

036

**FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECISION**

On June 5, 2012, the Carey City Council held a public hearing to consider the application by Heber D. Kirkland and Rosalie J. Kirkland for Final Plat approval of Kirkland Subdivision No. 2, a subdivision of approximately 60.55 acres, subdividing it into three lots (Lots 1 & 2 being 19.96 acres and Lot 3 being 20.02 acres). The Council, having been presented with all information and testimony in favor and in opposition to the proposal, hereby makes the following Findings of Fact, Conclusions of Law and Decision.

**FINDINGS OF FACT**

**Notice**

Notice for the public hearing was published in the Idaho Mountain Express on May 2, 2012 and was sent to all property owners within 300 feet. Notice of the public hearing on the City Council agenda was also posted at Carey City Hall, the Carey US Post Office, at Adamson's Inc., and at Castle's Corner.

**Application**

Application was made by Heber and Rosalie Kirkland to subdivide approximately 60.55 acres, dividing the property into 3 approximate equal lots, known as Kirkland Subdivision No. 2. This portion of the application relates to final plat approval of the subdivision, with the present legal description of NW ¼ SW1/4 & W1/2 NE ¼, Section 35, T.1S., R.21E., which was zoned Blaine County A-20 prior to annexation proceedings in January 2012.

**Procedural History**

Heber and Rosalie Kirkland made application to the City of Carey for subdivision of approximately 60.55 acres in January 2011. The Planning and Zoning Commission conducted an annexation hearing on October 12, 2011 which was continued to October 19, 2011, which was continued to October 25, 2011. On October 25, 2011, the P&Z Commission voted 5-0 to recommend annexation with conditions of the proposed 60.55 acres. The City Council, with the direction of City Attorney Adam King, continued its first public hearing from November 15, 2011 to December 20, 2011, with the objective to address the subdivision portion of the application. On December 20, 2011, the City Council provided direction regarding subdivision requirements, including which requirements in the subdivision ordinance the Council would provide waiver from for this application. At that meeting the Council unanimously voted, with one Council member absent, to provide each of the specific waivers noted in the preliminary plat findings dated February 8, 2012. On June 5, 2012, after survey of the property had been completed, final plat dated April 2012 of Kirkland Subdivision No. 2 (Lots 1 & 2 being 19.96 acres and Lot 3 being 20.02 acres) was unanimously approved by the Council. This approval included the plat notes as shown on the April 2012 final plat.

RECEIVED

APR 11 2013

TECHNICAL

Instrument # 607139

HALEY, BLAKE, IDAHO  
3-11-2013 11:50:20 No. of Pages: 7  
Recorded by: CITY OF CAREY  
JBL/KCS/MSK Fee: 0.00  
Ex-Officio Recorder Deputy  
Index to: P & Z FINDINGS OF FACT

48

**Standards of Evaluation**

For each of the following pertinent standards of the Subdivision Ordinance (shown in bold print), the Council makes the following Findings of Fact:

**TITLE 50, CHAPTER 13, IDAHO CODE**

**50-1309. CERTIFICATION OF PLAT -- DEDICATION OF STREETS.** The owner or owners of the land included in said plat shall make a certificate containing the correct legal description of the land, with the statement as to their intentions to include the same in the plat, and make a dedication of all public streets and rights-of-way shown on said plat, which certificate shall be acknowledged before an officer duly authorized to take and shall be indorsed on the plat.

April 2012 plat shows Lava Lane right-of-way dedication and final plat will show description of land dedicated.

**CITY SUBDIVISION ORDINANCE FINAL PLAT REQUIREMENTS** The final plat shall be placed upon a Council meeting agenda. The Council shall hold a public hearing on the final plat application. The final plat shall conform to the approved preliminary plat, all requirements of this ordinance, all conditions placed upon preliminary plat by the Commission and Council, and all requirements of Idaho law. The Council shall approve, conditionally approve or deny the final plat and shall make written findings of fact and conclusions consistent with law and this ordinance with regard thereto.

