

ORDINANCE NO. 2011-01

AN ORDINANCE OF ELMORE COUNTY, IDAHO, AMENDING THE ELMORE COUNTY ZONING MAP TO CHANGE THE LAND USE DESIGNATION FROM AGRICULTURE (A) TO PLANNED COMMUNITY (PC) FOR THAT CERTAIN REAL PROPERTY LOCATED NEAR INDIAN CREEK ROAD AND SLATOR CREEK ROAD, AS FURTHER DESCRIBED HEREIN; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Title 67, Chapter 65 of the Idaho Code ("Local Land Use Planning Act) and Article 12, Section 2 of the Idaho Constitution provide authority for Elmore County to adopt land use and regulation ordinances to protect the health, safety, and welfare of their citizens;

WHEREAS, the Board of Commissioners of Elmore County (the "Board") adopted the 2004 Comprehensive Growth and Development Plan on August 9, 2004, which comprehensive plan was subsequently amended on December 3, 2007 (the "Comprehensive Plan");

WHEREAS, the Board adopted Ordinance 2007-7 on December 3, 2007 establishing standards for planned communities. This ordinance was subsequently codified and adopted by the Board of Commissioners of Elmore County on May 13, 2009 as Chapter 30 as part of the adoption of a comprehensive revision to the Elmore County Zoning and Development Ordinance (Zoning Ordinance");

WHEREAS, on or about July 24, 2008, Mayfield Townsite, LLC or its predecessor (the "Applicant"), filed an application ("Application") for a planned community, including a change to the Elmore County Zoning Map, an amendment to the Comprehensive Plan, an amendment to the Zoning Ordinance, and a Development Agreement for that real property (the "Property") which is shown on Exhibit A (the Mayfield Town Site Planned Community Re-Zone Boundary Map) and Exhibit B (the Elmore County Zoning Map) and which is legally described on Exhibit C, all such exhibits are attached hereto and made a part hereof;

WHEREAS, a series of public hearings were held by both the Elmore County Planning and Zoning Commission and the Board, as more thoroughly set forth in the Findings, as hereafter defined, in compliance with both the Local Land Use Planning Act and the Zoning Ordinance concerning consideration of, *inter alia*, the Application and the rezone of the Property from an Agriculture (A) district to a Planned Community (PC) district;

WHEREAS, after complying with the due process requirements and having the requisite public hearings, the Board on June 22, 2011 approved the Application with conditions, including, *inter alia*, a change in the zoning classification for the Property from Agriculture (A) to Planned Community (PC), concurrent with the Board's approval of an amendment to the Comprehensive Plan, an amendment to the Zoning Ordinance and a Development Agreement, pursuant to that certain written Findings of Fact, Conclusion of Law and Order (the "Findings") on the Application; and

WHEREAS, pursuant to Resolution No. 457-11 the Board has approved the amendment to the Comprehensive Plan under the Application.

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE ELMORE COUNTY BOARD OF COMMISSIONERS BY A 2-1 VOTE (SHAW DISSENTING), THE FOLLOWING:

SECTION 1. LOCATION. The zoning classification of the Property is hereby amended from a zoning classification of Agriculture (A) to Planned Community (PC).

SECTION 2. REPEAL OF CONFLICTING ORDINANCES. Any ordinance of Elmore County, Idaho in conflict with the terms of this Ordinance is hereby repealed to the extent of such conflict.

SECTION 3. EFFECTIVE DATE. This Ordinance shall take effect and be in force after its passage, approval and publication as required by law. In lieu of publication of the entire Ordinance, a summary thereof in compliance with Idaho Code § 31-715A may be published.

[Signatures on following page]

Dated this 22nd day of June, 2011.



ELMORE COUNTY BOARD OF COMMISSIONERS

Dissenting:

By:

Arlen O. Shaw, Chairman

Approving:

By:

Albert Hofer, Commissioner

Approving:

By:

Wesley Wootan, Commissioner

ATTEST:

Barbara Steele, Elmore County Clerk

Date(s) of publication:

EXHIBIT "A"

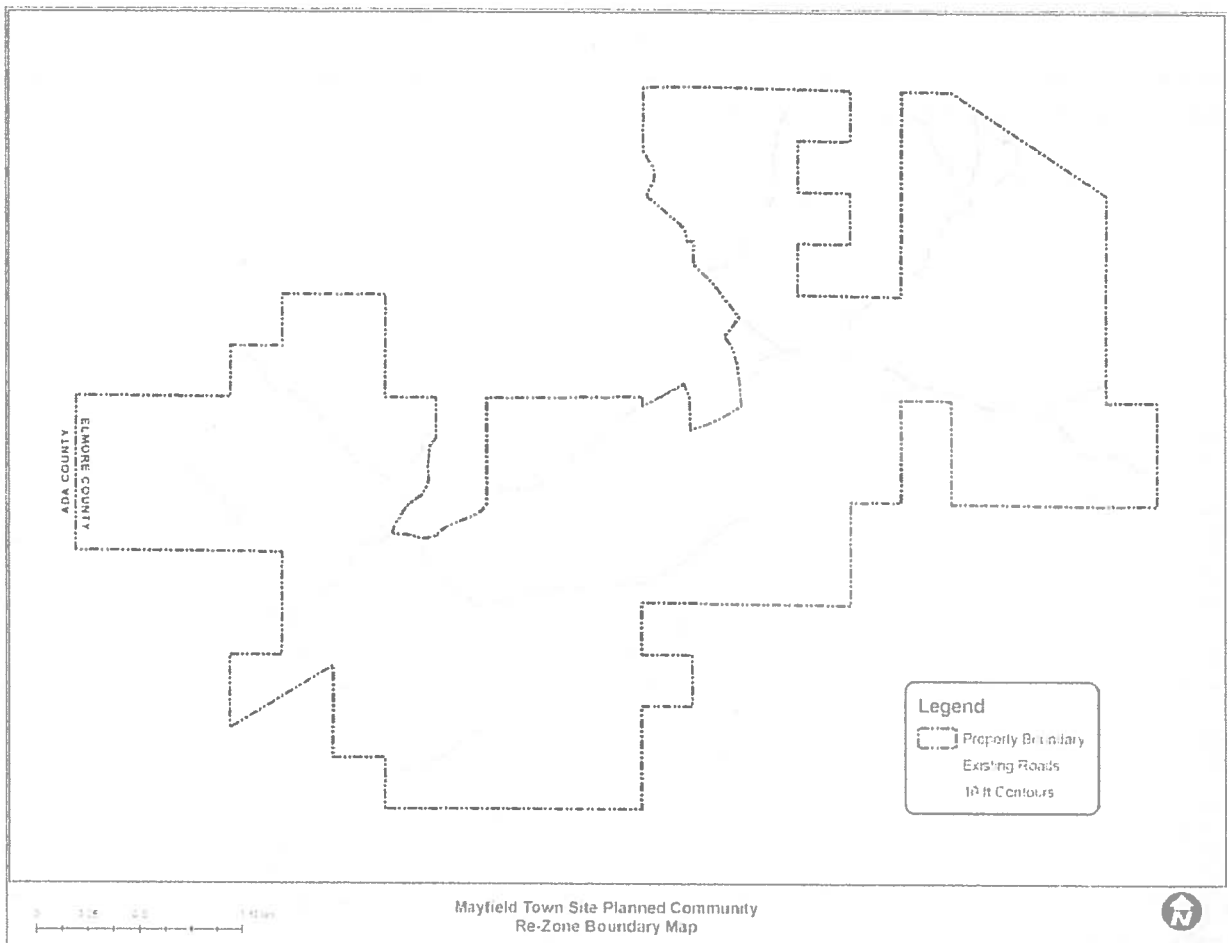


EXHIBIT "B"

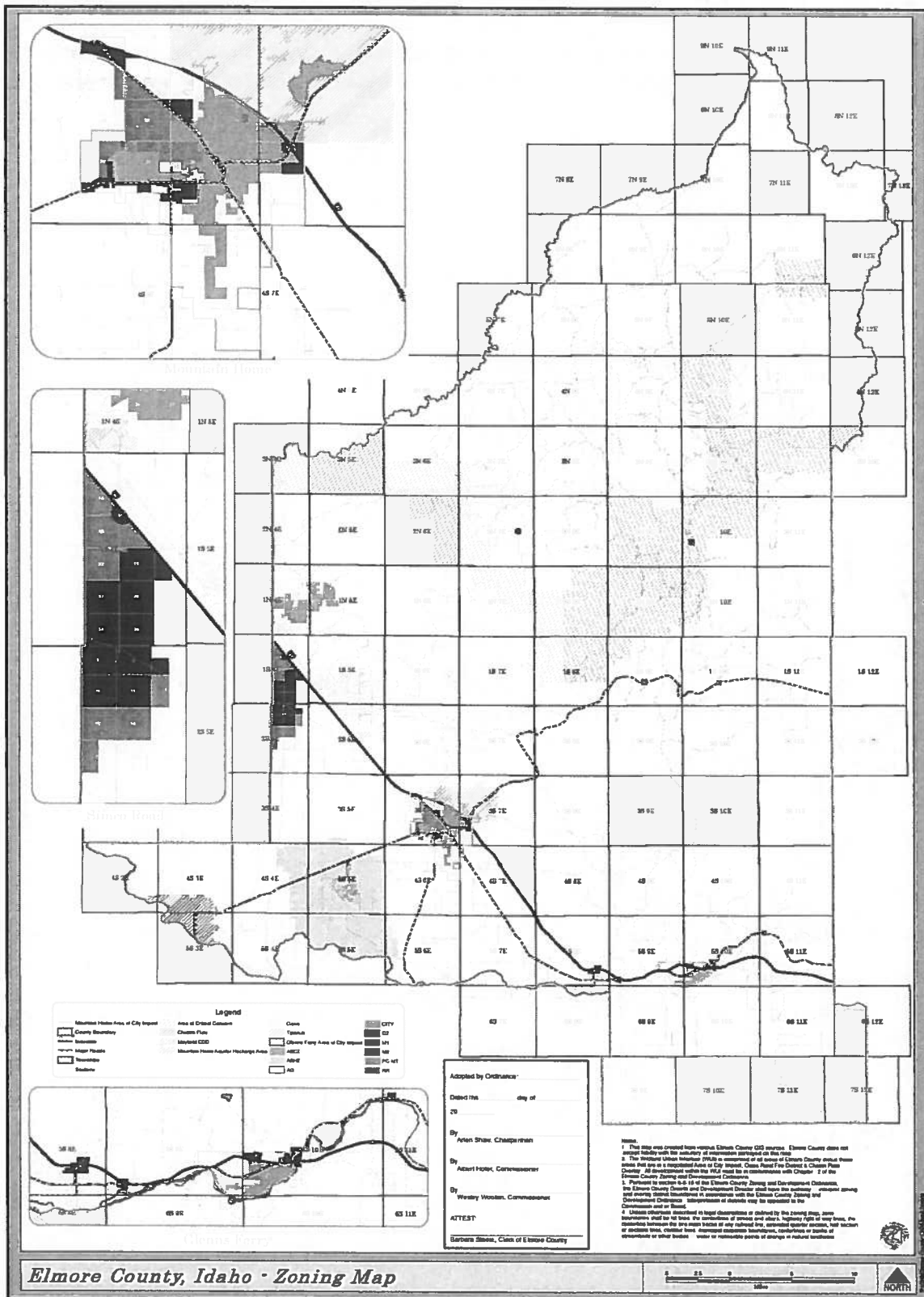


Exhibit "C"
Mayfield Townsite Planned Community

Legal Boundary Description

A parcel of land lying in Sections 12, 13, 14, 15, 22, 23, 24, 25, 26 & 27, Twp. 1 N, Rng. 4 E, B.M. and Sections 7, 8, 17, 18, 19, 20 and 21, Twp. 1 N., Rng. 5 E., B.M., said parcel being more particularly described as follows:

