

City of Emmett Council Meeting

December 19, 2023

Regular Meeting

The Emmett City Council held a meeting at 501 E. Main Street, Emmett, Idaho.
Mayor Petrie called the meeting to order at 7:00 p.m.
Mayor Petrie led the Pledge of Allegiance
Al Cinnamon offered the Community Invocation

Council Present: Councilor Gary Resinkin, Councilor Denise Sorenson, Councilor Jody Harris, Councilor Tom Butler, Councilor Tona Henderson

Council Present by Phone – None

Council Absent: - Council President Steve Nebeker

City Attorney: Jake Sweeten

Staff Present: Lyleen Jerome, Brian Sullivan, Clint Seamons, Steve Kunka, Alyce Kelley, Mike Giery, Mike Knittel

Public Present: Jethro Batchelor, 904 S. Mckinley, Emmett

Public Present via telephone: None

Amendments to the Agenda: None

Declaration of Conflict of Interest: None

Declaration of Council Members' Discussion Outside an Open Meeting: None

ELECTED OFFICIALS:

Mayor - None

City Council - None

Announcements and Good of the Order - None

CONSENT AGENDA:

Approval of Minutes – December 12, 2023 – Regular Council Meeting

Approval of Accounts Payables

Approval of Permits – Bartenders: Taryn Shemwell

Councilor Resinkin **MOVED TO APPROVE THE CONSENT AGENDA.** Seconded by Councilor Henderson
Motion carried by voice vote.

BUSINESS:

Appoint Beth Rains to Library Board. Alyce Kelley, Library Director requests approval appoint Beth Rains to the Library Board for a five-year term. Councilor Henderson **MOVED TO APPROVE THE APPOINTMENT OF BETH RAINS TO THE LIBRARY BOARD FOR A FIVE YEAR TERM BEGINNING JANUARY 1, 2024.** Seconded by Councilor Resinkin. Motion carried by voice vote.

Lyleen Jerome, City Clerk requests approval of the 2024 Council Meeting Schedule. Councilor Henderson **MOVED TO APPROVE THE 2024 COUNCIL MEETING SCHEDULE.** Seconded by Councilor Resinkin. Motion carried by voice vote.

Lyleen Jerome, City Clerk requests approval of the 2024 Holiday Closure Schedule. Councilor Henderson **MOVED TO APPROVE THE 2024 HOLIDAY CLOSURE SCHEDULE.** Seconded by Councilor Resinkin. Motion carried by voice vote.

Clint Seamons, Public Works Director requests approval of payment to Northwest Industrial Repair in the amount of \$16,996.19. Councilor Butler **MOVED TO APPROVE PAYMENT TO NORTHWEST INDUSTRIAL REPAIR IN THE AMOUNT OF \$16,996.19 FOR AN EQUALIZER BLOWER FOR THE WATEWATER TREATMENT PLANT.** Seconded by Councilor Sorenson. Motion carried by voice vote.

Brian Sullivan, Building/Zoning Administrator requests approval of a time extension of Groveland PUD Subdivision. Councilor Henderson **MOVED TO APPROVE A ONE-YEAR TIME EXTENSION TO START CONSTRUCTION OF GROVELAND PUD SUBDIVISION PUD WITH AN OPTION TO FILE ANOTHER EXTENSION UPON SHOWING GOOD CAUSE. CONSTRUCTION MUST START TWO YEARS FROM THE WRITTEN DATE OF APPROVAL WHICH IS NOVEMBER 18, 2024.** Seconded by Councilor Resinkin. Motion carried by voice vote.

Brian Sullivan requests approval of Bond Guarantee from Alejandro Ayala Jr. Councilor Sorenson **MOVED TO ACCEPT THE BOND FROM ALEJANDRO AYALA JR. WITH A&R CONSTRUCTION INC. for \$7,800.00 FOR THE GUARANTEE OF CURB, GUTTER & SIDEWALK INSTALLATION FOR PROPERTY LOCATED AT 918 S. MCKINLEY.** Seconded by Councilor Henderson. Motion carried by voice vote.

Brian Sullivan requests approval of Final Plat of Skyhawk Subdivision. Councilor Henderson **MOVED TO APPROVE THE FINAL PLAT OF SKYHAWK SUBDIVISION, ADOPT THE STAFF REPORT, AND INCLUDE #4 SITE SPECIFIC CONDITIONS OF APPROVAL AS PART OT THE APPROVAL** Seconded by Councilor Resinkin. Motion carried by voice vote.

Brian Sullivan, Building/Zoning Administrator requests approval of Utility Easement Agreement between Gem County and City of Emmett. Councilor Henderson **MOVED TO APPROVE UTILITY EASEMENT AGREEMENT BETWEEN GEM COUNTY AND THE CITY OF EMMETT WITH MAYOR TO SIGN.** Seconded by Councilor Resinkin. Roll call vote: Councilor Butler – AYE, Councilor Harris – AYE, Councilor Henderson – AYE, Councilor Sorenson – AYE. Motion carried 5-AYES, 0-NOES.

City of Emmett Council Meeting

December 19, 2023

Regular Meeting

ACTIVITY REPORTS:

Building Official/City Planner – Brian Sullivan – Reported

City Clerk, Lyleen Jerome – Reported

Fire – Mike Giery - Reported

Library Director, Alyce Kelley – Reported

Police Chief, Steve Kunka – Reported

Public Works, Clint Seamons – Reported

IT Systems Director, Mike Knittel – Reported

ADJOURN

Councilor Henderson **MOVED TO ADJOURN**. Seconded by Councilor Butler. **Motion carried by voice vote.**

Meeting adjourned at 7:21 p.m.