All conditions for final plat approval have been satisfied or will be satisfied, as remaining conditions have been incorporated as plat notes on approved April 2012 final plat. The Council, on June 5, 2012, approved the April 2012 final with plat notes as detailed on the plat.

**3.9 CONTENTS OF FINAL PLAT.** The final plat shall be drawn in accordance with and contain all items required under Title 50, Chapter 13, Idaho Code. The reverse side of said sheet shall not be used for any portion of the drawing. In addition, the final plat shall include

- (a) Tract boundary lines, property lines, lot lines, street right of way and center lines, building envelopes as required on the preliminary plat, lot area of each lot, boundaries of flood plain and floodway, all with bearings accurate dimensions in feet and decimals thereof, in degrees and minutes and radii, arcs, central angles, tangents, and chord lengths of all curves to the above accuracy;**

All necessary/required lines, lot areas, and subdivision details are shown on the April 2012 final plat.

- (b) Names and locations of all adjoining subdivisions;**

All adjoining subdivisions are shown; adjoining subdivisions are Kirkland Subdivision and Lou-K Subdivision.

- (c) Location, dimension, and purpose of all easements, public and private;**

All necessary/required easements, public and private are shown or stated on April 2012 final

plat. Staff would prefer location of irrigation easement be shown/ be more readily identifiable on final plat.

**(d) The lots numbered consecutively throughout each block;**

Lots are numbered consecutively (1-3).

**(d) The outline of any property other than a street, alley, or easement which is offered for dedication to public use, fully dimensioned by distances and bearings with the area marked "Dedicated to the City of Carey for Public Use" or similar language, approved by the Council, together with any other descriptive language with regard to the precise nature of the use of the land so dedicated;**

Dedicated property is for Lava Lane (a street). Council approves dedication language of "Dedication to Benefit the City of Carey (30' Offset From Existing Surveyed Centerline of Lava Lane).

**(e) The title shall include the name of the subdivision, city, county and state, and the location and description of the subdivision referenced to section, township, and range;**

The April 2012 final plat includes these elements.

**(f) Scale, north arrow, and date;**

The April 2012 final plat includes these elements.

**(h) Location, width, names of all existing or dedicated streets, and other public ways within or adjacent to the proposed subdivision;**

The April 2012 final plat includes these required features.

**(i) A provision in the owner's certificate referencing the county recorder's instrument**

Staff did not locate owner's certificate area on April 2012 final plat to reference recorder's instrument. Staff is satisfied if certificate area is shown on final (final plat) and on mylar.

**(ii) Number where the condominium declaration(s), Articles of Incorporation of Homeowner's Association, Declarations of Covenants, Conditions and Restrictions or similar documents, if any, governing the subdivision are recorded;**

Not applicable; none were submitted.

**(j) Certificate by registered engineer or surveyor preparing the map certifying to the accuracy of surveying plat;**

The April 2012 final plat includes standard.

**(k) Certification of owner(s) of record and all holders of security interest(s) of record with regard to said property;**

An owner's record was submitted with original subdivision, annexation, and rezone applications.

**(l) Certification and signature of engineer verifying that the subdivision and design standards meet all city and state requirements;**

Engineer will verify city and state standards and requirements are satisfied.

**use as shown thereon. As a condition precedent to the acceptance of any streets or required improvements, the Council shall require that the subdivider install said improvements in accordance with the City of Carey or other applicable standards.**

Council imposed conditions shown as plat notes on April 2012 final plat.

### **3.12 TIME LIMITATIONS.**

**(a) The failure to obtain final plat approval by the Council of an approved preliminary plat within one (1) year after approval of the preliminary plat by the Council shall cause all approvals of said preliminary plat to be null and void. An extension of the final plat approval deadline may be granted by the City Council if the following criteria are met:**

- (1) appropriate extenuating circumstances must exist and**
- (2) signs of work or progress on the required improvements must be evident, and**
- (3) the request for extension must be made to the City Council in writing at least forty-five (45) days prior to expiration of said deadline. Extension for the deadline will be reviewed by the City Council on a case-by-case basis.**

Preliminary Plat approval was on January 24, 2012.

