



CITY OF MIDDLETON

P O Box 487
1103 W MAIN ST, MIDDLETON, ID 83644
208-585-3133, FAX: 208-585-9601
WWW.MIDDLETON.ID.GOV

Planning & Zoning Department
Master Land Use Application



Fee Paid: \$ 6,075
Application Accepted by: RLS 3/16/2021
Date Application Accepted: 3/16/2021

OWNER/APPLICANT:

Joe Austin 208-890-9955 joseph.austin@mdch.com
Name Phone Email
14675 HWY 44 Caldwell ID 83607
Mailing Address City State Zip Code

REPRESENTATIVE:

Dave Sterling 208-323-2288 Dsterling@to-engineers.com
Name Phone Email
2471 S Titanium Pl Meridian ID 83642
Mailing Address City State Zip Code

PUBLIC HEARINGS*

- Annexation and Zoning
Rezone
Vacate Right-of-Way
Comprehensive Plan Map or Text Amendment

PUBLIC HEARINGS*

- Development Agreement
Ordinance Amendment
Special Use Permit
Variance

MISC. APPLICATIONS

- Design Review***
Preliminary Plat**
Final Plat**
Construction Plans***

MISC. APPLICATIONS

- Lot Line Adjustment***
Floodplain***
Time Extension***
Approach Permit***

* Public Hearings: a neighborhood meeting is required before filing an application, and individuals have a right to participate in the hearing by offering comments. Plats not designed to city code and standards require a neighborhood meeting and public hearing.

** Public Meetings: Individuals have a right to observe, but not comment, at an open meeting at which the application is being considered by decision makers. Plats designed to city code and standards do not require a public hearing. A neighborhood meeting is still required.

*** Administratively: reviewed and approved by the City Engineer and Zoning Official.

Subdivision or Project Name: Willow Wood Estates Phase 1

Site Address: 0 Cemetery Road Total Acres: 20.96

Tax Parcel No(s): R3757901000; R3757901100

Existing Zoning: AG Proposed Zoning: R-3

Floodplain Zone: N/A Hillside (grades exceeding 10%): N/A

Joseph L. Austin 3-15-2021
Printed Name Date Signature



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Planning & Zoning Department
Annexation & Zoning Checklist

Please submit all items listed below. Applications missing the following items will be deemed incomplete, **and the application will not be processed.**

Applicant	Description	Staff
✓	Completed and signed Master Land Use Application	
	Fee	
✓	Narrative fully describing the proposed project and zoning requested. Describe how the request is consistent with the Middleton Comprehensive Plan.	
✓	Scaled Vicinity Map	
✓	Legal description of entire property to be annexed. <ul style="list-style-type: none"> • Legal description must be stamped and signed by a land surveyor registered in the State of Idaho. • Include a scaled exhibit map showing the boundaries of the legal description. 	
	Legal description for each zoning designation. <ul style="list-style-type: none"> • Legal Description must be stamped and signed by land surveyor registered in the State of Idaho • Include scaled exhibit map showing the boundaries of the legal description 	
✓	Recorded warranty deed showing proof of ownership	
N/A	If the representative is submitting the application, provide a letter from the owner authorizing the representative to submit the application.	
	Two sets of adhesive mailing labels containing the names and addresses of property owners within 300 feet of the perimeter boundary of the subject property. Contact Canyon County Plat Room at (208) 455-6016 for a list of landowners.	
✓	Copy of neighborhood meeting notice, sign-in sheet, and minutes summarizing the meeting discussion	
✓	Electronic copy of entire application	
✓	*A Development Agreement is required for all annexations. Please submit the Development Agreement checklist with this application.	
N/A	**If the Land Use Map needs to be changed with the Annexation, please submit a Comprehensive Plan Map Amendment application with this application.	



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Planning & Zoning Department
Preliminary Plat Checklist

Please submit all items listed below. Applications missing the following items will be deemed incomplete, **and the application will not be processed.**

Applicant	Description	Staff
✓	Completed and signed Master Land Use Application	
	Fee	
✓	Narrative fully describing the proposed project. Additionally: <ul style="list-style-type: none"> • Please indicate whether a variance or special use permit is being requested along with the preliminary plat. • Describe requirements imposed by any Development Agreement, Covenants or other commitments. • Describe any anticipated adverse impacts on adjoining property. • Describe how the request is consistent with the Middleton Comprehensive Plan. 	
✓	Vicinity Map	
	Proposed Preliminary Plat (3 full-size paper copies & 1 electronic full-size copy provided on a USB)	
✓	Drainage Calculations - preliminary	
✓	Title Report/Commitment (Schedule B)	
	Preliminary Plat must comply with Middleton City Code 5-4-4	
✓	Warranty Deed showing proof of ownership	
N/A	If owner is not the applicant, then representative must provide a letter showing the owner's authorization for representative to submit the application.	
	Two sets of adhesive mailing labels containing the names and addresses of property owners within 300 feet of the perimeter boundary of the subject property. Contact Canyon County Plat Room at (208) 455-6016 for a list of landowners.	
✓	Copy of neighborhood meeting notice, sign-in sheet, and minutes summarizing discussion	
	Traffic Impact Study if residential subdivision with more than 25 dwelling units.	
✓	Electronic copy of entire application on USB	



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Planning & Zoning Department
**Development Agreement / Modified
 Development Agreement Checklist**

Please submit all items listed below. Applications missing the following items will be deemed incomplete, **and the application will not be processed.**

Applicant	Description	Staff
✓	Completed and signed Master Land Use Application	
	Fee	
✓	Narrative fully describing the following: <ul style="list-style-type: none"> Proposed project and project name. Zoning requested. How the request is consistent with the Middleton Comprehensive Plan. Any variances or special use permits being requested. 	
✓	Scaled Vicinity Map of subject property	
✓	Legal description of subject property. <ul style="list-style-type: none"> Legal description must be signed and stamped by a land surveyor registered in the State of Idaho Include scaled exhibit map showing the boundaries of the legal description 	
✓	Recorded warranty deed showing proof of ownership	
N/A	If the representative is submitting the application, provide a letter from the owner authorizing the representative to submit the application	
	Two sets of adhesive mailing labels containing the names and addresses of property owners within 300 feet of the perimeter boundary of the subject property. Contact Canyon County Plat Room at (208) 455-6016 for a list of landowners.	
✓	Neighborhood Meeting Notice, sign-in sheet, and minutes summarizing discussion	
✓	Electronic copy of entire application via USB	

March 15, 2021
City of Middleton
1103 W. Main Street
Middleton, ID 83644

RE: Willow Wood Estate Subdivision – Narrative for Annexation & Zoning, Development Agreement, and Preliminary Plat Applications

Dear Roberta Stewart,

T-O Engineers is pleased to submit the attached application for consideration of the proposed Willow Wood Estate Subdivision. The submittal includes the following: completed applications for annexation & zoning, development agreement preliminary plat, application fee, warranty deeds, property boundary description, vicinity map of the project, neighborhood meeting sign in sheet, required mailing labels, and proposed preliminary plat drawings. This letter is intended to serve as the narrative for the applications.

The Comprehensive plan and map amendment proposed is to change the designation of parcels R3757901000 and R3757901100 from an Agricultural (AG) Designation to a Residential (R-3) designation. The properties are proposed to become the Willow Wood Subdivision. This will follow what is currently shown on the 2019 version of the Future Land Use Map as Residential and is compatible with the adjacent developments to the south and east.

The subdivision is owned by Joseph Austin, located on Cemetery Road north of Willis Road within Canyon County, Idaho (see attached vicinity map). The total acreage of the proposed subdivision is approximately 21 acres and at build-out will include 63 buildable lots, and 12 common lots.

This application proposes 63 residential lots for a proposed density of 3-units/acre. Approximately 12.8% of the property will be open space. The Willow Wood Estate Subdivision HOA will be responsible to maintain the common areas within the subdivision, including common lots used for storm drainage, passive open space preserved for public view, and active usable open spaces. The HOA will also be responsible for the maintenance of the public storm drain facilities.

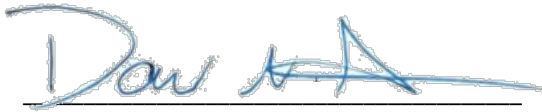
Access to the site is to be from Cemetery Rd from the West and then from Explorer St from the East. A Traffic Impact Study (TIS) is currently in process prepared by TO- Engineers to further examine potential impacts of traffic on the existing transportation system. The TIS will be submitted to the City in advance of the Planning and Zoning Commission hearing for the project.

The sewer, water and dry utilities will be extended from Estates West Highlands Subdivision No. 1 along Cemetery Rd. A pressure irrigation system will be constructed to serve the subdivision. The P.I. system will be maintained by the Willow Wood Estate Subdivision HOA, Water for the P.I. will be delivered by the Black Canyon Irrigation District.

A pre-application meeting was held with the City of Middleton (City) Planning and Zoning Staff on February 1, 2021. A neighborhood meeting was held at the project site on February 17th, 2021. Approximately 10 people attended the meeting. The main concerns expressed throughout the meeting were the connection of the subdivision along Explorer Street, and if the City systems can handle to new subdivisions being built.

We appreciate your assistance with processing and reviewing our application. If there is any additional information or clarification that would be helpful in the timely review of this application, please do not hesitate to call me at (208) 323-2288, or e-mail me at dsterling@to-engineers.com.