Beginning at the Northwest corner of said Section 22 and running thence S89°31'57"E 2638.11 feet along the North line of said Section 22 to the North ¼ corner thereof; thence continuing along said North line S89°34'41"E 1320.27 feet to the E 1/16th corner thereof;
thence N00°22'51"E 1322.45 feet to the SE 1/16th corner of said Section 15;
thence S89°33'00"E 1320.02 feet to the S 1/16th corner on the Westerly line of said Section 14;
thence along the Westerly line of said Section 14 N00°22'11"E 1321.81 feet to the West ¼ corner thereof;
thence S89°53'33"E 2645.87 feet to the center ¼ corner thereof;
thence S00°34'55"W 2637.35 feet to the South ¼ corner of said Section 14;
thence along the Southerly line thereof N89°59'08"E 1333.66 feet to the E 1/16th corner thereof;
thence S00°00'14"W 1007.26 feet to a point on the Southeasterly line of Slater Creek Road;
thence along said line S27°26'48"W 49.83 feet;
thence S34°51'48"W 145.82 feet to a point of curvature;
thence along a curve to the left 152.93 feet, said curve having a radius of 315.00 feet, a central angle of 27°49'00", tangents of 78.00 feet, and a chord which bears S20°57'18"W 151.43 feet to a point of tangency;
thence S07°02'48"W 376.25 feet to a point of curvature;
thence along a curve to the left 142.10 feet, said curve having a radius of 595.00 feet, a central angle of 13°41'00", tangents of 71.39 feet, and a chord which bears S00°12'18"W 141.76 feet to a point of tangency;
thence S06°38'12"E 197.33 feet to a point of curvature;
thence along a curve to the right 230.80 feet, said curve having a radius of 355.00 feet, a central angle of 37°15'00", tangents of 119.64 feet, and a chord which bears S11°59'18"W 226.75 feet to a point of tangency;
thence S30°36'48"W 191.95 feet to a point of curvature; thence along a curve to the right 199.57 feet, said curve having a radius of 495.00 feet, a central angle of 23°06'00", tangents of 101.16 feet, and a chord which bears S42°09'48"W 198.22 feet to a point of tangency;
thence S53°42'48"W 249.74 feet;
thence S48°58'48"W 138.83 feet to a point of curvature;

thence along a curve to the left 149.60 feet, said curve having a radius of 460.00 feet, a central angle of $18^{\circ}38'00''$, tangents of 75.47 feet, and a chord which bears $S39^{\circ}39'48''W$ 148.94 feet to a point of tangency;
 thence $S30^{\circ}20'48''W$ 187.59 feet;
 thence $S35^{\circ}24'48''W$ 132.24 feet to a point of curvature;
 thence along a curve to the left 121.13 feet, said curve having a radius of 470.00 feet, a central angle of $14^{\circ}46'00''$, tangents of 60.90 feet, and a chord which bears $S28^{\circ}01'48''W$ 120.80 feet to a point of tangency;
 thence $S20^{\circ}38'48''W$ 61.46 feet to a point of curvature;
 thence along a curve to the right 158.72 feet, said curve having a radius of 360.00 feet, a central angle of $25^{\circ}15'42''$, tangents of 80.62 feet, and a chord which bears $S33^{\circ}16'39''W$ 157.44 feet to a point on the Northerly line of Indian Creek Road;
 thence $S85^{\circ}01'12''E$ 487.16 feet to a point of curvature;
 thence along a curve to the right 157.02 feet, said curve having a radius of 570.00 feet, a central angle of $15^{\circ}47'00''$, tangents of 79.01 feet, and a chord which bears $S77^{\circ}07'42''E$ 156.52 feet to a point of tangency;
 thence $S69^{\circ}14'12''E$ 45.33 feet to a point of curvature;
 thence along a curve to the left 336.86 feet, said curve having a radius of 530.00 feet, a central angle of $36^{\circ}25'00''$, tangents of 174.34 feet, and a chord which bears $S87^{\circ}26'42''E$ 331.22 feet to a point of tangency;
 thence $N74^{\circ}20'48''E$ 133.26 feet to a point of curvature;
 thence along a curve to the left 141.75 feet, said curve having a radius of 275.00 feet, a central angle of $29^{\circ}32'00''$, tangents of 72.49 feet, and a chord which bears $N59^{\circ}34'48''E$ 140.19 feet to a point of tangency;
 thence $N44^{\circ}48'48''E$ 92.20 feet to a point of curvature;
 thence along a curve to the right 137.12 feet, said curve having a radius of 490.00 feet, a central angle of $16^{\circ}02'00''$, tangents of 69.01 feet, and a chord which bears $N52^{\circ}49'48''E$ 136.67 feet to a point of tangency;
 thence $N60^{\circ}50'48''E$ 162.67 feet to a point of curvature;
 thence along a curve to the right 156.10 feet, said curve having a radius of 675.00 feet, a central angle of $13^{\circ}15'00''$, tangents of 78.40 feet, and a chord which bears $N67^{\circ}28'18''E$ 155.75 feet to a point of tangency;
 thence $N74^{\circ}05'48''E$ 47.70 feet to a point of curvature;
 thence along a curve to the left 124.35 feet, said curve having a radius of 750.00 feet, a central angle of $09^{\circ}30'00''$, tangents of 62.32 feet, and a chord which bears $N69^{\circ}20'48''E$ 124.21 feet to a point of tangency;
 thence $N64^{\circ}35'48''E$ 474.31 feet to a point of curvature;
 thence along a curve to the left 200.29 feet, said curve having a radius of 455.00 feet, a central angle of $25^{\circ}13'17''$, tangents of 101.79 feet, and a chord which bears $N51^{\circ}59'10''E$ 198.68 feet to a point of tangency;
 thence $N39^{\circ}22'31''E$ 97.62 feet to a point on the Easterly line of said Section 23;
 thence departing from said Northerly line of said Indian Creek Road along said Easterly line $N00^{\circ}02'25''E$ 117.98 feet to the East $\frac{1}{4}$ corner thereof;
 thence continuing along said Easterly line $N00^{\circ}05'14''E$ 2615.05 feet to the Northwest corner of said Section 24;

thence along the Northerly line of said Section 24, N89°28'58"E 2646.84 feet to the North ¼ corner thereof;
 thence N89°28'18"E 1321.42 feet to the East 1/16th corner thereof;
 thence S00°07'16"W 219.75 feet to a point on the centerline of Indian Creek Road; thence along said line N64°49'34"E 592.33 feet;
 thence N61°00'06"E 619.24 feet;
 thence departing from said centerline S25°20'50"E 327.87 feet;
 thence S02°19'36"E 878.76 feet;
 thence N68°59'52"E 291.08 feet;
 thence N69°36'01"E 440.36 feet;
 thence N59°19'19"E 728.33 feet;
 thence N05°00'38"W 995.38 feet;
 thence N15°48'54"W 484.15 feet;
 thence N30°59'37"W 157.74 feet;
 thence N34°19'21"W 227.24 feet to a point on first said centerline of said Indian Creek Road;
 thence along said centerline N38°05'11"E 604.13 feet to a point on the centerline of Mayfield Road;
 thence along said centerline N37°49'52"W 1114.85 feet to a point of curvature;
 thence along a curve to the left 74.80 feet, said curve having a radius of 500.00 feet, a central angle of 08°34'15", tangents of 37.47 feet, and a chord which bears N42°07'00"W 74.73 feet to a point of tangency;
 thence N46°24'08"W 615.45 feet to a point on the East line of said Section 13;
 thence along said East line N00°06'42"E 583.04 feet to the N 1/16th corner of said Section 13;
 thence S89°10'04"W 175.84 feet to a point on first said centerline of said Mayfield Road;
 thence N06°58'04"W 142.61 feet to a point of curvature;
 thence along a curve to the left 374.57 feet, said curve having a radius of 500.00 feet, a central angle of 42°55'20", tangents of 196.56 feet, and a chord which bears N28°25'44"W 365.87 feet to a point of tangency;
 thence N49°53'24"W 406.95 feet;
 thence N51°05'22"W 608.30 feet to a point of curvature;
 thence along a curve to the right 161.34 feet, said curve having a radius of 120.00 feet, a central angle of 77°02'08", tangents of 95.51 feet, and a chord which bears N12°34'18"W 149.46 feet to a point of tangency;
 thence N25°56'46"E 253.08 feet to a point of curvature;
 thence along a curve to the left 552.19 feet, said curve having a radius of 530.00 feet, a central angle of 59°41'39", tangents of 304.11 feet, and a chord which bears N03°54'04"W 527.55 feet to a point of tangency;
 thence N33°44'54"W 357.19 feet;
 thence departing from said centerline of Mayfield Road N00°26'14"E 1648.05 feet to the Center-East 1/16th corner of said Section 12;
 thence N89°08'19"E 1302.06 feet to the East ¼ corner of said Section 12;
 thence S88°35'52"E 2694.56 feet to the Center of said Section 7;
 thence S88°35'52"E 1326.35 feet to the Center-East 1/16th corner of said Section 7; thence S00°12'07"W 1314.23 feet to the S-E 1/16th of said Section 7;
 thence N88°43'44"W 1325.93 feet to the C-S 1/16th corner of said Section 7;