**(b) The final plat shall be filed with the Blaine County Recorder within one (1) year after final plat approval by the Council. Failure to file said final plat within that time shall cause all approvals of said final plat to be null and void. A single one-year extension of the filing deadline may be granted by the Council with appropriate conditions provided written request for such extension is filed with the City Clerk prior to the expiration of the original final plat approval.**

Final Plat approval was on June 5, 2012.

**(c) No building permit shall be issued with regard to any parcel of land within a proposed subdivision until the final plat has been recorded and a certified copy of the final recorded plat filed with the City Clerk.**

Building Permit is pending.

**(d) The failure to obtain preliminary plat approval by the Council within one (1) year after said application is certified by the Planning and Zoning Administrator shall cause the application to be null and void.**

Administrator certified application complete in September 2011.

**3.13 FINAL PLAT COPIES.**

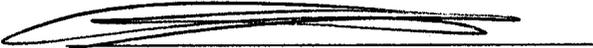
- (a) Two (2) copies of the final plat as approved by the Council and signed by the City Clerk shall be retained by the City.
- (b) The final plat shall show a minimum of two Blaine County Survey Control Monuments with ties to the property and an inverse between the two monuments. The Survey Control Monuments shall be clearly identified on the face of the plat.
- (c) In addition to all other copies of said final plat required hereunder, an electronic CAD file shall be submitted to the Blaine County Recorder's Office concurrent with the recording of the final plat containing the following data:
  - (i) The line work delineating all Lots, parcels and roadways on a CAD layer/level designated as "parcel";
  - (ii) line work delineating all roadway centerlines on a CAD layer/level designated as "road", and
  - (iii) line work that reflects the ties and inverses for the Survey Control Monuments shown on the fact of the Plat shall be shown.
- (d) All information within the electronic file shall be oriented and scaled to Grid per the Idaho State Plane Coordinate System, Central Zone, NAD1983(1992), U.S. Survey Feet, using the Blaine County Survey Control Network. Electronic CAD files shall be submitted in a "dwg", "dgn" or "shp" format, and shall be submitted on a 3.5" floppy diskette, a CD ROM or a Zip Disk. When the endpoints of the lines submitted are indicated as coincidental with another line, the CAD line endpoints shall be separated by no greater than 0.0001 drawing units.
- (e) Any digital submittal will convey the rights to Blaine County, Idaho, (herein also referred to as "Blaine County") for use within its GIS and acceptance of digital data by Blaine County absolves the surveyor of any liability related to the electronic submittal as set forth by Blaine County in Blaine County Resolution No. 2002-54.
- (f) The technical requirements of this Subsections 3.13 (C), (D) and/or (E), above, may, from time to time, be amended by resolution of the Carey City Council.

### CONCLUSIONS OF LAW AND DECISION

Based upon the above Findings of Fact, the Council makes the following Conclusions of Law and Decision:

1. Upon compliance with the conditions noted below, the application substantially meets the standards of approval set forth in the Carey Subdivision Ordinance.
2. The application for Final Plat, dated April 2012, is approved by the Carey City Council, with the following conditions:
  - a) Irrigation easement to be shown/ be more readily identifiable on final plat.
  - b) Inclusion of owner's certificate area on final plat and mylar.
  - c) City Engineer will verify city and state subdivision standards and requirements are satisfied.
  - d) Conditions as shown on plat notes on April 2012 final plat.

Findings approved this 27<sup>th</sup> day of JUNE, 2012.

  
Randy Patterson, Mayor, City of Carey

Attest:

  
Tess Cenarrusa, City Clerk, City of Carey



## FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECISION

On January 24, the Carey City Council considered an application by Heber D. Kirkland and Rosalie J. Kirkland for annexation and rezoning of approximately 60.55 acres known as Kirkland Subdivision No. 2, with the legal description of NW1/4 SW1/4 & W1/2 NE 1/4, Section 35, T.1S., R.21E., and located north of Lava Lane. Proposed for a three lot subdivision, the property prior to Council action was within a Blaine County A-20 zone and is presently undeveloped. The Council, having been presented with all information and testimony in favor and in opposition to the proposal, hereby makes the following Findings of Fact, Conclusions of Law and Decision.