Mayor Gordon Petrie

Lyleen Jerome, City Clerk



CITY OF EMMETT

Bartender Permit Checklist

Applicant Name TARA NEEDHAM

Date Application Received 12/26/23 By SJ

- New Application **Renewal Application**
- Application Notarized
- Fingerprint Receipt Attached (New only)
- Copy of Driver's License Attached
- Permit Fee Paid
- Temporary Permit Language added to Receipt (New only) – WILL

RECEIVE RENEWAL LICENSE AFTER EXPIRATION DATE DUE TO COUNCIL DATES

Police Department

- Background Check W. Baker
Emmett Police Name/Records Check
- _____
Gem County Sheriff's Name/Records Check
- _____
Application Approved
- _____
Application Denied
- _____ 1-3-24
Chief of Police (signature) Date

- Fingerprint Results Attached (New only) _____

City Council

- Added to Council Agenda for approval
- City Council Approved Yes No _____
Council Date

Official Permit

- Created _____
- Mailed _____

Tracking # _____



EMMETT PUBLIC WORKS DEPARTMENT
601 East 3rd Street - Emmett, Idaho 83617
Clint Seamons, Public Works Director

Tuesday, December 26, 2023

Mayor, City Council:

I am requesting a **MOTION to approve Idaho Gem Grant Application Resolution for the pickleball courts.**

Attached is the resolution for your review.

Thank you,

Clint Seamons, Public Works Director

**Idaho Gem Grant
Application Resolution**

WHEREAS, the City Council/County Commission _____ is interested in the economic health of the community and its citizens; and

WHEREAS, the City Council/County Commission _____ wishes to support and encourage appropriate efforts within the community that promote economic development of the community and the economic well-being of its citizenry; and

WHEREAS, the Idaho Department of Commerce is offering a program specifically designed to help rural Idaho communities implement economic development strategies/projects and,

WHEREAS, this program is entitled the Idaho Gem Grant Program

NOW, THEREFORE, BE IT RESOLVED, that the the City Council/County Commission _____ hereby supports and endorses an Idaho Gem Grant application for the _____ project;

-
BE IT FUTHER RESOLVED, that the City Council/County Commission _____ designates the _____ as its administrative agent for this grant.

This Resolution is in full effect upon its adoption this _____ day of _____, 20_____

(Name of Official)

(Attest)



EMMETT PUBLIC WORKS DEPARTMENT
601 East 3rd Street - Emmett, Idaho 83617
Clint Seamons, Public Works Director

Tuesday, December 26, 2023

Mayor, City Council:

I am requesting a **MOTION to approve payment to NORTHWEST INDUSTRIAL REPAIR in the amount of \$17,022.35 for an equalizer blower for the wastewater treatment plant.**

Attached is the invoice and procurement/sole source letter for your review.

Thank you,

Clint Seamons, Public Works Director



21850 88th Place S - Kent, WA 98031-2471
 NWINDUSTRIALREPAIR.COM

TEL (253)872-2000

FAX (253)872-7033

Invoice

Date	Invoice#
12/26/2023	23-351

Bill To:
City Emmett Public Works 501 E Main Emmett, ID 83617

Ship To:
City of Emmett WWTP 1478 Cascade Rd, Emmett, ID 83617 PO# 26 435 807

PO#	Terms	Date Due	Ship Date	Shipped Via		Placed By	
26 435 807	Net 15	1/10/2024	12/4/2023	Prepay & Add		Andrew Abercrombie	
Qty Req	Description			B/O	Shipped	Price Each	Amount
1	6024-A4L2CV2-A Equalizer Blower S/N: MD135548 Freight R&L Pro# 148591827 Est Del 12/5/23			0	1	16,364.00	16,364.00
					1	658.35	658.35
<i>Thank you for your Business!</i>					Total	\$17,022.35	

MD-Kinney

4840 W. Kearney St. | Springfield, MO 65803
P: (417) 865-8715 | F: (417) 865-2950

May 23, 2023

Northwest Industrial Repair, Inc.
21850 88th Place South
Kent, WA 98031

Subject: Authorized Distributor, Service Center and Representative since 1995

Dear Valued Customer:

M-D Kinney is pleased to re-announce the appointment of Northwest Industrial Repair, Inc. as our exclusive full stocking Authorized Service Center, Distributor and Representative for industrial blowers for Alaska, Idaho, Montana, Oregon and Washington.

Northwest Industrial Repair, Inc. is a well-established and highly regarded organization located in Kent, WA. The Company has been operating in the Pacific Northwest markets since 1994. Today, in addition to equipment sales, they provide application engineering; system engineering; including process design and integration, fabrication services, equipment repair and field service as well as construction and installation under their engineering services group Northwest Flow Technologies.

They have been a long standing Authorized Service Center and Distributor for over 23 years.

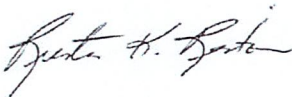
Company details are as follows:

Northwest Industrial Repair, Inc.
21850 88th Place South
Kent, WA 98031
(253) 872-2000
www.nwindustrialrepair.com

Northwest Industrial Repair, Inc.
62 W 465 N, #3
Blackfoot, ID 83221
(208) 715-0039

If you have any additional questions or comments, do not hesitate in giving me a call at 909-472-9422.

Sincerely,



Rustin Ristow
Regional Sales Manager
MD-Kinney

CITY OF EMMETT
PLANNING & ZONING DEPARTMENT
601 E. 3RD EMMETT, IDAHO 83617

PHONE: (208) 365-9569

WEB PAGE: WWW.CITYOFEMMETT.ORG

STAFF REPORT

**DESCRIPTION: PAYETTE RIVER ORCHARDS SUBDIVISION PHASE 5 - FINAL
PLAT APPLICATION**

FILE NUMBER: FP24-001

CITY COUNCIL MEETING DATE: JANUARY 9, 2024

APPLICANT: 210 MAIN LLC

REPRESENTATIVE: DAVID AND ADAM LITTLE

STAFF PLANNER: BRIAN SULLIVAN

1. APPLICATION SUMMARY

The applicant, 210 Main LLC, is requesting approval of a Final Plat application for Payette River Orchards Subdivision, Phase 5. The subdivision includes 31 residential lots, 6 common lots reserved for landscaping, irrigation, and utilities. The majority of the improvements have been installed. The owners are asking for approval of a bond in the sum of \$102,000 for guarantee of the remaining landscape completion. The bond is 150% of the total amount to complete the improvements. A detailed list of the improvements has been submitted with this application. The items have been reviewed by staff and the dollar amounts remaining are acceptable. The subdivision is located on E. 12th Street. The Preliminary Plat was approved by the City Council on 1/6/2020.

