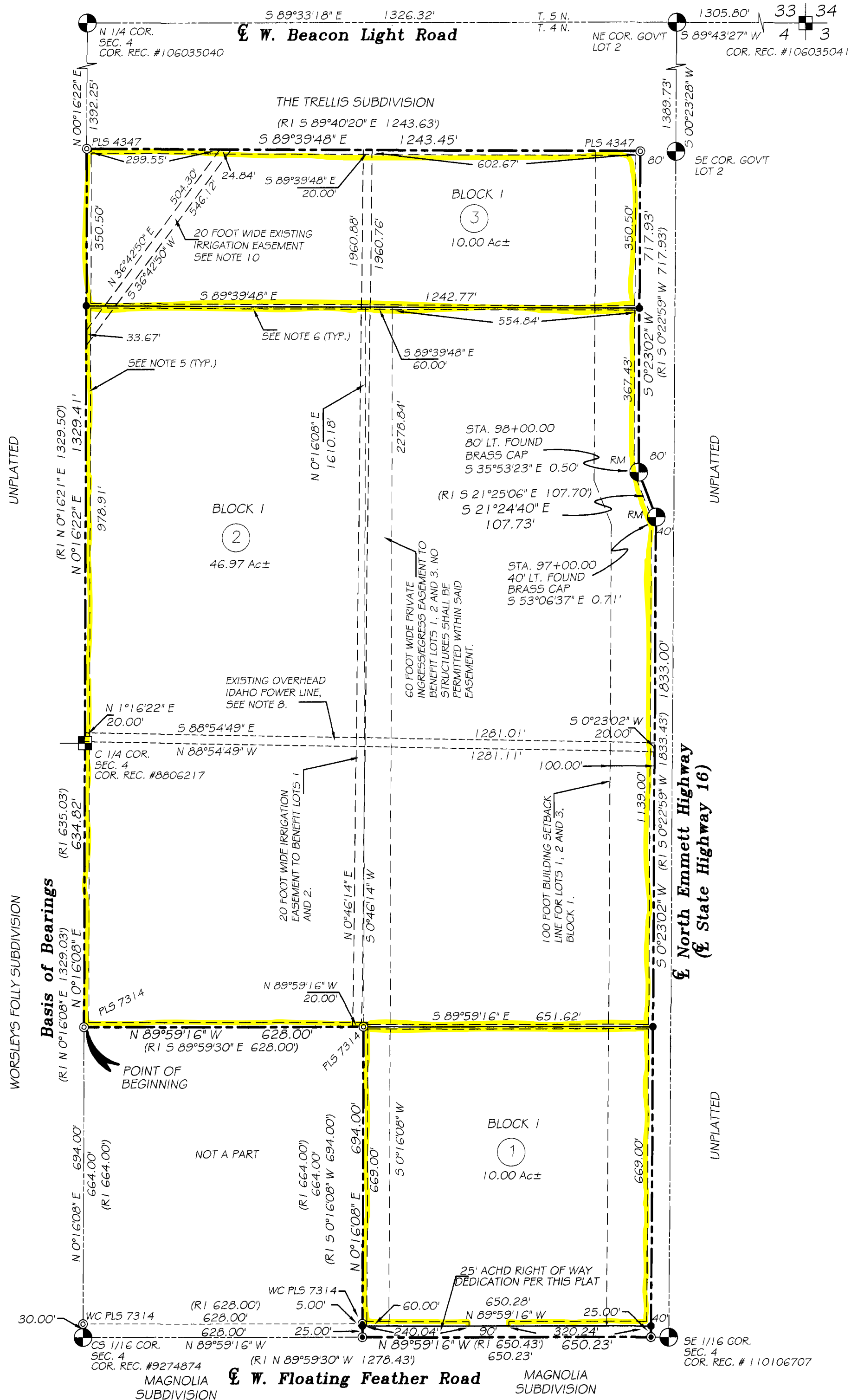
- R1=RECORD OF SURVEY NO. 5321, INST. NO. 101024252
R2=RECORD OF SURVEY NO. 6981, INST. NO. 105094451
R3=ITD, 1929 RIGHT OF WAY PLANS, STATE AID PROJECT NO. 142
R4=WARRANTY DEED INST. NO. 7624878
R5=PLAT OF THE TRELLIS SUBDIVISION BK 87 PGS 9991-9996 ADA COUNTY BOOK OF PLATS
R6=PLAT OF MAGNOLIA SUBDIVISION BOOK 61 PGS 6075-6076 ADA COUNTY BOOK OF PLATS
R7=PLAT OF WORSLEYS FOLLY SUBDIVISION BOOK 86 PGS 9656 AND 9657 ADA COUNTY BOOK OF PLATS