Respectfully,



David N, Sterling, P.E. (Representative)
Project Manager, T-O Engineers

Enclosures:

Applications and checklist

cc: 210036

Joe Austin (Applicant)

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SITE DATA

OWNER/DEVELOPER

JOE AUSTIN
14675 HWY 44
CALDWELL, ID 83607
PH: (208) 890-9955

ENGINEER

DAVID N. STERLING, P.E.
PAUL LUCIA III E.I.
T-O ENGINEERS, INC.
2471 S. TITANIUM
MERIDIAN, ID 83642
PH: (208) 323-2288

SURVEYOR

LADD CLUFF, P.L.S.
T-O ENGINEERS, INC.
2471 S. TITANIUM
MERIDIAN, ID 83642
PH: (208) 323-2288

ZONING AND SETBACK

ZONE - R-3
CITY SETBACKS
FRONT = 25'
REAR = 20'
SIDE = 10'
STREET SIDE = 20'

FIRE DISTRICT

CITY OF MIDDLETON

SEWER AND WATER DISTRICT

CITY OF MIDDLETON

IRRIGATION DISTRICT

PRIVATE
(PRESSURE IRRIGATION)

BLACK CANYON IRRIGATION DISTRICT

ROADWAY JURISDICTION

CITY OF MIDDLETON

SCHOOL DISTRICT

MIDDLETON SCHOOL
DISTRICT #134

AREA AND LOT SUMMARY		
TOTAL AREA	±913,120 SF	21 ACRES
TOTAL RESIDENTIAL AREA	±538,090 SF	12.4 ACRES
TOTAL COMMON/OPEN SPACE AREA	±118,203 SF	2.7 ACRES
RIGHT OF WAY AREA	±256,827 SF	5.9 ACRES
TOTAL NUMBER OF LOTS	73	
TOTAL NUMBER OF BUILDABLE LOTS	63	
TOTAL NUMBER OF COMMON LOTS	10	
PROPOSED DENSITY	3.0 UNITS/ACRE	
AVERAGE RESIDENTIAL LOT SIZE	±8,541 SF	0.20 ACRES
MINIMUM LOT SIZE	7,770 SF	0.18 ACRES
PERCENTAGE OPEN SPACE	12.97%	

**PRELIMINARY PLAT FOR
WILLOW WOOD ESTATES SUBDIVISION**

A PORTION OF LOT 2 OF SECTION 31
TOWNSHIP 5 NORTH, RANGE 2 WEST, BOISE MERIDIAN
CANYON COUNTY, IDAHO
2021

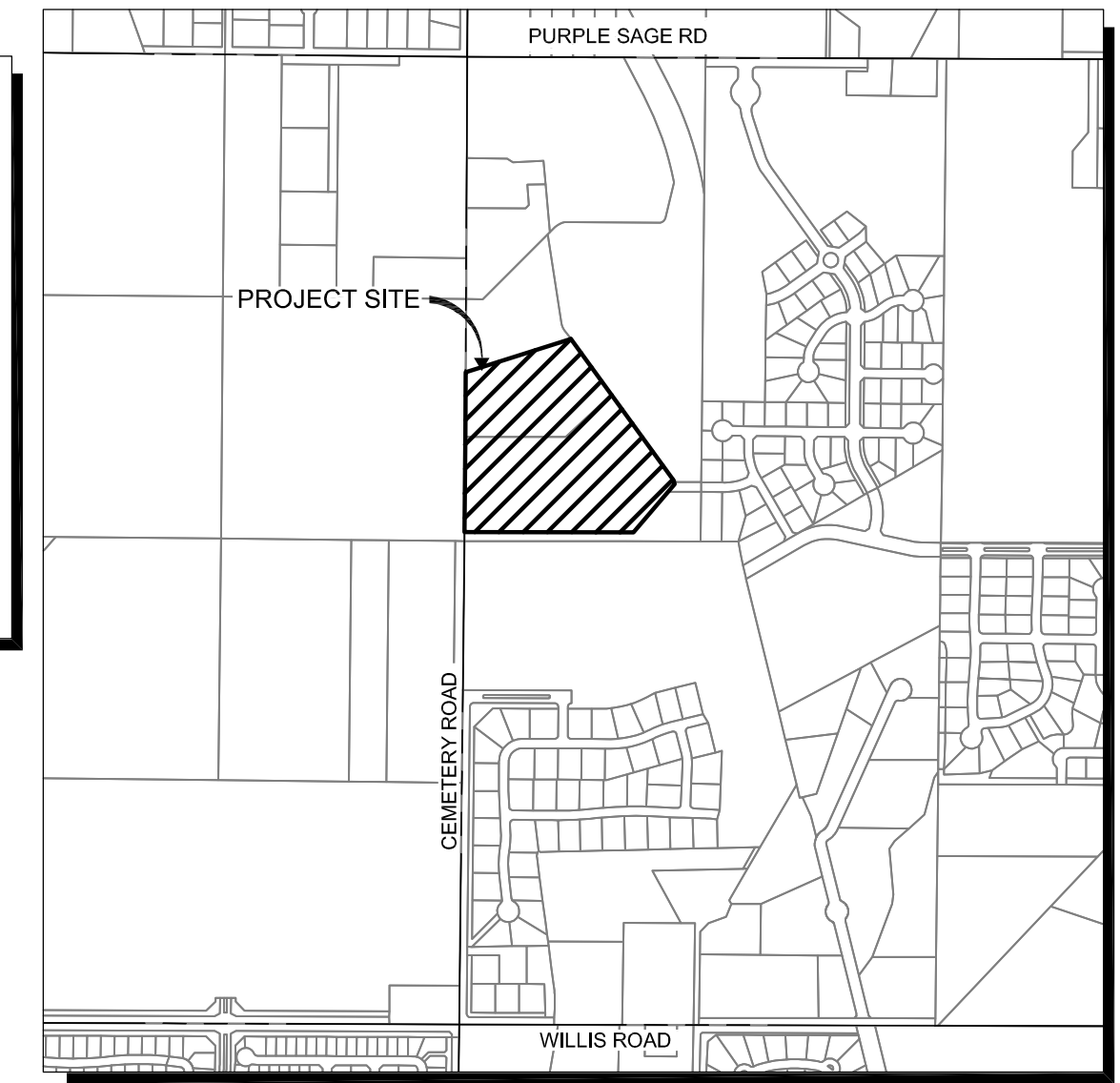


LEGEND

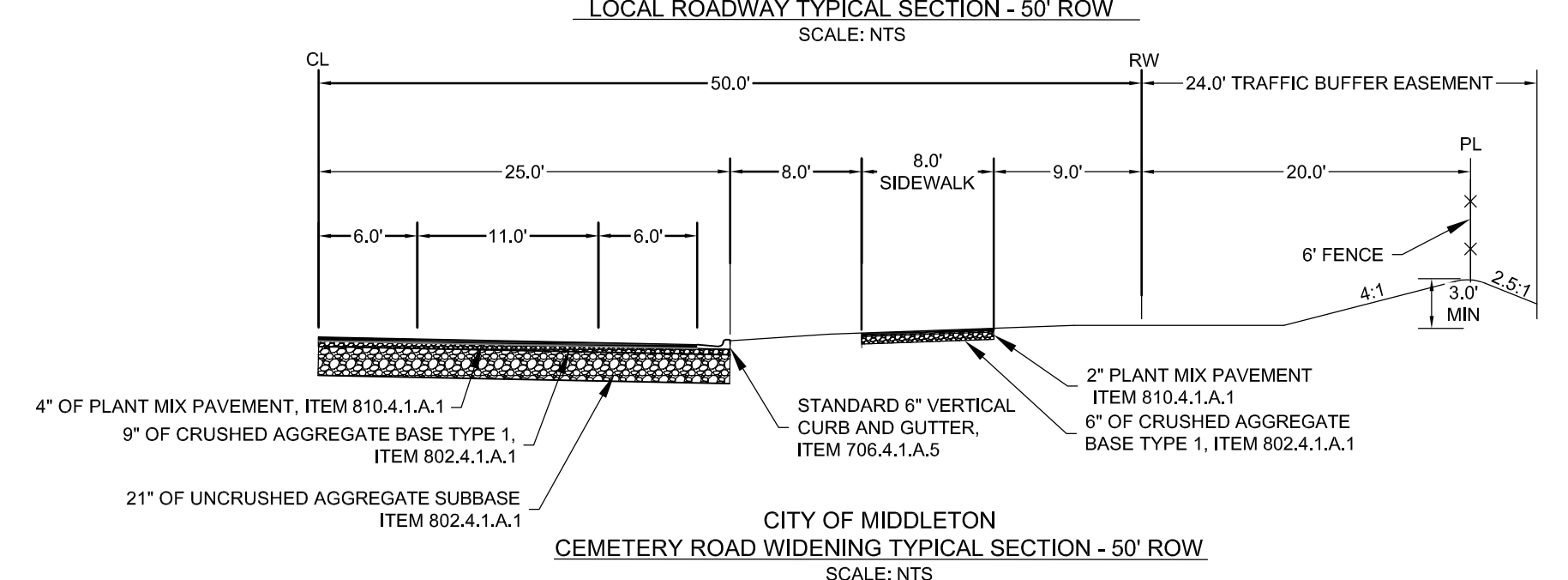
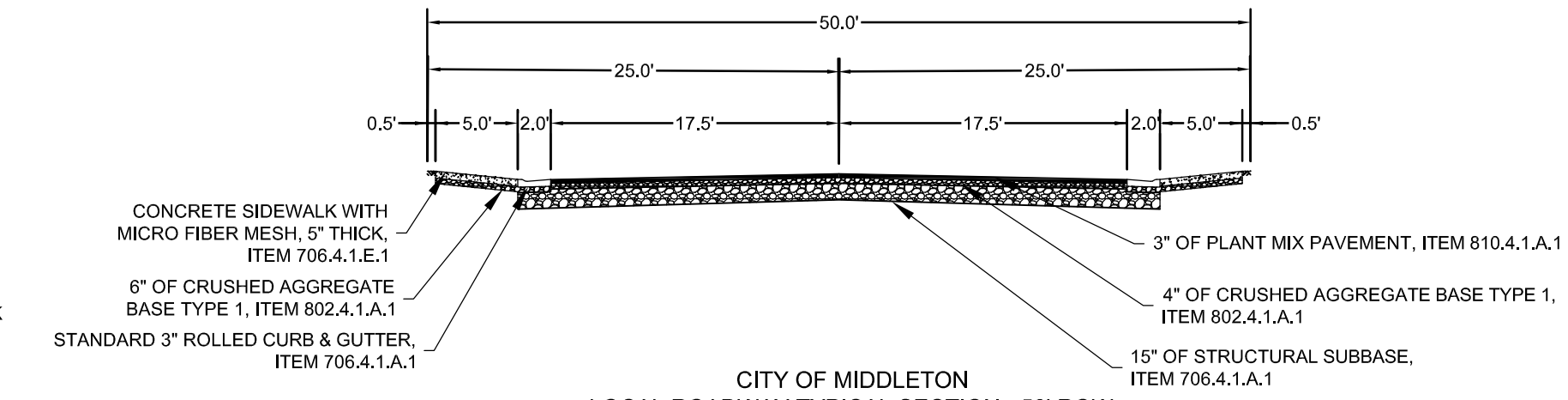
---	SUBDIVISION BOUNDARY
---	RIGHT-OF-WAY
---	EASEMENT
---	ROAD CENTERLINE
1	RESIDENTIAL LOT NUMBER
1C	COMMON LOT NUMBER
1	BLOCK NUMBER
⊙	FOUND ALUMINUM CAP
⊙	FOUND 5/8 REBAR
⊙	CALCULATED POINT