Emmett City Code (ECC) 10-2-4 outlines the procedures for Final Plat approval. Sub-section 'F' notes that prior to approving or disapproving a plat, "at least one public meeting (deliberation) shall be held by the City Council." No public hearing is required for Final Plat applications and no notice was given (other than posting the meeting agenda).

ECC 10-2-3.L.1 outlines the required approval period for Preliminary Plat applications. It states, "Failure to file and obtain the certification of acceptance of the final plat application from the sub divider within one year after action by the city council shall cause all approvals of said preliminary plat to be null and void, unless an extension of time is applied for by the sub divider and granted by the city."

Staff Recommendation: Staff recommends approval of the final plat, and adopt the Site-Specific Conditions of Approval.

2. APPLICATION & PROPERTY FACTS

A. Site Address/Location:

The site is located on the end of E. 12th Street, in Township 06N, Range 01W, Section 16.

B. Current Owner(s): 210 Main LLC.

C. Applicant(s): 210 Main LLC.

D. Representative: David and Adam Little

E. Present Zoning: R-1, Single-Family Residential

3. APPLICATION PROCESS FACTS

A. Application Submittal:

The application for this item was received by the Zoning Department on October 10, 2023.

B. Relevant Ordinances and Required Actions:

The subject application will in fact constitute a Final Plat application, as determined by Emmett City Code 10-4. The City Council must review and make a decision to either grant, grant with conditions, or deny the application.

4. SITE SPECIFIC CONDITIONS OF APPROVAL

1. Comply with all Final Plat review comments.
2. All review fees from Keller's being paid prior to signing the Mylar
3. City requires the petitioner to supply a set of as-built plans on Mylar as well as on CD -Rom or disc in AutoCAD format and PDF format.
4. Post a bond for 150% of the estimated completion of the remaining improvement. The amount due for the bond is \$102,000 for completion of the landscape improvements. Staff has reviewed these items and approves this bond amount.
5. Completed, signed and recorded Declaration of Covenants, Conditions, and Restrictions of Payette River Orchards Subdivision.
6. Submit two (2) paper copies and 1 digital copy of the final plat to the Zoning department for review prior to printing the Mylar.
7. Final plat must be recorded within 1 year of written approval unless an extension is requested and granted by the City.
8. The applicant is to follow all recording requirements as outlined in ECC 10-2-4K.
9. Within ten (10) days of recording the final plat, new deeds and legal descriptions for all lots shall be prepared and recorded in Gem County Recorder's Office.



CITY OF EMMETT
Building & Zoning Department
601 E. 3rd Street
Emmett, Idaho 83617

Building & Zoning Department

Brian Sullivan:
bsullivan@cityofemmett.org
Shannon Ferraro:
sferraro@cityofemmett.org
Ph: (208) 365-9569

January 2, 2024

RE: Payette River Orchards Subdivision, phase #5, FP # 24-001

Mayor and City Council,

Staff has reviewed the referenced subdivision plat, Payette River Orchards Subdivision #5, and recommends approval of the plat with following specific condition being part of the approval.

Proposed Motion:

I would like to make a motion to approve Payette River Orchards Subdivision, phase 5, application # FP24-001, with the following conditions.

1. Comply with all Final Plat review comments.
2. All review fees from Keller's being paid prior to signing the Mylar
3. City requires the petitioner to supply a set of as-built plans on Mylar as well as on CD -Rom or disc in AutoCAD format and PDF format.
4. Post a bond for 150% of the estimated completion of the remaining improvement. The amount due for the bond is \$102,000 for completion of the landscape improvements. Staff has reviewed these items and approves this bond amount.
5. Completed, signed and recorded Declaration of Covenants, Conditions, and Restrictions of Payette River Orchards Subdivision.
6. Submit two (2) paper copies and 1 digital copy of the final plat to the Zoning department for review prior to printing the Mylar.
7. Final plat must be recorded within 1 year of written approval unless an extension is requested and granted by the City.
8. The applicant is to follow all recording requirements as outlined in ECC 10-2-4K.
9. Within ten (10) days of recording the final plat, new deeds and legal descriptions for all lots shall be prepared and recorded in Gem County Recorder's Office.

OR

I make a motion to deny the final plat of Payette River Orchards Subdivision Phase 5 for the following reason:

Sincerely,

A handwritten signature in black ink, appearing to read "Brian Sullivan", is written over the printed name.

Brian Sullivan
Building / Zoning Administrator



210 Main, LLC

P.O. Box 488
210 W. Main Street
Emmett, ID 83617
208-365-4611

December 26, 2023

City of Emmett
City Council
Planning and Zoning Commission
Attn: Brian Sullivan
501 E. Main Street
Emmett, Idaho 83617

Re: *Payette River Orchards Subdivision No. 5
Warranty and Guarantee of Completion of Improvements*

Mr. Sullivan,

We (210 Main, LLC) appreciate the City's attention to final plat application to Payette River Orchards Subdivision No. 5 ("PRO #5"). This letter is to address the necessary items for completion of construction of PRO #5 and quantify the financial guarantee for completion after filing of the final plat.

Bondable items (#1):

All of the bondable items below in Table 1 are under contract or will be completed by us. Table 1 below identifies each contractor, the amount, and the remaining balance for completion of the work. Contracts and estimates for each are also attached. Pursuant to Emmett City Code we agree to deposit with the Emmett City clerk a cash deposit, in the amount of 150% of estimated cost to complete these items: **\$102,000.00**.

Table 1.

