

April 24, 2023

Ms. Cynda Herrick
Planning and Zoning Director
Valley County
219 North Main Street
Cascade, ID 83611

via email

**RE: Preliminary Plat for Shore Lodge Whitetail
Parcel No. RP18N02E133560**

Dear Ms. Herrick,

On behalf of our client, Shore Lodge Whitetail LLC please accept the attached application for a Preliminary Plat of the subject property, approximately 64.65 acres found south of the Adams County / Valley County line just west of the current Whitetail Community. As discussed in our meeting with you on April 13, 2023, we are seeking this preliminary plat application to subdivide the property into a large lot residential development whereby the minimum lot sizes will be at least 5 acres. As also mentioned, we intend to serve these parcels with private water wells and septic fields for each lot in accordance with all relevant regulatory standards. All roads will be paved private streets that will meet or exceed Valley County Road Standards and will be maintained by the existing Whitetail Property Owners' Association, to which this subdivision will be added. Power and fiber are at the site and will be extended in accordance with direction from those service providers and emergency services will be provided by McCall Fire & EMS. The future development of this site into large acre parcels will be compatible with developments to the north and east of the site that have already been subdivided into residential communities.

You will see from our preliminary plat, we have a total of 6 building lots that take access from Red Valley Court, which is designed to terminate with a turnaround. The turnaround terminus creates a cul-de-sac that is 2225 feet long. Due to the shape of the site and the size of the lots it makes the most sense to extend the cul-de-sac and to allow the lots frontage on the private road without creating multiple flag lots. This also ensures that, because the road is private and controlled by the HOA, the maintenance and access will remain in much better shape than might otherwise be the case if we had multiple lots on shared private drives. This application requests Commission approval for this extended cul-de-sac.

Please also note that Red Valley Court is to be constructed over an existing dirt road that provides for access to this parcel as well as the one to the south. That easement will continue to extend to the southern boundary of our site. Also to note, this preliminary plat is connected to 304.8 acres we are concurrently platting in Adams County. The combined plats total 369.5 acres and

37 buildable lots. The entire site will be developed by Shore Lodge Whitetail, LLC and residents will have access to the same amenities as the current residents at the adjacent Whitetail community and detailed in the draft Supplemental Declaration and the associated General Declaration for Whitetail Club.

Legacy Ranch will offer a unique opportunity for residents to own a piece of beautiful landscape in an unparalleled community designed at a much lower density than is otherwise allowed by code or available within the existing Whitetail community. In addition to these large lots being able to accommodate a primary residence we are requesting Commission approval for the addition of an accessory dwelling unit ("ADU") up to 3500 square feet on each lot. Lastly, we request Commission approval that each dwelling unit, including the ADU, can have a wood burning device.

We appreciate your time, assistance and guidance on this project and are pleased to submit this application for your review and consideration.

If you have any questions, please do not hesitate to contact me at [REDACTED]

Kind regards,

A handwritten signature in blue ink, appearing to read 'Bonnie Layton', with a long horizontal flourish extending to the right.

Bonnie Layton
Sr. Planner

enclosures

Valley County Planning and Zoning Department

219 N. Main
PO Box 1350
Cascade, ID 83611
www.co.valley.id.us
cherrick@co.valley.id.us
208-382-7115



C.U.P. & Preliminary Plat Application

TO BE COMPLETED BY THE PLANNING AND ZONING DEPARTMENT

FILE # C.U.P. 23-26

ACCEPTED BY _____

CROSS REFERENCE FILE(S): _____

☐ ADMINISTRATIVE PLAT

☐ SHORT PLAT

☒ FULL PLAT

COMMENTS: _____

☒ Check # _____ or ☐ Cash

FEE \$ 600.00

DEPOSIT \$1000.00

DATE 4-24-2023

When an application has been submitted, it will be reviewed in order to determine compliance with application requirements. A hearing date will be scheduled only after an application has been accepted as complete.

Applicant's Signature: Daniel R. Scott Date: 4/25/2023
DocuSigned by: 3F7046232B5041D...

The following must be completed and submitted with the conditional use permit application:

- ☒ A preliminary plat containing all of the necessary requirements according to the Valley County Subdivision Regulations.
- ☐ A phasing plan and construction timeline. N/A
- ☒ One 8½ x 11" – 300 scale drawing of the proposed subdivision showing only the street names and lots.
- ☒ A plot plan, drawn to scale, showing existing utilities, streets, easements, ditches, and buildings.
- ☐ A landscaping plan, drawn to scale, showing elements such as trees, shrubs, ground covers, and vines. Include a plant list, indicating the size, quantity, location, and name (both botanical and common) of all plant material to be used. N/A
- ☒ A site grading plan clearly showing the existing site topography and detailing the best management practices for surface water management, siltation, sedimentation, and blowing of dirt and debris caused by grading, excavation, open cuts, side slopes, and other site preparation and development.
- ☐ A lighting plan. N/A
- ☐ A Wildfire Mitigation Plan.
- ☒ Names and mailing addresses of property owners within 300 feet of the property boundary. Information can be obtained through the Valley County GIS maps. Only one list is required.
- ☒ Ten (10) copies of the application and additional materials are required.

We recommend you review Title 9 and Title 10 of the Valley County Code online at www.co.valley.id.us/planning-zoning or

at the Planning and Zoning Office, 219 North Main, Cascade, Idaho.
Subject to Idaho Statute 55-22 Underground Facilities Damage Prevention.

CONTACT INFORMATION

PROPOSED SUBDIVISION NAME: Legacy Ranch at Whitetail Club

APPLICANT Shore Lodge Whitetail, LLC PHONE [REDACTED]
Owner ☒ Option Holder ☐ Contract Holder ☐

MAILING ADDRESS 501 W. Lake Street, McCall, ID ZIP 83638

EMAIL [REDACTED]

PROPERTY OWNER Shore Lodge Whitetail, LLC
(if not the applicant)

MAILING ADDRESS 501 W. Lake Street, McCall, ID ZIP 83638

EMAIL [REDACTED]

Nature of Owner's Interest in this Development? _____

AGENT / REPRESENTATIVE Bonnie Layton PHONE [REDACTED]

MAILING ADDRESS 690 S. Industry Way, Suite 10, Meridian, ID ZIP 83642

EMAIL [REDACTED]

ENGINEER Matt M Munger, P.E.

MAILING ADDRESS 690 Industry Way, Suite 10, Meridian, ID ZIP 83642

EMAIL [REDACTED] PHONE [REDACTED]

SURVEYOR Wayne Caudell, PLS

MAILING ADDRESS 690 Industry Way, Suite 10 meridian, ID ZIP 83642

EMAIL [REDACTED] PHONE [REDACTED]

PROPERTY INFORMATION

1. SIZE OF PROPERTY 64.65 Acres

2. AMOUNT OF ACREAGE OF ADJACENT LAND HELD BY THIS OWNER 13.5 ac (37.2 in Adams Co.) Acres

3. ANY RESTRICTIONS ON THIS PROPERTY? Must show all easements on plat.

Easements an access easment for the property to the south for logging, greenbelt easement on the East at base of hill

Deed Restrictions None

Liens or encumbrances None

4. LEGAL DESCRIPTION Attached

5. TAX PARCEL NUMBER(S) RP18N02E133560

Quarter NW Section 13 Township 18N Range 2E

6. EXISTING LAND USES AND STRUCTURES ON THE PROPERTY:

Open Meadow

7. ARE THERE ANY KNOWN HAZARDS ON OR NEAR THE PROPERTY (such as canals, hazardous material spills, soil or water contamination)? If so, describe and give location: None

8. ADJACENT PROPERTIES HAVE THE FOLLOWING BUILDING TYPES AND/OR USES:

North Open Meadow to be developed as a large lot residential subdivision in conjunction w/this plat

South Open Meadow

East Residential Subdivision-Whitetail

West Timber Forest

9a. TYPE OF TERRAIN: Mountainous ☒ Rolling ☐ Flat ☒ Timbered ☒

9b. DOES ANY PORTION OF THIS PARCEL HAVE SLOPES IN EXCESS OF 15%? Yes ☒ No ☐

9c. DESCRIBE ANY SIGNIFICANT NATURAL RESOURCES SUCH AS ROCK OUTCROPPING, MARSHES, WOODED AREAS: The western hillside,(Lot 33 and a portion of lot 31) are timbered, the low area will receive runoff from the hillside during times of high runoff.