### FINDINGS OF FACT

#### Notice

Notice was published for the public hearings in the Idaho Mountain Express on December 7, 2011. The agenda for the city council meeting was also posted at Carey City Hall, the Carey US Post Office, at Adamson's Inc., and at Castle's Corner.

#### Application

Application was made by Heber and Rosalie Kirkland to annex into the City of Carey approximately 60.55 acres and divide the acreage into 3 approximate equal lots. The property's legal description is NW1/4 SW1/4 & W1/2 NE 1/4, Section 35, T.1S., R.21E. and the property prior to annexation and rezoning hearings was zoned Blaine County A-20, and its location is north of Lava Lane. The applicants were agreeable that each of the 3 lots may be subject to a development agreement limiting future subdividing and forbidding development of the 3 lots to 4-6 acre lots, and that at the time of future development applicants would provide appropriate improvements, dedications, and easements as required by the Carey Subdivision and Zoning Ordinances, and that road and street and utility requirements as established and set out by the City would be satisfied at that time. During P&Z meetings and consideration, the applicants also expressed the desire to have the property as A/RL zoned property which would be one acre lots.

#### Procedural History

Heber and Rosalie Kirkland made application for rezone and annexation into the City of Carey in March and April 2011 respectively. The Planning & Zoning Commission conducted a hearing on October 12, 2011 which was continued to October 19, 2011, which was continued to October 25, 2011. On October 25, 2011, the P&Z Commission voted 5-0 to recommend rezoning established by a site specific development agreement for three 19+ acre lots/parcels with parameters for the lots/parcels spelled out and agreed to in the agreement and annexation with conditions of the proposed 60.55 acres. The City

APR 1 2013

TECHNICAL SUPPORT

Instrument # 607133

HARLEY, BLAINE, 15:00  
3-11-2013 11:07:30 No. of Pages: 7  
Recorded for : CITY OF CAREY  
JULIA WILSON Deputy Fee: 0.00  
Ex-0026 Recorder Deputy  
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*[Handwritten initials]*

Council continued its first public hearing on the matter from November 15, 2011 to December 20, 2011. On December 20, 2011, the City Council provided direction as sought from staff and the public hearing was continued to January 17, 2012.

Due to a lack of having been able to have a full quorum because of unforeseen Council personal/family reasons, the meeting continued until January 17, 2012 was postponed until January 24, 2012. On January 24, 2012, the City Council held a public hearing and consideration of the annexation and rezone applications. At the January 24, 2012 meeting, the City Council voted to approve the annexation of and rezoning of Kirkland Subdivision No. 2 preliminary plat with the final plat to show the 60.55 acres subdivided into three separate 19+ acre lots. The Council's approval was conditional based on specific conditions to be satisfied, which are addressed throughout these findings and noted as conditions near the end of them.

### **Standards of Evaluation**

**Standards are in dark print; staff's analysis is in light print**

50-222. Annexation by cities. The following are annexation requirements for cities as established by the Idaho Code.

- (1) Legislative intent. Cities of the state should be able to annex lands reasonably necessary to assure the orderly development, to allow efficient and economically viable provision of tax-supported and fee-supported municipal services, to enable the orderly development of private lands which benefit from the cost-effective availability of municipal services.**

Heber D. Kirkland and Rosalie J. Kirkland and future owners of the annexed and rezoned 60.55 acres, presently legally described as NW1/4 SW1/4 & W1/2 NE ¼, Section 35, T.1S., R.21E. and located north of Lava Lane shall pay both county and city taxes on the property. Payment of these taxes will continue after legal descriptions of property is updated.

- (2) General authority. In any annexation proceeding, all portions of highways lying wholly or partially within an area to be annexed shall be included within the area annexed unless expressly agreed between the annexing city and the governing board of the highway agency providing road maintenance at the time of annexation.**

Annexation property abuts Lava Lane to the south which is a dirt road, maintained by the county but does not lay wholly or partially within the annexed property area. The P&Z

Commission recommended dedication of an additional 30' right-of-way from the southern portion of the Kirkland property to become part of an approximate 60' in total right of way for Lava Lane where it heads east and west. The City Council determined the recommendation, with an additional 20' utility easement was appropriate.