207 W. MAIN ST.
EMMETT, ID 83617
(208) 398-8104
FAX (208) 398-8105

WWW.SANTOOTHLS.COM

SHEET:	DATE:	DRAWN BY:	CHECKED BY:	JOB#:	DWG#:
1 OF 3	11/24/2010	GP	CP	10019	10019-FP



6/20/2023



Kyle Prewett
Land Entitlement Manager, Idaho
Toll Brothers
3103 W Sheryl Dr., Suite 100, Meridian, Idaho 83642

P848835
No Reservations/No Objection

SUBJECT: Request for the vacation of public utility easements located in parcels
R3721750015, R3721750020 & R3721750030

To Whom It May Concern:

Quest Corporation d/b/a CENTURYLINK QC ("CenturyLink") has reviewed the request for the subject vacation and relocation and has determined that it has no objections with respect to the areas proposed for vacation as shown and/or described on Exhibit "A", said Exhibit "A" attached hereto and incorporated by this reference.

It is the intent and understanding of CenturyLink that this Vacation shall not reduce our rights to any other existing easement or rights we have on this site or in the area.

If you have any questions, please contact Richard Hollis at 903-559-1095 or
richard.hollis@lumen.com

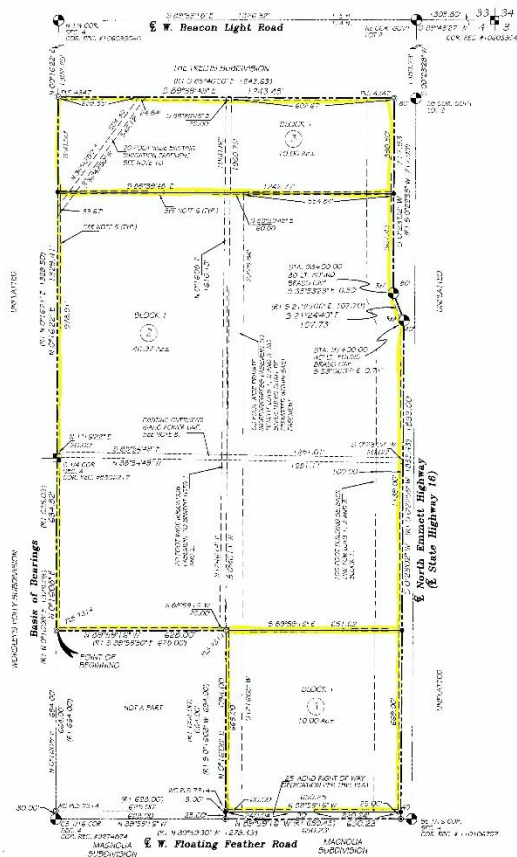
Sincerely yours,

Kevin Ellington
Contract Manager II
Carrier Relations
kevin.ellington@lumen.com

Exhibit “A”

HOOT NANNEY FARMS SUBDIVISION
A PARCEL OF LAND WITHIN THE NW 1/4 OF THE SE 1/4,
AND THE SW 1/4 OF THE NE 1/4, OF SECTION 4,
T. 4 N., R. 1 W., B.M., ADA COUNTY, IDAHO
2010

BOOK 103, PAGE 1829



NOTES

- [illegible]

6. ALL INTERIOR LOTS HAVE A TEN FOOT PUBLIC UTILITY, DRAINAGE AND IRRIGATION EASEMENT FIVE FEET ON EITHER SIDE OF EACH LOT LINE.
7. CONSTRUCTION OF A STRUCTURE ON ANY LOT SHALL BE SUBJECT TO THE REQUIREMENTS OF THE STAR-KENT FIRE PROTECTION DISTRICT OF EQUIPMENT AS AUTHORIZED IN THE APPLICABLE FIRE CODE IN EFFECT AT TIME OF CONSTRUCTION.