10a. WATER COURSE: None

10b. IS ANY PORTION OF THE PROPERTY LOCATED IN A FLOODWAY OR 100-YR FLOODPLAIN?
(Information can be obtained from the Planning & Zoning Office) Yes ☐ No ☒

10c. ARE THERE WETLANDS LOCATED ON ANY PORTION OF THE PROPERTY? Yes ☐ No ☒

10d. WILL ANY PART OF THE PROPERTY BE SUBJECT TO INUNDATION FROM STORMWATER OVERFLOW OR SPRING MELTING RUN-OFF? the valley floor receives water from spring melt runoff.

11a. NUMBER OF EXISTING ROADS: 0 Width _____ Public ☐ Private ☐
Are the existing road surfaces paved or graveled? Gravel ☐ Paved ☐

11b. NUMBER OF PROPOSED ROADS: 1 Proposed width: 70' ROW (24' paved)
Will the proposed roads be Public ☐ Private ☒
Proposed road construction: Gravel ☐ Paved ☒

12a. EXISTING UTILITIES ON THE PROPERTY ARE AS FOLLOWS: Power & Fiber are adjacent to project and will be extended

12b. PROPOSED UTILITIES: Power and Communications are adjacent to the site and will be extended

Proposed utility easement width 12' Locations Adjacent to roadways

13. SOLID WASTE DISPOSAL METHOD: Individual Septic ☒ Central Sewage Treatment Facility ☐
14. POTABLE WATER SOURCE: Public ☐ Water Association ☐ Individual ☒
If individual, has a test well been drilled? No Depth _____ Flow _____ Purity Verified? _____
Nearest adjacent well 2400' southeast Depth 130' Flow 25gpm
15. ARE THERE ANY EXISTING IRRIGATION SYSTEMS? Yes ☐ No ☒
Are you proposing any alterations, improvements, extensions or new construction? Yes ☒ No ☐
If yes, explain: Residential landscaping and irrigation systems will be allowed in compliance with the Whitetail HOA guidelines.
16. DRAINAGE (Proposed method of on-site retention): Drainage swales
Any special drains? No (Please attach map)
Soil type(s): Blackwell clay loam and Swede silt loam
(Information can be obtained from the Natural Resource Conservation Service: websoilsurvey.nrcs.usda.gov)
17. WILL STREETS AND OTHER REQUIRED IMPROVEMENTS BE CONSTRUCTED PRIOR TO THE RECORDING OF THE FINAL PLAT? yes
If not, indicate the type of surety that will be put up to ensure the construction of the improvements within one (1) year from the date of filing the plat: _____
16. OUTLINE OF PROPOSED RESTRICTIVE COVENANTS:
Setbacks: Front 30' feet Sides 30' feet Rear 30' feet
Mobile homes allowed? Yes ☐ No ☒
Minimum construction value _____ Minimum square footage _____
Completion of construction required within _____ Days ☐ Months ☐ Years ☐
Resubdivision permitted? Yes ☐ No ☒
Other project will be subject to the Supplemental Declaration, General Declaration and Design Guidelines of the Whitetail development.
17. LAND PROGRAM:
Open Areas and/or Common Areas Yes ☒ No ☐
Acreage in subdivision 64.65 Number of lots in subdivision 7 (6 buildable, 1 common)
Typical width and depth of lots width 485'-565' Depth 140'-1133'
Typical lot area 9.8 ac Minimum lot area 6.51 ac Maximum lot area 15.50 ac
Lineal footage of streets 2225 lf Average street length per lot 630'
Percentage of area in streets 5.5 %
Dedicating road right-of-way to Valley County? Yes ☐ No ☒
Percentage of area of development to be public (including easements) 0 %
Maximum street gradient 2.0%
Is subdivision to be completely developed at one time? Yes ☒ No ☐ - Attach phasing plan and timeline.
18. COMPLETE ATTACHED PLAN FOR IRRIGATION if you have water rights &/or are in an irrigation district. Submit letter from Irrigation District, if applicable. N/A
19. COMPLETE ATTACHED WEED CONTROL AGREEMENT.
20. COMPLETE ATTACHED IMPACT REPORT. It must address potential environmental, economic, and social impacts and how these impacts are to be minimized.

Irrigation Plan

(Idaho Code 31-3805)

This land: ☐ Has water rights available to it
☒ Is dry and has no water rights available to it.

Idaho Code 31-3805 states that when all or part of a subdivision is "located within the boundaries of an existing irrigation district or canal company, ditch association, or like irrigation water deliver entity ... **no subdivision plat or amendment to a subdivision plat or any other plat or map recognized by the city or county for the division of land will be accepted, approved, and recorded unless:**"

- A. The appropriate water rights and assessment of those water rights have been transferred from said lands or excluded from an irrigation entity by the owner; or
- B. The owner filing the subdivision plat or amendment to a subdivision plat or map has provided for the division of land of underground tile or conduit for lots of one acre or less or a suitable system for lots of more than one acre which will deliver water to those landowners within the subdivision who are also within the irrigation entity with the appropriate approvals:
 1. For proposed subdivisions located within an area of city impact, both city and county zoning authorities must approve such irrigation system.
 2. For proposed subdivisions outside of negotiated areas of city impact, the delivery system must be approved by the Planning and Zoning Commission and the Board of County Commissioners with the advice of the irrigation entity charged with the delivery of water to said lands (e.g., irrigation district).

To better understand your irrigation request, we need to ask you a few questions. Additional pages can be added. A list of the map requirements follows the short questionnaire. **Any missing information may result in the delay of your request before the Planning and Zoning Commission and ultimately the approval of your irrigation plan by the Board of County Commissioners as part of final plat approval.**

1. Are you within an area of negotiated City Impact? _____ Yes ☒ No
2. What is the name of the irrigation district/company and drainage entities servicing the property?
Irrigation: _____ N/A
Drainage: _____ N/A
3. How many acres is the property being subdivided? _____ 64.65
4. What percentage of this property has water? _____ 0%
5. How many inches of water are available to the property? _____ 0
6. How is the land currently irrigated? ☐ surface ☐ sprinkler ☐ irrigation well
NONE ☐ above ground pipe ☐ underground pipe
7. How is the land to be irrigated after it is subdivided? ☐ surface ☐ sprinkler ☐ irrigation well
☐ above ground pipe ☐ underground pipe
8. Describe how the head gate/pump connects to the canal and irrigated land and where ditches &/or pipes go.
N/A

9. Is there an irrigation easement(s) on the property? ☐ Yes ☒ No

10. How do you plan to retain storm and excess water on each lot? Stormwater runoff will be directed to shallow retention areas and allowed to infiltrate/ evaporate

11. How do you plan to process this storm water and/or excess irrigation water prior to it entering the established drainage system? (i.e. oil, grease, contaminated aggregates)

Water will be retained on-site.

Irrigation Plan Map Requirements N/A

The irrigation plan **must be on a scalable map** and show all of the irrigation system including all supply and drainage structures and easements. Please include the following information on your map:

- ☐ All canals, ditches, and laterals with their respective names.
- ☐ Head gate location and/or point of delivery of water to the property by the irrigation entity.
- ☐ Pipe location and sizes, if any
- ☐ Rise locations and types, if any.
- ☐ Easements of all private ditches that supply adjacent properties (i.e. supply ditches and drainage ways).
- ☐ Slope of the property in various locations.
- ☐ Direction of water flow (use short arrows on your map to indicate water flow direction →).
- ☐ Direction of wastewater flow (use long arrows on your map to indicate wastewater direction —→).
- ☐ Location of drainage ponds or swales, if any where wastewater will be retained on property
- ☐ Other information: _____

Also, provide the following documentation:

- ☐ Legal description of the property.
- ☐ Proof of ownership.
- ☐ A written response from the irrigation entity and/or proof of agency notification.
- ☐ Copy of any water users' association agreement which shows water schedules and maintenance responsibilities.
- ☐ Copy of all new easements ready for recording (irrigation supply and drainage).
- ☐ If you are in a city area of impact, please include a copy of the approvals by the city planning and zoning commission and city council of your irrigation plan.