- (3) City Council shall not have the power to declare land, lots or blocks a part of city if they will be connected to such city only by a shoestring or strip of land which comprises a railroad or highway right-of-way.**

The annexed property connects to property within the city along the entire western strip.

- (4) Annexation classifications. Annexations shall be classified and processed according to the standards for each respective category set forth herein. The three (3) categories of annexation are:**

**Category A: Annexations wherein:**

- (i) All private landowners have consented to annexation. Annexation where all landowners have consented may extend beyond the city area of impact provided that the land is contiguous to the city and that the comprehensive plan includes the area of annexation;**

The annexation application represented a Category A annexation, because it involved land owned solely by joint owners Heber and Rosalie Kirkland, and both consented to the annexation. The Council determined the annexed property was within the zone of impact.

- (ii) Any residential enclaved lands of less than one hundred (100) privately- owned parcels, irrespective of surface area, which are surrounded on all sides by land within a city or which are bounded on all sides by lands within a city and by the boundary of the city's area of impact; or The lands are those for which owner approval must be given pursuant to subsection (5)(b)(v) of this section.**

The Council determined this requirement was not applicable.

**(5)**

- (a) Evidence of consent to annexation. For purposes of this section, and unless excepted in paragraph (b) of this subsection (4), consent to annex shall be valid only when evidenced by written instrument consenting to annexation executed by the owner or the owner's authorized agent. Written consent to annex lands must be recorded in the county recorder's office to be binding upon subsequent purchasers, heirs, or assigns of lands addressed in the consent. Lands need not be contiguous or adjacent to the city limits at the**

**time the landowner consents to annexation for the property to be subject to a valid consent to annex; provided however, no annexation of lands shall occur, irrespective of consent, until such land becomes contiguous or adjacent to such city.**

Heber and Rosalie Kirkland provided written consent for annexation, and upon final plat approval, will provide written consent at the county recorder's office.

**67-6511A. Development agreements. The following is authority granted to city governing boards to adopt development agreements. (Note: The development agreement is the rezone option the P&Z Commission chose to recommend to the City Council. The P&Z recommendation was to have the development agreement create site specific zoning for the 60.55 acres, so the zoning would essentially be three 19+ acre lots subject to conditions in the agreement (note: the proposed agreement is attached for Council's consideration).**

The Council determined it was appropriate to accept the Planning & Zoning Commission's recommendation of dividing the 60.55 acres in three 19+ acre lots. However, rather than the recommendation be executed as a development agreement, the Council determined the rezone will be sufficiently satisfied by requiring a plat note limiting further development to the three 19+ acre lots (zoned A/RL zoned property) and requiring city approval for further rezoning or subdivision of the property.

**Each governing board may, by ordinance adopted or amended in accordance with the notice and hearing provisions provided under section 67-6509, Idaho Code, require or permit as a condition of rezoning that an owner or developer make a written commitment concerning the use or development of the subject parcel. The governing board shall adopt ordinance provisions governing the creation, form, recording, modification, enforcement and termination of conditional commitments. Such commitments shall be recorded in the office of the county recorder and shall take effect upon the adoption of the amendment to the zoning ordinance. Unless modified or terminated by the governing board after a public hearing, a commitment is binding on the owner of the parcel, each subsequent owner, and each other person acquiring an interest in the parcel. A commitment is binding on the owner of the parcel even if it is unrecorded; however, an unrecorded commitment is binding on a subsequent owner or other person acquiring an interest in the parcel only if that subsequent owner or other person has actual notice of the commitment. A commitment may be modified only by the permission of the governing board after complying with the notice and hearing provisions of section 67-6509, Idaho Code. A commitment may be terminated, and the zoning designation upon which the use is based reversed, upon the failure of the requirements in the commitment after a reasonable time as determined by the governing board or upon the failure of the**

**owner; each subsequent owner or each other person acquiring an interest in the parcel to comply with the conditions in the commitment and after complying with the notice and hearing provisions of section 67-6509, Idaho Code. By permitting or requiring commitments by ordinance the governing board does not obligate itself to recommend or adopt the proposed zoning ordinance. A written commitment shall be deemed written consent to rezone upon the failure of conditions imposed by the commitment in accordance with the provisions of this section.**

The Council determined the 60.55 acres should be annexed and rezoned according to the plat note requirements described above.

