

received
12.10.19



City of Kuna
Planning & Zoning
Department
P.O. Box 13
Kuna, Idaho 83834
208.922.5274
Fax: 208.922.5989
Web: Kunacity.id.gov

Annexation Checklist

Annexation requires public hearings with both the Planning & Zoning Commission and City Council. Public hearing signs will be required to be posted by the applicant for both meetings. Sign posting regulations are available online.

Project name: Urza Annexation	Applicant: KM Engineering
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All applications are required to contain one copy of the following:

Applicant (✓)	Description	Staff (✓)
x	Completed and signed Commission & Council Review Application.	✓
x	Letter of Intent indicating reasons for proposed annexation and the availability of public services.	✓
x	Vicinity map drawn to scale, showing the location of the subject property. Map shall contain the following information: Shaded area showing the annexation property, Street names and names of surrounding subdivisions.	✓
x	Legal description of the annexation area: Include a metes & bounds description to the section line of all adjacent roadways stamped & signed by a registered professional land surveyor with a calculated closure sheet & a map showing the boundaries of the legal description.	✓
x	Recorded warranty deed for the property.	✓
x	Proof of ownership—A copy of your deed <u>and</u> Affidavit of Legal Interest (All parties involved)	✓
N/A	Development Agreement & Development Agreement Checklist	
x	Neighborhood meeting certification (certification & neighborhood meeting list forms shall accompany this application).	✓
x	Commitment of Property Posting form signed by the applicant/agent.	✓

Note: Only one copy of the above items need to be submitted when applying for multiple applications.

This application shall not be considered complete (nor will a Public Hearing be set) until staff has received all required information. Once the application is deemed complete, staff will notify the applicant of the scheduled hearing date, fees due, additional copies needed, etc.

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Planning & Zoning
Department
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Kuna, Idaho 83634
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Commission & Council Review Application

Note: Engineering fees shall be paid by the applicant if required.

*Please submit the appropriate checklist (s) with application

Type of Review (check all that apply):

- Annexation
- Appeal
- Comprehensive Plan Amendment
- Design Review
- Development Agreement
- Final Planned Unit Development
- Final Plat
- Lot Line Adjustment
- Lot Split
- Planned Unit Development
- Preliminary Plat
- Rezone
- Special Use
- Temporary Business
- Vacation
- Variance

For Office Use Only	
File Number (s)	19-12-AN
Project name	Urza Annexation
Date Received	12-10-19
Date Accepted/Complete	
Cross Reference Files	
Commission Hearing Date	
City Council Hearing Date	

Contact/Applicant Information

Owners of Record: <u>Marcos and Estefania Urza Estate</u>	Phone Number: _____
Address: <u>1923 167th Ave. SE</u>	E-Mail: _____
City, State, Zip: <u>Seattle, WA 98008</u>	Fax #: _____
Applicant (Developer): <u>DBTV Agricultural Holdings, LLC.</u>	Phone Number: _____
Address: <u>6152 West Half Moon Lane</u>	E-Mail: _____
City, State, Zip: <u>Eagle, Idaho, 83616</u>	Fax #: _____
Engineer/Representative: <u>KM Engineering, LLP.</u>	Phone Number: <u>208.639.6939</u>
Address: <u>9233 W. State St.</u>	F-Mail: <u>sleonard@kmengllp.com</u>
City, State, Zip: <u>Boise, ID 83714</u>	Fax #: <u>208.639.6930</u>

Subject Property Information

Site Address: <u>2021 W. Kuna Rd.</u>
Site Location (Cross Streets): <u>South of Kuna Rd., east of Black Cat and west of Ten Mile</u>
Parcel Number (s): <u>R7321001000</u>
Section, Township, Range: <u>NE 1/4 of Section 27, T2N., R1W.</u>
Property size : <u>78 acres</u>
Current land use: <u>Agriculture</u> Proposed land use: <u>Residential</u>
Current zoning district: <u>RUT</u> Proposed zoning district: <u>R-6</u>

Project Description

Project / subdivision name: Urza Annexation

General description of proposed project / request: Annexation and zoning of +/- 78 acres into the City of Kuna with the R-6 zoning designation.

Type of use proposed (check all that apply):

Residential No specific layout determined at this time.

Commercial _____

Office _____

Industrial _____

Other _____

Amenities provided with this development (if applicable): Not applicable for this phase of the project.

Residential Project Summary (if applicable)

Are there existing buildings? Yes No

Please describe the existing buildings: Outbuildings associated with farm.

Any existing buildings to remain? Yes No

Number of residential units: Unknown at this time. Number of building lots: Unknown at this time.

Number of common and/or other lots: Unknown at this time.

Type of dwellings proposed:

Single-Family _____

Townhouses _____

Duplexes _____

Multi-Family _____

Other _____

Minimum Square footage of structure (s): _____

Gross density (DU/acre-total property): _____ Net density (DU/acre-excluding roads): _____

Percentage of open space provided: _____ Acreage of open space: _____

Type of open space provided (i.e. landscaping, public, common, etc.): _____

Non-Residential Project Summary (if applicable)

Number of building lots: _____ Other lots: _____

Gross floor area square footage: _____ Existing (if applicable): _____

Hours of operation (days & hours): _____ Building height: _____

Total number of employees: _____ Max. number of employees at one time: _____

Number and ages of students/children: _____ Seating capacity: _____

Fencing type, size & location (proposed or existing to remain): _____

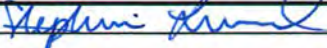
Proposed Parking: a. Handicapped spaces: _____ Dimensions: _____

 b. Total Parking spaces: _____ Dimensions: _____

 c. Width of driveway aisle: _____

Proposed Lighting: _____

Proposed Landscaping (berms, buffers, entrances, parking areas, common areas, etc.): _____

Applicant's Signature:  Date: 12.10.19



December 10, 2019
Project No.: 19-151

Mr. Troy Behunin
Planning & Zoning Department
City of Kuna
751 West 4th Street
Kuna, ID 83634

**RE: Property at 2021 West Kuna Road – Kuna, ID
Annexation Application**

Dear Mr. Behunin:

On behalf of DBTV Agricultural Holdings, LLC. and/or its assigns, we are pleased to submit the attached application and required supplements for annexation and zoning of the property referenced above.

The subject property is approximately 78 acres of agricultural ground identified as parcel number R7321001000 and located approximately one quarter mile west of Ten Mile Road and one half mile east of Black Cat Road on the south side of Kuna Road. The site is currently zoned RUT in Ada County with a comprehensive plan designation of Medium Density Residential and is contiguous to City limits on the east and the north across Kuna Road. As a part of this application, we are requesting to annex the property into the City of Kuna with a zoning designation of R-6 to accommodate future development. The requested zoning is commensurate with the comprehensive plan designation of Medium Density Residential and is compatible with other residential developments in the area.

The applicant has met with the City regarding water, sewer and pressure irrigation facilities in the area and will continue to do so to ensure that adequate public facilities are available to accommodate future development of the property. It is our intention to follow this application package with a preliminary plat submittal in the coming months; however, before expending resources to prepare the drawings, we felt it prudent to obtain the City's feedback on the requested zoning designation.

With the proposals discussed herein, we feel that this project complements the City's vision for growth and will ultimately provide opportunities for additional housing in this growing area. Should you have questions or require further information in order to process this application, please feel free to contact me.