#	Item	Contractor	Amount	At 150%
1	Landscaping	Butterfield Lawn & Landscape	\$68,000.00	\$102,000.00

Pursuant to Emmett City Code we agree to progress payments out of the cash deposit equal to the amount deposited for such item when such item is verified as completed by the City. Landscaping is anticipated as three to six months to complete, weather permitting. Each individual cash deposit will be held by the Emmett City clerk until completion of each item or confirmation of progress billing or June 26, 2024. With these amounts on deposit for incomplete items with the Emmett City clerk, the City agrees to issue building permits on all the lots in PRO #5 as requests for building permits are submitted.

In the event this work is not completed by June 26, 2024, the City of Emmett may proceed to have such work completed and reimburse itself for the cost and expense of completing such work from the cash deposit.

We appreciate your consideration and approval of the PRO #5 final plat.

210 Main LLC

Adam Little

By: Adam Little, Its: Member

Enclosed: Butterfield Lawn & Landscape agreement for Phase 5 landscaping.

Butterfield Lawn & Landscape
Barry Butterfield 208-989-9339
P.O. Box 935 Emmett, ID 83617

This bid proposal is for Highlands Subdivision in Emmett on phase 5.

Bid includes irrigation installation, plant materials and ground cover.

284 Trees and shrubs	\$27,000
20 Irrigation zones	\$15,000
20,000 square feet weed fabric and ground cover	\$22,000
18 tons boulders	<u>\$ 4,000</u>
	\$68,000

-All work to be completed by 5/30/2024 based on plant availability and weather conditions.

-All landscape work is guaranteed for 1 year.

-Bid includes all materials, installation and cleanup of work site.

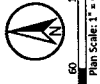
210 Main, LLC / By: Adam Little, Its: Member

Adam Little 12/18/23

PAYETTE RIVER ORCHARDS SUBDIVISION No. 5

A PARCEL OF LAND SITUATED IN A PORTION OF THE NW 1/4 OF THE NE 1/4 OF SECTION 16, TOWNSHIP 6 NORTH, RANGE 1, WEST, BOISE MERIDIAN, CITY OF EMMETT, GEM COUNTY, IDAHO. 2024

POINT OF COMMENCEMENT
NORTH 1/4 CORNER SECTION 16
FOUND BRASS CAP
PER GEM COUNTY RECORDS
PER GEM COUNTY INSTR. NO. _____



SHEET INDEX

- SHEET 1 - SUBDIVISION PLAT
- SHEET 2 - LOT AREA, CURVE AND LINE TABLES, NOTES
- SHEET 3 - CERTIFICATE OF OWNERS
- SHEET 4 - CERTIFICATES AND APPROVALS

REFERENCES

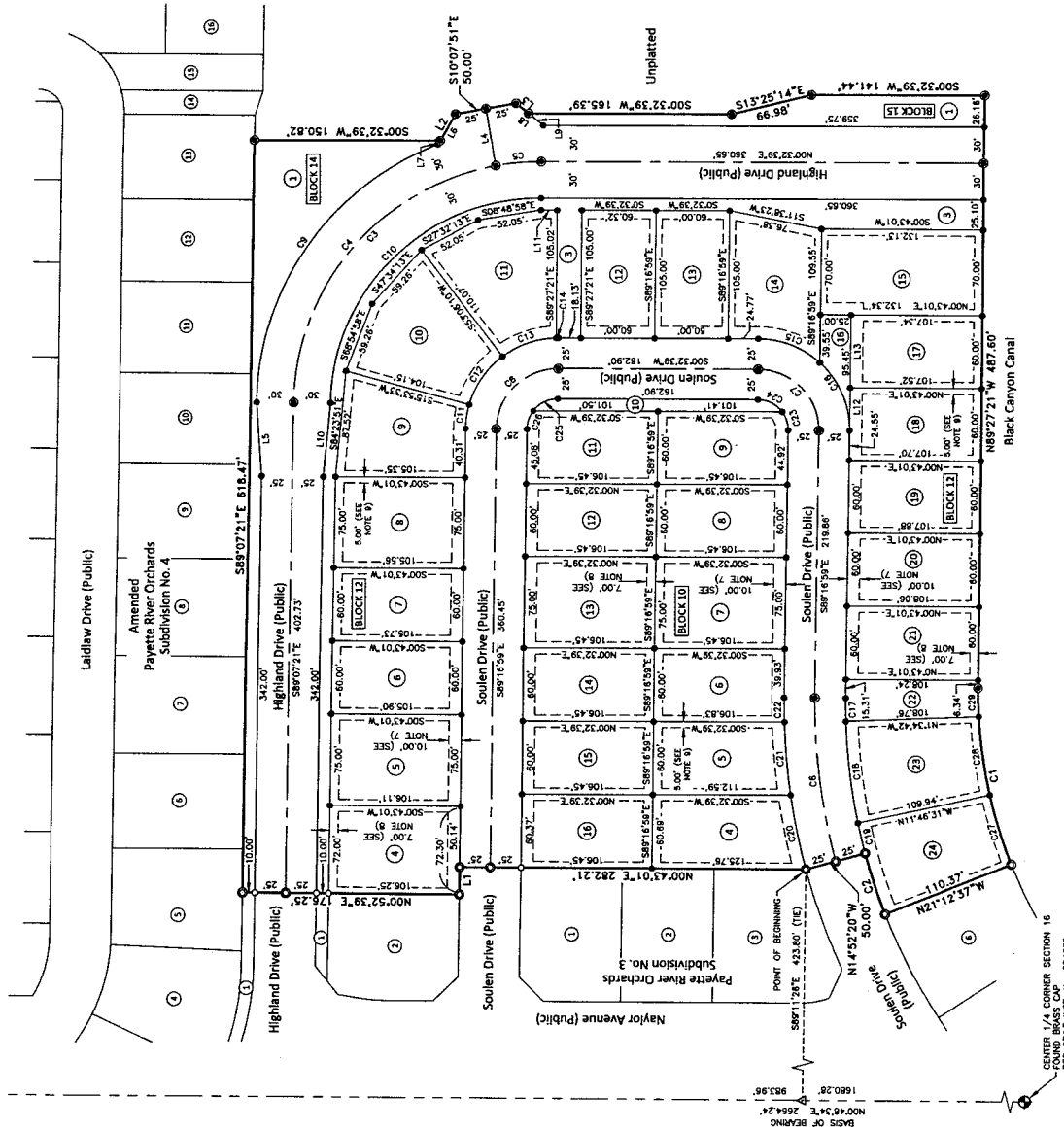
- R1. RECORD OF SURVEY, INSTRUMENT No. 177983, RECORDS OF GEM COUNTY, IDAHO.
- R2. RECORD OF SURVEY, INSTRUMENT No. 201146, RECORDS OF GEM COUNTY, IDAHO.
- R3. RECORD OF SURVEY, INSTRUMENT No. 243777, RECORDS OF GEM COUNTY, IDAHO.
- R4. RECORD OF SURVEY, INSTRUMENT No. 257605, RECORDS OF GEM COUNTY, IDAHO.
- R5. AMENDED PLAT OF PAYETTE RIVER ORCHARDS SUBDIVISION No. 3, BOOK 7 OF PLATS AT PAGE 10, RECORDS OF GEM COUNTY, IDAHO.
- R6. AMENDED PLAT OF PAYETTE RIVER ORCHARDS SUBDIVISION No. 4, BOOK 7 OF PLATS AT PAGE 33, RECORDS OF GEM COUNTY, IDAHO.
- R7. BUREAU OF LAND MANAGEMENT DEPENDANT RESURVEY, VOLUME 474, PAGES 105-250, OFFICIALLY FILED ON JUNE 26, 2003.