SHEET INDEX

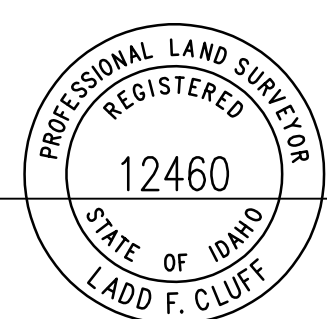
C0.00	LOT DIMENSIONS
C0.01	UTILITY PLAN



VICINITY MAP
SCALE: 1"=1000'



- NOTES**
- BUILDING SETBACK AND DIMENSION STANDARDS SHALL BE IN ACCORDANCE WITH THIS APPLICATION.
 - COMMON LOTS TO BE OWNED AND MAINTAINED BY THE WILLOW WOOD ESTATES HOMEOWNERS ASSOCIATION.
 - A GENERAL UTILITY, IRRIGATION, AND DRAINAGE EASEMENT OF 10 FEET WILL EXIST ALONG ALL FRONT AND REAR LOT LINES AND 5 FEET ALONG ALL SIDE LOT LINES PER CITY OF MIDDLETON SUBDIVISION REQUIREMENTS.
 - STORM DRAINAGE WILL BE ROUTED TO INFILTRATION FACILITIES LOCATED IN COMMON AREAS. STORM DRAINAGE WILL BE DESIGNED IN ACCORDANCE WITH THE CATALOG OF STORM WATER BEST MANAGEMENT PRACTICES FOR IDAHO CITIES AND COUNTIES AND THE CITY OF MIDDLETON.
 - INDIVIDUAL PRESSURE IRRIGATION SERVICES WILL BE PROVIDED TO THE REAR OF EACH LOT. PRESSURE IRRIGATION WILL BE CONNECTED TO A NEW PUMP STATION LOCATED IN COMMON LOT 6 BLOCK 2. THE SYSTEM WILL BE OWNED AND MAINTAINED BY THE HOA.
 - DIRECT LOT ACCESS TO CEMETERY ROAD IS PROHIBITED.
 - BLOCK 1, LOT 1, BLOCK 2, LOTS 1 AND 2, BLOCK 3, LOTS 1 AND 8, BLOCK 4, LOTS 1, 2, AND 13, BLOCK 5, LOT 9, BLOCK 6 LOT 6, BLOCK 7 LOT 1 ARE COMMON LOTS



LADD F. CLUFF
IDAHO NO. 12460

NOTE: P.L.S. SIGNATURE OF THIS DOCUMENT ONLY CERTIFIES THE SUBJECT PROPERTY BOUNDARY SHOWN HEREON.

CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD

SURVEY INFORMATION					
T-O ENGINEERS- LADD CLUFF, PLS PHONE NO. (208) 323-2288					
ALL ELEVATIONS SHOWN ARE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88).					
NORTHING:	753532.776	NORTHING:	752653.132	NORTHING:	752871.528
EASTING:	2391692.969	EASTING:	2391687.504	EASTING:	2392954.832
ELEVATION:	2473.34	ELEVATION:	2461.92	ELEVATION:	2465.91
DESCRIPTION:	5/8" REBAR WITH ILLEGIBLE CAP	DESCRIPTION:	5/8" REBAR "CLS 7732"	DESCRIPTION:	5/8" REBAR "PLS 9366"



BORDER SIZE	DESIGNED	DRAWN	CHECKED	APPROVED
22"x34"	P. LUCIA	P. LUCIA	D. STERLING	D. STERLING

T-O ENGINEERS
CONSULTING ENGINEERS, SURVEYORS & PLANNERS
2471 S. TITANIUM PLACE
MERIDIAN, IDAHO 83642
WWW.T-OENGINEERS.COM
PHONE: (208) 323-2288
BOISE • COEUR D'ALENE • HEBER CITY
MERIDIAN • NAPA • SPOKANE

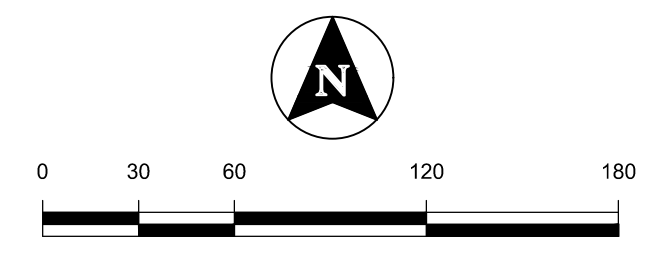
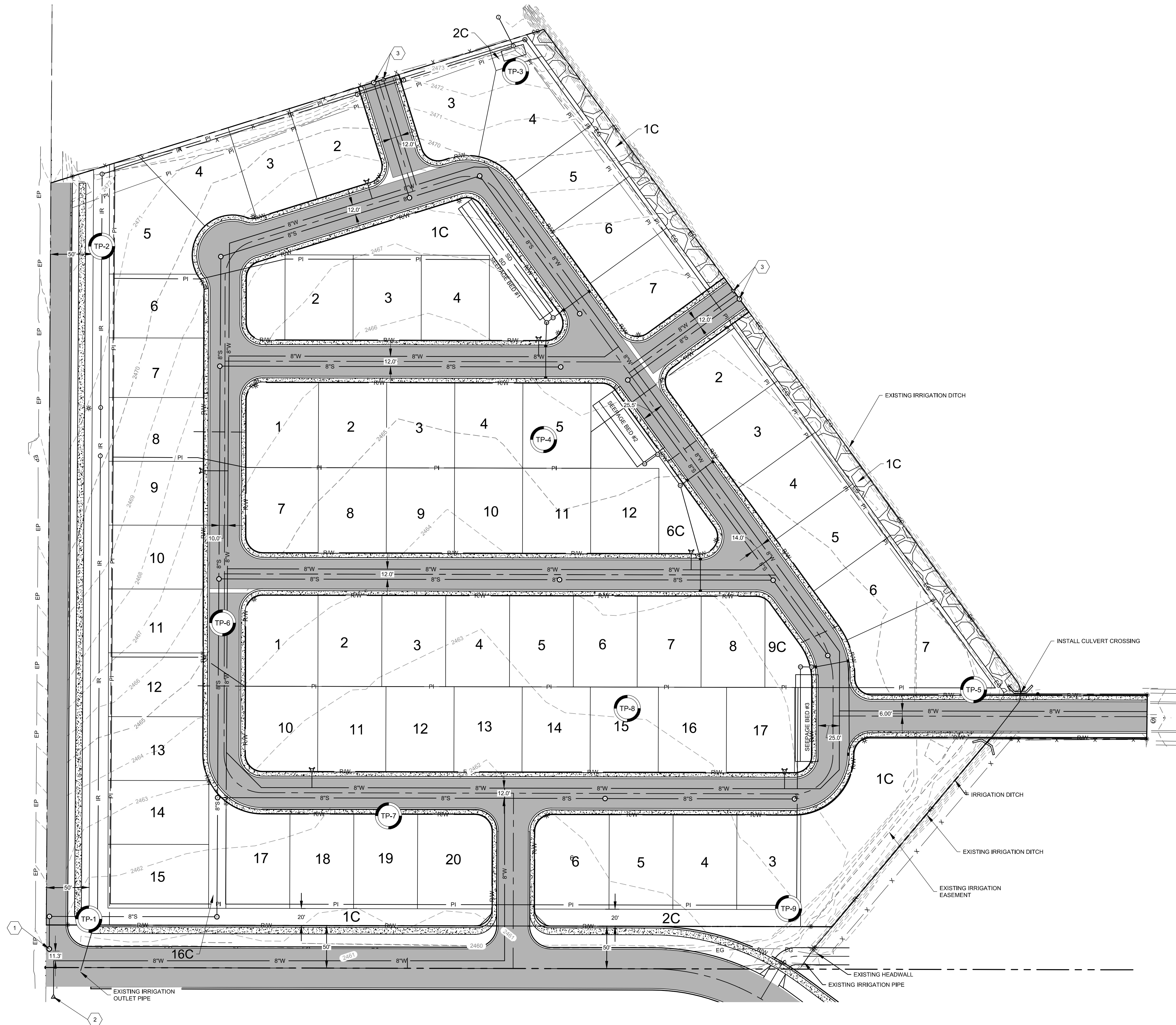
**PRELIMINARY PLAT FOR:
WILLOW WOOD SUBDIVISION
LOT DIMENSIONS**

ATTENTION:
IF THIS BAR DOES NOT MEASURE
1" ON 22x34 SHEET or 1/2" ON
11x17 SHEET, THEN DRAWING IS
NOT TO SCALE.

DATE: July 29, 2021
PROJECT: 210036
SHEET: **C0.00**

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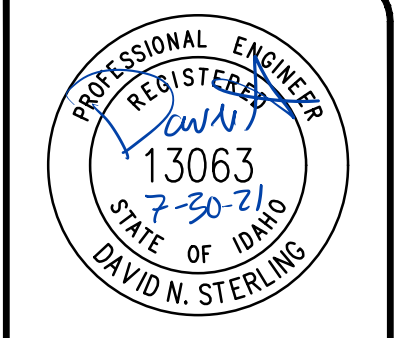
H:\210036\ACAD\DWG\SHETS\PREL\PLAT2\10036-C-PR-01-UTILITIES.DWG, 7/29/2021



LEGEND	
---	SUBDIVISION BOUNDARY
---	ROAD RIGHT-OF-WAY
---	PROPOSED EASEMENT
---	PROPOSED SEWER LINE
---	PROPOSED WATER LINE
---	PROPOSED STORM DRAIN LINE
---	PROPOSED PRESSURE IRRIGATION LINE
---	PROPOSED GRAVITY IRRIGATION LINE
X-X-X	EX. FENCE LINE
⊙	PROPOSED SEWER MANHOLE
⊙	PROPOSED STORM DRAIN MANHOLE
⊙	PROPOSED CATCH BASIN/AREA INLET
⊙	PROPOSED SAND AND GREASE TRAP
⊙	EXISTING POWER POLE
---	EXISTING OVERHEAD POWER
---	EXISTING WATER MAIN
---	EXISTING WATER VALVE
---	PROPOSED FIRE HYDRANT
---	EXISTING CATCH BASIN
---	PROPOSED STREET LIGHT
---	EXISTING STREET SIGN
---	EXISTING SEWER MAIN
---	EXISTING EDGE OF GRAVEL
---	EXISTING MAJOR CONTOUR
---	EXISTING MINOR CONTOUR
⊙	TEST PIT
---	STORM WATER FLOW ARROW

KEYNOTES:	
1	CONNECT TO EXISTING SEWER FROM WEST HIGHLANDS SUBDIVISION
2	CONNECT TO EXISTING WATER FROM WEST HIGHLANDS SUBDIVISION
3	PROVIDE WATER/SEWER MAIN STUBS FOR FUTURE EXTENSION

NOTES	
1.	ALL WATER MAINLINES ARE TO BE 8" IN DIAMETER.
2.	ALL SEWER LINES ARE TO BE 8" IN DIAMETER.
3.	ALL STORM WATER DRAINAGE LINES ARE TO BE 12" IN DIAMETER
4.	PRESSURIZED IRRIGATION TO BE PROVIDED BY A PROPOSED PUMP STATION LOCATED IN LOT 2 BLOCK 3.
5.	EXISTING TOPOGRAPHIC SURVEY BY T-O ENGINEERS (JANUARY 2021).
6.	A BLANK CONDUIT SHALL BE ADDED TO JOINT TRENCH FOR CITY REQUIRED FIBER OPTICS.