Sincerely,
KM Engineering, LLP

A handwritten signature in blue ink, appearing to read 'Stephanie Leonard', written over a light blue horizontal line.

Stephanie Leonard
Land Planner

cc: DBTV Agricultural Holdings, LLC.

Vicinity Map





November 25, 2019
Project No.: 19-151

**Exhibit A
Legal Description for
Annexation and Rezone**

A parcel of land situated in the Northwest 1/4 of the Northeast 1/4 of Section 27, Township 2 North, Range 1 West, B.M., Ada County, Idaho and being more particularly described as follows:

Commencing at a found aluminum cap marking the East 1/4 corner of said Section 27, which bears S00°20'28"W a distance of 2,644.27 feet from a found brass cap marking the Northeast corner of said Section 27, thence following the southerly line of the Northeast 1/4 of said Section 27, N89°32'56"W a distance of 1,339.76 feet to the **POINT OF BEGINNING.**

Thence following said southerly line, N89°32'56"W a distance of 1,314.76 feet to a found 5/8-inch rebar marking the Center 1/4 corner of said Section 27;

Thence leaving said southerly line and following the westerly line of said Northwest 1/4 of the Northeast 1/4, N00°20'42"E a distance of 2,637.72 feet to a found brass cap marking the North 1/4 corner of said Section 27;

Thence leaving said westerly line and following the northerly line of said Northwest 1/4 of the Northeast 1/4, S89°41'25"E a distance of 1,314.67 feet;

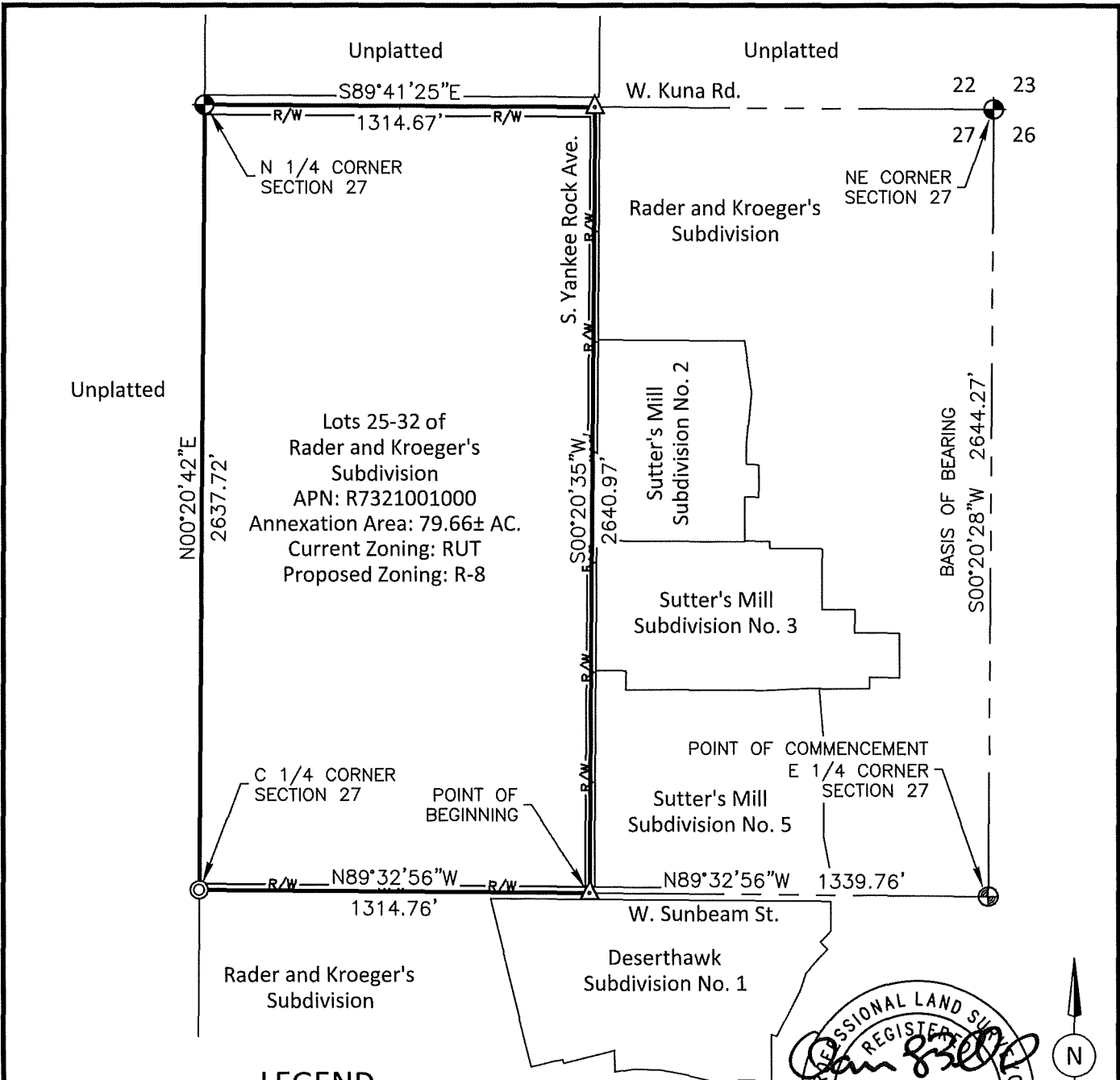
Thence leaving said northerly line, S00°20'35"W a distance of 2,640.97 feet to the **POINT OF BEGINNING.**

Said parcel contains a total of 79.660 acres, more or less, and is subject to all existing easements and/or rights-of-way of record or implied.






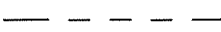
Attached hereto is Exhibit B and by this reference is made a part hereof.

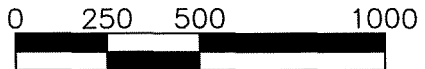


P:\19-151\CAD\SURVEY\EXHIBITS\19-151 ANNEXATION AND REZONE.DWG, CRAIG DRAPER, 11/19/2019, DWG TO PDF.PC3, 08.5X11 P [PDF]



LEGEND

-  FOUND BRASS CAP
-  FOUND ALUMINUM CAP
-  FOUND 5/8-INCH REBAR
-  CALCULATED POINT
-  ANNEXATION BOUNDARY
-  SECTION LINE