### CONCLUSIONS OF LAW AND DECISION

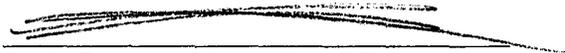
Based on the entire record and the above Findings of Fact, the Council concludes that the application for Annexation and Rezone shall be approved subject to the following conditions:

- a) The Planning & Zoning Commission's recommendation of dividing the 60.55 acres in three 19+ acre lots is accepted. However, rather than being executed as a development agreement, the Council determined the rezone shall be included as a plat note limiting further development to the three 19+ acre lots (zoned A/RL zoned property) and requiring city approval for further rezoning or subdivision of the property.
- b) Final Plat shall show a 30' wide right-of-way dedication to the city running along the entire southern portion of the 60.55 acres to allow for a total right-of-way width of 60' for Lava Lane. An additional 20' easement is required for future underground utilities.
- c) The fence running along the north portion of Lava Lane shall be removed within 1 year from approval of any annexation.
- d) The annexation property shall be surveyed by a surveyor selected by the city and applicants shall provide payment to surveyor for survey costs.
- e) Final plat of the annexed property shall be recorded with the county within one year of approval of final plat.
- f) Water rights associated with the 60.55 acres shall be divided equally between the three lots and according to Idaho Department of Water Resources standards and any other appropriate local water agencies. Written evidence of this division from IDWR and the other local water agencies shall be provided to the City prior to final plat approval.

*All conditions satisfied.  
July 27, 2012*

*Bart Bingham  
PEZ Administrator  
City of Carey*

Findings approved this 8<sup>th</sup> day of February, 2012.

  
Randy Patterson, Mayor, City of Carey

Attest:  
  
Tess Cenarrusa, City Clerk, City of Carey



**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on the 8<sup>th</sup> day of February, 2012,  
I served a true and correct filed copy of the within and foregoing document upon the  
parties named below, in the manner noted:

U.S. Mail  
 Via Facsimile  
 Hand Delivered

Heber D. Kirkland and Rosalie J. Kirkland

U.S. Mail  
 Via Facsimile  
 Hand Delivered

CITY OF CAREY

By Bart Bingham  
Bart Bingham, P&Z Administrator, City of Carey



City of Carey, Idaho  
20482 Main St., PO Box 9  
Carey, ID 83320

Community Development Department  
email: [careyplanning@frontier.com](mailto:careyplanning@frontier.com)  
ph: (208) 823-4045 fax: (208) 823-4171

April 10, 2013

Craig Johnson  
GIS Analyst  
Idaho State Tax Commission  
800 Park Blvd. Plaza 4  
Boise, ID 83712-7742

Dear Mr. Johnson:

Please find enclosed recorded annexation documentation for an annexation that occurred in Carey Idaho. You will note copies of the Annexation and Rezone Findings of Fact, Subdivision Final Plat Findings of Fact, and the signed Kirkland Subdivision No. 2 Final Plat are enclosed.

Thank you for your assistance on the matter and please let me know if other information is required. In addition, I request that you please send notification to me when everything is complete as per your requirements for this annexation. I can be reached at 208-420-3280 or by email at [careyplanning@frontier.com](mailto:careyplanning@frontier.com).