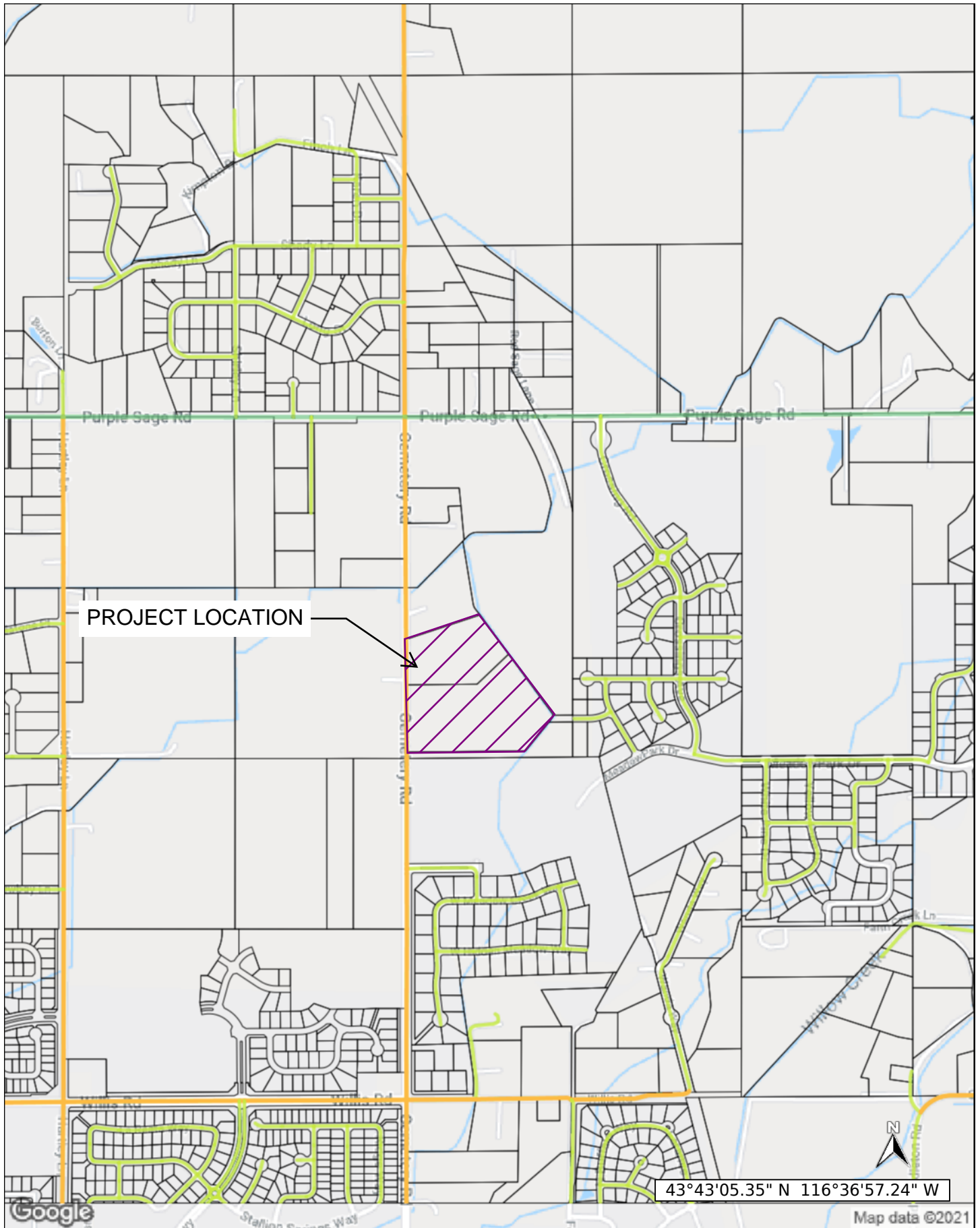
BORDER SIZE	DESIGNED	DRAWN	CHECKED	APPROVED
22"x34"	P. LUCIA	P. LUCIA	D. STERLING	D. STERLING

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PRELIMINARY PLAT FOR:
WILLOW WOOD SUBDIVISION
 UTILITY PLAN

ATTENTION:	
0	1/2
IF THIS BAR DOES NOT MEASURE 1" ON 22x34 SHEET OR 1/2" ON 11x17 SHEET, THEN DRAWING IS NOT TO SCALE.	
DATE:	July 29, 2021
PROJECT:	210036
SHEET:	C0.01

WILLOW WOOD SUBDIVISION VICINITY MAP



March 11, 2021
Project No.: 210036
Annexation & Zoning

EXHIBIT "A"
WILLOW WOOD SUBDIVISION
For R-3 Annexation and Rezone

A Parcel of land located in a portion of Government Lot 2 of Section 31, Township 5 North, Range 2 West, Boise Meridian, Canyon County, Idaho, being more particularly described as follows:

COMMENCING at the West Corner of said Sections 31, from which the Northwest corner of said Government Lot 2 bears N.00°21'18"E., 1321.85 feet; thence along the west line of said Government Lot 2,

- 1) N.00°21'18"E., 50.00 feet to the **POINT OF BEGINNING**; thence, continuing along said west line,
- 2) N.00°21'18"E., 871.90 feet; thence, leaving said west line,
- 3) N.72°41'19"E., 606.24 feet; thence,
- 4) S.35°57'26"E., 945.76 feet; to the beginning of a tangent curve; thence,
- 5) Southeasterly along said curve to the right, having a radius of 25.65 feet, an arc length of 16.38 feet, through a central angle of 36°35'56", of which the long chord bears S.17°45'14"E, 16.11 feet; thence,
- 6) S.89°52'37"E., 148.56 feet; thence,
- 7) S.00°39'17"W., 52.74 feet; thence,
- 8) N.89°52'37"W., 184.40 feet; thence,
- 9) S.39°59'02"W., 288.18 feet; thence,
- 10) N.89°52'14"W., 922.81 feet to the **POINT OF BEGINNING**.

The above-described parcel **CONTAINS** 20.962 acres, more or less.



EXHIBIT SKETCH "B"

LOCATED IN A PORTION OF GOVERNMENT LOT 2 OF SECTION 31,
TOWNSHIP 5 NORTH, RANGE 2 WEST, BOISE MERIDIAN, CANYON COUNTY, IDAHO
2021

31
36

NORTHWEST
COR.
GOVERNMENT
LOT 2

N00°21'18"E 1321.85'
871.90'

N72°41'19"E 606.24'

PROPOSED
WILLOW WOOD
SUBDIVISION
20.962 AC

S35°57'28"E 945.76'

S89°52'37"E 148.56'

S00°39'17"W 52.74'

POB

WEST
1/4
COR.

50.00'

N89°52'14"W 922.81'

N89°52'37"W 184.40'

CURVE TABLE

CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD
C1	25.65'	16.38'	36°35'56"	S17°45'14"E	16.11'



T-O ENGINEERS

2471 S. TITANIUM PLACE
MERIDIAN, IDAHO 83642-6703

PHONE: (208) 323-2288

WWW.TO-ENGINEERS.COM

E-FILE: 210036-V-PREPLAT BOUNDARY EXHIBIT.dwg 3/11/21

JOB: 210036

March 11, 2021
Project No.: 210036
Development Agreement

EXHIBIT "A"
WILLOW WOOD SUBDIVISION
For Development Agreement

A Parcel of land located in a portion of Government Lot 2 of Section 31, Township 5 North, Range 2 West, Boise Meridian, Canyon County, Idaho, being more particularly described as follows:

COMMENCING at the West Corner of said Sections 31, from which the Northwest corner of said Government Lot 2 bears N.00°21'18"E., 1321.85 feet; thence along the west line of said Government Lot 2,

- 1) N.00°21'18"E., 50.00 feet to the **POINT OF BEGINNING**; thence, continuing along said west line,
- 2) N.00°21'18"E., 871.90 feet; thence, leaving said west line,
- 3) N.72°41'19"E., 606.24 feet; thence,
- 4) S.35°57'26"E., 945.76 feet; to the beginning of a tangent curve; thence,
- 5) Southeasterly along said curve to the right, having a radius of 25.65 feet, an arc length of 16.38 feet, through a central angle of 36°35'56", of which the long chord bears S.17°45'14"E, 16.11 feet; thence,
- 6) S.89°52'37"E., 148.56 feet; thence,
- 7) S.00°39'17"W., 52.74 feet; thence,
- 8) N.89°52'37"W., 184.40 feet; thence,
- 9) S.39°59'02"W., 288.18 feet; thence,
- 10) N.89°52'14"W., 922.81 feet to the **POINT OF BEGINNING**.

The above-described parcel **CONTAINS** 20.962 acres, more or less.



EXHIBIT SKETCH "B"

LOCATED IN A PORTION OF GOVERNMENT LOT 2 OF SECTION 31,
TOWNSHIP 5 NORTH, RANGE 2 WEST, BOISE MERIDIAN, CANYON COUNTY, IDAHO
2021

31
36

NORTHWEST
COR.
GOVERNMENT
LOT 2

N00°21'18"E 1321.85'
871.90'

N72°41'19"E 606.24'

PROPOSED
WILLOW WOOD
SUBDIVISION
20.962 AC

S35°57'28"E 945.76'

S89°52'37"E 148.56'

S00°39'17"W 52.74'

POB

WEST
1/4
COR.