Plan Scale



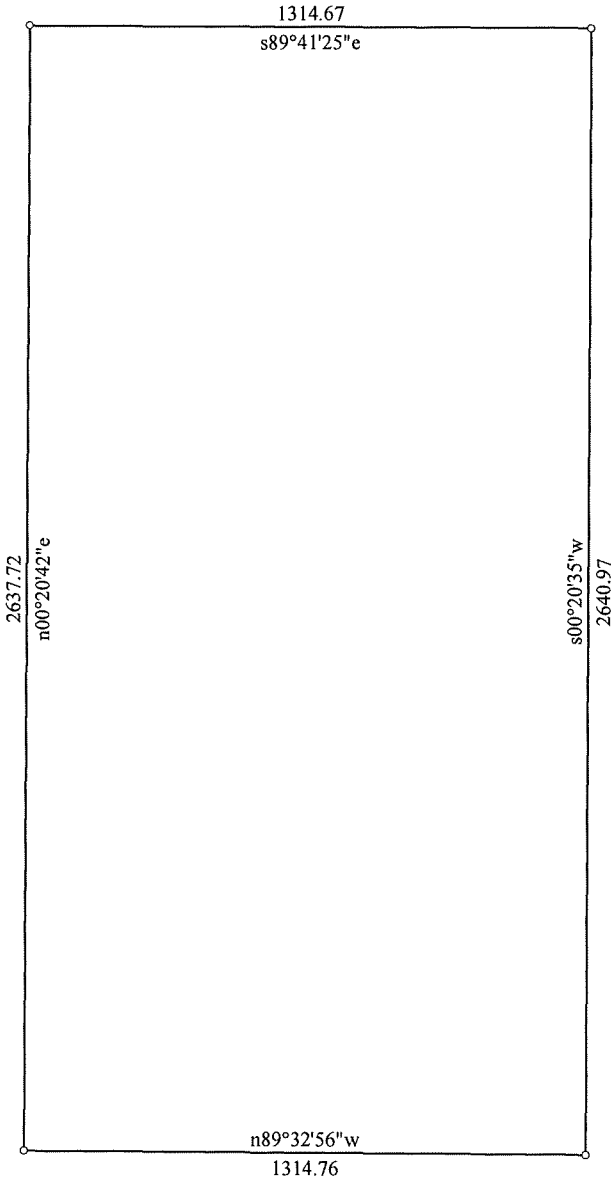
ENGINEERS . SURVEYORS . PLANNERS
 9233 WEST STATE STREET
 BOISE, IDAHO 83714
 PHONE (208) 639-6939
 FAX (208) 639-6930

DATE: 11/19/2019
 PROJECT: 19-151

SHEET:
 1 OF 1

**Exhibit B
 Annexation and Rezone**

Marcos and Estefania Urza - 2021 W. Kuna Rd.
 NW 1/4 NE 1/4 Sec. 27, T2N., R1W., B.M., Ada County, Idaho



Title: 19-151 Annexation and Rezone Legal		Date: 11-19-2019
Scale: 1 inch = 450 feet	File:	
Tract 1: 79.660 Acres: 3469983 Sq Feet: Closure = n15.5053w 0.01 Feet: Precision >1/999999: Perimeter = 7908 Feet		
001=n89.3256w 1314.76	003=s89.4125e 1314.67	
002=n00.2042e 2637.72	004=s00.2035w 2640.97	



City of Kuna AFFIDAVIT OF LEGAL INTEREST

City of Kuna
P.O. Box 13
Kuna, Idaho 83634
Phone: (208) 922-5274
Fax: (208) 922-5989
Web: www.kunacity.id.gov

State of ^{Utah} ~~Idaho~~)
County of ^{Washington} ~~Ada~~)
1. ^{Executor for Estate of Estefania and Marcos Urza}
Name Inaky J Urza, A Address 2707 Meadow Hills Ct.
Richland WA 99352
City State Zip Code

being first duly sworn upon oath, depose and say:

(If Applicant is also Owner of Record, skip to B)

A. That I am the record ^{Executor of property} owner of the property described on the attached, and I grant my permission to Tim Eck (and affiliated entities) and KM Engineering 9233 West State Street, Boise, ID 83714
Name Address

to submit the accompanying application pertaining to that property.

B. I agree to indemnify, defend and hold City of Kuna and its employees harmless from any claim or liability resulting from any dispute as to the statements contained herein or as to the ownership of the property which is the subject of the application.

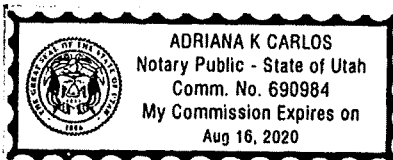
C. I hereby grant permission to the City of Kuna staff to enter the subject property for the purpose of site inspections related to processing said application(s),

Dated this 11/22/19 day of November, 20 19

[Signature]
Signature

Subscribed and sworn to before me the day and year first above written.

[Signature]
Notary Public for Idaho Utah
Residing at: St. George, UT - 84770
My commission expires: Aug 16, 2020





City of Kuna
**COMMITMENT TO
PROPERTY POSTING**

City of Kuna
P.O. Box 13
Kuna, Idaho 83634
Phone: (208) 922-5274
Fax: (208) 922-5989
Web www.kunacity.id.gov

Per City Code 5-1A-8, the applicant for all applications requiring a public hearing shall post the subject property not less than ten (10) days prior to the hearing. The applicant shall post a copy of the public hearing notice or the application (s) on the property under consideration.

The applicant shall submit proof of property posting in the form of a notarized statement and a photograph of the posting to the City no later than seven (7) days prior to the public hearing attesting to where and when the sign (s) were posted. Unless such Certificate is received by the required date, the hearing will be continued.

The sign (s) shall be removed no later than three (3) days after the end of the public hearing for which the sign (s) had been posted.

I am aware of the above requirements and will comply with the posting requirements as stated in Kuna City Code 5-1A-8

Applicant/agent signature

12.10.19

Date



Neighborhood Meeting Certification

CITY OF KUNA PLANNING & ZONING * 763 W. Avalon, Kuna, Idaho, 83634 * www.kunacity.id.gov * (208) 922-5274 * Fax: (208) 922-5989

GENERAL INFORMATION:

You must conduct a neighborhood meeting prior to application for variance, conditional use, zoning ordinance map amendment, expansion or extension of a nonconforming use, and/or a subdivision. Please see Section 5-1A-2 of the Kuna City Code or ask one of our planners for more information on neighborhood meetings.

The meeting must be held either on a weekend between 10 a.m. and 7 p.m., or a weekday between 6 p.m. and 8 p.m. Meetings cannot be conducted on holidays, holiday weekends, or the day before or after a holiday or holiday weekend. The meeting must be held at one of the following locations:

- The Subject Property;
- The nearest available public meeting place (Examples include fire stations, libraries and community centers);
- An office space within a 1-mile radius of the subject property.

The meeting cannot take place more than 2 months prior to acceptance of the application and the application will not be accepted before the neighborhood meeting is conducted. You are required to send written notification of your meeting, allowing a reasonable amount of time before your meeting for property owners to plan to attend. Contacting and/or meeting individually with residents will not fulfill Neighborhood Meeting requirements.

You may request a list of the people you need to invite to the neighborhood meeting from our department. This list includes property owners within 300 feet of the subject property. Once you have held your neighborhood meeting, please complete this certification form and include it with your application.

Please Note: The neighborhood meeting must be conducted in one location for attendance by all neighboring residents. Contacting and/or meeting individually with residents does not comply with the neighborhood meeting requirements.

Please include a copy of the sign-in sheet for your neighborhood meeting, so we have written record of who attended your meeting and the letter of intent sent to each recipient. In addition, provide any concerns that may have been addressed by individuals that attended the meeting.

Description of proposed project: Annexation and Zoning

Date and time of neighborhood meeting: November 13, 2019 at 7:00 pm

Location of neighborhood meeting: Kuna Library

SITE INFORMATION:

Location: Quarter: NW Section: 27 Township: 2N Range: 1W Total Acres: +/- 78

Subdivision Name: _____ Lot: _____ Block: _____

Site Address: 2021 West Kuna Road Tax Parcel Number(s): R7321001000

Please make sure to include **all** parcels & addresses included in your proposed use.