Sincerely,

Bart Bingham  
Community Development Director  
City of Carey  
(208) 420-3280





**CERTIFICATE OF OWNERSHIP**

This is to certify that the undersigned are the owners in fee simple of the following described parcel of land:  
The NW 1/4 SW 1/4 & W 1/2 NE 1/4 SW 1/4, Section 35, Township 1 South, Range 21 East, Boise Meridian, City of Carey, Blaine County, Idaho; the boundary of which is more particularly described as follows:

Commencing at an Aluminum Cap marking the Section Corner common to Sections 26, 27, 34 & 35, thence following the north/south section line common to Sections 34 & 35 South 00°28'32" East, 2664.19 feet to a 5/8" rebar marking the West 1/4 corner of said Section 35 and the TRUE POINT OF BEGINNING;

thence North 89°37'17" East, 1323.29 feet;  
thence North 89°36'17" East, 661.65 feet;  
thence South 00°15'48" East, 1329.76 feet;  
thence South 89°43'32" West, 1988.18 feet;  
thence North 00°07'23" West, 1325.96 feet to the TRUE POINT OF ENDING, containing 2,637.731 square feet, or 60.55 acres, more or less.

The easements indicated hereon are not dedicated to the public, but the right to use said easements is hereby reserved for the public utilities and for any other uses indicated hereon and no permanent structures are to be erected within the lines of said easements. We do hereby certify that the individual lots described in this plat will be served by individual wells and not by any water system common to one (1) or more of the lots. The portions of Lava Lane right-of-way, as shown on this plat, are hereby dedicated to the City of Carey in perpetuity.

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

Heber D. Kirkland  
Heber D. Kirkland

Rosalie J. Kirkland  
Rosalie J. Kirkland

**ACKNOWLEDGMENT**

STATE OF Idaho  
COUNTY OF Blaine } ss

On this 30 day of JUN 2012, before me, a Notary Public in and for said State, personally appeared Heber D. Kirkland and Rosalie J. Kirkland, husband and wife, known or identified to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same.

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

Tara Bernice  
Notary Public in and for said State  
Residing in Carey, Idaho  
My Commission Expires 8/4/2017



**SURVEYOR'S CERTIFICATE**

I, Brian D. Yeager, a duly Licensed Professional Land Surveyor in the State of Idaho, do hereby certify that this plot is a true and accurate map of the land and points surveyed under my direct supervision and that it is in accordance with the Idaho State Code relating to Plats, Surveys, and the Corner Perpetuation and Filing Act, 55-1601 through 55-1612.

Brian D. Yeager, P.L.S. 13260



**BLAINE COUNTY SURVEYOR'S APPROVAL**

I, Jim W. Koonce, County Surveyor for Blaine County, Idaho, do hereby certify that I have checked the foregoing Plat and computations for making the same and have determined that they comply with the laws of the State of Idaho relating to Plats and Surveys.

Jim W. Koonce 7/6/2012  
Jim W. Koonce, P.L.S. 792  
Blaine County Surveyor

**CAREY CITY ENGINEER'S APPROVAL**

The foregoing plat was approved by Michael D. Chase City Engineer for the City of Carey on this 3 day of July 2012.

Michael Chase  
City Engineer

**CAREY CITY COUNCIL'S APPROVAL**

The foregoing plat was approved by the City Council of Carey on this 3rd day of July 2012.

Tara Bernice  
City Clerk

**ACCEPTANCE OF DEDICATION BY THE CITY OF CAREY**

Dedication of the portion of a section of Lava Lane, as shown on this plat, was approved and accepted this 30 day of June 2012 by the City of Carey.

Rosalie J. Kirkland  
Mayor, City of Carey

**BLAINE COUNTY TREASURER'S APPROVAL**

I, the undersigned County Treasurer in and for Blaine County, State of Idaho per the requirements of Idaho Code 50-1308, do hereby certify that any and all current and/or delinquent county property taxes for the property included in this subdivision have been paid in full. This certification is valid for the next thirty (30) days only.

Nick J. Blaine  
Blaine County Treasurer  
Date 7/6/12

**BLAINE COUNTY RECORDER'S CERTIFICATE**

Instrument # 599137  
HALEY BLAINE, IDAHO  
Recorded by: GALENA ENGINEERING, INC.  
JOLYNN ORSAGE, FLS 1109  
Blaine County Recorder Deputy

KIRKLAND SUBDIVISION NO. 2  
GALENA ENGINEERING, INC.  
KETCHUM, IDAHO  
SHEET 2 OF 2  
Job No. 6766