50.00'

N89°52'14"W 922.81'

N89°52'37"W 184.40'

CURVE TABLE

CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD
C1	25.65'	16.38'	36°35'56"	S17°45'14"E	16.11'



T-O ENGINEERS

2471 S. TITANIUM PLACE
MERIDIAN, IDAHO 83642-6703

PHONE: (208) 323-2288

WWW.TO-ENGINEERS.COM

E-FILE: 210036-V-PREPLAT BOUNDARY EXHIBIT.dwg DATE: 3/11/21

JOB: 210036

2012-058546
RECORDED
12/31/2012 03:28 PM
CHRIS YAMAMOTO
CANYON COUNTY RECORDER
Pgs=2 CMCLAUGHLIN \$13.00
TYPE: DEED
STEWART TITLE - EMERALD OFFICE
ELECTRONICALLY RECORDED

2pg
stewart title

01096-3411 PD

WARRANTY DEED

For Value Received **Carol Anna Heydt, an unmarried woman and Linda Louise Heydt, an unmarried woman**, the Grantor, hereby grants bargains, sells, conveys and warrants unto **Joseph L. Austin and Deborah R. Austin, husband and wife**, the Grantee, whose current address is 602 Syringa Way, Caldwell, ID 83605, the following described premises, to wit:

SEE EXHIBIT "A" ATTACHED HERETO

Parcel Number: 70036000 0

SUBJECT TO: Current General Taxes, a lien in the process of assessments, not yet due or payable. Easements, restrictions, reservations, provisions of record and assessments, if any.

TO HAVE AND TO HOLD, the said premises, together with the appurtenances, unto the said Grantee and to its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that it is the owner in fee simple of said premises, that said premises are free from all encumbrances and that he/she/they will warrant and defend the same from all lawful claims whatsoever.

Dated this 28th day of December, 2012

Carol Anna Heydt Linda Louise Heydt
Carol Anna Heydt Linda Louise Heydt

State of Idaho

ss.

County of Ada

On this 28th day of December, 2012, before me the undersigned, a Notary Public, in and for said State, personally appeared Carol Anna Heydt and Linda Louise Heydt, known to me, and/or identified to me on the basis of satisfactory evidence, to be the person(s) whose name is are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

WITNESS MY HAND AND OFFICIAL SEAL

Pamela Draper
Notary Public: Pamela Draper
Residing at: Eagle, ID _____
My commission expires: April 16, 2015

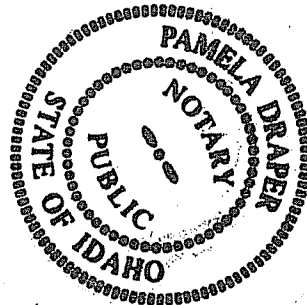


EXHIBIT "A" LEGAL DESCRIPTION

Parcel I:

A parcel of land located in Government lot 2 of Section 31, Township 5 North, Range 2 West, Boise Meridian, Canyon County, Idaho. Being further described as follows:

The West line of Government Lot 2 of Section 31, Township 5 North, Range 2 West, Boise Meridian, derived from found monuments and taken as North $00^{\circ}19'44''$ West with the distance between monuments found to be 1321.90 feet.

Beginning at the point on the West line of Government Lot 2 of Section 31, Township 5 North, Range 2 West, Boise Meridian from which the West 1/4 corner of Section 32 bears South $00^{\circ}19'44''$ West a distance of 570.00 feet; thence along said west line North $00^{\circ}19'44''$ West a distance of 351.90 feet; thence leaving said West line North $72^{\circ}00'17''$ East a distance of 606.24 feet to the centerline of an irrigation ditch; thence along said centerline, South $36^{\circ}38'26''$ East a distance of 375.76 feet; thence leaving said centerline, South $46^{\circ}41'43''$ West a distance of 341.92 feet; thence South $89^{\circ}40'16''$ West a distance of 550.00 feet to the Point of Beginning.

Parcel II:

A parcel of land located in Government lot 2 of Section 31, Township 5 North, Range 2 West, Boise Meridian, Canyon County, Idaho. Being further described as follows:

The West line of Government Lot 2 of Section 31, Township 5 North, Range 2 West, Boise Meridian, derived from found monuments and taken as North $00^{\circ}19'44''$ West with the distance between monuments found to be 1321.90 feet.

Beginning at the West 1/4 corner of Section 31, Township 5 North, Range 2 West, Boise Meridian; thence along the West line of Government Lot 2, North $00^{\circ}19'44''$ West a distance of 570.00 feet; thence leaving said West line North $89^{\circ}40'16''$ East a distance of 550.00 feet; thence North $46^{\circ}41'43''$ East a distance of 341.92 feet to the centerline of an irrigation ditch; thence along said centerline the South $36^{\circ}38'26''$ East a distance of 570.00 feet; thence continuing along said centerline, along a curve to the right with a radius of 25.65 feet and a central angle of $36^{\circ}16'33''$ an arc length of 16.24 feet with a chord bearing of South $18^{\circ}30'11''$ East, and a chord distance of 15.97 feet; thence leaving said centerline, North $89^{\circ}26'23''$ East a distance of 148.55 feet to the East line of Government lot 2; thence along said East line South $00^{\circ}01'48''$ East to the Center West 1/16 corner of said Section 31 a distance of 324.00 feet; thence leaving said East line and along the South line of said Government Lot 2, South $89^{\circ}26'23''$ West a distance of 1,289.56 feet to the Point of Beginning.

February 5, 2021

RE: Neighborhood Meeting- Willow Wood Estate Subdivision

Dear Neighbor,

I am writing to invite you to attend a neighborhood meeting regarding a proposed Annexation, Rezone (R3) and Preliminary Plat application in your area. This is an informal meeting held by the engineering firm representing the applicant. This is not a Public Hearing before a governing body of the City. Formal hearings will be held by the City of Middleton and the City will mail formal notice when the hearing is scheduled.

This meeting is for a proposed subdivision on approximately 21 acres located on Cemetery Road north of Willis Road and south of Purple Sage Rd within Canyon County, Idaho (Parcels #R3757901000, #R3757901100, see attached vicinity map). The proposed project will contain 63 single-family residential lots, and 13 common lots.

The meeting will take place at the end of Explore Street that is tubed to the property.

Date: Wednesday, February 17, 2021 – 6:00PM

In lieu of attending the meeting, comments may be submitted via email to plucia@to-engineers.com or in writing to T-O Engineers, c/o Paul Lucia III, 2471 S Titanium Pl, Meridian, ID 83642.

Sincerely,
T-O Engineers



Paul Lucia III
Staff Engineer

Vicinity Map



NEIGHBORHOOD MEETING SIGN IN SHEET

Purpose: Pre-Application neighborhood meeting for Preliminary Plat of 21 Acres for Willow Wood Estates Subdivision along Cemetery Road south of Purple Sage Road.

Location: On site at send of Explorer Street.

Date: Wednesday, February 17, 2021 Time: 6:00 p.m.

PLEASE SIGN IN

Name Address Phone Number

David / GENELLE Bohn ²⁹⁶ Explorer St. (949) 374-0580

Tiffanie Garcia 269 Explorer St. 208-861-3210

Chad / Melissa Johnston 286 Explorer St 661 246 6088

Deena Sorensen 291 Explorer St (208) 860-0365

Scott Davis 279 Explorer St. 208-230-3434

Brittany Davis 279 Explorer St 909-851-2485

David Sterlitz T-O Engineers 208-323-2288

Paul Lucia III " " "



Q: Does Explorer Street need to be an access

A: Yes, there needs to be 2 points of access for emergency services. One is Explorer St and the other will be either off Cemetery Rd or W. Meadow Park St.

Q: Why can't the second access be one of the stub Rds.?

A: Access points need to currently exist.

Q: Are there traffic studies being done?

A: Yes at various intersections. Cemetery / Purple Sage
Cemetery / Willis Rd ; Cemetery / Middleton Rd ;
Crossings / Purple Sage

Q: How big are the lots?

A: At least 8,000 SF

Q: What are the green spots? (on concept layout)

A: Common lots for Landscaping and may be used for storm water.

Q: Will the stormwater pump / irrigation pump be use in our neighborhood be used for this subdivision?

A: NO this subdivision will have its own decision.

Q: What is our recourse?

A: Contact the city... In writing and wait until the Project is officially Submitted.

Project: _____

Date: _____

Page: of



T-O ENGINEERS

Q: ~~Can~~ Can the ~~new~~ City Sewer System handle the new Subdivision?

A: The connection to the city sewer will be for has been paid for, therefore the sewer system should be able to handle the new system.

Q: When will the City council meeting be held?

A: We have to submit the pre-lim-plat first and then a notice will be sent out to the same neighbors within 300' of the properties.

Prepared By: _____

Willow Wood Estates - Storm Drainage Report

Prepared For:

Joe Austin

Prepared By:

Paul Lucia, E.I.

David N. Sterling, P.E.

03/10/2021

T-O Engineers, Inc.



T-O ENGINEERS

STORM DRAINAGE SUMMARY

The proposed development occupies a portion of SW ¼ of the NW ¼ of section 31 Township 5N, Range 2W, Boise Meridian, Ada County, Idaho. The site is approximately 21 acres. The site is bordered by a 5.51-acre property and pasture area to the north, The Crossing at Meadow Park Subdivision No. 1 to the east, the proposed Estates at West Highlands Subdivision No. 1 to the south, and pasture area to the West,

The site is currently an undeveloped lot. The existing site is sloped towards the western edge of the property at Cemetery Road. Stormwater drainage is currently achieved onsite through soil percolation.

Drainage will be collected from the roads and lots and conveyed through curb/gutter to the storage facilities.

These calculations are preliminary and are not to be used for final design. At this time, a geotechnical report has been completed, all calculations are based on assumptions of a percolation rate of 2.0 in/hr and deep groundwater levels. Groundwater was not encountered during exploration of the project area. According to the report, the groundwater is typically 50' to 58' below the surface in the area. Calculations may revised during final design and basin areas and storage locations/methods may be modified to better accommodate the site.

The calculations attached show that the stormwater system has been designed to accommodate the 100-year storm for the proposed site.

Basin 1 contains drainage from the lots and roads from the north portion of the project. Drainage from this area will be routed along Bear River St, and the North Portion of Forest Lake Ave and conveyed to a seepage bed located in Block 7, Lot 1.

Basin 2 contains the middle portion of the project. Drainage from this area will be routed to the middle of Forest Lake Ave and conveyed to a seepage bed located in Block 6, Lot 1.

Basin 3 contains the southern portion of the project. Drainage from this area will be routed to the intersection of Forest Lake Ave and Explorer St and conveyed to a seepage bed located in Block 5, Lot 9.

Refer to the appendix for storage calculations.