CURRENT PROPERTY OWNER:

Name: Marcos & Estefania Urza

Address: 1923 167th Avenue SE City: Bellevue State: WA Zip: 98008

CONTACT PERSON (Mail recipient and person to call with questions):

Name: Stephanie Leonard Business (if applicable): KM Engineering, LLP

Address: 9233 West State Street City: Boise State: ID Zip: 83714

PROPOSED USE:

I request a neighborhood meeting list for the following proposed use of my property (check all that apply):

Application Type

Brief Description

Annexation

Annex property from Ada County into City limits with R6 zone

Re-zone

Subdivision (Sketch Plat and/or Prelim. Plat)

Special Use

Variance

Expansion of Extension of a Nonconforming Use

Zoning Ordinance Map Amendment

APPLICANT:

Name: KM Engineering on behalf of Tim Eck and affiliates

Address: 9233 West State Street

City: Boise State: ID Zip: 83714

Telephone: 208.639.6939 Fax: 208.639.6930

I certify that a neighborhood meeting was conducted at the time and location noted on this form and in accord with Section 5-1A-2 of the Kuna City Code

Signature: (Applicant) Stephoni [Signature] Date 11.13.19

SIGN IN SHEET

PROJECT NAME: Urza Property Annexation

Date: 11.13.19

	<u>Name</u>	<u>Address</u>	<u>Zip</u>	<u>Phone</u>
1	Hallinghead	4435 Waynton Ave	83634	208-440-5171
2	R Jones	623 S. Iron Springs	83634	
3	KENT WILLIAMS	300 YANKEE ROCK AVE	83634	208 870 3554
4	Kirsti Enabro	9233 W. State	83714	208-639-6939
5	DISK DEUTSCHE	135 N. TEN MILE	83634	208-922-4360
6	Vanessa Quinlan	1852 W. Bayhorse St.	83634	208-250-4119
7	Garrett Quinlan	1852 W. Bayhorse St.	83634	209-249-4543
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NEIGHBORHOOD MEETING MINUTES

Meeting Date: 11.13.19 Number of Attendees: 10

Meeting Location: Kuna Library

Description of Project Presented:

Annexation and zoning of +/- 78 acres. Currently RUT in Ada County. Requesting R6 in the City of Kuna.

No layouts are contemplated at this time. Eventual development will prompt another neighborhood meeting where design, etc. can be reviewed.

Attendee's comments:

-Question regarding proposed fencing along subdivision boundary. Response that Kuna typically requires 6' privacy fencing

- Question regarding whether project will impact personal property rights

- Comment regarding existing irrigation issues on the property

- Explanation regarding a pipe that broke but was never fixed near the property - floods Sutter Park every year

- Question regarding where irrigation will be pulled from

- Question regarding the developer's other projects in Kuna

- Comment that there is 1/4 mile of irrigation pipe along the N. boundary of the property

- Question regarding what will happen with the Yankee Rock access and homes that currently use it

- Question regarding whether the project will be phased or not

- Comment regarding emergency service response time

I hereby certify that the above information is complete and correct to the best of my knowledge.

Stephanie Leonard

Printed Name



Signature

11.13.19
Date



Neighborhood Meeting List Request

CITY OF KUNA PLANNING & ZONING, 763 West Avalon, Kuna, Idaho 83634 * www.kunacity.id.gov * (208) 922-5274 * Fax: (208) 922-5989

GENERAL INFORMATION:

If you are applying for one of the uses listed below, you must conduct a Neighborhood Meeting. This meeting allows neighbors to learn more about your project before the public hearing (Kuna Planning & Zoning will notify surrounding property owners of the hearing). All involved property owners within *300 feet of the subject property boundary need to be invited to your meeting.

According to Kuna City Code, the meeting must be held either on a weekend between 10 a.m. and 7 p.m., or a weekday between 6 p.m. and 8 p.m. Meetings cannot be conducted on holidays, holiday weekends, or the day before or after a holiday or holiday weekend. The meeting must be held at one of the following locations:

- The Subject Property;
- The nearest available public meeting place (Examples include fire stations, libraries and community centers);
- An office space within a 1-mile radius of the subject property.

The meeting cannot take place more than 6 months prior to acceptance of the application and the application will not be accepted before the neighborhood meeting is conducted. You are required to send written notification of your meeting, allowing a reasonable amount of time before your meeting for property owners to plan to attend. **Please fill out the supplied certification form and include it with your application so we have written record of your meeting.** Contacting and/or meeting individually with residents will not fulfill Neighborhood Meeting requirements.

*PLEASE NOTE: A \$20.00 FEE IS REQUIRED FOR THIS SERVICE (CITY OF KUNA PROVIDES MAILING LABELS)

PROPOSED USE:

I request a neighborhood meeting list for the following proposed use of my property (check all that apply):

<u>APPLICATION TYPE</u>	<u>BRIEF DESCRIPTION</u>
<input type="checkbox"/> Subdivision (Sketch Plat and/or Prelim. Plat)	<u>Annexation and zoning of approximately 78 acres from RUT</u>
<input type="checkbox"/> Conditional Use	<u>to the R-6 district.</u>
<input type="checkbox"/> Variance	_____
<input type="checkbox"/> Expansion of Extension of a Nonconforming Use	_____
<input checked="" type="checkbox"/> Zoning Ordinance Map Amendment	_____

SITE INFORMATION:

Location: Quarter: NE 1/4 Section: 27 Township: 2N Range: 1W Total Acres: 78
 Subdivision Name: Rader and Kroeger's Lot(s): 25-32 Block(s): _____
 Site Address: 2021 W Kuna Rd. Tax Parcel Number(s): R7321001000

Please make sure to include all parcels & addresses included in your proposed use.

CURRENT PROPERTY OWNER:

Name: Marcos Urza
 Address: 1923 167th Ave SE City: Bellevue State: WA Zip: 98008

CONTACT PERSON (Mail recipient and person to call with questions):

Name: Stephanie Leonard Business (if applicable): KM Engineering
 Address: 9233 W State St City: Boise State: ID Zip: 83714
 Fax: 208.639.6930 Phone: 208.639.6939 Cell: 208.284.0343

OFFICE USE ONLY			
File No.:	Received By:	Date:	Stamped:

DATE: November 1, 2019
TO: Neighbors
FROM: N Star Farm, LLC
RE: Property at 2021 West Kuna Road in Kuna, ID

Dear Neighbor:

We are currently working on a project to annex and zone +/- 78 acres south of Kuna Road midway between Black Cat Road and Ten Mile Road, which is depicted on the enclosed vicinity map. As a part of our project, we are preparing an annexation application for submittal to the City of Kuna.

This letter is notice of an opportunity to review and discuss the application at a neighborhood meeting as required by City Code; however, this is not a public hearing and public officials will not be present. The neighborhood meeting will be held on Wednesday, November 13, 2019, at 7:00 p.m., in the meeting room at the Kuna Library, which is located at 457 North Locust Avenue, Kuna, ID 83634.

We look forward to seeing you there.