SURVEY NARRATIVE

THE PURPOSE OF THIS SURVEY IS TO SUBDIVIDE THE LAND SHOWN HEREON. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE SURVEYING ACTS AND REGULATIONS OF THE STATE OF IDAHO. THE MONUMENTATION RECORDED AND A FIELD SURVEY OF EXISTING MONUMENTATION WAS FOUND TO BE IN SUBSTANTIAL CONFORMANCE WITH THE SURVEY. THE MONUMENTS AND MARKERS SHOWN ON THIS PLAT WERE NOT FOUND TO BE SET/RESET AS SHOWN HEREON.

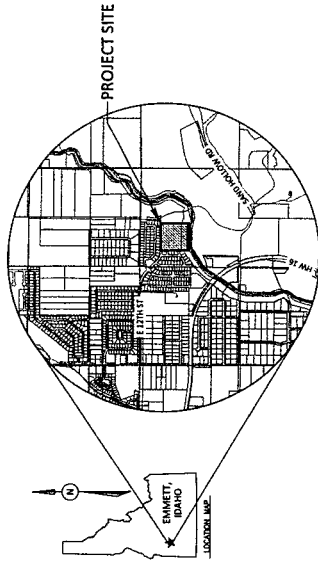
LEGEND

- FOUND BRASS CAP AS NOTED
- FOUND 5/8-INCH REBAR WITH PLASTIC CAP MARKED "PLS 10581" UNLESS NOTED OTHERWISE
- FOUND 1/2-INCH REBAR WITH PLASTIC CAP MARKED "PLS 10581" UNLESS NOTED OTHERWISE
- SET 5/8-INCH REBAR WITH PLASTIC CAP MARKED "ALB 12459"
- SET 1/2-INCH REBAR WITH PLASTIC CAP MARKED "ALB 12459"
- CALCULATED POINT, NOTHING FOUND OR SET
- LOT NUMBER
- SUBDIVISION BOUNDARY LINE
- LOT LINE
- SECTION LINE
- CENTRELINE
- ADJACENT LOT LINE
- TEE LINE
- EASEMENT LINE



DEVELOPER
210 Main, LLC
PO Box 488
Emmett, ID 83617

PLAT OF
PAYETTE RIVER ORCHARDS SUBDIVISION No. 5



BLOCK	LOT	AREA
10	4	0.166
10	5	0.150
10	6	0.147
10	7	0.183
10	8	0.147
10	9	0.146
10	10	0.044
10	11	0.146
10	12	0.147
10	13	0.183
10	14	0.147
10	15	0.147
10	16	0.146
12	3	0.346
12	4	0.178
12	5	0.183
12	6	0.146
12	7	0.146
12	8	0.182
12	9	0.174
12	10	0.203
12	11	0.201
12	12	0.145
12	13	0.145
12	14	0.175
12	15	0.212
12	16	0.033
12	17	0.146
12	18	0.146
12	19	0.146
12	20	0.080
12	21	0.149
12	22	0.080
12	23	0.188
12	24	0.175
14	1	0.318
15	1	0.148