DESIGN CRITERIA

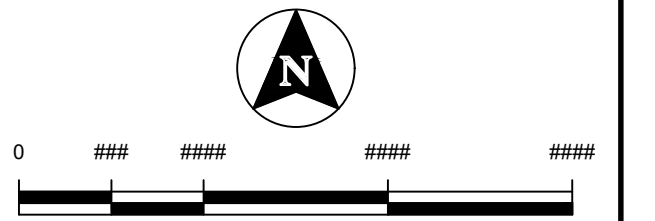
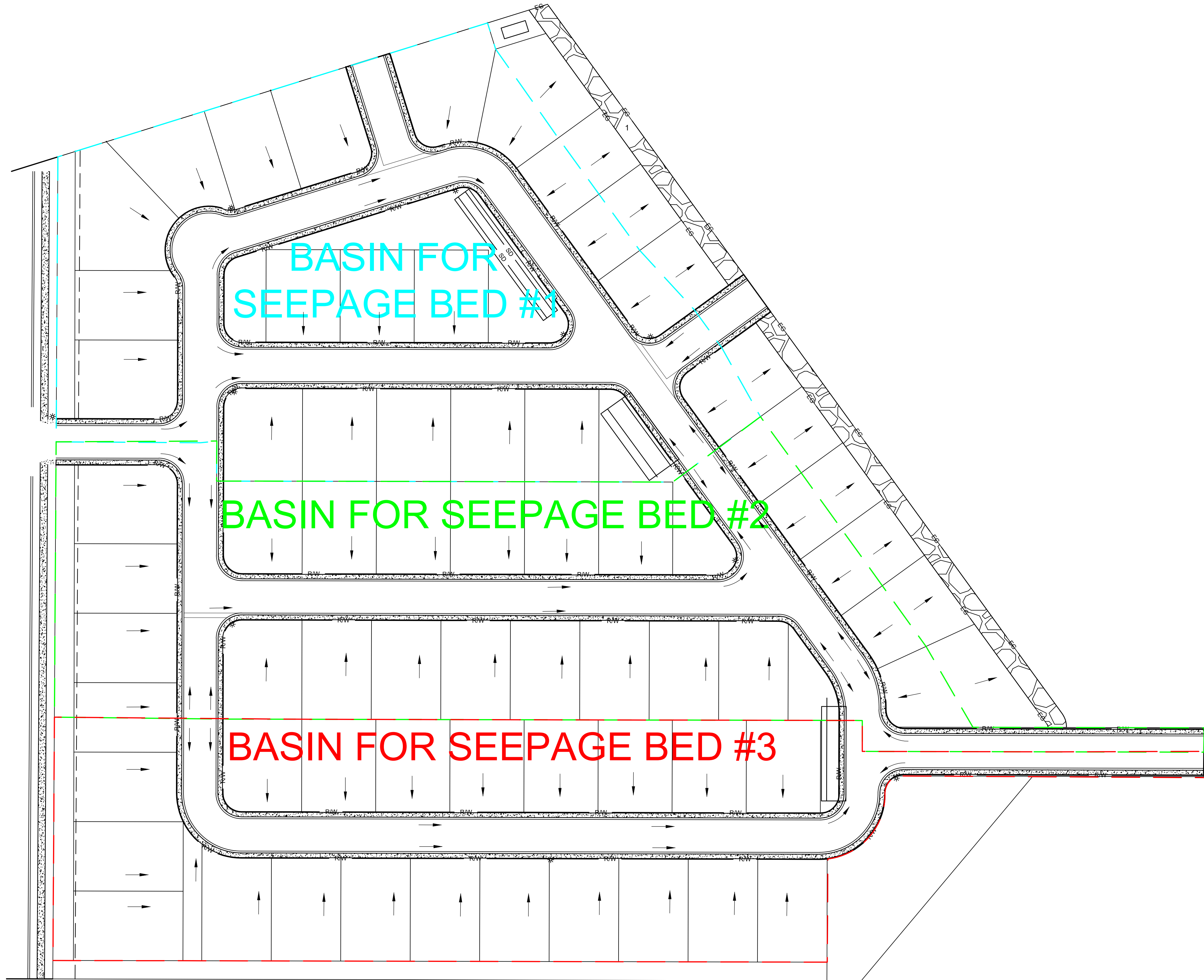
- Rational method is used for calculating the peak runoff flows: $Q = C * I * A$
- Runoff volume for infiltration facilities is calculated from the area based on an 1 hour 100 year storm event.

List of Appendices:

1. Drainage Basin Map
2. Storm drainage facilities calculations

PRELIMINARY

H:\120082C_2021\120082C-STORM DRAIN EXHIBIT.dwg, 3/10/2021 3:01:30 PM, Paul Lusk, DWG to PDF Job
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T-O ENGINEERS
2471 S. TITANIUM PLACE
MERIDIAN, IDAHO 83642
PHONE: (208) 323-2288 WWW.TO-ENGINEERS.COM
E:\120082C-STORM DRAIN EXHIBIT.dwg DATE: 3/21/21 JLB: mms/mms

Design Criteria
$Q = C I A$
$Q_R = R * A_R$
$Q_P = (1.49 * A_P * R_h^{2/3} * S^{1/2}) / n$
$V_R = Q * Duration$
$T_P = V_R / Q_R$
$A_T = Baffle Dist. * Inside Width$
$V_{S\&G} = Q / A_T$
$R_h = D / 4$ (for full flow pipe)
$V_P = Q / A_P$

Abbreviations
A = Drainage Area (acres)
A _R = Percolation Area (sf)
C = Runoff Coefficient
I = Rainfall Intensity (in/hr)
Q = Peak Runoff (cfs)
Q _R = Percolation Flow Rate (in/hr)
r = Percolation Rate (in/hr)
S = Slope
T _P = Time to Percolate (hr)
V _R = Runoff Volume (cf)

Runoff Coefficients	
General Areas	C
Landscaped	0.2
Asphalt/Concrete	0.9
Brick	0.85
Gravel	0.45
Drives & Walks	0.9
Roofs	0.95
Business Areas	
Downtown	0.95
Urban Neighborhood	0.7
Residential Areas	
Single-Family	0.5
Multi-Family	0.75
Residential (Rural)	0.4
Apartment Dwelling	0.7
Industrial & Commercial Areas	
Light	0.8
Heavy	0.9
Parks & Cemeteries	0.2
Playgrounds	0.2
Railroad yard	0.2
Unimproved	0.15

Storm Frequency Table						
Duration (minutes)	2-year Intensity (in/hr)	5-year Intensity (in/hr)	10-year Intensity (in/hr)	25-year Intensity (in/hr)	50-year Intensity (in/hr)	100-year Intensity (in/hr)
10	1.21	1.67	1.96	2.37	2.73	3.11
15	1.02	1.41	1.66	2.00	2.30	2.62
30	0.71	0.98	1.15	1.39	1.59	1.82
60	0.45	0.62	0.73	0.88	1.01	1.15
120	0.27	0.36	0.42	0.50	0.58	0.66
180	0.20	0.27	0.32	0.37	0.43	0.48
360	0.13	0.17	0.20	0.23	0.27	0.30
720	0.08	0.11	0.13	0.15	0.18	0.19
1440	0.05	0.07	0.08	0.09	0.11	0.12

Basin	Landscaped (ac)	Asphalt/ Concrete (ac)	Roofs (ac)	Total acreage (ac)	Runoff Coefficient (ac)
A	0.00	0.00	0.00	20.96	0.00

Total Area (A)=	6.15 Acres	Effective rock Height=	12.0 ft	Pipe Size=	1 ft
Run-off Coefficient (C)=	0.60	Width=	19.0 ft	Percolation Area (A _R)=	3078 SF
Historic Flow Rate=	0 cfs	Length=	162 ft	Drain Rock Void Ratio=	0.4
Sand Height=	3 ft	Percolation Rate=	2.0 in/hr	Provided Storage Volume=	14851 CF

Seepage Bed 1											
Duration (min)	100-year Intensity (in/hr)	Area (acres)	Flow Rate Q = CIA (cfs)	Historical Flow Rate (cfs)	Perc Rate (r)(in/hr)	Perc Flow Rate (Q _R) (cfs)	Net Flow Rate (cfs)	Runoff Volume (V _R) (cf)	Available Storage (cf)	Req'd Above Ground Storage (cf)	Time to Percolate (T _P) (hr)
10	3.11	6.15	11.48	0.00	2.00	0.14	11.33	6800	14851	-8051	13
15	2.62	6.15	9.67	0.00	2.00	0.14	9.53	8573	14851	-6278	17
30	1.82	6.15	6.72	0.00	2.00	0.14	6.57	11832	14851	-3019	23
60	1.15	6.15	4.24	0.00	2.00	0.14	4.10	14764	14851	-87	29
120	0.66	6.15	2.44	0.00	2.00	0.14	2.29	16509	14851	1658	32
180	0.48	6.15	1.77	0.00	2.00	0.14	1.63	17590	14851	2739	34
360	0.3	6.15	1.11	0.00	2.00	0.14	0.96	20833	14851	5982	41
720	0.19	6.15	0.70	0.00	2.00	0.14	0.56	24132	14851	9281	47
1440	0.12	6.15	0.44	0.00	2.00	0.14	0.30	25946	14851	11095	51

Design Criteria
$Q = C I A$
$Q_R = R * A_R$
$Q_P = (1.49 * A_P * R_h^{2/3} * S^{1/2}) / n$
$V_R = Q * Duration$
$T_P = V_R / Q_R$
$A_T = Baffle Dist. * Inside Width$
$V_{S\&G} = Q / A_T$
$R_h = D / 4$ (for full flow pipe)
$V_P = Q / A_P$

Abbreviations
A = Drainage Area (acres)
A _R = Percolation Area (sf)
C = Runoff Coefficient
I = Rainfall Intensity (in/hr)
Q = Peak Runoff (cfs)
Q _R = Percolation Flow Rate (in/hr)
r = Percolation Rate (in/hr)
S = Slope
T _P = Time to Percolate (hr)
V _R = Runoff Volume (cf)

Runoff Coefficients	
General Areas	C
Landscaped	0.2
Asphalt/Concrete	0.9
Brick	0.85
Gravel	0.45
Drives & Walks	0.9
Roofs	0.95
Business Areas	
Downtown	0.95
Urban Neighborhood	0.7
Residential Areas	
Single-Family	0.5
Multi-Family	0.75
Residential (Rural)	0.4
Apartment Dwelling	0.7
Industrial & Commercial Areas	
Light	0.8
Heavy	0.9
Parks & Cemeteries	0.2
Playgrounds	0.2
Railroad yard	0.2
Unimproved	0.15

Storm Frequency Table						
Duration (minutes)	2-year Intensity (in/hr)	5-year Intensity (in/hr)	10-year Intensity (in/hr)	25-year Intensity (in/hr)	50-year Intensity (in/hr)	100-year Intensity (in/hr)
10	1.21	1.67	1.96	2.37	2.73	3.11
15	1.02	1.41	1.66	2.00	2.30	2.62
30	0.71	0.98	1.15	1.39	1.59	1.82
60	0.45	0.62	0.73	0.88	1.01	1.15
120	0.27	0.36	0.42	0.50	0.58	0.66
180	0.20	0.27	0.32	0.37	0.43	0.48
360	0.13	0.17	0.20	0.23	0.27	0.30
720	0.08	0.11	0.13	0.15	0.18	0.19
1440	0.05	0.07	0.08	0.09	0.11	0.12