=====Applicant Acknowledgement=====

I, the undersigned, agree that prior to the Planning and Zoning Department accepting this application, I am responsible to have all the required information and site plans.

I further acknowledge that the irrigation system, as approved by the Planning and Zoning Commission and ultimately the Board of County Commissioners, must be bonded and/or installed prior to the recording of the plat or building permit.

Signed: Daniel R. Scott
Applicant

Date: 4/24/2023 / /



VALLEY COUNTY

WEED CONTROL AGREEMENT

The purpose of this agreement is to establish a cooperative relationship between Valley County and the undersigned Cooperator to protect the natural and economic values in the Upper Payette River watershed from damages related to the invasion and expansion of infestations of noxious weeds and invasive plants. This is a cooperative effort to prevent, eradicate, contain and control noxious weeds and invasive plants on public and private lands in this area. Factors related to the spread of weeds are not related to ownership nor controllable at agency boundaries. This agreement formalizes the cooperative strategy for management of these weeds addressed in Valley County's Integrated Weed Management Plan.

In this continuing effort to control Noxious Weeds, Valley County Weed Control will consult with the undersigned Cooperator and outline weed identification techniques, present optional control methods and recommend proper land management practices.

The undersigned Cooperator acknowledges that he/she is aware of any potential or real noxious weed problems on his/her private property and agrees to control said weeds in a timely manner using proper land management principles.

Valley County Weed Department can be contacted at 208-382-7199.

By: DocuSigned by:
Daniel R. Scott
CF7046232B5041D...
Applicant

By: _____
Valley County Weed Control

Date: 4/24/2023

Date: _____

IMPACT REPORT (from Valley County Code 9-5-3-D)

You may add information to the blanks below or attach additional sheets.

- ❖ An impact report shall be required for all proposed Conditional Uses.
- ❖ Answer all questions. Mark N/A if the question is not applicable to your application.
- ❖ The impact report shall address potential environmental, economic, and social impacts and how these impacts are to be minimized as follows:

1. Traffic volume, character, and patterns including adequacy of existing or proposed street width, surfacing, alignment, gradient, and traffic control features or devices, and maintenance. Contrast existing with the changes the proposal will bring during construction and after completion, build-out, or full occupancy of the proposed development. Include pedestrian, bicycle, auto, and truck traffic.

Current use is limited administrative use by Shore Lodge Whitetail on existing gravel roads. The property is gated and access is limited. We are proposing a total of 6 building lots that take access from Red Valley Court which will be a paved private road built to County standards, and is designed to terminate with a turnaround. The turnaround terminus creates a cul-de-sac that is 2225 feet long. Due to the shape of the site and the size of the lots it makes the most sense to extend the cul-de-sac and to allow the lots frontage on the private road without creating multiple flag lots. This also ensures that, because the road is private and controlled by the existing Whitetail HOA, the maintenance and access will remain in much better shape than might otherwise be the case if we had multiple lots on shared private drives. Because there are only 6 buildable lots, traffic volume at full occupancy will still be minimal over the private roads in this 64.65 acre subdivision.

Additionally, there are single track mountain bike trails and a greenbelt easement that are separate from Red Valley Trail and Red Valley Court, for use by pedestrians and bicyclists. These are depicted on the preliminary plat.

2. Provision for the mitigation of impacts on housing affordability.

N/A.

3. Noise and vibration levels that exist and compare to those that will be added during construction, normal activities, and special activities. Include indoor and outdoor, day and night variations.

Typical construction activities are anticipated on site during the development of the roads, homesites and residences. Once complete it is anticipated that the project will not create any extraordinary impacts to the surrounding area as there are very few additional residences added to the area.

4. Heat and glare that exist and that might be introduced from all possible sources such as autos in parking areas, outdoor lights, water or glass surfaces, buildings or outdoor activities.

Heat and glare of developed hard surfaces may be increased, however the density of this project is very low and it is likely that homeowners will plant additional vegetation and trees on site which will increase the shade in the area. Landscaping and outdoor lighting will be governed by the Whitetail HOA Design Guidelines which meet or exceed local best practices and night sky ordinances.

5. Particulate emissions to the air including smoke, dust, chemicals, gasses, or fumes, etc., both existing and what may be added by the proposed uses.

Existing particulate emissions are minimal on this site. Our low density proposal is for 6 residential lots on 63 acres. Our plan does request wood burning devices for each of the residences and any accessory dwelling units. While this could increase particulate emissions in the air the low density nature of this development (far below what is permitted by code) helps to minimize potential impacts.

6. Water demand, discharge, supply source, and disposal method for potable uses, domestic uses, and fire protection. Identify existing surface water drainage, wetlands, flood prone areas and potential changes. Identify existing ground water and surface water quality and potential changes due to this proposal.

Individual water wells and septic systems will be developed according to all regulatory standards and requirements to maintain water quality standards. Drainage will remain on site and handled with drainage swales. *There is an existing stormwater basin that was constructed with the previous phase of Whitetail, however that basin will be protected as open space with this development.*

7. Fire, explosion, and other hazards existing and proposed. Identify how activities on neighboring property may affect the proposed use.

There are no known existing or proposed hazards associated with this site or neighboring properties.

8. Removal of existing vegetation or effects thereon including disturbance of wetlands, general stability of soils, slopes, and embankments and the potential for sedimentation of disturbed soils.

The construction of the roadway and utilities associated with this plat will not affect any known wetlands or the stability of the soils. Any development on site will adhere to the adopted construction requirements for all roadways and buildings.

9. Include practices that will be used to stabilize soils and restore or replace vegetation.

Areas of the project disturbed during construction on site will be re-vegetated and stabilized as appropriate.

10. Soil characteristics and potential problems in regard to slope stability, embankments, building foundation, utility and road construction. Include suitability for supporting proposed landscaping.

There are no anticipated problems with existing soil and its suitability for development. The site is relatively flat providing numerous opportunities for siting structures on each lot. Roadway construction will adhere to all development standards and best practices as outlined in code.

11. Site grading or improvements including cuts and fills, drainage courses and impoundments, sound and sight buffers, landscaping, fencing, utilities, and open areas.

We anticipate relatively minimal site grading for the proposed right-of-way and home sites. Due to the extremely low density development proposed along with the size of each lot will reduce the amount of alterations to the site. All landscaping and fencing will comply with the Supplemental Declaration and the

Whitetail HOA Design Guidelines.

12. Visibility from public roads, adjoining property, and buildings. Include what will be done to reduce visibility of all parts of the proposal but especially cuts and fills and buildings. Include the impacts of shadows from new features on neighboring property.

This project will be visible from the adjacent Whitetail community which sits above this site to the East. Building sites will be restricted to approved locations within the building setbacks and/or building envelopes and all improvements will be subject to approval by the Whitetail HOA Design Review Committee. Due to the large lot nature of the site, impacts of shadows from new features is not anticipated to be an issue.

13. Reasons for selecting the particular location including topographic, geographic and similar features, historic, adjoining land ownership or use, access to public lands, recreation, utilities, streets, etc., in order to illustrate compatibility with and opportunities presented by existing land uses or character.

This project is a continuation of the development of the adjacent Whitetail community and will offer a different option in lot sizes from what is currently available. Additionally, slightly different restrictive covenants and architectural design guidelines will allow for a different residential product than currently exists in the neighboring phases of Whitetail.

14. Approximation of increased revenue from change in property tax assessment, new jobs available to local residents, and increased local expenditures.

Once the project is fully developed and homes are built, the tax base will increase due to the increased value of the homes versus the bare land tax assessed value. Using 2023 construction costs, completed home values will range from \$1,000,000 to \$6,000,000.