VICINITY MAP
NO SCALE

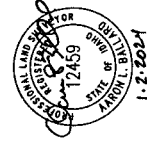
NOTES

- THE BOTTOM OF STRUCTURAL FOOTINGS SHALL BE SET A MINIMUM OF 12-INCHES ABOVE THE HIGHEST ESTABLISHED NORMAL GROUND WATER ELEVATION.
- ANY RESUBDIVISION OF THIS PLAT SHALL COMPLY WITH THE APPLICABLE ZONING REGULATIONS OF THE CITY OF EMMETT IN EFFECT AT THE TIME OF RESUBDIVISION.
- IRRIGATION WATER HAS BEEN PROVIDED FROM EMMETT IRRIGATION DISTRICT IN COMPLIANCE WITH IDAHO CODE SECTION 22-1403.01. THE SUBDIVISION SHALL BE SUBJECT TO THE EMMETT HIGHLAND OWNER'S ASSOCIATION'S REGULATIONS FOR ASSESSMENTS FROM EMMETT IRRIGATION DISTRICT THROUGH THE EMMETT HIGHLAND OWNER'S ASSOCIATION.
- THIS DEVELOPMENT REQUIRES SECTION 22-1403.01 OF THE IDAHO CODE, RIGHT TO CLAM ACT WHICH STATES: "NO AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF SHALL BE OR BECOME A NUISANCE, PRIVATE OR PUBLIC, TO ANY ADJACENT PROPERTY OR TO ANY OTHER PROPERTY IN THE SUBDIVISION. NO EXPANSION SHALL BE MADE AT ANY TIME IF IT BEGAN TO BE A NUISANCE TO ANY ADJACENT PROPERTY OR TO ANY OTHER PROPERTY IN THE SUBDIVISION. THE PROVISIONS OF THIS SECTION SHALL NOT APPLY WHEN A NUISANCE EXPANSION THEREOF IS PROHIBITED BY AN AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF."
- LOT 10, BLOCK 10, LOTS 3, 15 AND 24, BLOCK 10, LOT 1, BLOCK 14 AND LOT 1, BLOCK 18 ARE COMMON LOTS AND SHALL BE OWNED AND MAINTAINED BY THE EMMETT HIGHLAND OWNER'S ASSOCIATION. THESE COMMON LOTS ARE SUBJECT TO EMMETT EASEMENTS FOR PUBLIC UTILITIES, STORM DRAINAGE AND EMMETT HIGHLAND OWNER'S ASSOCIATION PRESUBDIVISION IRRIGATION.
- LOT 16, BLOCK 12 (COMMON LOT) IS SUBJECT TO A EASEMENT FOR A COMMON DRIVE TO PROVIDE ACCESS TO VEHICLES AND EQUIPMENT AS REQUIRED BY EMMETT CITY CODE. THE COMMON DRIVE SHALL BE MAINTAINED BY THE EMMETT HIGHLAND OWNER'S ASSOCIATION.
- WHERE DIMENSIONED HEREON, LOT LINES COMMON TO THE PUBLIC RIGHTS-OF-WAY CONTAIN A 10.00 FOOT WIDE EASEMENT FOR PUBLIC UTILITIES AND LOT DRAINAGE.
- WHERE DIMENSIONED HEREON, REAR LOT LINES CONTAIN A 7.00 FOOT WIDE EASEMENT FOR PUBLIC UTILITIES, LOT DRAINAGE AND EMMETT HIGHLAND OWNER'S ASSOCIATION PRESUBDIVISION IRRIGATION.
- WHERE DIMENSIONED HEREON, INTERIOR LOT LINES CONTAIN A 5.00 FOOT WIDE EASEMENT FOR PUBLIC UTILITIES AND LOT DRAINAGE.
- LOTS SHALL NOT BE REDUCED IN SIZE WITHOUT PRIOR APPROVAL FROM THE HEALTH AUTHORITY AND THE CITY OF EMMETT. RESTRICTION RELEASE.
- NO ADDITIONAL DOMESTIC WATER SUPPLIES SHALL BE INSTALLED BEYOND THE WATER SYSTEM APPROVED IN THE SANITARY REFERENCE IS MADE TO THE PUBLIC HEALTH LETTER ON FILE REGARDING ADDITIONAL RESTRICTIONS.
- THIS SUBDIVISION WILL BE SUBJECT TO THE COVENANTS, CONDITIONS AND RESTRICTIONS THAT ARE TO BE FILED FOR RECORD AT THE GEN COUNTY RECORDER'S OFFICE, AND MAY BE AMENDED FROM TIME TO TIME.
- DIRECT LOT ACCESS FROM HIGHLAND DRIVE IS PROHIBITED.
- MINIMUM BUILDING SETBACKS SHALL BE IN ACCORDANCE WITH THE CITY OF EMMETT APPLICABLE ZONING AND SUBDIVISION REGULATIONS AT THE TIME OF ISSUANCE OF INDIVIDUAL BUILDING PERMITS OR AS SPECIFICALLY APPROVED AND OR REQUIRED.

LINE	BEARING	DISTANCE
L1	N89°07'21"W	22.16'
L2	S62°30'09"E	25.36'
L3	S42°10'16"W	13.42'
L4	N78°52'47"E	48.24'
L5	N88°10'14"E	60.93'
L6	S62°30'09"E	28.12'
L7	S62°30'09"E	3.76'
L8	S42°10'16"W	28.10'
L9	N46°10'16"E	15.88'
L10	S64°24'58"E	60.93'
L11	N02°32'39"E	13.25'
L12	S85°15'59"E	38.45'
L13	S89°16'59"E	60.00'

CURVE	RADIUS	LENGTH	DELTA	CHORD-BEG	CHORD
C1	390.00'	148.80'	21°51'40"	S78°38'48"W	147.90'
C2	475.00'	52.35'	6°20'18"	N71°37'31"E	52.52'
C3	200.00'	33.00'	89°40'00"	S44°17'21"E	282.03'
C4	200.00'	275.65'	78°58'08"	N42°38'17"W	254.35'
C5	200.00'	37.34'	10°41'52"	N04°48'17"W	37.29'
C6	500.00'	136.04'	15°39'20"	S82°55'21"W	135.62'
C7	50.00'	78.90'	90°10'22"	N45°37'50"E	70.82'
C8	50.00'	78.30'	89°49'38"	N42°21'0"W	70.60'
C9	200.00'	273.15'	86°02'48"	S55°05'58"E	257.38'
C10	170.00'	286.05'	89°40'00"	S44°17'21"E	239.72'
C11	75.00'	19.88'	15°10'32"	N81°41'43"W	19.81'
C12	75.00'	48.86'	37°18'33"	N52°26'41"W	46.00'
C13	75.00'	46.89'	35°53'44"	N16°50'02"W	46.22'
C14	75.00'	1.87'	1°25'49"	N07°10'15"W	1.87'
C15	75.00'	51.98'	41°58'59"	N21°31'09"E	53.73'