thence S00°11'10"W 1317.28 feet to the North ¼ corner of said Section 18;
 thence along the Northerly line of said Section 18, S88°51'37"E 1325.51 feet to the E 1/16th corner thereof;
 thence S00°07'54"W 1319.01 feet to the N-E 1/16th corner thereof;
 thence N88°54'27"W 1324.94 feet to the C-N 1/16th corner thereof;
 thence S00°06'29"W 1320.12 feet to the Center ¼ of said Section 18;
 thence S88°57'18"E 2648.75 feet to the West ¼ corner of said Section 17;
 thence N00°09'20"E 2635.83 feet along said West line to the Northwest corner thereof;
 thence N00°13'05"E 2622.36 feet to the East ¼ corner of said Section 8;
 thence S89°43'55"E 1318.12 feet to the C-W 1/16th corner thereof;
 thence S56°16'09"E 4767.43 feet to the Northeast corner of said Section 17;
 thence along the East line of said Section S00°09'47"W 2648.67 feet to the East ¼ corner thereof;
 thence S00°07'02"W 2644.71 feet to the Northwest corner of said Section 21;
 thence along the northerly line of said Section S89°57'33"E 1317.70 feet to the W 1/16th corner thereof;
 thence S00°07'44"E 2657.82 feet to the C-W 1/16th corner thereof;
 thence N89°34'53"W 1331.55 feet to the West ¼ corner of said Section 20;
 thence N89°17'03"W 2642.88 feet to the center thereof;
 thence N89°17'03"W 1320.25 feet to the C-W 1/16th corner thereof;
 thence N00°00'11"E 2640.07 feet to the W 1/16th corner thereof;
 thence N89°28'03"W 1323.84 feet to the Northwest corner thereof;
 thence S00°04'34"E 2635.88 feet to the East ¼ corner of said Section 19;
 thence N89°16'41"W 1321.62 feet to the E 1/16th corner thereof;
 thence S00°07'31"E 2638.48 feet to the E 1/16th corner on the South line thereof; thence N89°24'54"W 1318.72 feet to the South ¼ corner thereof;
 thence N89°24'54"W 2722.52 feet to the Northeast corner of said Section 25;
 thence S89°49'28"W 1320.17 feet to the E 1/16th corner thereof;
 thence S00°02'32"W 1322.36 feet to the N-E 1/16th corner thereof;
 thence N89°55'02"E 1320.06 feet to the N 1/16th corner thereof;
 thence S00°02'48"W 1324.50 feet to the East ¼ corner thereof;
 thence N89°59'24"W 1319.96 feet to the C-E 1/16th corner thereof;
 thence S00°06'16"E 2640.97 feet to the E 1/16th corner on the South line thereof;
 thence along said South line N89°53'15"W 1326.51 feet to the South ¼ corner thereof;
 thence continuing along said South line N89°51'20"W 2655.58 feet to the Southeast corner of said Section 26;
 thence S89°48'52"W 2649.60 feet to the South ¼ corner thereof;
 thence N00°10'33"E 1315.30 feet to the C-S 1/16th corner thereof;
 thence S89°46'07"W 1324.65 feet to the S-W 1/16th corner thereof, said point being on the Easterly line of "Danskin Properties" recorded on Instrument No. 258976, records of Elmore County, Idaho;
 thence along said Easterly line N00°08'58"E 1315.47 feet;
 thence continuing along said line N00°10'24"E 1048.90 feet to the Northeast corner thereof;
 thence along the Northerly line thereof S58°44'08"W 3108.58 feet;
 thence N00°00'54"E 1884.89 feet to the N-E 1/16th corner in said Section 27;

thence S89°33'04"E 1331.56 feet to the N 1/16th corner thereof;
thence N00°08'33"E 1315.21 feet to the Northeast corner thereof;
thence N00°25'40"E 1320.17 feet to the S 1/16th corner thereof;
thence N89°32'33"W 2669.73 feet to the C-S 1/16th corner thereof;
thence N89°28'51"W 2629.90 feet to the S 1/16th corner thereof;
thence N00°17'24"E 1320.40 feet to the West ¼ corner of said Section 22;
thence N00°17'00"E 2640.76 feet to the point of beginning, all in Elmore County, Idaho.

This parcel contains 5,376.93 acres, more or less, based on calculations using the double meridian distance method. Bearings hereon used are based on NAD88, Idaho State Plane West Zone, WGS84 GPS using Opus solutions for control points, per survey data provided by John Austin, recorded instrument No. 379861, records of Elmore County, Idaho. The above parcel is subject to easements of record or use.

SUMMARY OF ORDINANCE NO. 2011-01

AN ORDINANCE OF ELMORE COUNTY, IDAHO, AMENDING THE ELMORE COUNTY ZONING MAP TO CHANGE THE LAND USE DESIGNATION FROM AGRICULTURE (A) TO PLANNED COMMUNITY (PC) FOR THAT CERTAIN REAL PROPERTY LOCATED NEAR INDIAN CREEK ROAD AND SLATOR CREEK ROAD.

PASSED, at a regular meeting of the Elmore County Board of Commissioners, on June 22, 2011. This ordinance will be in full force and effect from and after its passage, approval and publication, as conditioned by the execution and recordation in the Elmore County land records of a Development Agreement between the landowner and the Board, and such other conditions as approved by the Board as part of the planned community application. The following is a summary of Ordinance No. 2011-01, published in compliance with Idaho Code §31-715A. A full text of this ordinance is available for public inspection in the Elmore County Recorder's Office, Elmore County Courthouse, 150 South 4th East, Mountain Home, Idaho, or at the Growth and Development Office, 520 East 2nd South, Mountain Home, Idaho. Office hours are from 9:00 AM to 5:00 PM, Monday through Friday, excluding holidays.

The zoning classification for that real property (the "Property") which is shown on Exhibit A (the Mayfield Town Site Planned Community Re-Zone Boundary Map) and Exhibit B (the Elmore County Zoning Map) and which is legally described on Exhibit C, all such exhibits are attached hereto and made a part hereof, is amended from a zoning classification of Agriculture (A) to Planned Community (PC).

Enacted by the Elmore County Board of Commissioners as Ordinance 2001-01 on June 22, 2011. This ordinance will be in full force and effect from and after its passage, approval and publication and the recordation of the Development Agreement in the land records of Elmore County.

ELMORE COUNTY BOARD OF COMMISSIONERS

ARLEN O. SHAW, Chairman, Dissenting

ALBERT HOFER, Commissioner, Approving

WESLEY WOOTAN, Commissioner, Approving

ATTEST: BARBARA STEELE, Clerk

One Publication: July 6, 2011

EXHIBIT "A"

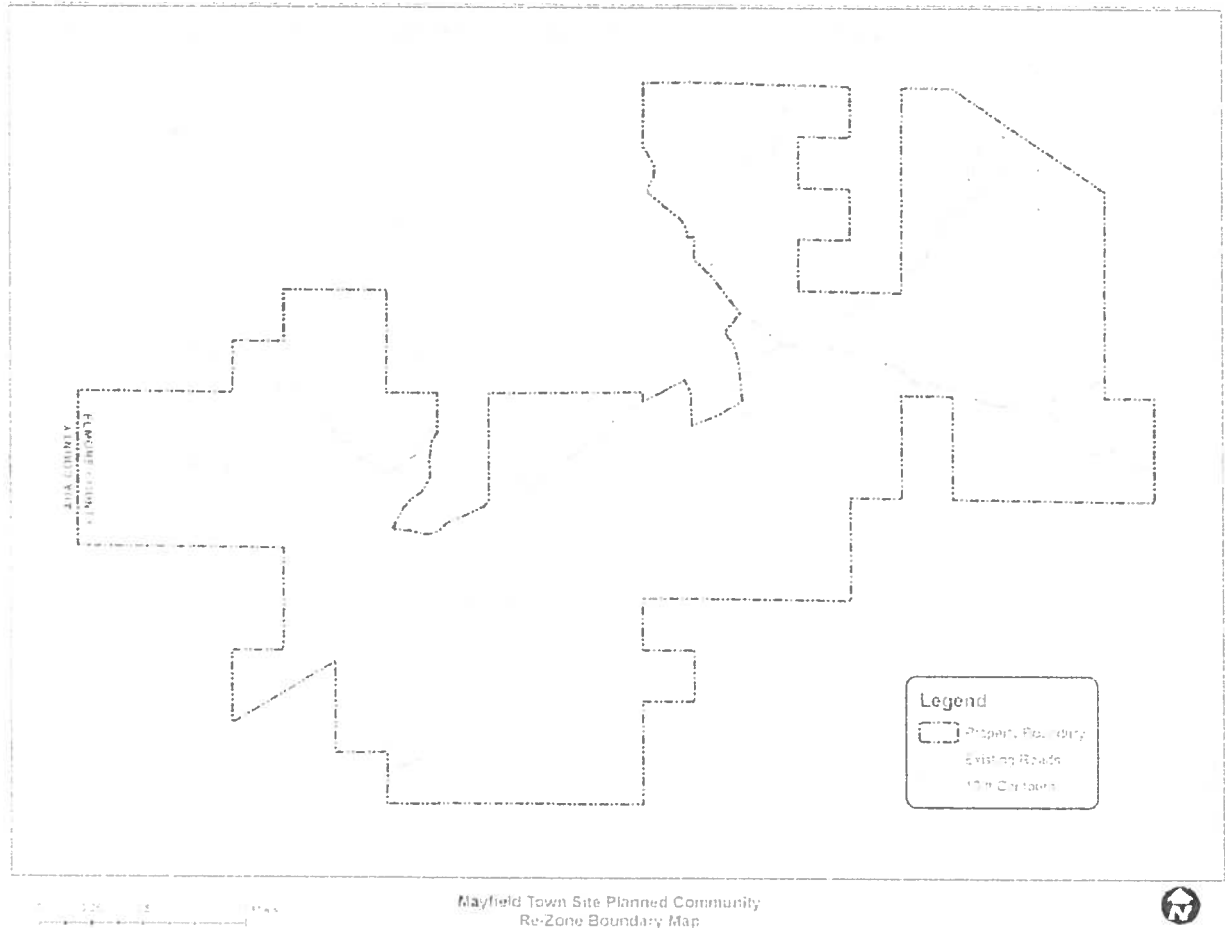


EXHIBIT "B"