15. Approximation of costs for additional public services, facilities, and other economic impacts.

All roads will be private and will be maintained by the existing Whitetail HOA which currently maintains over 12 miles of paved private roads in Valley County. Increased demands for public services are anticipated to be low because there are only 6 buildable lots and will be easily offset by increased tax revenues.

16. State how the proposed development will impact existing developments providing the same or similar products or services.

There are no existing developments providing the same or similar products in Valley County due to the nature of the Whitetail Club component of the development. The proposed development will provide additional housing opportunities in the Whitetail community with a different lot size for owners to choose from.

17. State what natural resources or materials are available at or near the site that will be used in a process to produce a product and the impacts resulting from the depletion of the resource. Describe the process in detail and describe the impacts of each part.

N/A

18. What will be the impacts of a project abandoned at partial completion?

If the project were to be abandoned, the impacts would be minimal due to the location of the 6 residential lots being at the end of the site.

19. Number of residential dwelling units, other buildings and building sites, and square footage or gross non-residential floor space to be available.

There are six (6) residential lots proposed with this preliminary plat. Building sizes are anticipated to range in size from 3500 square foot homes to large custom homes. Additionally, we are requesting approval to allow accessory dwelling units up to 3500 square feet. Owners may also construct accessory building for vehicle storage, etc. All improvements will be subject to approval by the HOA Design Review Committee and must be in compliance with the HOA's stringent Design Review Guidelines.

20. Stages of development in geographic terms and proposed construction time schedule.

Infrastructure improvements for the development will begin upon approval of the preliminary plat and are planned for completion prior to winter 2023/2024. Our intention is to take reservations for lots upon approval of the preliminary plat and begin selling lots upon receipt of final plan approval.

21. Anticipated range of sale, lease or rental prices for dwelling units, building or other site, or non-residential floor space in order to insure compatibility with adjacent land use and development.

Platted lots will not be available for lease and rental of completed residences is strictly controlled by the Whitetail HOA. Lot prices at time of sale are expected to be consistent with other similar projects in Idaho and will be compatible with pricing in the adjacent phases of the Whitetail community.-

Submittal List for Preliminary Plats

Not a Complete List. Applications are site specific. See Title 10 of Valley County Code for Complete Details

- ☐ Neighborhood Meeting (Recommended)
- ☒ CUP/Preliminary Plat Application Form
- ☒ Preliminary Plat (VCC 10-3-2-3 Contents of Preliminary Plat)
- ☒ Notes on Face of Plat (not a complete list):
 - Private Road Declaration _____ (If private roads proposed.)
 - Declaration of Installation of Utilities _____
 - All lighting must be dark sky compliant.
 - Only one wood burning device per lot.
 - The Valley County Board of Commissioners have the sole discretion to set the level of service for any public road; the level of service can be changed.
 - Surrounding Land Uses Are Subject to Change
- ☒ A plot plan, drawn to scale, showing:
 - existing utilities, streets, easements, buildings,
 - all watercourses, including ditches, high water elevation, & known Base Flood Elevations (BFE)
 - any significant natural features (e.g., rock outcroppings, marshes, or wooded areas)
 - wetland delineation (may be required)
 - Soil profiles and water table data when property has potential for high groundwater
 - location of existing and proposed sewers, water mains, culverts, drainpipes, and electric conduits or lines proposed to service the property to be subdivided,
 - and the location of adjacent streets or existing structures that would affect the proposed improvement program, including pathways.
- ☐ *[Commercial Subdivision]* A landscaping plan, drawn to scale, showing elements such as trees, shrubs, ground covers, and vines. Include a plant list, indicating the size, quantity, location, and name (both botanical and common) of all plant material to be used.
- ☒ *[Prior to any Construction - Can be a condition of approval].* A site grading / storm water management plan detailing the best management practices for surface water management, siltation, sedimentation, and blowing of dirt and debris caused by grading, excavation, open cuts, side slopes, and other site preparation and development.
- ☒ *[Administrative Request]* Existing site topography (contours with intervals of 5-ft or less)
- ☒ A phasing plan and construction timeline. (one phase) Road construction during summer/fall 2023.
- ☐ A Wildland Urban Interface Fire Protection Plan (VCC 10-7)
- ☒ Draft CCRs may be included or may be submitted with final plat package.
- ☒ Well logs of wells located in surrounding contiguous property. none
- ☒ A current title search report of the property from a licensed title company (1 copy only)
- ☒ Include written request of any variances (e.g., road width, length of cul-de-sac) and reasons why request is made.
- ☒ Names and mailing addresses of property owners within 300 feet of the property boundary. Information can be obtained through the Valley County GIS maps. (1 copy only)
- ☒ Ten (10) copies of the application and additional materials are required, unless otherwise specified. (3 Full size plats and 7 – 11"x17")
- ☒ One 8½ x 11" – 300 scale drawing of the proposed subdivision

Submittal List for Final Plats to PZ Commission

- ☐ Transmittal Letter
 - Describing Request
 - Statement Final Plat Substantially Complies with approved Preliminary Plat
 - Description of Financial Guarantees that Will Be Put in Place
 - Implementation of Wildland Urban Interface Fire Protection Plan and/or Financial Guarantee
- ☐ List of Conditions of Approval from recorded C.U.P. and how each has been completed.
- ☐ Final Plat – VCC 10-3-3-2
 - 3 copies 18", including signature page
 - 10 copies of 11 x 17, including signature page
 - Lot and Subdivision Closure Sheets
 - Proposed road names
 - Declaration of Private Road – Draft version
 - Declaration of Utilities – Draft version
 - CCRs if proposed – Draft Version. Include the following if relevant:
 - Septic maintenance
 - Long-term maintenance of Wildland Urban Interface Fire Protection Plan
 - 1 wood-burning device per lot
 - Dark-Sky lighting compliance
 - Address posting on home and at driveway entrance
 - Approved Site Grading/Storm Water Management from Valley County Engineer
 - Wetland Delineation or Letter of Map Revision (if required)
 - Floodplain Determination Note

Plat Process

- ☐ **Pre-Application Conference (Recommended):** Put on Notice Concerning Sewer/Septic Challenges and other issues such as.... Hydrologist Report for Well Logs, Private Road Declaration, Declaration of Installation of Utilities, CCR's, Site Grading Plan, Topographic Map, Landscaping Plan, Lighting Plan, Fire Protection Plan (Fire Districts), Construction Plan, Central District Health Response (Must make application to CDHD.), Wetland Delineation, Idaho Power
- ☐ **Submit Application:** Review within ten days to make sure the application is complete then set it on an agenda. Prepare the Staff Report for the public hearing.
- ☐ **Public Hearing:** P&Z approves the conditional use permit and preliminary plat with conditions of approval.
- ☐ **Construction or Financial Guarantees:** After CUP/preliminary plat approval and compliance with conditions of approval, the developer can start construction of the project. However, the developer may choose to financially guarantee the improvements prior to going to Board of County Commissioners.
- ☐ **Final Plat – P&Z Commission:** Developer submits final plat information 30 days before public meeting -- blueprints, CCR's (if they have any), Private Road Declaration, etc. The final plat must substantially comply with the approved preliminary plat.
- ☐ **Final Plat – Board of County Commissioners:** Two weeks before going to Board, developer submits everything on the attached list. Prior to approval by the Board of County Commissioners financial sureties must be in place. After approval of the Board, the plat can be recorded.

DRAFT

**SUPPLEMENTAL DECLARATION
FOR
LEGACY RANCH
AT
WHITETAIL CLUB
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DRAFT

**SUPPLEMENTAL DECLARATION
FOR
LEGACY RANCH
AT
WHITETAIL CLUB**

This Supplemental Declaration for Legacy Ranch at Whitetail Club (“Supplemental Declaration”) is made by Shore Lodge Whitetail LLC, an Idaho limited liability company (“Declarant”).