ADAMS FAMILY LIVING TRUST 4-6-2016
429 S WAGONTOWN AVE
KUNA, ID 83634-0000

AMAYA MIGUEL
1895 W YUKON DR
KUNA, ID 83634-0000

BAUM DENNIS E
733 S IRON SPRINGS AVE
KUNA, ID 83634-0000

BLANSCET SHARON
419 S SADDLEROCK AVE
KUNA, ID 83634-0000

BURTCHER ROSS
1863 W CANUBE ST
KUNA, ID 83634-0000

CLAUSEN RYAN W
1897 W CANUBE ST
KUNA, ID 83634-0000

DESERTHAWK ESTATES SUBDIVISION
HOA

6152 W HALF MOON LN
EAGLE, ID 83616-0000

DOWDLE ROGER W
385 S SADDLEROCK AVE
KUNA, ID 83634-0000

FLETCHER JEFFEREY
738 S IRON SPRINGS AVE
KUNA, ID 83634-0000

GOODWIN ADAM
716 S IRON SPRINGS AVE
KUNA, ID 83634-0000

AH4R PROPERTIES TWO LLC
30601 AGOURA RD STE 200
AGOURA HILLS, CA 91301-0000

AMH 2015-1 BORROWER LLC
30601 AGOURA RD STE 200
AGOURA HILLS, CA 91301-0000

BETTENCOURT ALETTE ANN FAMILY
TRUST

1032 S BLACK CAT RD
KUNA, ID 83634-0000

BUCHHOLZ KENNETH W
1868 W BAYHORSE ST
KUNA, ID 83634-0000

CASTOR TERRY ALLEN
597 S IRON SPRINGS AVE
KUNA, ID 83634-0000

COCKRUM AMBER
2020 W STONY DESERT ST
KUNA, ID 83634-0000

DEUTSCHE RICHARD & CAROL FAMILY
TRUST

135 N TEN MILE RD
KUNA, ID 83634-0000

DUNBARR JOSHUA JAY
1977 W SAHARA DR
KUNA, ID 83634-0000

FORD JASON L
2031 W SAHARA DR
KUNA, ID 83634-0000

GRIEWE EVERETT RAY
1907 W YUKON DR
KUNA, ID 83634-0000

ALLEN TUMAN EARL
2200 W KING RD
KUNA, ID 83634-1718

BARNES KATRINA LYNN
387 S WAGONTOWN AVE
KUNA, ID 83634-0000

BLACK CAT DAIRY LLC
5655 S BLACK CAT RD
MERIDIAN, ID 83642-0000

BURKHARDT NICHOLAS M
1878 W OAKLEY WAY
KUNA, ID 83634-0000

CLARK JAMES R
418 S WAGONTOWN AVE
KUNA, ID 83634-0000

CYRWAY MARTIN
2032 W SAHARA DR
KUNA, ID 83634-0000

DINTER CHRISTOPHER L
1852 W OAKLEY WAY
KUNA, ID 83634-0000

ELMQUIST MURIEL
1976 W STONY DESERT ST
KUNA, ID 83634-0000

GABBERT CHELSEA
713 S LANDORE AVE
KUNA, ID 83634-0000

GUTHRIE JAMES R
436 S WAGONTOWN AVE
KUNA, ID 83634-0000

HALLINGSHEAD JAMES ROBERT
443 S WAGONTOWN AVE
KUNA, ID 83634-0000

HARWELL JEFFREY B
1930 W CASPIAN ST
KUNA, ID 83634-0000

HOWARD JOHN C
1894 W CASPIAN ST
KUNA, ID 83634-0000

JENNINGS KENT
759 S LANDORE AVE
KUNA, ID 83634-0000

JONES KENNETH RAY
1860 W CASPIAN ST
KUNA, ID 83634-0000

JOSTAD ALLEN M
1959 W SAHARA DR
KUNA, ID 83634-0000

KINSMAN JORDON E
364 S WAGONTOWN AVE
KUNA, ID 83634-0000

LEE BRYAN D
1998 W STONY DESERT ST
KUNA, ID 83634-0000

MCGREGOR DANIEL A
2430 S MERIDIAN RD
KUNA, ID 83634-0000

NICHOLSON CRAIG
762 S IRON SPRINGS AVE
KUNA, ID 83634-0000

HARLAN CLINTON VON
694 S IRON SPRINGS AVE
KUNA, ID 83634-0000

HENDRIX SCOTT M
689 S IRON SPRINGS AVE
KUNA, ID 83634-0000

HOWELL DAVID
1874 W POTOSI WAY
KUNA, ID 83634-0000

JOHNSON CONTESSA L
1891 W OAKLEY WAY
KUNA, ID 83634-0000

JONES ROBERT F
623 S IRON SPRINGS AVE
KUNA, ID 83634-0000

KAY TIFFANY
1934 W STONY DESERT ST
KUNA, ID 83634-0000

KNIGHTEN ELENA M
1890 W BAYHORSE ST
KUNA, ID 83634-0000

LUND KEVIN
564 S IRON SPRINGS AVE
KUNA, ID 83634-0000

MURPHEY FRANCIS LEVI LIFE ESTATE
2417 W KUNA RD
KUNA, ID 83634-0000

O'BRIEN DANIEL L
1934 W BAYHORSE ST
KUNA, ID 83634-0000

HARTFORD JOHN
1931 W CANUBE ST
KUNA, ID 83634-0000

HENNESSEY KENIN N
1851 W YUKON DR
KUNA, ID 83634-0000

HUFFAKER DAVID
1955 W CANUBE ST
KUNA, ID 83634-0000

JOHNSON DAVID
1928 W SAHARA DR
KUNA, ID 83634-0000

JORDAN DENNIS C
401 S SADDLEROCK AVE
KUNA, ID 83634-0000

KING RYAN SCOTT
361 S SADDLEROCK AVE
KUNA, ID 83634-0000

KRON CLIFTON T
735 S LANDORE AVE
KUNA, ID 83634-0000

MAXFIELD TIMOTHY O
1904 W POTOSI WAY
KUNA, ID 83634-0000

MYATT ERNIEST A
1873 W YUKON DR
KUNA, ID 83634-0000

O'LEARY MARK
182 SEASPRAY WAY
PORT HUENEME, CA 93401-0000

OLIVAREZ CARLOS AVELINO
1999 W SAHARA DR
KUNA, ID 83634-0000

PARDUE SAMANTHA
1912 W BAYHORSE ST
KUNA, ID 83634-0000

POTRATZ CHAD
691 S LANDORE AVE
KUNA, ID 83634-0000

RAMOS CHRISTOPHER
561 S IRON SPRINGS AVE
KUNA, ID 83634-0000

ROBBINS ROBERT L
875 S KALAHARI AVE
KUNA, ID 83634-0000

ROSE TARA C
1851 W POTOSI WAY
KUNA, ID 83634-0000

RYDMAN DANIELLE ANDREA
1946 W SAHARA DR
KUNA, ID 83634-0000

SIGLER VYCKEE L
1629 W KUNA RD
KUNA, ID 83634-0000

STUKE PAUL WILLIAM
711 S IRON SPRINGS AVE
KUNA, ID 83634-0000

THOMAS JOY R
272 S YANKEE ROCK AVE
KUNA, ID 83634-0000

OPEN DOOR RENTALS LLC
1977 E OVERLAND RD
MERIDIAN, ID 83642-0000

PARKER RICKY H
1926 W POTOSI WAY
KUNA, ID 83634-0000

PRICE RUSSELL S
535 S IRON SPRINGS AVE
KUNA, ID 83634-0000

RENNAKER CHARLEY
1906 W SAHARA DR
KUNA, ID 83634-0000

RODRIGUEZ YAN CARLOS
1966 W SAHARA DR
KUNA, ID 83634-0000

ROUSE KIRSTYN M
461 S WAGONTOWN AVE
KUNA, ID 83634-0000

SEMPSTOTT JUSTIN
757 S IRON SPRINGS AVE
KUNA, ID 83634-0000

STEGER TIMOTHY JAY
1937 W SAHARA DR
KUNA, ID 83634-0000

SULEK EUGENE
583 S IRON SPRINGS AVE
KUNA, ID 83634-0000

TORRES ANGELINA BAEZA