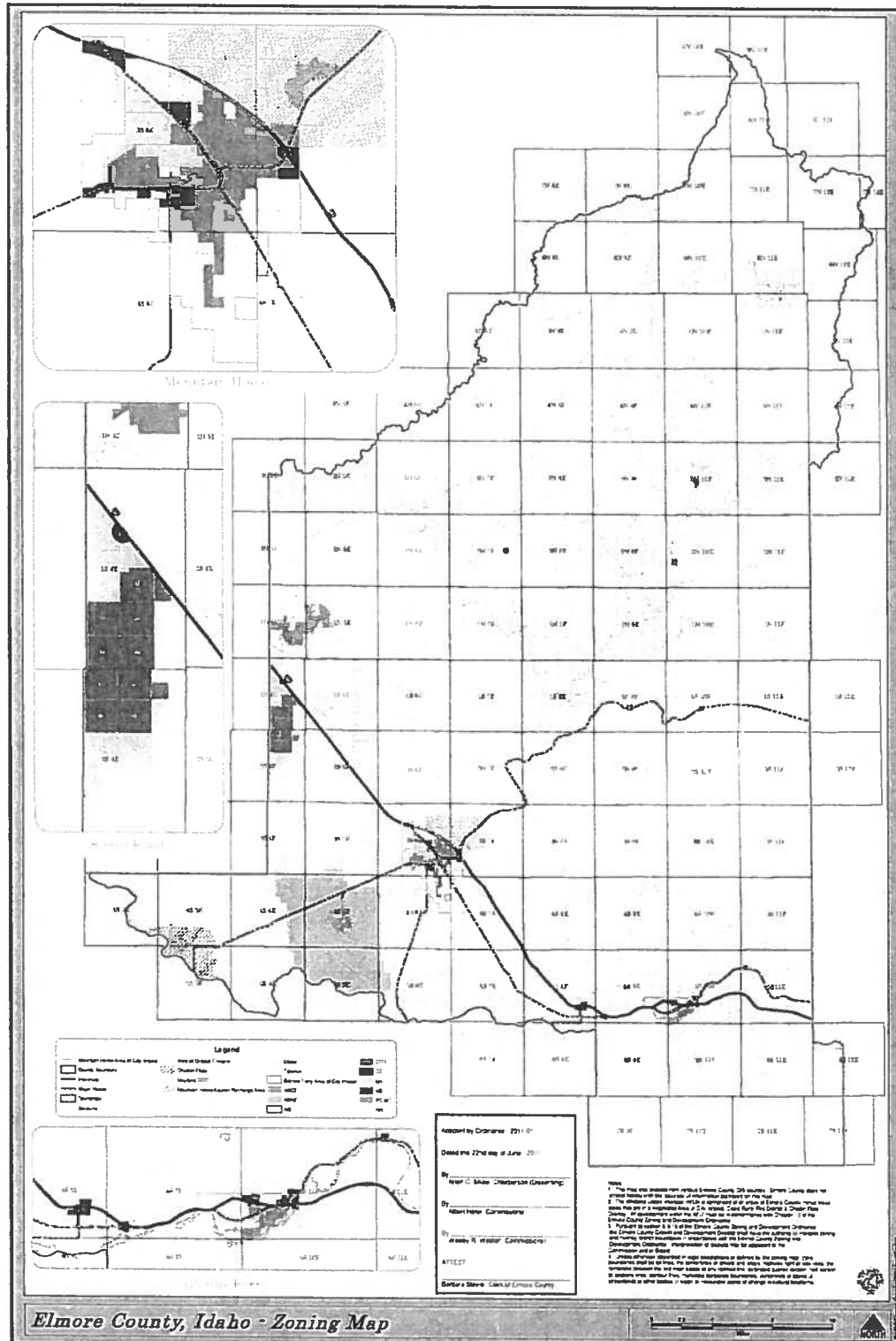


Exhibit "C"
Mayfield Townsite Planned Community

Legal Boundary Description

A parcel of land lying in Sections 12, 13, 14, 15, 22, 23, 24, 25, 26 & 27, Twp. 1 N, Rng. 4 E, B.M. and Sections 7, 8, 17, 18, 19, 20 and 21, Twp. 1 N., Rng. 5 E., B.M., said parcel being more particularly described as follows:

Beginning at the Northwest corner of said Section 22 and running thence S89°31'57"E 2638.11 feet along the North line of said Section 22 to the North ¼ corner thereof; thence continuing along said North line S89°34'41"E 1320.27 feet to the E 1/16th corner thereof; thence N00°22'51"E 1322.45 feet to the SE 1/16th corner of said Section 15; thence S89°33'00"E 1320.02 feet to the S 1/16th corner on the Westerly line of said Section 14; thence along the Westerly line of said Section 14 N00°22'11"E 1321.81 feet to the West ¼ corner thereof; thence S89°53'33"E 2645.87 feet to the center ¼ corner thereof; thence S00°34'55"W 2637.35 feet to the South ¼ corner of said Section 14; thence along the Southerly line thereof N89°59'08"E 1333.66 feet to the E 1/16th corner thereof; thence S00°00'14"W 1007.26 feet to a point on the Southeasterly line of Slater Creek Road; thence along said line S27°26'48"W 49.83 feet; thence S34°51'48"W 145.82 feet to a point of curvature; thence along a curve to the left 152.93 feet, said curve having a radius of 315.00 feet, a central angle of 27°49'00", tangents of 78.00 feet, and a chord which bears S20°57'18"W 151.43 feet to a point of tangency; thence S07°02'48"W 376.25 feet to a point of curvature; thence along a curve to the left 142.10 feet, said curve having a radius of 595.00 feet, a central angle of 13°41'00", tangents of 71.39 feet, and a chord which bears S00°12'18"W 141.76 feet to a point of tangency; thence S06°38'12"E 197.33 feet to a point of curvature; thence along a curve to the right 230.80 feet, said curve having a radius of 355.00 feet, a central angle of 37°15'00", tangents of 119.64 feet, and a chord which bears S11°59'18"W 226.75 feet to a point of tangency; thence S30°36'48"W 191.95 feet to a point of curvature; thence along a curve to the right 199.57 feet, said curve having a radius of 495.00 feet, a central angle of 23°06'00", tangents of 101.16 feet, and a chord which bears S42°09'48"W 198.22 feet to a point of tangency; thence S53°42'48"W 249.74 feet; thence S48°58'48"W 138.83 feet to a point of curvature;

thence along a curve to the left 149.60 feet, said curve having a radius of 460.00 feet, a central angle of $18^{\circ}38'00''$, tangents of 75.47 feet, and a chord which bears $S39^{\circ}39'48''W$ 148.94 feet to a point of tangency;
 thence $S30^{\circ}20'48''W$ 187.59 feet;
 thence $S35^{\circ}24'48''W$ 132.24 feet to a point of curvature;
 thence along a curve to the left 121.13 feet, said curve having a radius of 470.00 feet, a central angle of $14^{\circ}46'00''$, tangents of 60.90 feet, and a chord which bears $S28^{\circ}01'48''W$ 120.80 feet to a point of tangency;
 thence $S20^{\circ}38'48''W$ 61.46 feet to a point of curvature;
 thence along a curve to the right 158.72 feet, said curve having a radius of 360.00 feet, a central angle of $25^{\circ}15'42''$, tangents of 80.62 feet, and a chord which bears $S33^{\circ}16'39''W$ 157.44 feet to a point on the Northerly line of Indian Creek Road;
 thence $S85^{\circ}01'12''E$ 487.16 feet to a point of curvature;
 thence along a curve to the right 157.02 feet, said curve having a radius of 570.00 feet, a central angle of $15^{\circ}47'00''$, tangents of 79.01 feet, and a chord which bears $S77^{\circ}07'42''E$ 156.52 feet to a point of tangency;
 thence $S69^{\circ}14'12''E$ 45.33 feet to a point of curvature;
 thence along a curve to the left 336.86 feet, said curve having a radius of 530.00 feet, a central angle of $36^{\circ}25'00''$, tangents of 174.34 feet, and a chord which bears $S87^{\circ}26'42''E$ 331.22 feet to a point of tangency;
 thence $N74^{\circ}20'48''E$ 133.26 feet to a point of curvature;
 thence along a curve to the left 141.75 feet, said curve having a radius of 275.00 feet, a central angle of $29^{\circ}32'00''$, tangents of 72.49 feet, and a chord which bears $N59^{\circ}34'48''E$ 140.19 feet to a point of tangency;
 thence $N44^{\circ}48'48''E$ 92.20 feet to a point of curvature;
 thence along a curve to the right 137.12 feet, said curve having a radius of 490.00 feet, a central angle of $16^{\circ}02'00''$, tangents of 69.01 feet, and a chord which bears $N52^{\circ}49'48''E$ 136.67 feet to a point of tangency;
 thence $N60^{\circ}50'48''E$ 162.67 feet to a point of curvature;
 thence along a curve to the right 156.10 feet, said curve having a radius of 675.00 feet, a central angle of $13^{\circ}15'00''$, tangents of 78.40 feet, and a chord which bears $N67^{\circ}28'18''E$ 155.75 feet to a point of tangency;
 thence $N74^{\circ}05'48''E$ 47.70 feet to a point of curvature;
 thence along a curve to the left 124.35 feet, said curve having a radius of 750.00 feet, a central angle of $09^{\circ}30'00''$, tangents of 62.32 feet, and a chord which bears $N69^{\circ}20'48''E$ 124.21 feet to a point of tangency;
 thence $N64^{\circ}35'48''E$ 474.31 feet to a point of curvature;
 thence along a curve to the left 200.29 feet, said curve having a radius of 455.00 feet, a central angle of $25^{\circ}13'17''$, tangents of 101.79 feet, and a chord which bears $N51^{\circ}59'10''E$ 198.68 feet to a point of tangency;
 thence $N39^{\circ}22'31''E$ 97.62 feet to a point on the Easterly line of said Section 23;
 thence departing from said Northerly line of said Indian Creek Road along said Easterly line $N00^{\circ}02'25''E$ 117.98 feet to the East $\frac{1}{4}$ corner thereof;
 thence continuing along said Easterly line $N00^{\circ}05'14''E$ 2615.05 feet to the Northwest corner of said Section 24;