ARTICLE 1. Introduction & Purpose

1.1 This Supplemental Declaration (a) is filed pursuant to Section 11.2 of the Amended and Restated General Declaration for Whitetail, Planned Unit Development recorded April 7, 2017 as Instrument No. 404975 with the Valley County, Idaho Recorder, as amended by the First Amendment to the Amended and Restated General Declaration for Whitetail, A Planned Unit Development recorded September 26, 2017 with the Valley County, Idaho Recorder as Instrument No. 408958 (collectively the “General Declaration”), and as may be further amended; and, (b) affects only Legacy Ranch at Whitetail Club, according to the recorded plats described at Section 2.1., 2.2 and 2.3 below and any amendments thereto (the “Affected Property”).

1.2 A portion of the Affected Property is located in Adams County, Idaho, and a portion of it is located in Valley County, Idaho. Therefore, as described below, a plat is recorded in each county with respect to the portion of the Affected Property located in therein.

1.3 The purposes of this Supplemental Declaration are to set forth additional covenants and conditions with respect to the Affected Property.

1.4 All of the Affected Property is currently owned by Declarant.

1.5 The terms and conditions of the General Declaration as defined in Section 1.1 above shall continue to apply to the Affected Property.

ARTICLE 2. Definitions

2.1 The Adams County Plat: That certain plat recorded _____, 20__ as Instrument No. _____ with the Adams County, Idaho Recorder and entitled “Legacy Ranch At Whitetail Club”, and as the same may be amended.

2.2 The Valley County Plat: That certain plat recorded _____, 20__ as Instrument No. _____ with the Valley County, Idaho Recorder and entitled “Legacy Ranch At Whitetail Club”, and as the same may be amended.

2.3 The Legacy Ranch Plats: The Adams County Plat together with the Adams County Plat shall be collectively referred to as the “Legacy Ranch Plats.”

2.4 Ridge Lots: Ridge Lots are defined as follows: Block ___, Lots ___ through ___, as shown on the Adams County Plat. Each separate Ridge Lot shall be considered a Single Family Residential Unit as that term is defined in the General Declaration.

2.5 Valley Lots: Valley Lots are defined as follows: Block ___, Lots ___ through ___, and Block ___, Lots ___ through ___, as shown on the Adams County Plat; and, Block ___, Lots ___ through ___ on the Valley County Plat. Each separate Valley Lot shall be considered a Single Family Residential Unit as that term is defined in the General Declaration.

2.6 Warren Court Access Easement: The Warren Court Access Easement is defined as that certain Whitetail Easement Agreement recorded with the Adams County, Idaho Recorder as Instrument No. _____. Use of the Warren Court Access Easement shall be subject to the terms of the recorded Whitetail Easement Agreement. The Warren Court Access Easement connects Red Valley Trail with Warren Court in King’s Pines Estates IV, and is depicted on the Adams County Plat.

2.7 Migratory Ridge Access Easement: The Migratory Ridge Access Easement is defined as that certain Easement Agreement recorded with the Valley County, Idaho Recorder as Instrument No. _____, for the purpose of access Ridge Lots through Whitetail Phase 2 Open Space parcels from Migratory Ridge Way in Whitetail Phase 2. Use of the Migratory Ridge Access Easement shall be subject to the terms of the recorded Easement Agreement.

2.8 Building Improvements: Any material improvement of any of the Ridge Lots or Valley Lots including, but not limited to landscaping, site preparation, paving, fencing, building construction, exterior changes, or interior changes which change the use of interior space to an unauthorized use or which would change the number of Living Units.

2.9 Living Unit: One or more rooms designed for or which may readily be occupied exclusively by one family or group of people living independently from any other family or group of people, and having not more than one Cooking Facility.

2.10 Single Family Structure: A detached building which contains one Living Unit.

2.11 Cooking Facility: Fixtures and equipment for food storage and preparation of meals, including at least a sink, oven and refrigerator.

2.12 Other: Other capitalized terms used herein shall have the meanings set forth in the General Declaration and this Supplemental Declaration.

ARTICLE 3. Applicability of the General Declaration

3.1 Applicability of the General Declaration: This Supplemental Declaration shall apply to the Ridge Lots and Valley Lots, in addition to the General Declaration.

ARTICLE 4. Whitetail Property Owner's Association

4.1 Whitetail Property Owner's Association Membership: Each Owner of a Ridge Lot and each owner of a Valley Lot shall be a Class A Residential member of the Whitetail Property Owner's Association, pursuant to the Whitetail Property Owner's Association Articles of Incorporation and Bylaws.

ARTICLE 5. Open Spaces

5.1 Designation of Open Spaces: Pursuant to Article 5 of the General Declaration, Open Space Parcels depicted on The Legacy Ranch Plats are designated as follows:

- (a) Valley County Plat:
 - (i) **Parcel _____, Block _____:** Common Open Space.
- (b) Adams County Plat:
 - (i) **Parcel _____, Block _____:** Common Open Space.
 - (ii) **Parcel _____, Block _____:** Common Open Space.

The above-described Open Space parcels shall be managed and used in accordance with The Legacy Ranch Plats and the General Declaration.

ARTICLE 6. Building Guidelines

6.1 Design Guidelines: All Building Improvements on any Ridge Lot or Valley Lot must be built strictly in accordance with the provisions of the Design Guidelines.

6.2 DRC Review: By acquiring any interest in a Ridge Lot or a Valley Lot, the Owner of such Lot consents to and accepts the authority of the Design Review Committee (the "DRC") to review and approve the plans and specifications for any Building Improvements on such Lot in accordance with the Design Guidelines in effect from time to time. In particular, such Owner recognizes that certain of the judgments which will be made by the DRC are subject in nature, and such Owner agrees not to contest such subject judgments unless they are made in bad faith or in an arbitrary and capricious manner.

6.3 Buildings and Improvements :

(a) All buildings and improvements on the Ridge Lots shall be constructed within the Building Envelopes specified in the Whitetail Design Guidelines.

(b) All buildings and improvements on the Valley Lots shall be constructed subject to the setbacks specified in the Whitetail Design Guidelines.

6.4 ADU Permitted on Valley Lots: In addition to a primary residence, accessory dwelling units may be constructed on a Valley Lot, in accordance with the Design Guidelines for the Legacy Ranch Valley Lots, and in accordance with applicable county ordinances. The primary residence must be built prior to or at the same time as any accessory dwelling unit.

ARTICLE 7. Use of Ridge Lots and Valley Lots

7.1 Single Family Residential Use: The Ridge Lots and Valley Lots shall be used only for single family residential purposes as restricted by the terms of Article 7 of the General Declaration, and subject to the provisions of Section 7.2 below with regard to rentals. Notwithstanding the foregoing, as provided at Section 6.2 above, the Owner of a Valley Lot shall be permitted to construct accessory dwelling units.

7.2 Rental of Ridge Lots and Valley Lots: Rental of Ridge Lots and Valley Lots is subject to the provisions of Section 7.17 of the General Declaration. Any accessory dwelling unit associated with a Valley Lot may be separately rented from the primary residence as long as such rental is in compliance with Section 7.17 of the General Declaration.

7.3 No Further Division: No Owner of any Ridge Lot or Valley Lot may apply to Valley County, Idaho, or Adams County, Idaho, or any governmental jurisdiction to further divide any Ridge Lot or Valley Lot. The Owner of a Ridge Lot or Valley Lot may adjust lot lines between Lots, upon approval of the Owners of all affected Lots, and upon approval of the Declarant, or the Association after the Conversation Date, and subject to approval by the appropriate governmental entity. Notwithstanding the foregoing, Declarant may further divide any Lot, or adjust lot lines between Lots, prior to sale of such Lot(s), as approved by the appropriate governmental entity.

7.4 Water / Wells: Water for each Ridge Lot and each Valley Lot shall be supplied by means of individual wells, installation and maintenance of which shall be the sole and exclusive responsibility of Owners. Section 7.10 of the General Declaration, restricting the use of wells and requiring use of the City of McCall water system, shall not apply to the Affected Property. Additionally, Section 14.2 of the General Declaration regarding use of a public central potable water system shall not apply to the Affected Property.