- A. THE OWNERS OF LOTS 2 AND 8, BLOCK 1, WILL BE REQUIRED TO MEET WITH THE STAR JUNE FIRE PROTECTION DISTRICT TO DISCUSS ALTERNATIVE METHODS AND MEANS FOR THE PROTECTION PRIOR TO ISSUANCE OF A BUILDING PERMIT FOR THESE LOTS, UNLESS AN APPROVED PERMITTED FIRE SUPPRESSANT SYSTEM OR FIRE SPRINKLER SYSTEM IS VOLUNTARILY INSTALLED.

- B. CONSTRUCTION OF ADDITIONAL DWELLING UNITS BEYOND THE EXISTING HOME ON LOT 1, BLOCK 1, AND NEIGHBORLY HOMES ON LOTS 2 AND 3, BLOCK 11, WILL REQUIRE THE INSTALLATION OF AN APPROVED PRESSURIZED FIRE-RETARDANT SYSTEM CAPABLE OF A MINIMUM FEE FLOW OF 1000 GALLONS PER MINUTE, UNLESS OTHERWISE APPROVED IN WRITING BY THE SJAR JOINT FIRE PROTECTION DISTRICT.

- C. LOT DRIVEWAYS/ACCESS LINES THAT ARE 10 TO 20 FEET LONG OR 10569.59 INCHES AT LEAST 16 FEET WIDE AND SHALL BE CONSTRUCTED TO SUPPORT A MINIMUM WAREHOUSING LOAD OF 75,000 POUNDS, UNLESS OTHERWISE APPROVED IN WRITING BY THE STARJURIT AND PROTECTION DISTRICT. LOT DRIVEWAYS/ACCESS LINES SHALL BE CONSTRUCTED TO BE PROTECTED BY A 10' HIGH CONCRETE WALL OR EQUIVALENT.

5. EXISTING OVERHEAD DIAMO POWER LINE LIES WITHIN THE 20 FOOT WIDE STRIP AS SHOWN HEREON, AND THIS STRIP IS DEDICATED HEREON AS A NEW DIAMO POWER EASEMENT, ALTHOUGH THE LINE IS EXISTING, THE WEATHERLY 1000 FEET IS PLACED ON THE EAST SIDE OF THE EASEMENT, AND THE 20 FOOT WIDE STRIP IS PLACED ON THE WEST SIDE OF THE EASEMENT.

9. AT THE TIME OF BUILDING PERMIT SUBMITTAL FOR EITHER LOT 2 OR 3 OF BLOCK 1, ITS WALL REQUIRE THE RELOCATION OF THE EXISTING APPROACH TO THE COMMON LOT LINE FOR USE AS A SINGLE JOINT USE APPROACH. THIS SHARED ACCESS FOR LOTS 2 AND 3 SHALL BE USED FOR AGRICULTURAL ACTIVITIES AND/OR































10. THE SYSTEMS IRRIGATION CANALWAY AS SHOWN HEREON IS TO SERVE USERS TO THE WEST. THE BURIED IRRIGATION LINE SHALL BE MAINTAINED BY SAG JEFFS TO THE WEST. THE CANALWAY TO THE EAST OF THE SAG JEFFS PROPERTY SHALL BE MAINTAINED BY THE SAG JEFFS PROPERTY.

- 1.1. LOTS SHALL NOT BE REDUCED IN SIZE WITHOUT PRIOR APPROVAL FROM THE HEALTH AUTHORITY.

- 1.3. REFERENCE IS MADE TO PUBLIC HEALTH LETTER ON FILE REGARDING ADDITIONAL RESTRICTIONS.

24. LESSER THAN APPROVED BEST PRACTICE. NO ADDITIONAL DENSITY FOR ACCESS TO AN ADJACENT PAVED ROAD IS ALLOWED, UNLESS OTHERWISE APPROVED IN WRITING BY ADA COUNTY JUDICIAL DISTRICT.

LEGEND

- | | |
|---|-------------------|
|  | SAFE SURVIVAL |
|  | CRASH COURSE |
|  | WELL LIT |
|  | EXCEPTIONAL VALUE |
|  | CRASH COURSE |
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|  | CRASH COURSE |

REFERENCE

- R1=RECORD OF SURVEY NO. 5521, N&T, NO. -01024238
R2=RECORD OF SURVEY NO. 6081, N&T, NO. -01084441
R3=NO. 1, SEER NAME OF MANY PLANS, STATE AND PROJECT NO. 14P
R4=ANNUARY 1925, N&T, NO. 7632078
R5=PLAT OF THE INDIAN SUBDIVISION BEAT #25, 1888: 1886
ADA COUNTY BOOK OF PLATS
R6=PLAT OF SASKIENIA SUBDIVISION BOOK 61 P25 6075-6076
ADA COUNTY BOOK OF PLATS
R7=PLAT OF WOODRUFF POLY SUBDIVISION BOOK 55 P25 18516
AND 18517 ADA COUNTY BOOK OF PLATS