Basin	Landscaped (ac)	Asphalt/ Concrete (ac)	Roofs (ac)	Total acreage (ac)	Runoff Coefficient (ac)
A	0.00	0.00	0.00	20.96	0.00

Total Area (A)=	5.86 Acres	Effective rock Height=	10.0 ft	Pipe Size=	1 ft
Run-off Coefficient (C)=	0.60	Width=	39.5 ft	Percolation Area (Ar)=	3516 SF
Historic Flow Rate=	0 cfs	Length=	89 ft	Drain Rock Void Ratio=	0.4
Sand Height=	3 ft	Percolation Rate=	2.0 in/hr	Provided Storage Volume=	14104 CF

Seepage Bed 2											
Duration (min)	100-year Intensity (in/hr)	Area (acres)	Flow Rate Q = CIA (cfs)	Historical Flow Rate (cfs)	Perc Rate (r)(in/hr)	Perc Flow Rate (Q _R) (cfs)	Net Flow Rate (cfs)	Runoff Volume (V _R) (cf)	Available Storage (cf)	Req'd Above Ground Storage (cf)	Time to Percolate (T _P) (hr)
10	3.11	5.86	10.93	0.00	2.00	0.16	10.77	6461	14104	-7643	11
15	2.62	5.86	9.21	0.00	2.00	0.16	9.05	8141	14104	-5962	14
30	1.82	5.86	6.40	0.00	2.00	0.16	6.23	11222	14104	-2882	19
60	1.15	5.86	4.04	0.00	2.00	0.16	3.88	13965	14104	-139	24
120	0.66	5.86	2.32	0.00	2.00	0.16	2.16	15530	14104	1427	27
180	0.48	5.86	1.69	0.00	2.00	0.16	1.52	16463	14104	2359	28
360	0.3	5.86	1.05	0.00	2.00	0.16	0.89	19260	14104	5156	33
720	0.19	5.86	0.67	0.00	2.00	0.16	0.51	21818	14104	7715	37
1440	0.12	5.86	0.42	0.00	2.00	0.16	0.26	22379	14104	8276	38

Design Criteria
$Q = C I A$
$Q_R = R * A_R$
$Q_P = (1.49 * A_P * R_h^{2/3} * S^{1/2}) / n$
$V_R = Q * Duration$
$T_P = V_R / Q_R$
$A_T = Baffle Dist. * Inside Width$
$V_{S\&G} = Q / A_T$
$R_h = D / 4$ (for full flow pipe)
$V_P = Q / A_P$

Abbreviations
A = Drainage Area (acres)
A _R = Percolation Area (sf)
C = Runoff Coefficient
I = Rainfall Intensity (in/hr)
Q = Peak Runoff (cfs)
Q _R = Percolation Flow Rate (in/hr)
r = Percolation Rate (in/hr)
S = Slope
T _P = Time to Percolate (hr)
V _R = Runoff Volume (cf)

Runoff Coefficients	
General Areas	C
Landscaped	0.2
Asphalt/Concrete	0.9
Brick	0.85
Gravel	0.45
Drives & Walks	0.9
Roofs	0.95
Business Areas	
Downtown	0.95
Urban Neighborhood	0.7
Residential Areas	
Single-Family	0.5
Multi-Family	0.75
Residential (Rural)	0.4
Apartment Dwelling	0.7
Industrial & Commercial Areas	
Light	0.8
Heavy	0.9
Parks & Cemeteries	0.2
Playgrounds	0.2
Railroad yard	0.2
Unimproved	0.15

Storm Frequency Table						
Duration (minutes)	2-year Intensity (in/hr)	5-year Intensity (in/hr)	10-year Intensity (in/hr)	25-year Intensity (in/hr)	50-year Intensity (in/hr)	100-year Intensity (in/hr)
10	1.21	1.67	1.96	2.37	2.73	3.11
15	1.02	1.41	1.66	2.00	2.30	2.62
30	0.71	0.98	1.15	1.39	1.59	1.82
60	0.45	0.62	0.73	0.88	1.01	1.15
120	0.27	0.36	0.42	0.50	0.58	0.66
180	0.20	0.27	0.32	0.37	0.43	0.48
360	0.13	0.17	0.20	0.23	0.27	0.30
720	0.08	0.11	0.13	0.15	0.18	0.19
1440	0.05	0.07	0.08	0.09	0.11	0.12

Basin	Landscaped (ac)	Asphalt/ Concrete (ac)	Roofs (ac)	Total acreage (ac)	Runoff Coefficient (ac)
A	0.00	0.00	0.00	20.96	0.00

Total Area (A)=	5.40 Acres	Effective rock Height=	12.0 ft	Pipe Size=	1 ft
Run-off Coefficient (C)=	0.60	Width=	26.5 ft	Percolation Area (A _R)=	2703 SF
Historic Flow Rate=	0 cfs	Length=	102 ft	Drain Rock Void Ratio=	0.4
Sand Height=	3 ft	Percolation Rate=	2.0 in/hr	Provided Storage Volume=	13022 CF

Seepage Bed 3											
Duration (min)	100-year Intensity (in/hr)	Area (acres)	Flow Rate Q = CIA (cfs)	Historical Flow Rate (cfs)	Perc Rate (r)(in/hr)	Perc Flow Rate (Q _R) (cfs)	Net Flow Rate (cfs)	Runoff Volume (V _R) (cf)	Available Storage (cf)	Req'd Above Ground Storage (cf)	Time to Percolate (T _P) (hr)
10	3.11	5.40	10.07	0.00	2.00	0.13	9.95	5969	13022	-7054	13
15	2.62	5.40	8.49	0.00	2.00	0.13	8.36	7524	13022	-5498	17
30	1.82	5.40	5.89	0.00	2.00	0.13	5.77	10385	13022	-2637	23
60	1.15	5.40	3.72	0.00	2.00	0.13	3.60	12958	13022	-64	29
120	0.66	5.40	2.14	0.00	2.00	0.13	2.01	14490	13022	1467	32
180	0.48	5.40	1.55	0.00	2.00	0.13	1.43	15438	13022	2416	34
360	0.3	5.40	0.97	0.00	2.00	0.13	0.85	18284	13022	5262	41
720	0.19	5.40	0.62	0.00	2.00	0.13	0.49	21178	13022	8156	47
1440	0.12	5.40	0.39	0.00	2.00	0.13	0.26	22768	13022	9745	51



ALTA COMMITMENT FOR TITLE INSURANCE

ISSUED BY
STEWART TITLE GUARANTY COMPANY

NOTICE

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

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

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

COMMITMENT TO ISSUE POLICY

Subject to the Notice; Schedule B, Part I - Requirements; Schedule B, Part II - Exceptions; and the Commitment Conditions, STEWART TITLE GUARANTY COMPANY, a Texas 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 six months after the Commitment Date, this Commitment terminates and the Company’s liability and obligation end.



Authorized Countersignature

Stewart Title Company
1944 S. Eagle Road
Meridian, ID 83642





Frederick H. Eppinger
President and CEO



Denise Carraux
Secretary

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File No.: 1092207

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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 countersignature 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.

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- (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.
- (c) Until the Policy is issued, this Commitment, as last revised, is the exclusive and entire agreement between the parties with respect to the subject matter of this Commitment and supersedes all prior commitment negotiations, representations, and proposals of any kind, whether written or oral, express or implied, relating to the subject matter of this Commitment.
- (d) The deletion or modification of any Schedule B, Part II - Exception does not constitute an agreement or obligation to provide coverage beyond the terms and provisions of this Commitment or the Policy.
- (e) Any amendment or endorsement to this Commitment must be in writing and authenticated by a person authorized by the Company.
- (f) When the Policy is issued, all liability and obligation under this Commitment will end and the Company's only liability will be under the Policy.

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

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

8. PRO-FORMA POLICY

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

9. ARBITRATION

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

STEWART TITLE GUARANTY COMPANY

All notices required to be given the Company and any statement in writing required to be furnished the Company shall be addressed to it at P.O. Box 2029, Houston, Texas 77252-2029.

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ALTA COMMITMENT FOR TITLE INSURANCE SCHEDULE A

ISSUED BY
STEWART TITLE GUARANTY COMPANY

Transaction Identification Data for reference only:

Issuing Agent: Stewart Title Company
Issuing Office: 1944 S. Eagle Road, Meridian, ID 83642
Issuing Office's ALTA® Registry ID:
Loan ID Number:
Commitment Number: 1092207
Issuing Office File Number: 1092207
Property Address: 24710 Cemetery Road, Middleton, ID 83644
Revision Number:
Contact: Title Officer: Brian Felgenhauer Phone: (208) 287-8101 Email: brian.felgenhauer@stewart.com

1. Commitment Date: January 13, 2021 at 8:00AM

2. Policy to be issued: Proposed Policy Amount

(a) ALTA Owner's

Proposed Insured:

(b) ALTA Loan

Proposed Insured:

Endorsements Premium: \$0.00

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:

Joseph L Austin and Deborah R Austin, husband and wife

5. The Land is described as follows:

See Exhibit "A" Attached Hereto

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**ALTA COMMITMENT FOR TITLE INSURANCE
EXHIBIT "A"
LEGAL DESCRIPTION**

File No.: 1092207

Parcel I: (37579011 0 & 37579011A1)

The following describes a Parcel of Land being a portion of Parcel "3B" as shown on Record of Survey No. 2013-048669 as Filed in the Office of the Canyon County Recorder lying in a portion of Government Lot 2 of Section 31, Township 5 North, Range 2 West, Boise Meridian, Canyon County Idaho, and more particularly described as follows:

COMMENCING at a found 1/2 inch diameter Iron Pin Marking the West 1/4 Corner of said Section 31; From said Corner, the North 1/16th Corner of said Section 31 bears, North 00°19'42" West, a distance of 1321.78 feet (formerly described as North 00°19'44" West, 1321.90 feet) which is being Monumented with a found GLO Brass Cap;
Thence along the Westerly Boundary Line of said Government Lot 2, North 00°19'42" West, a distance of 50.00 feet to the POINT OF BEGINNING: From said point, a set 5/8 inch diameter Iron pin with plastic cap stamped "PLS 7732" which is Witnessing said Corner bears, North 89°26'45" East, a distance of 25.00 feet;
Thence continuing along the Westerly Boundary Line of said Government Lot 2, North 00°19'42" West, a distance of 520.00 feet to a point Marking the Northwest Corner of said Parcel "3B"; From said point, a found 5/8 inch diameter Iron pin with "No Cap" which is Witnessing said Corner bears, North 89°40'16" East, a distance of 25.15 feet;
Thence leaving said Westerly Boundary Line, and along the Northerly Boundary Line of said Parcel "3B", North 89°40'16" East, a distance of 550.00 feet to a set 5/8 inch diameter Iron pin with plastic cap stamped "PLS 7732";
Thence continuing, North 46°41'43" East, a distance of 341.92 feet to a point; From said point, a found 5/8 inch diameter Iron pin with plastic cap stamped "PLS 12458" which is Witnessing said point bears, South 46°41'43" West, a distance of 15.01 feet;
Thence continuing, South 36°38'26" East, a distance of 570.00 feet to a point; From said point, a found 5/8 inch diameter Iron pin with plastic cap stamped "PLS 12458" which is Referencing said point bears, South 52°52'27" West, a distance of 10.00 feet;
Thence Southeasterly 16.38 feet along the arc of a curve to the right having a radius of 25.65 feet, a Central angle of 36°35'56" and a long chord which bears, South 18°26'14" East, a distance of 16.11 feet to a point; From said point, a found 5/8 inch diameter Iron pin with plastic cap stamped "PLS 12458" which is Witnessing said point bears, North 89°26'23" East, a distance of 20.00 feet;
Thence leaving said Northerly Boundary Line, and along the Northerly Boundary Line of Parcel "3A" as shown on said Record of Survey, North 89°26'23" East, a distance of 148.56 feet to a set 5/8 inch diameter Iron pin with plastic cap stamped "PLS 7732" Marking the Northeast Corner of said Parcel "3A";
Thence leaving said Northerly Boundary Line, and along the Easterly Boundary Line of said Parcel "3A", South 00°01'43" East, a distance of 52.74 feet to a found 5/8 inch diameter Iron pin with plastic cap stamped, "PLS 9366";
Thence leaving said Easterly Boundary Line, South 89°26'23" West, a distance of 184.40 feet to a point; From said Point, a set 5/8 inch diameter Iron pin with plastic cap stamped "PLS 7732" which is Witnessing said point bears, North 89°26'23" East, a distance of 25.00 feet;
Thence along the Line Common with said Parcels "3A and 3B", South 39°18'02" West, a distance of 288.18 feet to a point; From said point, a set 5/8 inch diameter iron pin with plastic cap stamped "PLS 7732" which is Witnessing said point bears, South 89°26'45" West, a distance of 25.00 feet;
Thence leaving said Common Line, and along a Line being 50.00 feet Northerly of and parallel with the Southerly Boundary Line of said Government Lot 2, South 89°26'45" West, a distance of 922.79 feet to the POINT OF BEGINNING

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**ALTA COMMITMENT FOR TITLE INSURANCE
EXHIBIT "A"
LEGAL DESCRIPTION**

Parcel II: (37579010 0)

A parcel of land located in Government lot 2 of Section 31, Township 5 North, Range 2 West, Boise Meridian, Canyon County, Idaho. Being further described as follows:

The West line of Government Lot 2 of Section 31, Township 5 North, Range 2 West, Boise Meridian, derived from found monuments and taken as North 00°19'44" West with the distance between monuments found to be 1321.90 feet.

Beginning at the point on the West line of Government Lot 2 of Section 31, Township 5 North, Range 2 West, Boise Meridian from which the West 1/4 corner of Section 32 bears South 00°19'44" West a distance of 570.00 feet; thence along said west line North 00°19'44" West a distance of 351.90 feet; thence leaving said West line North 72°00'17" East a distance of 606.24 feet to the centerline of an irrigation ditch; thence along said centerline, South 36°38'26" East a distance of 375.76 feet; thence leaving said centerline, South 46°41'43" West a distance of 341.92 feet; thence South 89°40'16" West a distance of 550.00 feet to the Point of Beginning.

[MAP](#)

THE MAP CONNECTED HERewith IS BEING PROVIDED AS A COURTESY AND FOR INFORMATIONAL PURPOSES ONLY; THIS MAP SHOULD NOT BE RELIED UPON. FURTHERMORE, THE PARCELS SET OUT ON THIS MAP MAY NOT COMPLY WITH LOCAL SUBDIVISION OR BUILDING ORDINANCES. STEWART ASSUMES NO LIABILITY, RESPONSIBILITY OR INDEMNIFICATION RELATED TO THE MAPS NOR ANY MATTERS CONCERNING THE CONTENTS OF OR ACCURACY OF THE MAP.

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ALTA COMMITMENT FOR TITLE INSURANCE SCHEDULE B PART I

ISSUED BY
STEWART TITLE GUARANTY COMPANY

File No.: 1092207

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. General Property taxes for the year 2021, a lien, not yet due and payable.
6. General taxes for the Year 2020, which are PAID;
Original Amount: \$241.22
Homeowner's Exemption: NO
Code Area: 031-00
Tax Parcel Number: [37579011 0](#)
AFFECTS Parcel I
7. General taxes for the Year 2020, which are PAID;
Original Amount: \$13.36
Homeowner's Exemption: NO
Code Area: 031-00
Tax Parcel Number: [37579011A1](#)
AFFECTS Parcel I
8. General taxes for the Year 2020, which are PAID;
Original Amount: \$121.38
Homeowner's Exemption: NO
Code Area: 031-00
Tax Parcel Number: [37579010 0](#)
AFFECTS Parcel II
9. General Taxes which may be assessed and extended on any "subsequent" or "occupancy" Tax Roll for the current tax year and previous tax years with respect to improvements completed during current and previous years which may escape assessment of the regular Tax Roll; which are a Lien not yet due or payable.
10. Sewer charges and Special Assessments powers of the City of Middleton.

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ALTA COMMITMENT FOR TITLE INSURANCE SCHEDULE B PART I

ISSUED BY
STEWART TITLE GUARANTY COMPANY

11. Liens and Assessments of the Black Canyon Irrigation District, and the rights, powers and easements of said District as by law provided.
12. 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.
13. Questions of survey, discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, rights of parties in possession, material or labor Liens, disposition of which will be determined by our inspection of the premises.

NOTES:

NOTE: For a new Deed of Trust, the Trustee should appear as follows: Stewart Title Company

NOTE: A general index search of the county records for liens and judgments has been performed on the names of the parties and none were found other than what is shown in Schedule B herein.

NOTE: This is an accommodation and not part of this commitment, no liability is assumed by noting the following: We have provided a [24 month chain of conveyance deeds](#) and there has not been any other recorded conveyance deeds in the last 24 months.

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ALTA COMMITMENT FOR TITLE INSURANCE SCHEDULE B PART II

ISSUED BY
STEWART TITLE GUARANTY COMPANY

Exceptions

File No.: 1092207

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:

1. Any defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records or is created, attaches, or is disclosed between the Commitment Date and the date on which all of the Schedule B, Part I - Requirements are met.
2. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records. Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by public records.
3. Any facts, rights, interests or claims which are not shown by the public records, but which could be ascertained by an inspection of the land or by making inquiry of persons in possession thereof.
4. Easements, liens or encumbrances, or claims thereof, which are not shown by the public records.
5. 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.
6. (a) Unpatented mining claims;(b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the Public Records.
7. Any lien, or right to a lien, for services, labor, equipment or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
8. 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.
9. Rgths of the state or federal government and/or public in and to any portion of the land for right of way (whether or not such rights are shown by recordings of easements and/or maps in the Public Records by the State of Idaho showing the general location of these rights of way).

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ALTA COMMITMENT FOR TITLE INSURANCE

SCHEDULE B PART II

ISSUED BY
STEWART TITLE GUARANTY COMPANY

Paragraphs 1-9 will not appear as printed exceptions on Extended coverage Policies, except as to such parts thereof which may be typed as a Special Exception in Schedule B, Section 2.

10. Water rights, claims or title to water.
11. Unpatented mining claims; reservations or exceptions in patents or in acts authorizing the issuance thereof.
12. Minerals of whatsoever kind, subsurface and surface substances, including but not limited to coal, lignite, oil, gas, uranium, clay, rock, sand and gravel in, on, under and that may be produced from the Land, together with all rights, privileges, and immunities relating thereto, whether or not appearing in the Public Records or listed in Schedule B. Stewart makes no representation as to the present ownership of any such interest. There may be leases, grants exceptions or reservations of interest that are not listed.
13. Rights-of-way for ditches, tunnels and telephone and transmission lines constructed by authority of the United States as granted to the United States under provision of Section 58-604, Idaho Code 1947.
14. Ditch, road and public utility easements as the same may exist over said premises.
15. Any portion lying within the Cemetery Rd right of way and the rights of access for maintenance thereof.
16. Matters shown or disclosed by Record of Survey, recorded as Instrument No. [2012-0582066](#).
17. Easement Agreement including terms and conditions thereof as recorded in Instrument No. [2012-058547](#).
18. Matters shown or disclosed by Record of Survey, recorded as Instrument No. [2013-048669](#).
19. Joint Use and Maintenance Agreement, including the terms and conditions thereof, as recorded on as Instrument No. [2013-058042](#).
Said Agreement may contain a provision for bearing costs of maintenance, repair or reconstruction of said road by the common users.
20. Access Easement including terms and conditions thereof as recorded in Instrument No. [2013-058043](#).
21. Idaho Power Easement including terms and conditions thereof as recorded in Instrument No. [2014-009474](#).
22. Matters shown or disclosed by Record of Survey, recorded as Instrument No. [2017-032748](#).

END OF EXCEPTIONS

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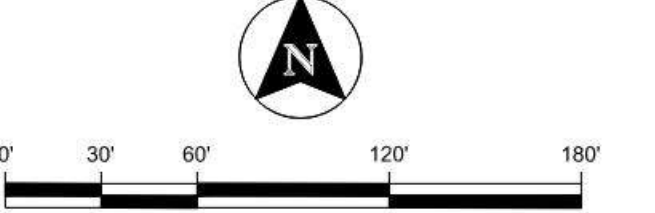
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WILLOW WOOD SUBDIVISION
 COLOR EXHIBIT

T-O ENGINEERS
 2471 S. TITANIUM PLACE
 MERIDIAN, IDAHO 83642
 PHONE: (208) 323-2288 WWW.TO-ENGINEERS.COM
 E-FILE: 210364.PPP.dwg DATE: 9/1/21 JOB: 210364-000

1/12/2021 10:51:15 AM, File: 210364_PPP.dwg, 3/16/2021 12:51:15 AM, File: 210364_PPP.dwg, 3/16/2021 12:51:15 AM, File: 210364_PPP.dwg
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Large Traffic Study Document available upon public record request submitted to City of Middleton.