thence along the Northerly line of said Section 24, N89°28'58"E 2646.84 feet to the North ¼ corner thereof;
 thence N89°28'18"E 1321.42 feet to the East 1/16th corner thereof;
 thence S00°07'16"W 219.75 feet to a point on the centerline of Indian Creek Road; thence along said line N64°49'34"E 592.33 feet;
 thence N61°00'06"E 619.24 feet;
 thence departing from said centerline S25°20'50"E 327.87 feet;
 thence S02°19'36"E 878.76 feet;
 thence N68°59'52"E 291.08 feet;
 thence N69°36'01"E 440.36 feet;
 thence N59°19'19"E 728.33 feet;
 thence N05°00'38"W 995.38 feet;
 thence N15°48'54"W 484.15 feet;
 thence N30°59'37"W 157.74 feet;
 thence N34°19'21"W 227.24 feet to a point on first said centerline of said Indian Creek Road;
 thence along said centerline N38°05'11"E 604.13 feet to a point on the centerline of Mayfield Road;
 thence along said centerline N37°49'52"W 1114.85 feet to a point of curvature;
 thence along a curve to the left 74.80 feet, said curve having a radius of 500.00 feet, a central angle of 08°34'15", tangents of 37.47 feet, and a chord which bears N42°07'00"W 74.73 feet to a point of tangency;
 thence N46°24'08"W 615.45 feet to a point on the East line of said Section 13;
 thence along said East line N00°06'42"E 583.04 feet to the N 1/16th corner of said Section 13;
 thence S89°10'04"W 175.84 feet to a point on first said centerline of said Mayfield Road;
 thence N06°58'04"W 142.61 feet to a point of curvature;
 thence along a curve to the left 374.57 feet, said curve having a radius of 500.00 feet, a central angle of 42°55'20", tangents of 196.56 feet, and a chord which bears N28°25'44"W 365.87 feet to a point of tangency;
 thence N49°53'24"W 406.95 feet;
 thence N51°05'22"W 608.30 feet to a point of curvature;
 thence along a curve to the right 161.34 feet, said curve having a radius of 120.00 feet, a central angle of 77°02'08", tangents of 95.51 feet, and a chord which bears N12°34'18"W 149.46 feet to a point of tangency;
 thence N25°56'46"E 253.08 feet to a point of curvature;
 thence along a curve to the left 552.19 feet, said curve having a radius of 530.00 feet, a central angle of 59°41'39", tangents of 304.11 feet, and a chord which bears N03°54'04"W 527.55 feet to a point of tangency;
 thence N33°44'54"W 357.19 feet;
 thence departing from said centerline of Mayfield Road N00°26'14"E 1648.05 feet to the Center-East 1/16th corner of said Section 12;
 thence N89°08'19"E 1302.06 feet to the East ¼ corner of said Section 12;
 thence S88°35'52"E 2694.56 feet to the Center of said Section 7;
 thence S88°35'52"E 1326.35 feet to the Center-East 1/16th corner of said Section 7; thence S00°12'07"W 1314.23 feet to the S-E 1/16th of said Section 7;
 thence N88°43'44"W 1325.93 feet to the C-S 1/16th corner of said Section 7;

thence S00°11'10"W 1317.28 feet to the North ¼ corner of said Section 18;
 thence along the Northerly line of said Section 18, S88°51'37"E 1325.51 feet to the E 1/16th corner thereof;
 thence S00°07'54"W 1319.01 feet to the N-E 1/16th corner thereof;
 thence N88°54'27"W 1324.94 feet to the C-N 1/16th corner thereof;
 thence S00°06'29"W 1320.12 feet to the Center ¼ of said Section 18;
 thence S88°57'18"E 2648.75 feet to the West ¼ corner of said Section 17;
 thence N00°09'20"E 2635.83 feet along said West line to the Northwest corner thereof;
 thence N00°13'05"E 2622.36 feet to the East ¼ corner of said Section 8;
 thence S89°43'55"E 1318.12 feet to the C-W 1/16th corner thereof;
 thence S56°16'09"E 4767.43 feet to the Northeast corner of said Section 17;
 thence along the East line of said Section S00°09'47"W 2648.67 feet to the East ¼ corner thereof;
 thence S00°07'02"W 2644.71 feet to the Northwest corner of said Section 21;
 thence along the northerly line of said Section S89°57'33"E 1317.70 feet to the W 1/16th corner thereof;
 thence S00°07'44"E 2657.82 feet to the C-W 1/16th corner thereof;
 thence N89°34'53"W 1331.55 feet to the West ¼ corner of said Section 20;
 thence N89°17'03"W 2642.88 feet to the center thereof;
 thence N89°17'03"W 1320.25 feet to the C-W 1/16th corner thereof;
 thence N00°00'11"E 2640.07 feet to the W 1/16th corner thereof;
 thence N89°28'03"W 1323.84 feet to the Northwest corner thereof;
 thence S00°04'34"E 2635.88 feet to the East ¼ corner of said Section 19;
 thence N89°16'41"W 1321.62 feet to the E 1/16th corner thereof;
 thence S00°07'31"E 2638.48 feet to the E 1/16th corner on the South line thereof; thence N89°24'54"W 1318.72 feet to the South ¼ corner thereof;
 thence N89°24'54"W 2722.52 feet to the Northeast corner of said Section 25;
 thence S89°49'28"W 1320.17 feet to the E 1/16th corner thereof;
 thence S00°02'32"W 1322.36 feet to the N-E 1/16th corner thereof;
 thence N89°55'02"E 1320.06 feet to the N 1/16th corner thereof;
 thence S00°02'48"W 1324.50 feet to the East ¼ corner thereof;
 thence N89°59'24"W 1319.96 feet to the C-E 1/16th corner thereof;
 thence S00°06'16"E 2640.97 feet to the E 1/16th corner on the South line thereof;
 thence along said South line N89°53'15"W 1326.51 feet to the South ¼ corner thereof;
 thence continuing along said South line N89°51'20"W 2655.58 feet to the Southeast corner of said Section 26;
 thence S89°48'52"W 2649.60 feet to the South ¼ corner thereof;
 thence N00°10'33"E 1315.30 feet to the C-S 1/16th corner thereof;
 thence S89°46'07"W 1324.65 feet to the S-W 1/16th corner thereof, said point being on the Easterly line of "Danskin Properties" recorded on Instrument No. 258976, records of Elmore County, Idaho;
 thence along said Easterly line N00°08'58"E 1315.47 feet;
 thence continuing along said line N00°10'24"E 1048.90 feet to the Northeast corner thereof;
 thence along the Northerly line thereof S58°44'08"W 3108.58 feet;
 thence N00°00'54"E 1884.89 feet to the N-E 1/16th corner in said Section 27;

thence S89°33'04"E 1331.56 feet to the N 1/16th corner thereof;
thence N00°08'33"E 1315.21 feet to the Northeast corner thereof;
thence N00°25'40"E 1320.17 feet to the S 1/16th corner thereof;
thence N89°32'33"W 2669.73 feet to the C-S 1/16th corner thereof;
thence N89°28'51"W 2629.90 feet to the S 1/16th corner thereof;
thence N00°17'24"E 1320.40 feet to the West ¼ corner of said Section 22;
thence N00°17'00"E 2640.76 feet to the point of beginning, all in Elmore County, Idaho.

This parcel contains 5,376.93 acres, more or less, based on calculations using the double meridian distance method. Bearings hereon used are based on NAD88, Idaho State Plane West Zone, WGS84 GPS using Opus solutions for control points, per survey data provided by John Austin, recorded instrument No. 379861, records of Elmore County, Idaho. The above parcel is subject to easements of record or use.

AFFIDAVIT OF PUBLICATION

County of Elmore
State of Idaho } ss

I, **Coleen W. Swenson**, do solemnly swear
that I am the Publisher of the:

Mountain Home News

A weekly newspaper of general circulation,
published once a week, in Mountain Home,
Idaho, that the notice attached hereto which is
a part of publication thereof; was published in
said newspaper for 1 consecutive weeks,
the first publication having been made on the
6th day of July, 2011, and the last
publication having been made on the
6th day of July, 2011; every
Wednesday issue of the paper during the
period and time of publication and that the
notice was published in the paper proper and
not in a supplement thereof.

And I further swear that the said Mountain
Home News has been continuously and
uninterruptedly published in said Elmore
County during the period of 78 consecutive
weeks prior to the first publication of the
attached notice.



Publisher

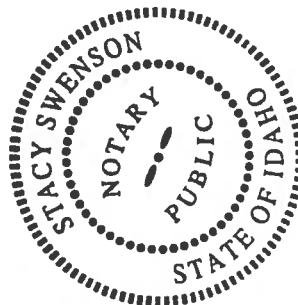
Subscribed and sworn to me this 6th day
of July, 2011.



Notary Public

Residing in Mountain Home, Elmore County,
Idaho.

My commission expires **11-17-2011**.



SUMMARY OF ORDINANCE NO. 2011

AN ORDINANCE OF ELMORE COUNTY, IDAHO, AMENDING THE ELMORE COUNTY ZONING MAP TO PLANNED COMMUNITY ZONING FOR THAT CERTAIN REAL PROPERTY LOCATED NEAR INDIAN CREEK ROAD AND SLATOR CREEK ROAD.

BEFORE, at a regular meeting of the Elmore County Board of Commissioners, on June 22, 2011. This ordinance will be in full force and effect from and after its passage, approval and publication, as conditioned by the execution and recordation in the Elmore County land records Development Agreement between the landowner and the Board, and such other conditions as approved by the Board as part of the planned community application. The following is a summary of Ordinance No. 2011-01, published in compliance with Idaho Code §31-715A. A full text of this ordinance is available for public inspection in the Elmore County Recorder's Office, Elmore County Courthouse, 150 South 4th East, Elmore, Idaho, or at the Growth and Development Office, 520 East 2nd South, Mountain Home, Idaho. Office hours are from 9:00 AM to 5:00 PM, Monday through Friday, excluding holidays.

The zoning classification for that real property (the "Property") which is shown on Exhibit A (the Mayfield Town Site Planned Community Re-zone Boundary Map) and Exhibit B (the Elmore County Zoning Map) and which is legally described on Exhibit C, all such exhibits are attached to and made a part hereof, is amended from a zoning classification of Agriculture (A) to Planned Community (PC).