1958 W STONY DESERT ST
KUNA, ID 83634-0000

OURS WILLIAM P
361 S WAGONTOWN AVE
KUNA, ID 83634-0000

PARRISH TIM B
1854 S MOONEY LN
HAMMETT, ID 83627-0000

QUINLAN GARRETT
1852 W BAYHORSE ST
KUNA, ID 83634-0000

RINE JEREMY
779 S IRON SPRINGS AVE
KUNA, ID 83634-0000

ROESER JON
1857 W KUNA RD
KUNA, ID 83634-0000

RUPE KARL MONROE
923 S KALAHARI AVE
KUNA, ID 83634-0000

SHULTS CHRISTOPHER D
1919 W SAHARA DR
KUNA, ID 83634-0000

STEWART DEBORAH LYNN
1877 W OAKLEY WAY
KUNA, ID 83634-0000

SUTTERS MILL HOMEOWNERS
ASSOCIATION INC
PO BOX 87
KUNA, ID 83634-0000

URZA FARM LLC
6152 W HALF MOON LN
EAGLE, ID 83616-0000

URZA MARCOS
1923 167TH AVE SE
BELLEVUE, WA 98008-5327

VAUGHN ROBERT EDWARD
1850 W POTOSI WAY
KUNA, ID 83634-0000

VENARD CHARLOTTE E
1853 W OAKLEY WAY
KUNA, ID 83634-0000

WALKER MARLENE
405 S WAGONTOWN AVE
KUNA, ID 83634-0000

WEATHERS WILLIAM ANTHONY
552 S IRON SPRINGS AVE
KUNA, ID 83634-0000

WILLIAMSON KENT E
300 S YANKEE ROCK AVE
KUNA, ID 83634-5373

WOODS TIMOTHY J
382 S WAGONTOWN AVE
KUNA, ID 83634-0000

YOUNG CHAD
645 S IRON SPRINGS AVE
KUNA, ID 83634-0000

ZIMMERMAN AMANDA
1988 W SAHARA DR
KUNA, ID 83634-0000

ZIMMERMAN KELLY
402 S WAGONTOWN AVE
KUNA, ID 83634-0000

PRIMOWNER
ADAMS FAMILY LIVING TRUST 4-6-2016
AH4R PROPERTIES TWO LLC
ALLEN TUMAN EARL
AMAYA MIGUEL
AMH 2015-1 BORROWER LLC
BARNES KATRINA LYNN
BAUM DENNIS E
BETTENCOURT ALETTE ANN FAMILY TRUST
BLACK CAT DAIRY LLC
BLANSCET SHARON
BUCHHOLZ KENNETH W
BURKHARDT NICHOLAS M
BURTCHER ROSS
CASTOR TERRY ALLEN
CLARK JAMES R
CLAUSEN RYAN W
COCKRUM AMBER
CYRWAY MARTIN
DESERTHAWK ESTATES SUBDIVISION HOA
DEUTSCHE RICHARD & CAROL FAMILY TRUST
DINTER CHRISTOPHER L
DOWDLE ROGER W
DUNBARR JOSHUA JAY
ELMQUIST MURIEL
FLETCHER JEFFEREY
FORD JASON L
GABBERT CHELSEA
GOODWIN ADAM
GRIEWE EVERETT RAY
GUTHRIE JAMES R
HALLINGSHEAD JAMES ROBERT
HARLAN CLINTON VON
HARTFORD JOHN
HARWELL JEFFREY B
HENDRIX SCOTT M
HENNESSEY KENIN N
HOWARD JOHN C
HOWELL DAVID
HUFFAKER DAVID
JENNINGS KENT
JOHNSON CONTESSA L
JOHNSON DAVID
JONES KENNETH RAY
JONES ROBERT F
JORDAN DENNIS C
JOSTAD ALLEN M

ADDCONCAT
429 S WAGONTOWN AVE
30601 AGOURA RD STE 200
2200 W KING RD
1895 W YUKON DR
30601 AGOURA RD STE 200
387 S WAGONTOWN AVE
733 S IRON SPRINGS AVE
1032 S BLACK CAT RD
5655 S BLACK CAT RD
419 S SADDLEROCK AVE
1868 W BAYHORSE ST
1878 W OAKLEY WAY
1863 W CANUBE ST
597 S IRON SPRINGS AVE
418 S WAGONTOWN AVE
1897 W CANUBE ST
2020 W STONY DESERT ST
2032 W SAHARA DR
6152 W HALF MOON LN
135 N TEN MILE RD
1852 W OAKLEY WAY
385 S SADDLEROCK AVE
1977 W SAHARA DR
1976 W STONY DESERT ST
738 S IRON SPRINGS AVE
2031 W SAHARA DR
713 S LANDORE AVE
716 S IRON SPRINGS AVE
1907 W YUKON DR
436 S WAGONTOWN AVE
443 S WAGONTOWN AVE
694 S IRON SPRINGS AVE
1931 W CANUBE ST
1930 W CASPIAN ST
689 S IRON SPRINGS AVE
1851 W YUKON DR
1894 W CASPIAN ST
1874 W POTOSI WAY
1955 W CANUBE ST
759 S LANDORE AVE
1891 W OAKLEY WAY
1928 W SAHARA DR
1860 W CASPIAN ST
623 S IRON SPRINGS AVE
401 S SADDLEROCK AVE
1959 W SAHARA DR

KAY TIFFANY	1934 W STONY DESERT ST
KING RYAN SCOTT	361 S SADDLEROCK AVE
KINSMAN JORDON E	364 S WAGONTOWN AVE
KNIGHTEN ELENA M	1890 W BAYHORSE ST
KRON CLIFTON T	735 S LANDORE AVE
LEE BRYAN D	1998 W STONY DESERT ST
LUND KEVIN	564 S IRON SPRINGS AVE
MAXFIELD TIMOTHY O	1904 W POTOSI WAY
MCGREGOR DANIEL A	2430 S MERIDIAN RD
MURPHEY FRANCIS LEVI LIFE ESTATE	2417 W KUNA RD
MYATT ERNIEST A	1873 W YUKON DR
NICHOLSON CRAIG	762 S IRON SPRINGS AVE
O'BRIEN DANIEL L	1934 W BAYHORSE ST
O'LEARY MARK	182 SEASPRAY WAY
OLIVAREZ CARLOS AVELINO	1999 W SAHARA DR
OPEN DOOR RENTALS LLC	1977 E OVERLAND RD
OURS WILLIAM P	361 S WAGONTOWN AVE
PARDUE SAMANTHA	1912 W BAYHORSE ST
PARKER RICKY H	1926 W POTOSI WAY
PARRISH TIM B	1854 S MOONEY LN
POTRATZ CHAD	691 S LANDORE AVE
PRICE RUSSELL S	535 S IRON SPRINGS AVE
QUINLAN GARRETT	1852 W BAYHORSE ST
RAMOS CHRISTOPHER	561 S IRON SPRINGS AVE
RENNAKER CHARLEY	1906 W SAHARA DR
RINE JEREMY	779 S IRON SPRINGS AVE
ROBBINS ROBERT L	875 S KALAHARI AVE
RODRIGUEZ YAN CARLOS	1966 W SAHARA DR
ROESER JON	1857 W KUNA RD
ROSE TARA C	1851 W POTOSI WAY
ROUSE KIRSTYN M	461 S WAGONTOWN AVE
RUPE KARL MONROE	923 S KALAHARI AVE
RYDMAN DANIELLE ANDREA	1946 W SAHARA DR
SEMPSTROT JUSTIN	757 S IRON SPRINGS AVE
SHULTS CHRISTOPHER D	1919 W SAHARA DR
SIGLER VYCKEE L	1629 W KUNA RD
STEGER TIMOTHY JAY	1937 W SAHARA DR
STEWART DEBORAH LYNN	1877 W OAKLEY WAY
STUKE PAUL WILLIAM	711 S IRON SPRINGS AVE
SULEK EUGENE	583 S IRON SPRINGS AVE
SUTTERS MILL HOMEOWNERS ASSOCIATION INC	PO BOX 87
THOMAS JOY R	272 S YANKEE ROCK AVE
TORRES ANGELINA BAEZA	1958 W STONY DESERT ST
URZA FARM LLC	6152 W HALF MOON LN
URZA MARCOS	1923 167TH AVE SE
VAUGHN ROBERT EDWARD	1850 W POTOSI WAY
VENARD CHARLOTTE E	1853 W OAKLEY WAY