CURVE	RADIUS	LENGTH	DELTA	CHORD-BEG	CHORD
C16	75.00'	63.08'	48°11'23"	N85°37'29"E	61.24'
C17	475.00'	19.04'	21°7'49"	S89°54'13"W	19.04'
C18	475.00'	84.54'	10°11'49"	S83°19'23"W	84.42'
C19	475.00'	25.88'	3°09'42"	S78°40'38"W	25.66'
C20	525.00'	62.47'	6°49'05"	S78°32'14"W	62.44'
C21	525.00'	60.29'	6°54'48"	S85°14'10"W	60.26'
C22	525.00'	20.07'	21°12'27"	S89°37'18"W	20.07'
C23	25.00'	16.15'	37°02'34"	N72°11'4"E	16.86'
C24	25.00'	23.18'	53°07'48"	N67°00'33"E	22.36'
C25	25.00'	23.18'	53°07'48"	N66°01'15"W	22.36'
C26	25.00'	16.01'	36°41'50"	N72°56'04"W	16.74'
C27	390.00'	60.06'	8°49'24"	S73°05'40"W	60.00'
C28	390.00'	65.68'	8°33'37"	S82°17'11"W	65.00'
C29	390.00'	23.87'	3°28'38"	S88°48'19"W	23.67'



DEVELOPER
210 Main, LLC
PO Box 488
Emmett, ID 83617

PLAT OF
PAYETTE RIVER ORCHARDS SUBDIVISION No. 5

CERTIFICATE OF OWNERS

KNOW ALL MEN/WOMEN BY THESE PRESENTS: THAT THE UNDERSIGNED IS THE OWNER OF THE REAL PROPERTY HEREAFTER DESCRIBED AND THEY INTEND TO INCLUDE SAID REAL PROPERTY IN THIS PLAT:

A PARCEL OF LAND BEING A PORTION OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 16, TOWNSHIP 6 NORTH, RANGE 1 WEST, B.M., CITY OF EMMETT, GEM COUNTY, IDAHO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT A 5/8-INCH REBAR MARKING THE NORTH 1/4 CORNER OF SAID SECTION 16, WHICH BEARS N00748°34'E A DISTANCE OF 2,864.24 FEET FROM A BRASS CAP MARKING THE CENTER 1/4 CORNER OF SAID SECTION 16, THENCE FOLLOWING THE COURSE OF SAID SECTION 16, THENCE S89°52'10"W A DISTANCE OF 150.83 FEET TO A 5/8-INCH REBAR ON THE BOUNDARY OF PAYETTE RIVER ORCHARDS SUBDIVISION NO. 3 (BOOK 7 OF PLATS AT PAGE 10, RECORDS OF GEM COUNTY, IDAHO) AND BEING THE POINT OF BEGINNING.

THENCE FOLLOWING SAID BOUNDARY THE FOLLOWING THREE (3) COURSES:
1. N00745°01'E A DISTANCE OF 282.21 FEET TO A 5/8-INCH REBAR;
2. N00752°30"E A DISTANCE OF 72.16 FEET TO A 5/8-INCH REBAR;
3. S89°52'10"W A DISTANCE OF 150.83 FEET TO A 5/8-INCH REBAR;
THENCE LEAVING THE BOUNDARY OF SAID PAYETTE RIVER ORCHARDS SUBDIVISION NO. 3 AND FOLLOWING THE BOUNDARY OF SAID PAYETTE RIVER ORCHARDS SUBDIVISION NO. 4 (BOOK 7 OF PLATS AT PAGE 33, RECORDS OF GEM COUNTY, IDAHO);
THENCE LEAVING SAID BOUNDARY S00232°39"W A DISTANCE OF 150.83 FEET TO A 5/8-INCH REBAR;
THENCE LEAVING SAID BOUNDARY S00232°39"W A DISTANCE OF 25.36 FEET TO A 5/8-INCH REBAR;
THENCE S107°07'51"E A DISTANCE OF 50.00 FEET TO A 5/8-INCH REBAR;
THENCE S89°52'10"W A DISTANCE OF 150.83 FEET TO A 5/8-INCH REBAR;
THENCE S107°07'51"E A DISTANCE OF 50.00 FEET TO A 5/8-INCH REBAR;
THENCE S125°25'14"E A DISTANCE OF 114.44 FEET TO A 5/8-INCH REBAR ON THE NORTHERLY RIGHT-OF-WAY LINE OF THE U.S. HIGHWAY 16 (AS SHOWN ON PLAT 1 OF SAID SUBDIVISION NO. 5);
THENCE FOLLOWING SAID NORTHERLY RIGHT-OF-WAY LINE THE FOLLOWING TWO (2) COURSES:
1. N89°27'21"W A DISTANCE OF 487.60 FEET TO A 5/8-INCH REBAR;
2. 148.80 FEET ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 390.00 FEET, A DELTA ANGLE OF 180° AND A CHORD BEARING OF N00745°01'E A DISTANCE OF 147.90 FEET TO A 5/8-INCH REBAR ON THE BOUNDARY OF SAID PAYETTE RIVER ORCHARDS SUBDIVISION NO. 3;
THENCE LEAVING SAID NORTHERLY RIGHT-OF-WAY LINE AND FOLLOWING SAID BOUNDARY THE FOLLOWING THREE (3) COURSES:
1. S02°32'39"W A DISTANCE OF 150.83 FEET TO THE POINT OF BEGINNING;
2. S02°32'39"W A DISTANCE OF 150.83 FEET TO THE POINT OF BEGINNING;
3. N00745°01'E A DISTANCE OF 150.83 FEET TO A 5/8-INCH REBAR;
THENCE S02°32'39"W A DISTANCE OF 150.83 FEET TO A 5/8-INCH REBAR;
3. N114°52'20"W A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS A TOTAL OF 8.636 ACRES, MORE OR LESS.

THE OWNER FURTHER CERTIFIES THAT ALL LOTS IN THIS SUBDIVISION WILL RECEIVE DOMESTIC WATER AND SANITARY SEWER SERVICE FROM THE CITY OF EMMETT HAS AGREED IN WRITING TO SERVE ALL OF THE LOTS IN THIS SUBDIVISION (I.C. 50-1334) AND (I.C. 50-1326).