EXHIBIT "A"

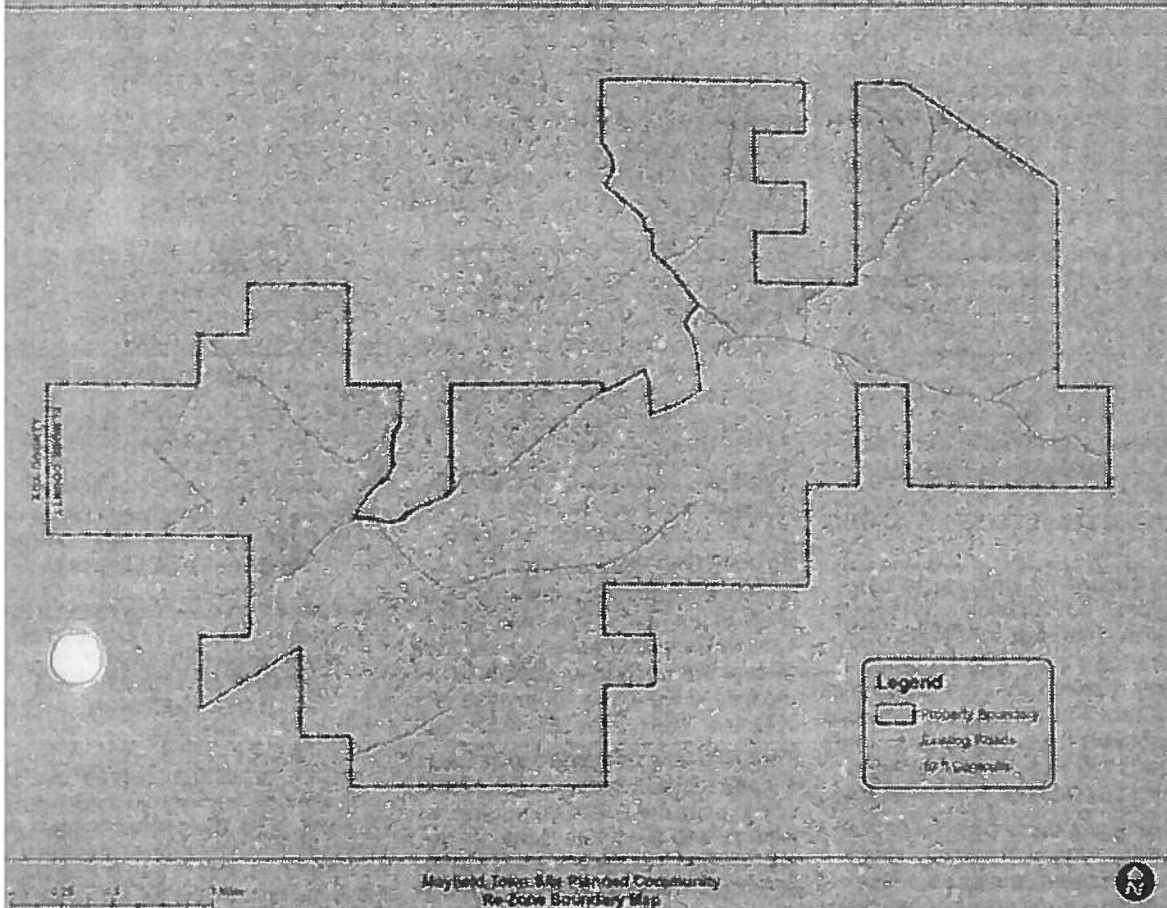
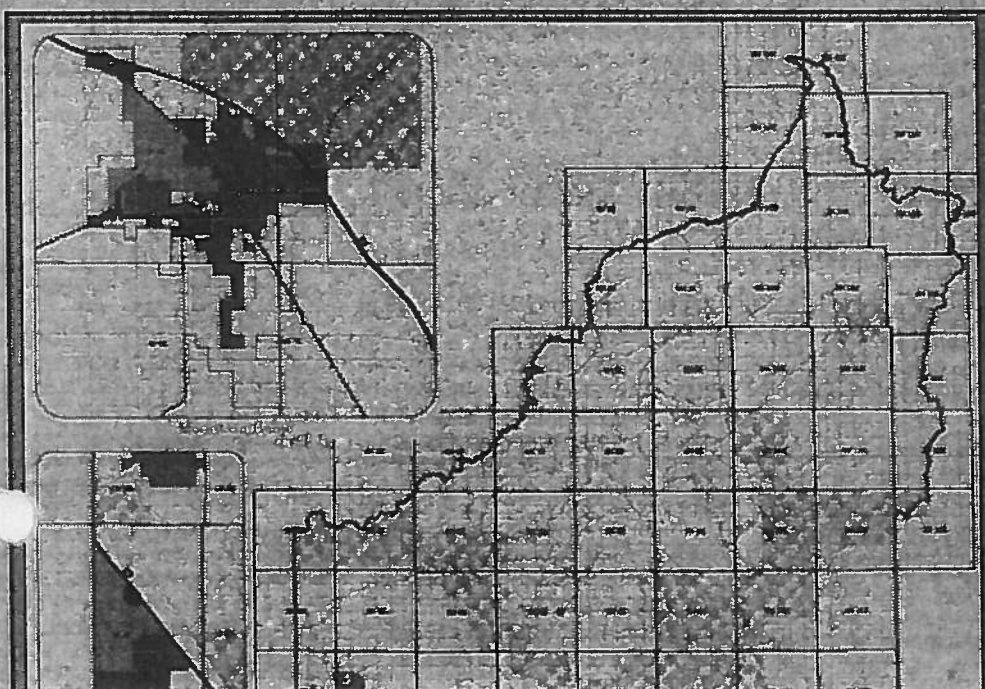


EXHIBIT "B"



thence N74°20'48"E 133.26 feet to a point
thence along a curve to the left 141.75
a chord which bears N59°34'48"E 140.15
thence N44°48'48"E 92.20 feet to a point
thence along a curve to the right 137.15
a chord which bears N52°49'48"E 136.67
thence N60°50'48"E 162.67 feet to a point
thence along a curve to the right 156.10
a chord which bears N67°28'18"E 155.75
thence N74°05'48"E 47.70 feet to a point
thence along a curve to the left 124.35
a chord which bears N69°20'48"E 124.21
thence N64°35'48"E 474.31 feet to a point
thence along a curve to the left 200.29
a chord which bears N51°59'10"E 198.68
thence N39°22'31"E 97.62 feet to a point
thence departing from said Northerly line
thereof,
thence continuing along said Easterly line
thence along the Northerly line of said
thence N89°28'18"E 1321.42 feet to the
thence S00°07'16"W 219.75 feet to a point
thence N61°00'06"E 619.24 feet;
thence departing from said centerline
thence S02°19'36"E 878.76 feet;
thence N68°59'52"E 291.08 feet;
thence N69°36'01"E 440.36 feet;
thence N59°19'19"E 728.38 feet;
thence N05°00'38"W 995.98 feet;
thence N15°48'54"W 484.15 feet;
thence N30°59'37"W 157.74 feet;
thence N34°19'21"W 227.24 feet to a point
thence along said centerline N38°05'11"
thence along said centerline N37°49'55"
thence along a curve to the left 74.80
a chord which bears N42°07'00"W 74.73
thence N46°24'08"W 615.45 feet to a point
thence along said East line N00°06'42"
thence S89°10'04"W 175.84 feet to a point
thence N06°58'04"W 142.61 feet to a point
thence along a curve to the left 374.57
a chord which bears N28°25'44"W 365.1
thence N49°53'24"W 406.95 feet;
thence N51°05'22"W 608.30 feet to a point
thence along a curve to the right 161.8
a chord which bears N12°34'18"W 149.2
thence N25°56'46"E 253.08 feet to a point
thence along a curve to the left 552.19
a chord which bears N03°54'04"W 527.2
thence N33°44'54"W 357.49 feet;
thence departing from said centerline
thence N89°08'19"E 1302.06 feet to the
thence S88°35'52"E 2694.56 feet to the
thence S88°35'52"E 1326.35 feet to the
said Section 7;
thence N88°43'44"W 1325.93 feet to
thence S00°11'10"W 1317.28 feet to
thence along the Northerly line of said
thence S00°07'54"W 1319.01 feet to
thence N88°54'27"W 1324.94 feet to
thence S00°06'29"W 1820.12 feet to
thence S88°57'18"E 2648.75 feet to
thence N00°09'20"E 2635.83 feet to
thence N00°13'05"E 2622.36 feet to
thence S89°43'55"E 1318.12 feet to
thence S56°16'09"E 4767.43 feet to
thence along the East line of said Sec
thence S00°07'02"W 2644.71 feet to
thence along the northerly line of said
thence S00°07'44"E 2657.82 feet to
thence N89°34'53"W 1331.55 feet to
thence N89°17'03"W 2642.88 feet to
thence N89°17'03"W 1320.25 feet to
thence N00°00'11"E 2640.07 feet to
thence N89°28'03"W 1323.84 feet to
thence S00°04'34"E 2635.88 feet to
thence N89°16'41"W 1321.62 feet to
thence S00°07'31"E 263.48 feet to
thereof;
thence N89°24'54"W 2722.52 feet to
thence S89°49'28"W 13.17 feet to
thence S00°02'32"W 1322.36 feet to
thence N89°55'02"E 1320.06 feet to
thence S00°02'48"W 1324.50 feet to