207 W. MAIN ST.
EMMETT, ID 83601
(208) 395-5124
FAX (208) 392-5101

XXXXXXXXXXXXXXXXXXXX

SEAT:	DATE:	DRAWN BY:	CHECKED BY:	WGT:	DTG:
1 OF 3	11/24/2010	GP	CP	10019	10019-FF

RELINQUISHMENT OF EASEMENT

CTC TELECOM, INC., an Idaho corporation, hereby relinquishes, releases, and forever quitclaims onto BHEG MILESTONE RANCH LLC, a Delaware limited liability company, its heirs, successors, and assigns, any and all public easement rights that may have been created pursuant to that certain Hoot Nanney Farms Subdivision recorded on December 16, 2020 in Book 103 of Plats, at Pages 13839 through 13841, as Instrument No. 110118444 of the records of Ada County, State of Idaho, on that certain real property legal described on Exhibit A attached hereto and made part hereof.

IN WITNESS WHEREOF, CTC TELECOM, INC., hereby executes this Relinquishment of Easement, by its proper officers, this 22 day of May, 2023.

CTC TELECOM, INC., an Idaho corporation

By: _____

Jerry Piper, Vice President of Operations

STATE OF IDAHO)

) ss.

County of Washington)

This record was acknowledged before me on this 22 day of May, 2023, by Jerry Piper, as Vice President of Operations of CTC Telecom, Inc.

Sandra J Ward

My Commission Expires

8/9/25

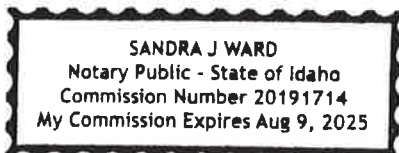


Exhibit A – Legal Description of Relinquished Easement Areas

Existing public utility easements over portions of Lots 1, 2, and 3 of Block 1 of Hoot Nanney Farms Subdivision, as shown in Book 103 of Plats on Pages 13839 through 13841, records of Ada County, Idaho; being located in the E ½ of Section 4, Township 4 North, Range 1 West, Boise Meridian, Ada County, Idaho, and more particularly described as follows:

LOT 1 BLOCK 1 EASEMENT

A strip of land of varying width, right of and adjacent to the following described easement line:

Commencing at a Brass Cap monument marking the southwest corner of the NW ¼ of the SE ¼ (CS 1/16 corner) of said Section 4, from which an Aluminum Cap monument marking the northwest corner of said NW ¼ of the SE ¼ (C ¼ corner) bears N 0°48'29" E a distance of 1329.13 feet;

Thence along the southerly boundary of said NW ¼ of the SE ¼ S 89°27'07" E a distance of 868.27 feet to a point;

Thence leaving said boundary N 0°32'53" E a distance of 25.00 feet to a point on the southerly boundary of said Lot 1 being the **POINT OF BEGINNING**;

Said easement being 10.00 feet in width, thence along said southerly boundary N 89°27'07" W a distance of 240.08 feet (formerly N 89°59'16" W, 240.04 feet) to the southwesterly corner of said Lot 1;

Thence along the westerly boundary of said Lot 1 N 0°48'29" E (formerly N 0°16'08" E) a distance of 669.00 feet to the northwesterly corner of said Lot 1;

Said easement becoming 5.00 feet in width, thence along the northerly boundary of said Lot 1 S 89°27'07" E a distance of 651.72 feet (formerly S 89°59'16" E, 651.62 feet) to the northeasterly corner of said Lot 1;

Said easement becoming 10.00 feet in width, thence along the easterly boundary of said Lot 1 S 0°55'29" W a distance of 669.01 feet (formerly S 0°23'02" W, 669.00 feet) to the southeasterly corner of said Lot 1;

Thence along the southerly boundary of said Lot 1 N 89°27'07" W a distance of 320.28 feet (formerly N 89°59'16" W, 320.24 feet) to the **ENDING POINT** of said easement line.

Said Lot 1 Block 1 Easement contains 0.504 acres more or less and is subject to any other easements existing or in use.