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

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

LAND A TITLE NUMBER
210 MAIN, LLC.

ACKNOWLEDGMENT

STATE OF IDAHO }
COUNTY OF GEM } SS

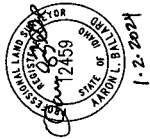
ON THIS _____ DAY OF _____, IN THE YEAR OF 2024, BEFORE ME, _____ (NOTARY'S NAME) A NOTARY PUBLIC, PERSONALLY APPEARED _____, KNOWN OR IDENTIFIED TO ME (OR PROVED TO ME ON THE OATH OF _____) TO BE THE MANAGER OR A MEMBER OF THE LIMITED LIABILITY COMPANY THAT EXECUTED THE INSTRUMENT OR THE PERSON WHO EXECUTED THE INSTRUMENT ON BEHALF OF SAID LIMITED LIABILITY COMPANY AND ACKNOWLEDGED TO ME THAT SAID LIMITED LIABILITY COMPANY EXECUTED THE SAME.

SIGNATURE OF NOTARY PUBLIC
MY COMMISSION EXPIRES _____

CERTIFICATE OF SURVEYOR

I, AARON L. BALLARD, DO HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR LICENSED BY THE STATE OF IDAHO, AND THAT THIS PLAT OF PAYETTE RIVER SUBDIVISION NO. 5 AS DESCRIBED IN THE "CERTIFICATE OF OWNERS" AND AS SHOWN ON THIS PLAT, WAS PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND ACCURATELY REPRESENTS THE POINTS PLATED THEREON, AND IS IN CONFORMITY WITH THE STATE OF IDAHO CODE RELATING TO PLATS AND SURVEYS.

AARON L. BALLARD, P.L.S. 12459



DEVELOPER
210 Main, LLC
PO Box 488
Emmett, ID 83617

PLAT OF PAYETTE RIVER ORCHARDS SUBDIVISION No. 5

HEALTH CERTIFICATE

SANITARY RESTRICTIONS AS REQUIRED BY IDAHO CODE, TITLE 50, CHAPTER 13 HAVE BEEN REVIEWED AND FOUND TO BE IN ACCORDANCE WITH THE HEALTH AND SAFETY CODE AS FOLLOWS: THE CITY OF EMMETT, IDAHO, HAS REVIEWED THE SANITARY RESTRICTIONS AND THE CONDITIONS IMPOSED ON THE DEVELOPER FOR CONTINUED SERVICE AND SERVICE CERTIFIED AS AVAILABLE. SANITARY RESTRICTIONS MAY BE REIMPOSED IN ACCORDANCE WITH SECTION 50-1326, IDAHO CODE, BY THE ISSUANCE OF A CERTIFICATE OF DISAPPROVAL.

Andrey Lee
HEALTH OFFICER

09/15/2023
DATE

APPROVAL OF CITY OF EMMETT ENGINEER

I, THE UNDERSIGNED, CITY ENGINEER FOR THE CITY OF EMMETT, IDAHO, DO HEREBY APPROVE THIS PLAT AND THE CITY ENGINEER HAS REVIEWED THE SANITARY RESTRICTIONS AND THE CONDITIONS IMPOSED ON THE DEVELOPER FOR CONTINUED SERVICE AND SERVICE CERTIFIED AS AVAILABLE. SANITARY RESTRICTIONS MAY BE REIMPOSED IN ACCORDANCE WITH SECTION 50-1326, IDAHO CODE, BY THE ISSUANCE OF A CERTIFICATE OF DISAPPROVAL.

CITY ENGINEER

DATE

APPROVAL OF EMMETT CITY COUNCIL

WE, THE MAYOR AND CITY CLERK AT AND FOR THE CITY OF EMMETT, GEN. COUNTY, IDAHO DO HEREBY CERTIFY THAT AT A REGULAR MEETING OF THE CITY COUNCIL HELD ON THE ____ DAY OF _____, 20____, THIS PLAT OF PAYETTE RIVER ORCHARDS SUBDIVISION No. 5 AND THE STREETS AND ROAD DEDICATIONS SHOWN HEREON, WERE DULY ACCEPTED AND APPROVED.

MAYOR

DATE

CITY CLERK

DATE

CERTIFICATE OF COUNTY SURVEYOR

I, THE UNDERSIGNED, COUNTY SURVEYOR FOR GEN. COUNTY, IDAHO, DO HEREBY CERTIFY THAT I HAVE CHECKED THIS PLAT AND FIND THAT IT COMPLES WITH THE STATE OF IDAHO CODE RELATING TO PLATS AND SURVEYS.

GEN. COUNTY SURVEYOR

DATE

CERTIFICATE OF GEN. COUNTY ASSESSOR

I, THE UNDERSIGNED, COUNTY ASSESSOR IN AND FOR THE COUNTY OF GEN. STATE OF IDAHO, DO HEREBY CERTIFY THAT THIS PLATTING IS ACCEPTABLE FOR ASSESSMENT PURPOSES.

COUNTY ASSESSOR

DATE

CERTIFICATE OF COUNTY TREASURER

I, THE UNDERSIGNED, COUNTY TREASURER IN AND FOR THE COUNTY OF GEN. STATE OF IDAHO, DO HEREBY CERTIFY THAT THE COUNTY OF GEN. STATE OF IDAHO HAS REVIEWED THE SANITARY RESTRICTIONS AND THE CONDITIONS IMPOSED ON THE DEVELOPER FOR CONTINUED SERVICE AND SERVICE CERTIFIED AS AVAILABLE. SANITARY RESTRICTIONS MAY BE REIMPOSED IN ACCORDANCE WITH SECTION 50-1326, IDAHO CODE, BY THE ISSUANCE OF A CERTIFICATE OF DISAPPROVAL.

COUNTY TREASURER

DATE

CERTIFICATE OF COUNTY RECORDER

COUNTY RECORDER