Legend

Property Boundary
 Existing Roads
 10' Easement

thence N59°19'19"E 728.33 feet;
 thence N05°00'38"W 995.38 feet;
 thence N15°48'54"W 484.15 feet;
 thence N30°59'37"W 157.74 feet;
 thence N34°19'21"W 227.24 feet to a point on first said centerline of said Indian Creek Road;
 thence along said centerline N38°05'11"E 604.13 feet to a point on the centerline of Mayfield Road;
 thence along said centerline N37°49'52"W 1114.85 feet to a point of curvature;
 thence along a curve to the left 74.80 feet, said curve having a radius of 500.00 feet, a central angle of 08°34'15", tangents of 37.47 feet
 chord which bears N42°07'00"W 74.73 feet to a point of tangency;
 thence N46°24'08"W 615.45 feet to a point on the East line of said Section 13;
 thence along said East line N00°06'42"E 583.04 feet to the N 1/16th corner of said Section 13;
 thence S89°10'04"W 175.84 feet to a point on first said centerline of said Mayfield Road;
 thence N06°58'04"W 142.61 feet to a point of curvature;
 thence along a curve to the left 374.57 feet, said curve having a radius of 500.00 feet, a central angle of 42°55'20", tangents of 196.56 feet
 a chord which bears N28°25'44"W 365.87 feet to a point of tangency;
 thence N49°53'24"W 406.95 feet;
 thence N51°05'22"W 608.30 feet to a point of curvature;
 thence along a curve to the right 161.34 feet, said curve having a radius of 120.00 feet, a central angle of 77°02'08", tangents of 95.51 feet
 a chord which bears N12°34'18"W 149.46 feet to a point of tangency;
 thence N25°56'46"E 253.08 feet to a point of curvature;
 thence along a curve to the left 552.19 feet, said curve having a radius of 530.00 feet, a central angle of 59°41'39", tangents of 304.11 feet
 a chord which bears N03°54'04"W 527.55 feet to a point of tangency;
 thence N33°44'54"W 357.19 feet;
 thence departing from said centerline of Mayfield Road N00°26'14"E 1648.05 feet to the Center-East 1/16th corner of said Section 12;
 thence N89°08'19"E 1302.06 feet to the East 1/4 corner of said Section 12;
 thence S88°35'52"E 2694.56 feet to the Center of said Section 7;
 thence S88°35'52"E 1326.35 feet to the Center-East 1/16th corner of said Section 7; thence S00°12'07"W 1314.23 feet to the S-E 1/16th corner of said Section 7;
 thence N88°43'44"W 1325.93 feet to the G-S 1/16th corner of said Section 7;
 thence S00°11'10"W 1317.28 feet to the North 1/4 corner of said Section 18;
 thence along the Northerly line of said Section 18, S88°51'37"E 1325.51 feet to the E 1/16th corner thereof;
 thence S00°07'54"W 1319.01 feet to the N-E 1/16th corner thereof;
 thence N88°54'27"W 1324.94 feet to the C-N 1/16th corner thereof;
 thence S00°06'29"W 1320.12 feet to the Center 1/4 of said Section 18;
 thence S88°57'18"E 2648.75 feet to the West 1/4 corner of said Section 17;
 thence N00°09'20"E 2635.83 feet along said West line to the Northwest corner thereof;
 thence N00°13'05"E 2622.36 feet to the East 1/4 corner of said Section 8;
 thence S89°43'55"E 1318.12 feet to the C-W 1/16th corner thereof;
 thence S56°16'09"E 4767.43 feet to the Northeast corner of said Section 17;
 thence along the East line of said Section S00°09'47"W 2648.67 feet to the East 1/4 corner thereof;
 thence S00°07'02"W 2644.71 feet to the Northwest corner of said Section 21;
 thence along the northerly line of said Section S89°57'33"E 1317.70 feet to the W 1/16th corner thereof;
 thence S00°07'44"E 2657.82 feet to the C-W 1/16th corner thereof;
 thence N89°34'53"W 1331.55 feet to the West 1/4 corner of said Section 20;
 thence N89°17'03"W 2642.88 feet to the center thereof;
 thence N89°17'03"W 1320.25 feet to the C-W 1/16th corner thereof;
 thence N00°00'11"E 2640.07 feet to the W 1/16th corner thereof;
 thence N89°28'03"W 1323.84 feet to the Northwest corner thereof;
 thence S00°04'34"E 2635.88 feet to the East 1/4 corner of said Section 19;
 thence N89°16'41"W 1321.62 feet to the E 1/16th corner thereof;
 thence S00°07'31"E 2638.48 feet to the E 1/16th corner on the South line thereof; thence N89°24'54"W 1318.72 feet to the South 1/4 corner thereof;
 thence N89°24'54"W 2722.52 feet to the Northeast corner of said Section 25;
 thence S89°49'28"W 1320.17 feet to the E 1/16th corner thereof;
 thence S00°02'32"W 1322.96 feet to the N-E 1/16th corner thereof;
 thence N89°55'02"E 1320.06 feet to the N 1/16th corner thereof;
 thence S00°02'48"W 1324.50 feet to the East 1/4 corner thereof;
 thence N89°59'24"W 1319.96 feet to the C-E 1/16th corner thereof;
 thence S00°06'16"E 2640.97 feet to the E 1/16th corner on the South line thereof;
 thence along said South line N89°53'15"W 1326.51 feet to the South 1/4 corner thereof;
 thence continuing along said South line N89°51'20"W 2655.58 feet to the Southeast corner of said Section 26;
 thence S89°48'52"W 2649.60 feet to the South 1/4 corner thereof;
 thence N00°10'33"E 1315.30 feet to the C-S 1/16th corner thereof;
 thence S89°46'07"W 1324.65 feet to the S-W 1/16th corner thereof, said point being on the Easterly line of "Dansk Properties" record Instrument No. 258976, records of Elmore County, Idaho;
 thence along said Easterly line N00°08'58"E 1315.47 feet;
 thence continuing along said line N00°10'24"E 1048.90 feet to the Northeast corner thereof;
 thence along the Northerly line thereof S58°44'08"W 310° 58 feet;
 thence N00°00'54"E 1884.89 feet to the N-E 1/16th corner in said Section 27;
 thence S89°33'04"E 1331.56 feet to the N 1/16th corner thereof;
 thence N00°08'33"E 1315.21 feet to the Northeast corner thereof;
 thence N00°25'40"E 1320.17 feet to the S 1/16th corner thereof;
 thence N89°32'33"W 2669.73 feet to the G-S 1/16th corner thereof;
 thence N89°28'51"W 2629.90 feet to the S 1/16th corner thereof;
 thence N00°17'24"E 1320.40 feet to the West 1/4 corner of said Section 22;
 thence N00°17'00"E 2640.76 feet to the point of beginning, all in Elmore County, Idaho.
 This parcel contains 5376.93 acres, more or less, based on calculations using the double meridian distance method. Bearings hereon are based on NAD88, Idaho State Plane West Zone, WGS84 GPS using Opus solutions for control points, per survey data provided by John A. recorded instrument No. 379861, records of Elmore County, Idaho. The above parcel is subject to easements of record or use.

Enacted by the Elmore County Board of Commissioners as Ordinance 2001-01 on June 22, 2011. This ordinance will be in full force and from and after its passage, approval and publication and the recordation of the Development Agreement in the land records of Elmore County.

ELMORE COUNTY BOARD OF COMMISSIONERS
ARLEN O. SHAW, Chairman, Dissenting
ALBERT HOFER, Commissioner, Approving
WESLEY WOOLAN, Commissioner, Approving
ATTEST: BARBARA STEELE, Clerk

EXHIBIT "B"



thence N 24 54' W 2 22 S
thence S 89 29' 2" W 1 20.1 f
thence S 00 02 32" W 1 22.36 f
thence N 8 5 07" E 1 20.06 f
thence S 00 02 48' W 13 50 f
thence N 89 59' 24" W 1319.96 f
thence S 0 06 16"E 2640 f
thence along said section line N
thence continuing along said
thence S 8 48 5" W 264 60 f
thence N 0 1 33"E 1315.30 f
thence S 8 46 07"W 1324.65 f
Instrument N 25897, records of
the ceiling and Easterly line N
thence continuing along said line
thence along the Northerly line N
thence N 0 00 54"E 1838.9 f
thence S 89 3 04"E 13 156 f
thence N 00 8 3"E 1315.21 feet
thence N 00 25 40"E 1 20.17 feet
thence N 9 32 33"W 2669.7 f
thence N 9 28' 1"W 2629.90 feet
thence N 00 17 24"E 1320.40 feet
thence N 00 17 00"E 2640.76 feet
This parcel contains 5.37693 acres
based on NAD88, Idaho State Plane
recorded instrument N 379861, record

Enacted by the Elm County Board
from and after its passage, approval and

**Mayfield Township Planned Community
Legal Boundary Description**

Parcel of land lying in Sections 12, 13, 14, 15, 22, 23, 24, 25, 26 & 27, Twp. 1 N, Rng. 4 E, B.M. and Sections 7, 8, 17, 18, 19, 20 and 21, 1 N., Rng. 5 E., B.M., said parcel being more particularly described as follows:

beginning at the Northwest corner of said Section 22 and running thence S89°31'57"E 2638.11 feet along the North line of said Section 22 to the North 1/4 corner thereof;

thence running along said North line S89°34'41"E 1320.27 feet to the E 1/16th corner of said Section 22 to the SE 1/16th corner of said Section 15;

thence S89°33'00"E 1320.02 feet to the S 1/16th corner of said Section 15;

thence along the Westerly line of said Section 14 N00°22'11"E 1321.81 feet to the West 1/4 corner thereof;

thence S89°53'33"E 2645.87 feet to the center 1/4 corner thereof;

thence S00°34'55"W 2637.35 feet to the South 1/4 corner of said Section 14;

RESOLUTION NO. 457-11

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF ELMORE COUNTY AMENDING THE 2004 COMPREHENSIVE GROWTH AND DEVELOPMENT PLAN, AS AMENDED, FOR THE ADOPTION AND ADDITION OF THE MAYFIELD TOWNSITE COMPREHENSIVE PLAN TO THE COMPREHENSIVE PLAN.

WHEREAS, Title 67, Chapter 65 of the Idaho Code ("Local Land Use Planning Act) provides authority for Elmore County to adopt a comprehensive plan to set the direction of land use planning for the county;

WHEREAS, the Board of Commissioners of Elmore County (the "Board") adopted the 2004 Comprehensive Growth and Development Plan on August 9, 2004, which comprehensive plan was subsequently amended on December 3, 2007 (the "Comprehensive Plan");

WHEREAS, on or about July 24, 2008, Mayfield Townsite, LLC or its predecessor (the "Applicant"), filed an application ("Application") for a planned community, including a change to the Elmore County Zoning Map, an amendment to the Comprehensive Plan, an amendment to the Zoning Ordinance, and a Development Agreement for that real property (the "Property") which is legally described on Exhibit A, which exhibit is attached hereto and made a part hereof;

WHEREAS, a series of public hearings were held by both the Elmore County Planning and Zoning Commission and the Board, as more thoroughly set forth in the Findings, as hereafter defined, in compliance with both the Local Land Use Planning Act and the Elmore County Zoning and Development Ordinance concerning consideration of, *inter alia*, the Application and the amendment to the Comprehensive Plan; and

WHEREAS, after complying with the due process requirements and having the requisite public hearings, the Board on June 22, 2011 approved the Application with conditions, including, *inter alia*, approving and adopting an amendment to the Comprehensive Plan, entitled the "Mayfield Townsite Comprehensive Plan" with the addenda of the "Mayfield Townsite Development Plan" as set forth on Exhibit B, which exhibit is attached hereto and made a part hereof, pursuant to that certain written Findings of Fact, Conclusion of Law and Order (the "Findings") on the Application. The Mayfield Townsite Planned Community Comprehensive Plan and addenda shall be added to the Comprehensive Plan as Chapter 16.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY A 2-1 VOTE (SHAW DISSENTING), that the Comprehensive Plan is hereby amended to add a Chapter 16 to the Comprehensive Plan entitled the "Mayfield Townsite Comprehensive Plan" and adopting the Mayfield Townsite Comprehensive Plan and "Mayfield Townsite Development Plan" addenda as an addendum to the Elmore County Comprehensive Plan, in such form as set forth on the attached Exhibit B.

Dated this 22nd day of June, 2011.