7.5 Sewage Disposal / Septic: Sewage disposal for each Ridge Lot and each Valley Lot shall be supplied by means of individual septic systems, in accordance with the applicable Health District requirements, applicable County Ordinances and other applicable restrictions. Installation and maintenance of the septic systems shall be the sole and exclusive responsibility of the Owner of the Lot. Section 7.11 of the General Declaration, specifically excluding septic drainfields and septic tanks, shall not apply. Additionally, Section 14.1 of the General Declaration regarding use of a public central sewer system shall not apply to the Affected Property. Information related to the long term management of a septic system can be found at https://cdhd.idaho.gov/pdfs/eh/Septic_homeowners_guide.pdf and <https://www.epa.gov/septic/top-10-ways-be-good-septic-owner>.

7.6 Gates and Fences: The provisions of Section 7.12 of the General Declaration with regard to gates and fences shall apply, subject to provisions of the Design Guidelines allowing gates for access to an individual Valley Lot, and allowing perimeter fences on Valley Lots.

7.7 Recreational Vehicles : The provisions of Section 7.8 of the General Declaration with regard to restrictions on the use of recreational vehicles shall apply, provided that the Board may adopt Rules and Regulations for the use of recreational vehicles on Valley Lots in a manner different than are applicable to other portions of Whitetail PUD.

7.8 Animals : The provisions of Section 7.15 of the General Declaration with regard to restrictions on animals shall apply, provided that the Board may adopt Rules and Regulations to allow for chickens to be kept on the Valley Lots.

ARTICLE 8. Easements

8.1 Utility Easements: Declarant reserves the right to construct utilities and irrigation facilities within any Utility Easement and any road right of way depicted on The Legacy Ranch Plats, and to grant easements for the repair and maintenance of any such utility or irrigation facility. Additionally, snow may be placed within any Utility Easement abutting a road, for the placement of snow plowed, blown or otherwise cleared from driveways, roads, or Open Space. No Building Improvements shall be constructed within any Utility Easement other than utility or irrigation-related improvements, or as may be permitted pursuant to the Design Guidelines. All Utility Easements are reserved in perpetuity.

8.2 Snow Removal Easements: Snow may be placed within any Snow Removal Easement, as well as in any Open Space, for the placement of snow plowed, blown or otherwise cleared from driveways, roads, trails or Open Space. No Building Improvements shall be constructed within any Snow Removal Easement other than those improvements which may be allowed when a Snow Removal Easement is combined with other easements, such as a Utility Easement, or as may be permitted pursuant to the Design Guidelines.

8.3 Migratory Ridge Access Easements: Owners of Ridge Lots shall have the right to construct a driveway to access their property from Migratory Ridge Way, in accordance with the terms of the Easement Agreement described at Section 2.7 above.

ARTICLE 9. Roads and Warren Court Access

9.1 Roads: All streets and roads which are depicted on The Legacy Ranch Plats are private roads and shall permanently remain private roads. Neither Valley County, or Adams County, nor any other governmental entity shall have responsibility for the maintenance, repair or upkeep of any of such streets or roads unless, and to the extent, such responsibility is accepted in writing in whole or in part by Valley County, or Adams County or other governmental entity. Declarant shall complete the construction of such roads to the standards depicted in the documents submitted to and approved by the county in which the road is located. The said roads shall be transferred by Declarant to the Association not later than the Conversion Date. Upon completion of construction of the roads, the Association shall be solely responsible for the year-round maintenance, repair and upkeep of such roads, which shall be part of its Property Maintenance Function. Said private roads are irrevocably dedicated for the nonexclusive use and enjoyment of the members of the Whitetail Property Owner's Association, together with their guests, invitees, and assigns, subject to the terms, conditions, and reserved Declarant's rights contained in this Declaration, which shall in no event divest the members' right of use as aforesaid.

9.2 Warren Court Access: The Warren Court Access depicted on the Adams County Plat provides access from Warren Court in King's Pines Estates IV to Red Valley Trail. Use of the Warren Court Access is subject to the terms of the Whitetail Access Easement described at Section 2.6 above. Declarant shall complete the construction of the road located within the Warren Court Access to the standards depicted in the documents submitted to and approved by Adams County. Upon completion of construction of the road, the Association shall be solely responsible for the year-round maintenance, repair and upkeep of such road, which shall be part of its Property Maintenance Function.

9.3 Entrance Gate and Fencing: The entrance gate adjacent to the Warren Court Access, and all exterior fencing located within the Affected Property, shall be subject to the terms of Section 7.12 of the General Declaration, which requires, among other things, that the Association is required to maintain all entrance gates and exterior fencing, that all emergency service providers' requirements related to gates shall be complied with, including but not limited to requirements related to locks and emergency access.

ARTICLE 10. Miscellaneous

10.1 Duration of Supplemental Declaration: This Supplemental Declaration shall run with and bind the Affected Property, and shall inure to the benefit of and shall be enforceable by the Association or any Owner, their respective legal representatives, heirs, successors, and assigns, for a term of fifty (50) years from the date this Supplemental Declaration is recorded. After such time, this Supplemental Declaration shall be automatically extended for successive periods of ten (10) years, unless an instrument in writing, signed by: the Declarant; the Club Member; any Declarant-Assignee Priority Member; and, the Association, upon the affirmative vote of said Class B and C Members, and ninety percent (90%) of the Class A Members is recorded, agreeing to terminate this Declaration, in which case this Declaration shall be terminated as specified therein.

10.2 Amendment:

(a) **By the Board:** Except as limited or committed to action by the members, either by the Articles, the Bylaws, the General Declaration, or this Supplemental Declaration, and except as provided in subsection (a) above, the Board shall have the power to amend this Supplemental Declaration at any regular meeting of the Board or at any special meeting called for that purpose at which a quorum is represented. However, if the members shall amend any portion of this Supplemental Declaration, the directors shall not thereafter amend the same in such manner as to defeat or impair the object of the members in taking such action. Any amendment to this Supplemental Declaration approved by the Board shall have no material adverse effect upon any right of any Owner or member.

(b) **By Owners:** Thereafter and otherwise, this Supplemental Declaration may be amended as follows: upon the affirmative vote of 75% of the Owners of Lots shown on the Legacy Ranch Plats, present in person or by proxy at a meeting called for that purpose, and the approval of Declarant and the Association, by the recording of a written instrument or instruments specifying the amendment or the repeal, executed by the Declarant and the Association.

Notwithstanding the above, the percentage of votes necessary to amend a specific clause shall not be less than the prescribed percentage of affirmative votes required for action to be taken under that clause.

(c) **By Declarant:** The Declarant may unilaterally make, amend and repeal any provisions of this Supplemental Declaration at any time prior to the closing of the sale of the first Unit in the Affected Property.

(d) **Validity and Effective Date of Amendments:** Amendments to this Supplemental Declaration shall become effective upon recordation in the land records of Valley County, Idaho, unless a later effective date is specified therein. Any procedural challenge to an amendment must be made within six months of its recordation or such amendment shall be presumed to have been validly adopted. In no event shall a change of conditions or circumstances operate to amend any provisions of this Supplemental Declaration.

If an Owner consents to any amendment to this Supplemental Declaration or any of the Association Documents, it will be conclusively presumed that such Owner has the authority so to consent, and no contrary provision in any Mortgage or contract between the Owner and a third party will affect the validity of such amendment. No amendment shall be contrary to the terms or conditions of any valid County, State, or Federal Permit applicable to the PUD; nor, shall any Amendment divest any Owner of any material and substantial vested property rights.

No amendment may remove, revoke, or modify any right or privilege of the Declarant without the written consent of the Declarant or the assignee of such right or privilege.