LOT 2 BLOCK 1 EASEMENT

A strip of land of varying width, right of and adjacent to the following described easement line:

Commencing at a Brass Cap monument marking the southwest corner of the NW ¼ of the SE ¼ (CS 1/16 corner) of said Section 4, from which an Aluminum Cap monument marking the

northwest corner of said NW ¼ of the SE ¼ (C ¼ corner) bears N 0°48'29" E a distance of 1329.13 feet;

Thence along the westerly boundary of said NW ¼ of the SE ¼ N 0°48'29" E a distance of 694.00 feet to the southwesterly corner of said Lot 2, the **BEGINNING POINT** of said easement line;

Said easement being 10.00 feet in width, thence along the westerly boundary of said Lot 2 N 0°48'29" E a distance of 635.13 feet (formerly N 0°16'08" E, 634.82 feet) to the Center ¼ corner of said Section 4;

Thence continuing along said westerly boundary N 0°48'31" E a distance of 979.09 feet (formerly N 0°16'22" E, 978.91 feet) to the northwesterly corner of said Lot 2;

Said easement becoming 5.00 feet in width, thence along the northerly boundary of said Lot 2 S 89°07'52" E a distance of 1243.06 feet (formerly S 89°39'48" E, 1242.77 feet) to the northeasterly corner of said Lot 2;

Said easement becoming 10.00 feet in width, thence along the easterly boundary of said Lot 2 the following courses and distances:

Thence S 0°55'29" W a distance of 367.37 feet (formerly S 0°23'02" W, 367.43 feet) to a point;

Thence S 20°52'06" E a distance of 107.74 feet (formerly S 21°24'40" E, 107.73 feet) to a point;

Thence S 0°55'29" W a distance of 1139.60 feet (formerly S 0°23'02" W, 1139.00 feet) to the southeasterly corner of said Lot 2;

Said easement becoming 5.00 feet in width, thence along the southerly boundary of said Lot 2 N 89°27'07" W a distance of 651.72 feet (formerly N 89°59'16" W, 651.62 feet) to a point being the northwesterly corner of said Lot 1;

Said easement becoming 10.00 feet in width, thence continuing along said southerly boundary N 89°27'07" W a distance of 628.08 feet (formerly N 89°59'16" W, 628.00 feet) to the southwesterly corner of said Lot 2, the **ENDING POINT** of said easement line.

Said Lot 2 Block 1 Easement contains 1.098 acres more or less and is subject to any other easements existing or in use.

LOT 3 BLOCK 1 EASEMENT

A strip of land of varying width, right of and adjacent to the following described easement line:

Commencing at a Brass Cap monument marking the southwest corner of the NW ¼ of the SE ¼ (CS 1/16 corner) of said Section 4, from which an Aluminum Cap monument marking the northwest corner of said NW ¼ of the SE ¼ (C ¼ corner) bears N 0°48'29" E a distance of 1329.13 feet;

Thence along the westerly boundary of said NW ¼ of the SE ¼ N 0°48'29" E a distance of 1329.13 feet to said Center ¼ corner;

Thence along the westerly boundary of the SW ¼ of the NE ¼ of said Section 4 N 0°48'31" E a distance of 979.09 feet to the southwesterly corner of said Lot 3, the **BEGINNING POINT** of said easement line;

Said easement being 10.00 feet in width, thence along the westerly boundary of said Lot 3 N 0°48'31" E a distance of 350.56 feet (formerly N 0°16'22" E, 350.50 feet) to the northwesterly corner of said Lot 3;

Thence along the northerly boundary of said Lot 3 S 89°07'52" E a distance of 1243.77 feet (formerly S 89°39'48" E, 1243.45 feet) to the northeasterly corner of said Lot 3;

Thence along the easterly boundary of said Lot 3 S 0°55'29" W a distance of 350.56 feet (formerly S 0°23'02" W, 350.50 feet) to the southeasterly corner of said Lot 3;

Said easement becoming 5.00 feet in width, thence along the southerly boundary of said Lot 3 N 89°07'52" W a distance of 1243.06 (formerly N 89°39'48" W, 1242.77 feet) to the southwesterly corner of said Lot 3, the **ENDING POINT** of said easement line.

Said Lot 3 Block 1 Easement contains 0.582 acres more or less and is subject to any other easements existing or in use.

Clinton W. Hansen, PLS
Land Solutions, PC
May 4, 2023