**ELMORE COUNTY BOARD OF
COMMISSIONERS**

Dissenting:

By: 

Arlen O. Shaw, Chairman

Approving:

By: 

Albert Hofer, Commissioner

Approving:

By: 

Wesley Wootan, Commissioner



ATTEST:



Barbara Steele, Elmore County Clerk

EXHIBIT A

Mayfield Townsite Planned Community

Legal Boundary Description

A parcel of land lying in Sections 12, 13, 14, 15, 22, 23, 24, 25, 26 & 27, Twp. 1 N, Rng. 4 E, B.M. and Sections 7, 8, 17, 18, 19, 20 and 21, Twp. 1 N., Rng. 5 E., B.M., said parcel being more particularly described as follows:

Beginning at the Northwest corner of said Section 22 and running thence S89°31'57"E 2638.11 feet along the North line of said Section 22 to the North ¼ corner thereof; thence continuing along said North line S89°34'41"E 1320.27 feet to the E 1/16th corner thereof; thence N00°22'51"E 1322.45 feet to the SE 1/16th corner of said Section 15; thence S89°33'00"E 1320.02 feet to the S 1/16th corner on the Westerly line of said Section 14; thence along the Westerly line of said Section 14 N00°22'11"E 1321.81 feet to the West ¼ corner thereof; thence S89°53'33"E 2645.87 feet to the center ¼ corner thereof; thence S00°34'55"W 2637.35 feet to the South ¼ corner of said Section 14; thence along the Southerly line thereof N89°59'08"E 1333.66 feet to the E 1/16th corner thereof; thence S00°00'14"W 1007.26 feet to a point on the Southeasterly line of Slater Creek Road; thence along said line S27°26'48"W 49.83 feet; thence S34°51'48"W 145.82 feet to a point of curvature; thence along a curve to the left 152.93 feet, said curve having a radius of 315.00 feet, a central angle of 27°49'00", tangents of 78.00 feet, and a chord which bears S20°57'18"W 151.43 feet to a point of tangency; thence S07°02'48"W 376.25 feet to a point of curvature; thence along a curve to the left 142.10 feet, said curve having a radius of 595.00 feet, a central angle of 13°41'00", tangents of 71.39 feet, and a chord which bears S00°12'18"W 141.76 feet to a point of tangency; thence S06°38'12"E 197.33 feet to a point of curvature; thence along a curve to the right 230.80 feet, said curve having a radius of 355.00 feet, a central angle of 37°15'00", tangents of 119.64 feet, and a chord which bears S11°59'18"W 226.75 feet to a point of tangency; thence S30°36'48"W 191.95 feet to a point of curvature; thence along a curve to the right 199.57 feet, said curve having a radius of 495.00 feet, a central angle of 23°06'00", tangents of 101.16 feet, and a chord which bears S42°09'48"W 198.22 feet to a point of tangency; thence S53°42'48"W 249.74 feet; thence S48°58'48"W 138.83 feet to a point of curvature; thence along a curve to the left 149.60 feet, said curve having a radius of 460.00 feet, a central angle of 18°38'00", tangents of 75.47 feet, and a chord which bears S39°39'48"W 148.94 feet to a point of tangency;

thence S30°20'48"W 187.59 feet;
 thence S35°24'48"W 132.24 feet to a point of curvature;
 thence along a curve to the left 121.13 feet, said curve having a radius of 470.00 feet, a central angle of 14°46'00", tangents of 60.90 feet, and a chord which bears S28°01'48"W 120.80 feet to a point of tangency;
 thence S20°38'48"W 61.46 feet to a point of curvature;
 thence along a curve to the right 158.72 feet, said curve having a radius of 360.00 feet, a central angle of 25°15'42", tangents of 80.62 feet, and a chord which bears S33°16'39"W 157.44 feet to a point on the Northerly line of Indian Creek Road;
 thence S85°01'12"E 487.16 feet to a point of curvature;
 thence along a curve to the right 157.02 feet, said curve having a radius of 570.00 feet, a central angle of 15°47'00", tangents of 79.01 feet, and a chord which bears S77°07'42"E 156.52 feet to a point of tangency;
 thence S69°14'12"E 45.33 feet to a point of curvature;
 thence along a curve to the left 336.86 feet, said curve having a radius of 530.00 feet, a central angle of 36°25'00", tangents of 174.34 feet, and a chord which bears S87°26'42"E 331.22 feet to a point of tangency;
 thence N74°20'48"E 133.26 feet to a point of curvature;
 thence along a curve to the left 141.75 feet, said curve having a radius of 275.00 feet, a central angle of 29°32'00", tangents of 72.49 feet, and a chord which bears N59°34'48"E 140.19 feet to a point of tangency;
 thence N44°48'48"E 92.20 feet to a point of curvature;
 thence along a curve to the right 137.12 feet, said curve having a radius of 490.00 feet, a central angle of 16°02'00", tangents of 69.01 feet, and a chord which bears N52°49'48"E 136.67 feet to a point of tangency;
 thence N60°50'48"E 162.67 feet to a point of curvature;
 thence along a curve to the right 156.10 feet, said curve having a radius of 675.00 feet, a central angle of 13°15'00", tangents of 78.40 feet, and a chord which bears N67°28'18"E 155.75 feet to a point of tangency;
 thence N74°05'48"E 47.70 feet to a point of curvature;
 thence along a curve to the left 124.35 feet, said curve having a radius of 750.00 feet, a central angle of 09°30'00", tangents of 62.32 feet, and a chord which bears N69°20'48"E 124.21 feet to a point of tangency;
 thence N64°35'48"E 474.31 feet to a point of curvature;
 thence along a curve to the left 200.29 feet, said curve having a radius of 455.00 feet, a central angle of 25°13'17", tangents of 101.79 feet, and a chord which bears N51°59'10"E 198.68 feet to a point of tangency;
 thence N39°22'31"E 97.62 feet to a point on the Easterly line of said Section 23;
 thence departing from said Northerly line of said Indian Creek Road along said Easterly line N00°02'25"E 117.98 feet to the East ¼ corner thereof;
 thence continuing along said Easterly line N00°05'14"E 2615.05 feet to the Northwest corner of said Section 24;
 thence along the Northerly line of said Section 24, N89°28'58"E 2646.84 feet to the North ¼ corner thereof;
 thence N89°28'18"E 1321.42 feet to the East 1/16th corner thereof;

thence S00°07'54"W 1319.01 feet to the N-E 1/16th corner thereof;
 thence N88°54'27"W 1324.94 feet to the C-N 1/16th corner thereof;
 thence S00°06'29"W 1320.12 feet to the Center ¼ of said Section 18;
 thence S88°57'18"E 2648.75 feet to the West ¼ corner of said Section 17;
 thence N00°09'20"E 2635.83 feet along said West line to the Northwest corner thereof;
 thence N00°13'05"E 2622.36 feet to the East ¼ corner of said Section 8;
 thence S89°43'55"E 1318.12 feet to the C-W 1/16th corner thereof;
 thence S56°16'09"E 4767.43 feet to the Northeast corner of said Section 17;
 thence along the East line of said Section S00°09'47"W 2648.67 feet to the East ¼ corner thereof;
 thence S00°07'02"W 2644.71 feet to the Northwest corner of said Section 21;
 thence along the northerly line of said Section S89°57'33"E 1317.70 feet to the W 1/16th corner thereof;
 thence S00°07'44"E 2657.82 feet to the C-W 1/16th corner thereof;
 thence N89°34'53"W 1331.55 feet to the West ¼ corner of said Section 20;
 thence N89°17'03"W 2642.88 feet to the center thereof;
 thence N89°17'03"W 1320.25 feet to the C-W 1/16th corner thereof;
 thence N00°00'11"E 2640.07 feet to the W 1/16th corner thereof;
 thence N89°28'03"W 1323.84 feet to the Northwest corner thereof;
 thence S00°04'34"E 2635.88 feet to the East ¼ corner of said Section 19;
 thence N89°16'41"W 1321.62 feet to the E 1/16th corner thereof;
 thence S00°07'31"E 2638.48 feet to the E 1/16th corner on the South line thereof; thence N89°24'54"W 1318.72 feet to the South ¼ corner thereof;
 thence N89°24'54"W 2722.52 feet to the Northeast corner of said Section 25;
 thence S89°49'28"W 1320.17 feet to the E 1/16th corner thereof;
 thence S00°02'32"W 1322.36 feet to the N-E 1/16th corner thereof;
 thence N89°55'02"E 1320.06 feet to the N 1/16th corner thereof;
 thence S00°02'48"W 1324.50 feet to the East ¼ corner thereof;
 thence N89°59'24"W 1319.96 feet to the C-E 1/16th corner thereof;
 thence S00°06'16"E 2640.97 feet to the E 1/16th corner on the South line thereof;
 thence along said South line N89°53'15"W 1326.51 feet to the South ¼ corner thereof;
 thence continuing along said South line N89°51'20"W 2655.58 feet to the Southeast corner of said Section 26;
 thence S89°48'52"W 2649.60 feet to the South ¼ corner thereof;
 thence N00°10'33"E 1315.30 feet to the C-S 1/16th corner thereof;
 thence S89°46'07"W 1324.65 feet to the S-W 1/16th corner thereof, said point being on the Easterly line of "Danskin Properties" recorded on Instrument No. 258976, records of Elmore County, Idaho;
 thence along said Easterly line N00°08'58"E 1315.47 feet;
 thence continuing along said line N00°10'24"E 1048.90 feet to the Northeast corner thereof;
 thence along the Northerly line thereof S58°44'08"W 3108.58 feet;
 thence N00°00'54"E 1884.89 feet to the N-E 1/16th corner in said Section 27;
 thence S89°33'04"E 1331.56 feet to the N 1/16th corner thereof;
 thence N00°08'33"E 1315.21 feet to the Northeast corner thereof;
 thence N00°25'40"E 1320.17 feet to the S 1/16th corner thereof;

thence N89°32'33"W 2669.73 feet to the C-S 1/16th corner thereof;
thence N89°28'51"W 2629.90 feet to the S 1/16th corner thereof;
thence N00°17'24"E 1320.40 feet to the West ¼ corner of said Section 22;
thence N00°17'00"E 2640.76 feet to the point of beginning, all in Elmore County, Idaho.

This parcel contains 5,376.93 acres, more or less, based on calculations using the double meridian distance method. Bearings hereon used are based on NAD88, Idaho State Plane West Zone, WGS84 GPS using Opus solutions for control points, per survey data provided by John Austin, recorded instrument No. 379861, records of Elmore County, Idaho. The above parcel is subject to easements of record or use.

EXHIBIT B

[Mayfield Townsite Comprehensive Plan]

ATTACHMENTS TO ORDINANCE NO. 2011-01 and 2011-02

1. Element D, Zoning Ordinance Mayfield Townsite Planned Community
2. Development Agreement County of Elmore, Idaho and Mayfield Townsite, LLC
3. Sub Element B1 Vision Statement
4. Sub Element B2 Comprehensive Plan Goals, Policies and Objectives
5. Sub Element B3 Conceptual Land Use Map
6. Sub Element B4 Conceptual Densities and Intensities Map
7. Sub Element B5 Transportation and Mobility Plan
8. Sub Element B6 Mayfield Central Design Concepts
9. Sub Element F1 Natural Features Analysis
10. Sub Element F2 Proposed Land Uses
11. Sub Element F3 Existing Land Uses
12. Sub Element F4 Development and Population Trends
13. Sub Element F5 Community Services and Utility Plan
14. Sub Element F6 Open Space, Parks and Trails Plan
15. Sub Element F7 Wildlife Mitigation Plan
16. Sub Element F8 Phasing Plan
17. Sub Element F9 Storm Water Management Plan

ATTACHMENTS FILED IN SEPARATE BINDER

“ATTACHMENTS TO ORDINANCE NO. 2011-01 AND 2011-02”