10.3 Effect of Provisions of Supplemental Declaration: Each provision of this Supplemental Declaration, and an agreement, promise, covenant and undertaking to comply with each provision of this Supplemental Declaration, and any necessary exception or reservation or grant of title, estate, right or interest to effectuate any provision of this Supplemental Declaration: (a) shall be deemed incorporated in each deed or other instrument by which any right, title or interest in any real property within Whitetail is granted, devised or conveyed, whether or not set forth or referred to in such deed or other instrument; (b) shall, by virtue of acceptance of any right, title or interest in any real property within Whitetail by an Owner or the Association, be deemed accepted, ratified, adopted and declared as a personal covenant of such Owner or the Association, as the case may be, (c) shall, as a personal covenant, be binding on such Owner or the Association and such Owner's or the Association's respective heirs, personal representatives, successors and assigns; (d) shall, as a personal covenant of an Owner, be deemed a personal covenant to, with and for the benefit of Declarant and to, with and for the benefit of the Association but not to, with or for the benefit of any other Owner; shall, if a personal covenant of the Association, be deemed a personal covenant to, with and for the benefit of Declarant and to, with and for the benefit of each Owner; (f) shall be deemed a real covenant by Declarant, for itself, its successors and assigns, and also an equitable servitude, running, in each case, as a burden with and upon the title to each parcel of real property within Whitetail; (g) shall, as a real covenant and also as an equitable servitude, be deemed a covenant and servitude for the benefit of any real property now or hereafter owned by Declarant within Whitetail and for the benefit of any and all other real property within Whitetail; and (h) shall be deemed a covenant, obligation and restriction secured by a lien, binding, burdening and encumbering the title to each parcel of real property within Whitetail which lien with respect to any

Unit shall be deemed a lien in favor of Declarant and the Association, jointly and severally, and, with respect to any real property owned by the Association, shall be deemed a lien in favor of Declarant.

10.4 Enforcement and Remedies: Each provision of this Supplemental Declaration with respect to an Owner or property of an Owner shall be enforceable by Declarant or the Association as provided in Section 17.4 of the General Declaration

10.5 Protection of Encumbrancer: No violation or breach of, or failure to comply with any provision of this Supplemental Declaration and no action to enforce any such provision shall affect, defeat, render invalid or impair the lien of any mortgage, deed of trust or other lien on any property taken in good faith and for value and perfected by recording in the office of the Recorder of Valley County, Idaho, prior to the time of recording in said office of an instrument describing such property and listing the name or names of the Owner or Owners of fee simple title to the property and giving notice of such violation, breach or failure to comply, nor shall such violation, breach, failure to comply or action to enforce affect, defeat, render invalid or impair the title or interest of the holder of any such mortgage, deed of trust, or other lien or title or interest acquired by any purchaser upon foreclosure of any such mortgage, deed of trust or other lien or result in any liability, personal or otherwise, of any such holder or purchaser. Any such purchaser upon foreclosure shall, however, take subject to this Supplemental Declaration with the exception that violations or breaches of, or failures to comply with, any provisions of this Supplemental Declaration which occurred prior to the vesting of fee simple title in such purchaser shall not be deemed breaches or violations hereof or failures to comply herewith with respect to such purchaser, his heirs, personal representatives, successors or assigns.

10.6 Limited Liability: Neither Declarant, the Association, the DRC, the Board nor any member, agent or employee of any of the same shall be liable to any party for any action or for any failure to act with respect to any matter if the action taken or failure to act was in good faith and without malice.

10.7 Successors and Assigns: Except as otherwise provided herein, this Supplemental Declaration shall be binding upon and shall inure to the benefit of Declarant, the Association, and each Owner and their respective heirs, personal representatives, successors and assigns.

10.8 Severability: Invalidity or unenforceability of any provision of this Supplemental Declaration in whole or in part shall not affect the validity or enforceability of any other provision or any valid and enforceable part of a provision of this Supplemental Declaration.

10.9 Captions: The captions and headings in this instrument are for convenience only and shall not be considered in construing any provisions of this Supplemental Declaration.

10.10 No Waiver: Failure to enforce any provisions of this Supplemental Declaration shall not operate as a waiver of any such provision or of any other provision of the Supplemental Declaration.

IN WITNESS WHEREOF Declarant has executed this Supplemental Declaration the day and year first above written.

SHORE LODGE WHITETAIL LLC

By ALSCOTT, INC., its Manager

By: _____ Date: _____

DANIEL R. SCOTT,

Executive Vice President of Alscott, Inc.

STATE OF IDAHO,)

) ss.

County of Valley)

On this ____ day of _____, 20____, before me, a Notary Public in and for said State, personally appeared DANIEL R. SCOTT, known or identified to me to be the Executive Vice President of Alscott, Inc., which is the Manager of Shore Lodge Whitetail LLC, the limited liability company that executed the instrument or the person who executed the instrument on behalf of said limited liability company.

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

NOTARY PUBLIC FOR IDAHO

My Commission Expires: _____

SHEET INDEX

C1.0 – COVER SHEET & NOTES

C2.0 – PRELIMINARY PLAT

C3.0 – PRELIMINARY ROAD GRADING PLAN

SHORE LODGE WHITETAIL, LLC
CONTACT: DAN SCOTT
501 W LAKE STREET
MCCALL, ID 83638
PHONE: [REDACTED]

NV5, INC
BONNIE LAYTON
690 S. INDUSTRY WAY, STE 10
MERIDIAN, ID 83642
PHONE: [REDACTED]

1. DF DEVELOPMENT, LLC
PO BOX 111
CISCO TX 76437
TAX ID: RP18N02E140005,
RP18N02E140001, RP18N02E133100

3. RODE ROBERT L
2956 E WILDERNEST LN
BOISE, ID 83706
TAX ID: RPM0573010109A

COUNTY	VALLEY
HIGHWAY DISTRICT	VALLEY COUNTY ROAD & BRIDGE
SCHOOL DISTRICT	MCCALL & DONNELLY SCHOOL DISTRICT #42
FIRE	MCCALL FIRE PROTECTION
HEALTH DISTRICT	CENTRAL DISTRICT HEALTH DEPARTMENT
TOTAL AREA	64.65 ACRES
TOTAL LOTS	7 LOTS
BUILDABLE LOTS	6 LOTS

NV5, INC
MATT MUNGER, PE
690 S. INDUSTRY WAY, STE 10
MERIDIAN, ID 83642
PHONE: [REDACTED]

NV5, INC.
WAYNE CAUDELL, PLS
690 S. INDUSTRY WAY, STE 10
MERIDIAN, ID 83642
PHONE: [REDACTED]

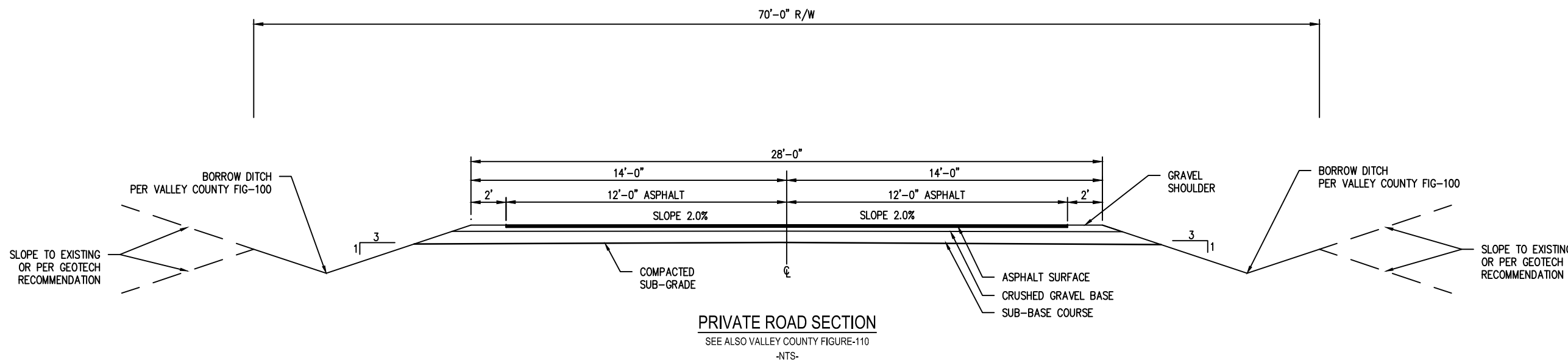
5. FEDDERLY FAMILY TRUST
45550 KAWEA WAY
INDIAN WELLS, CA 92210
TAX ID: RPM0573010116A