WALKER MARLENE
WEATHERS WILLIAM ANTHONY
WILLIAMSON KENT E
WOODS TIMOTHY J
YOUNG CHAD
ZIMMERMAN AMANDA
ZIMMERMAN KELLY

405 S WAGONTOWN AVE
552 S IRON SPRINGS AVE
300 S YANKEE ROCK AVE
382 S WAGONTOWN AVE
645 S IRON SPRINGS AVE
1988 W SAHARA DR
402 S WAGONTOWN AVE

Site Photos





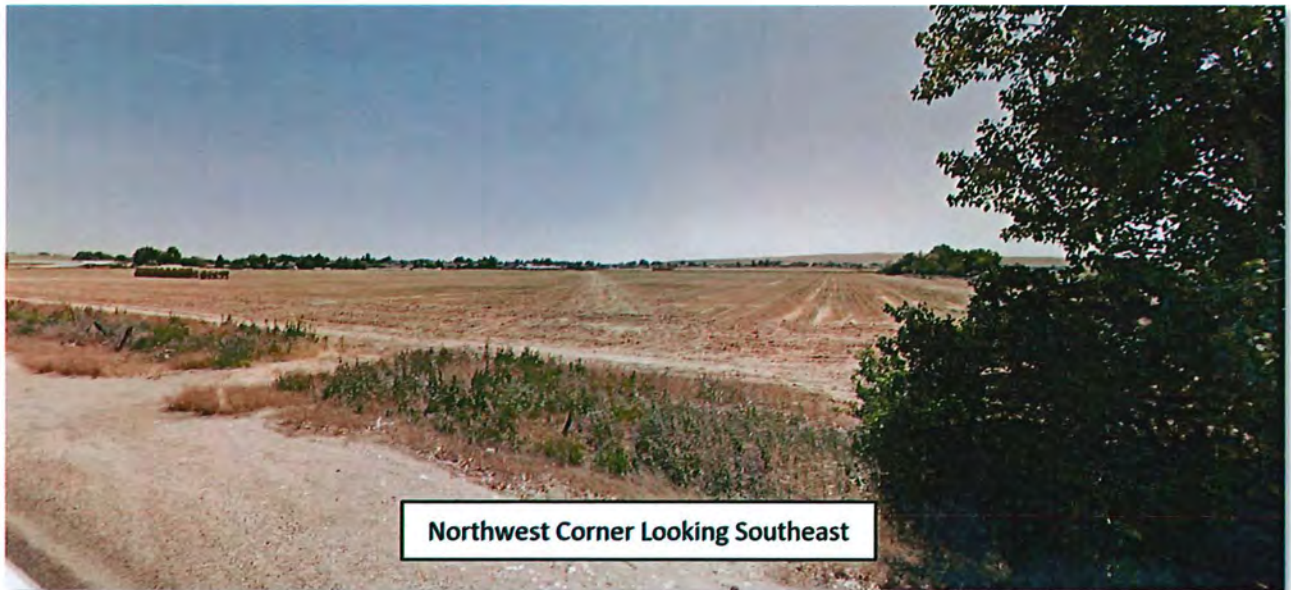
Southeast Corner Looking Northwest



Mid-Site at Caspian Street Looking West



Northeast Corner Looking Southwest



Northwest Corner Looking Southeast

1-33393

BOOK 447 PAGE 532 WARRANTY DEED

For Value Received

PHIL K. BELL and VALLENE D. BELL,
husband and wife,

the grantors, do hereby grant, bargain, sell and convey unto

MARCOS URZA and ESTEFANIA URZA,
husband and wife,

the grantees, the following described premises, in Ada County Idaho, to wit:

Lots 25 to 32 inclusive in Rader and
Kroeger's Subdivision being the W 1/2 of
NE 1/4 of Section 27, Township 2 North
Range 1 West Boise Meridian,

together with all water, water rights,
ditch, and ditch rights appertaining
thereto or used in connection therewith.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees,
their heirs and assigns forever. And the said Grantors do hereby covenant to and
with the said Grantees, that they are the owners in fee simple of said premises; that they are free
from all incumbrances EXCEPT one Federal Land Bank Mortgage in the amount of \$13,000.00
dated August 11, 1958, recorded August 18, 1958, records of Ada County, State of Idaho,
Instrument No. 435228, which said mortgage the Grantees hereby assume and agree to pay.

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: November 5, 1958.

Phil K. Bell

Vallene D. Bell

STATE OF IDAHO, COUNTY OF ADA

On this 5th day of November, 1958,
before me, a notary public in and for said State, personally
appeared

PHIL K. BELL and VALLENE D. BELL,

known to me to be the persons whose names are
subscribed in the within instrument, and acknowledged to
me that they executed the same.

F. Jensen
Notary Public
Boise, Idaho
Reading at 2*
Comm. Expires 1/15/60

STATE OF IDAHO, COUNTY OF ADA

I hereby certify that this instrument was filed for record at
the request of IDAHO TITLE CO.

at 40 5 minutes past 1 o'clock P.M.,
this 5 day of Dec,
1958, in my office, and duly recorded in Book
of Deeds at page

VERN THOMAS

Ex-Officio Recorder

By *[Signature]* Deputy.

Fees \$ 1.00
Mail to *Phil K. Bell, 117
P.O. Box 974, Boise, Idaho*

3 INSTRUMENT 112557

ALTA COMMITMENT FOR TITLE INSURANCE

Issued By:



Fidelity National Title
Insurance Company

Commitment Number:

34601913723

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, Fidelity 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 one hundred eighty (180) days after the Commitment Date, this Commitment terminates and the Company's liability and obligation end.

Fidelity National Title Insurance Company

By:

President

Countersigned By:

Authorized Officer or Agent

Attest:

Secretary

This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by Fidelity National Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I-Requirements; Schedule B, Part II-Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

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Transaction Identification Data for reference only:

ISSUING OFFICE:	FOR SETTLEMENT INQUIRIES, CONTACT:
Title Officer: Lynn Darling Fidelity National Title Company 485 East Riverside Dr., Suite 200 Eagle, ID 83616 Phone: 208-947-0490 Fax: 866-671-3899 Main Phone: (208)377-3190 Email: Lynn.Darling@fnf.com	Escrow Officer: Tammie Knobloch Fidelity National Title Company 485 East Riverside Dr., Suite 200 Eagle, ID 83616 Phone: 208-947-0484 Main Phone: (208)377-3190 Email: Tammie.Knobloch@fnf.com

Order Number: 34601913723

Property Address: 2021 W Kuna Road, Kuna, ID 83634

SCHEDULE A

1. Commitment Date: September 17, 2019 at 07:30 AM

2. Policy to be issued:

(a) ALTA Owner's Policy 2006 Standard

Proposed Insured: DBTV Agricultural Holdings, LLC

Proposed Policy Amount: \$1,767,948.00

Premium:

\$ 4,752.00

Total:

\$ 4,752.00

3. The estate or interest in the Land described or referred to in this Commitment is:

Fee Simple

4. The Title is, at the Commitment Date, vested in:

The heirs and devisees of Marcos Urza, deceased, their interest being subject to the administration of the estate of said decedent in Ada County, Probate Case No. CV IE 9214932, wherein Inaky Urza is the appointed Successor General Personal Representative of said estate; AND the heirs and devisees of Estefania B Urza, deceased, their interest being subject to the administration of the estate of said decedent in Ada County, Probate Case No. CV IE 1013769, wherein Inaky Urza is the appointed General Personal Representative of said estate

5. The Land is described as follows:

Lots 25 to 32, inclusive, in Rader and Kroeger's Subdivision, according to the plat thereof, as filed in Book 5 of Plats at Page 205, Official Records of Ada County, Idaho.

END OF SCHEDULE A

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**SCHEDULE B, PART I
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. The Company reserves the right to impose additional requirements or add exceptions that may become necessary once the terms of this transaction have been disclosed and/or upon review of this commitment by underwriting counsel.
6. The Company will require that an Owner's Affidavit be completed by the party(s) named below before the issuance of any policy of title insurance.

Party(s): Inaky Urza as Personal Representative of the Estates of Marcos Urza and Estefania B Urza

The Company reserves the right to add additional items or make further requirements after review of the requested Affidavit.

7. The Company will require the following documents for review prior to the issuance of any title insurance predicated upon a conveyance or encumbrance from the entity named below.

Limited Liability Company: DBTV Agricultural Holdings, LLC

- a. A copy of its operating agreement, if any, and any and all amendments, supplements and/or modifications thereto, certified by the appropriate manager or member.
- b. If a domestic Limited Liability Company, a copy of its Articles of Organization and all amendment thereto with the appropriate filing stamps.
- c. If the Limited Liability Company is member-managed a full and complete current list of members certified by the appropriate manager or member.
- d. A current dated certificate of good standing from the proper governmental authority of the state in which the entity was created
- e. If less than all members, or managers, as appropriate, will be executing the closing documents, furnish evidence of the authority of those signing.

The Company reserves the right to add additional items or make further requirements after review of the requested documentation.

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**SCHEDULE B, PART I
REQUIREMENTS**
(continued)

8. Please be advised that our search did not disclose any open Deeds of Trust of record. If you should have knowledge of any outstanding obligation, please contact the Title Department immediately for further review prior to closing.
9. Company requires the following matters to be cleared to our satisfaction before we will issue any ALTA Extended Coverage policy:
- a. Questions of survey
 - b. Rights of persons in possession
 - c. Material or labor liens
 - d. Rights or claims for easements not of record

END OF SCHEDULE B, PART I

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**SCHEDULE B, PART II
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 facts, rights, interests, or claims that are not shown by the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.
2. Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.
3. Any encroachment, encumbrance, violation, variation or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the land and not shown by the Public Records.
4. Any lien or right to a lien for services, labor or material not shown by the Public Records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) Indian treaty or aboriginal rights, including, but not limited to, easements or equitable servitudes; or, (d) water rights, claims or title to water, whether or not the matters excepted under (a), (b), (c) or (d) are shown by the public records.
6. (a) Taxes or assessments that 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; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
7. Any service, installation, connection, maintenance or construction charges for sewer, water, electricity, or garbage collection or disposal or other utilities unless shown as an existing lien by the public records.
8. 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.

SPECIAL EXCEPTIONS

9. Water rights, claims or title to water, whether or not disclosed by the Public Records.

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**SCHEDULE B, PART II
EXCEPTIONS**
(continued)

10. Unpatented mining claims; reservations or exceptions in patents or in Acts authorizing the issuance thereof.
11. Property taxes, which are a lien not yet due and payable, including any assessments collected with taxes to be levied for the fiscal year 2019.
12. Liens, levies and assessments, if any, of UNINCORPORATED ADA COUNTY. No search has been made.
13. Liens and assessments of the Boise Kuna Irrigation District, and the rights, powers and easements of said district as by law provided. No search has been made.
14. Liens and assessments of the New York Irrigation District, and the rights, powers and easements of said district as by law provided. No search has been made.
15. Right of way for Leonard Lateral, and the rights of access thereto for maintenance of said lateral; and any adverse claim based on the assertion that the lateral has moved.
16. Rights of the public to any portion of the Land lying within the area commonly known as

W Kuna Road on the North
S Yankee Rock Avenue (which shows as an unnamed road on the Plat) on the East
and unnamed road on the South
17. Easements, reservations, restrictions and dedication, if any, as shown on the official plat of said Rader and Kroeger's Subdivision as filed in Book 5 at Page 205, Official Records.
18. Terms, conditions, provisions, easements and obligations set forth in that certain Right of Way Deed for a public road
Between: Maude A Bell and Harry Bell, husband and wife; and State of Idaho
Recorded: September 28, 1936
Instrument No: 172650
Affects: A strip of land 33 feet wide off the entire North side of Lots 29, 30, 31, and 32
19. Unrecorded leaseholds, if any; rights of parties in possession other than the vestees herein; rights of chattel mortgagees and vendors under conditional sales contracts of personal property installed on the premises herein; and the rights of tenants to remove trade fixtures.

END OF EXCEPTIONS

NOTES

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**SCHEDULE B, PART II
EXCEPTIONS
(continued)**

- Note A: NOTE: According to the records of the County Assessor's office, Parcel No.: R7321001000
Code Area: 239
General Taxes for the year 2018, were \$2,260.80, and are paid
- Note B: NOTE: Pursuant to the State of Idaho Insurance Regulations, a cancellation fee is to 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.
- Note C: NOTE: The Policy or Policies of insurance may contain a clause permitting arbitration of claims at the request of either the Insured or the Company. Upon request, the Company will provide a copy of this clause and the accompanying arbitration rules prior to the closing of the transaction.
- Note D: NOTE: We have searched our records for judgments or liens that may affect the title to the land described in Schedule A, to include judgments or liens against DBTV Agricultural Holdings, LLC. As of the effective date of this commitment we find none, EXCEPT as may be shown as an exception in Schedule B.

END OF NOTES

END OF SCHEDULE B, PART II

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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.
- (h) "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.

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.

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(continued)

- (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 Two Million And No/100 Dollars (\$2,000,000.00) 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>.

END OF CONDITIONS

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