6. SABALA WHITETAIL LLC
501 W LAKE ST
MCCALL ID 83638
TAX ID: RP18N02E133001

 $1'' = 1500'$

TBM-1, SET 5" YELLOW PLASTIC CAP
EL = 5146.51
N: 186172.311
E: 515586.006
(ALL ELEV. BASED ON NAVD88)

TBM-2, SET 3.5" AC
EL = 5491.78
N: 186181.564
E: 519778.376
(ALL ELEV. BASED ON NAVD88)



1. ALL ROADS AND ROAD RIGHTS--OF-WAY DEPICTED ON THIS PLAT ARE PRIVATE TO BE, AND AFTER COMPLETION WILL BE OWNED AND MAINTAINED BY THE WHITEHAIL PROPERTY OWNERS ASSOCIATION.
2. POWER & COMMUNICATION WILL PROVIDED TO EACH PARCEL (UNDERGROUND)
3. ALL PROPERTIES SHOWN ON THIS PLAT ARE SUBJECT TO AND GOVERNED BY THE PROVISIONS OF THE AMENDED AND RESTATED GENERAL DECLARATION FOR WHITEHAIL, PLANNED UNIT DEVELOPMENT AND THE FIRST AMENDMENT THERETO (COLLECTIVELY "GENERAL DECLARATION"), THE SUPPLEMENTAL DECLARATION FOR LEGACY RANCH AT WHITEHAIL CLUB ("SUPPLEMENTAL DECLARATION"), AND THE ARTICLES OF INCORPORATION AND BYLAWS OF THE WHITEHAIL PROPERTY OWNERS ASSOCIATION, WHICH ARE FILED OF RECORD WITH THE VALLEY COUNTY, IDAHO RECORDER AS INSTRUMENT NOS. 040975, 408958, 298458 AND 298459 RESPECTIVELY, AND THE SUPPLEMENTAL DECLARATION IS ALSO RECORDED WITH THE ADAMS COUNTY, IDAHO RECORDER, TOGETHER WITH AMENDMENTS TO ALL OF THE AFORESAID DOCUMENTS.
4. ALL PROPERTIES SHOWN ON THIS PLAT ARE SUBJECT TO AND GOVERNED BY THE WHITEHAIL DESIGN GUIDELINES, AS MAY BE AMENDED OR SUPPLEMENTED.
5. THE LOTS SHOWN ON THIS PLAT ARE SUBJECT TO VARIOUS EASEMENTS, RESERVING RIGHTS IN DECLARANT, THE WHITEHAIL CLUB, AND/OR THE WHITEHAIL PROPERTY OWNERS ASSOCIATION. EASEMENTS WILL BE DEPICTED ON THE PLAT, AND/OR DESCRIBED IN ARTICLE 9 OF THE GENERAL DECLARATION, AND/OR DESCRIBED IN ARTICLE 8 OF THE SUPPLEMENTAL DECLARATION.
6. THE DECLARANT, SHORE LODGE WHITEHAIL LLC, RESERVES THE RIGHT, WITHOUT LIMITATION, TO ASSIGN ITS RIGHTS TO ANY AND ALL EASEMENTS WHICH WILL BE DEPICTED ON THE FINAL PLAT, IN WHOLE OR IN PART.
7. OPEN SPACE PARCELS WHICH ARE DEPICTED ON THIS PLAT SHALL BE USED, MANAGED, AND MAINTAINED IN ACCORDANCE WITH THE GENERAL DECLARATION AND THE SUPPLEMENTAL DECLARATION.
8. THERE SHALL BE NO FURTHER DIVISION OF ANY LOT DEPICTED ON THIS PLAT.
10. THE VALLEY COUNTY BOARD OF COMMISSIONERS HAS THE SOLE DISCRETION TO SET THE LEVEL OF SERVICE FOR ANY PUBLIC ROAD; THE LEVEL OF SERVICE CANNOT BE CHANGED.
11. ALL LIGHTING MUST COMPLY WITH THE VALLEY COUNTY LIGHTING ORDINANCE.
12. ONLY ONE BURNING DEVICE IS ALLOWED PER DWELLING UNIT.
13. SURROUNDING LAND USES ARE SUBJECT TO CHANGE.
14. MINIMUM BUILDING SETBACK DIMENSIONS IN THIS SUBDIVISION SHALL CONFORM TO THE APPLICABLE ZONING REGULATIONS IN EFFECT AT THE TIME OF ISSUANCE OF A BUILDING PERMIT OR THE SUBDIVISION C&R'S WHICHEVER IS MORE RESTRICTIVE.
15. ALL LOT LINES COMMON TO STREET RIGHTS-OF-WAY AND THE SUBDIVISION BOUNDARY CONTAIN A 12 FOOT WIDE EASEMENT FOR PUBLIC AND PRIVATE UTILITIES.
16. ALL DISTURBED SURFACES NOT USED FOR ROADS OR BUILDINGS SHALL BE COVERED BY NATURAL VEGETATION.
17. THIS DEVELOPMENT RECOGNIZES IDAHO CODE SECTION 22-4503, RIGHT TO FARM ACT, WHICH STATES "NO AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF SHALL BE OR BECOME A NUISANCE PRIVATE OR PUBLIC, BY ANY CHANGED CONDITIONS IN OR ABOUT THE SURROUNDING NON AGRICULTURAL ACTIVITIES AFTER IT HAS BEEN IN OPERATION FOR MORE THAN ONE (1) YEAR, WHEN THE OPERATION WAS NOT A NUISANCE AT THE TIME IT BEGAN OR WAS CONSTRUCTED. THE PROVISIONS OF THIS SECTION SHALL NOT APPLY WHENEVER A NUISANCE RESULTS FROM THE IMPROPER OR NEGLIGENT OPERATION OF ANY AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF."
18. UNLESS OTHERWISE SHOWN, ALL LOTS ARE HEREBY DESIGNATED AS HAVING A SEVEN AND ONE HALF (7.5) FOOT PERMANENT EASEMENT ON EACH SIDE OF THE INTERIOR SIDE LOT LINES, AND A TWENTY (20) FOOT PERMANENT EASEMENT CONTIGUOUS TO ALL REAR LOT LINES FOR PUBLIC UTILITIES, IRRIGATION, AND LOT DRAINAGE.
19. STORM DRAINAGE FROM THE ROADWAYS SHALL BE COLLECTED IN ROADSIDE BORROW DITCHES AND ROUTED TO STORM FACILITIES DESIGNED PER THE VALLEY COUNTY HIGHWAY DISTRICT STANDARDS. THE SIZES AND LOCATIONS WILL BE REFINED DURING FINAL DESIGN. THE HOMEOWNER'S ASSOCIATION, UNDERLYING PROPERTY OWNER, OR ADJACENT PROPERTY OWNER ARE RESPONSIBLE FOR ALL STORM DRAINAGE FACILITIES OUTSIDE THE PUBLIC RIGHT-OF-WAY, INCLUDING ALL ROUTINE AND HEAVY MAINTENANCE.
22. ALL PROPOSED DRY UTILITIES (ELECTRIC, CABLE TV, TELEPHONE) TO BE INSTALLED UNDERGROUND AND LOCATED ADJACENT TO THE ROADWAY, WHERE POSSIBLE
23. PRIOR TO ANY CONSTRUCTION, A SITE GRADING/STORM WATER MANAGEMENT PLAN DETAILING THE BEST MANAGEMENT PRACTICES FOR SURFACE WATER MANAGEMENT, SILTATION, SEDIMENTATION, AND BLOWING DIRT AND DEBRIS CAUSED BY GRADING, EXCAVATION OPEN CUTS, SIDE SLOPES, AND OTHER SITE PREPARATION AND DEVELOPMENT WILL BE PROVIDED.
24. PROPERTY OWNERS ARE ENCOURAGED TO PUMP SANITARY SEPTIC SYSTEMS ANNUALLY.

COVER SHEET & NOTES

SHORE LODGE WHITETAIL
LEGACY RANCH AT WHITETAIL CLUB

PROJECT NUMBER	DRAWING FILE NAME
B000339	C-PPL

SHEET NUMBER

C1.0

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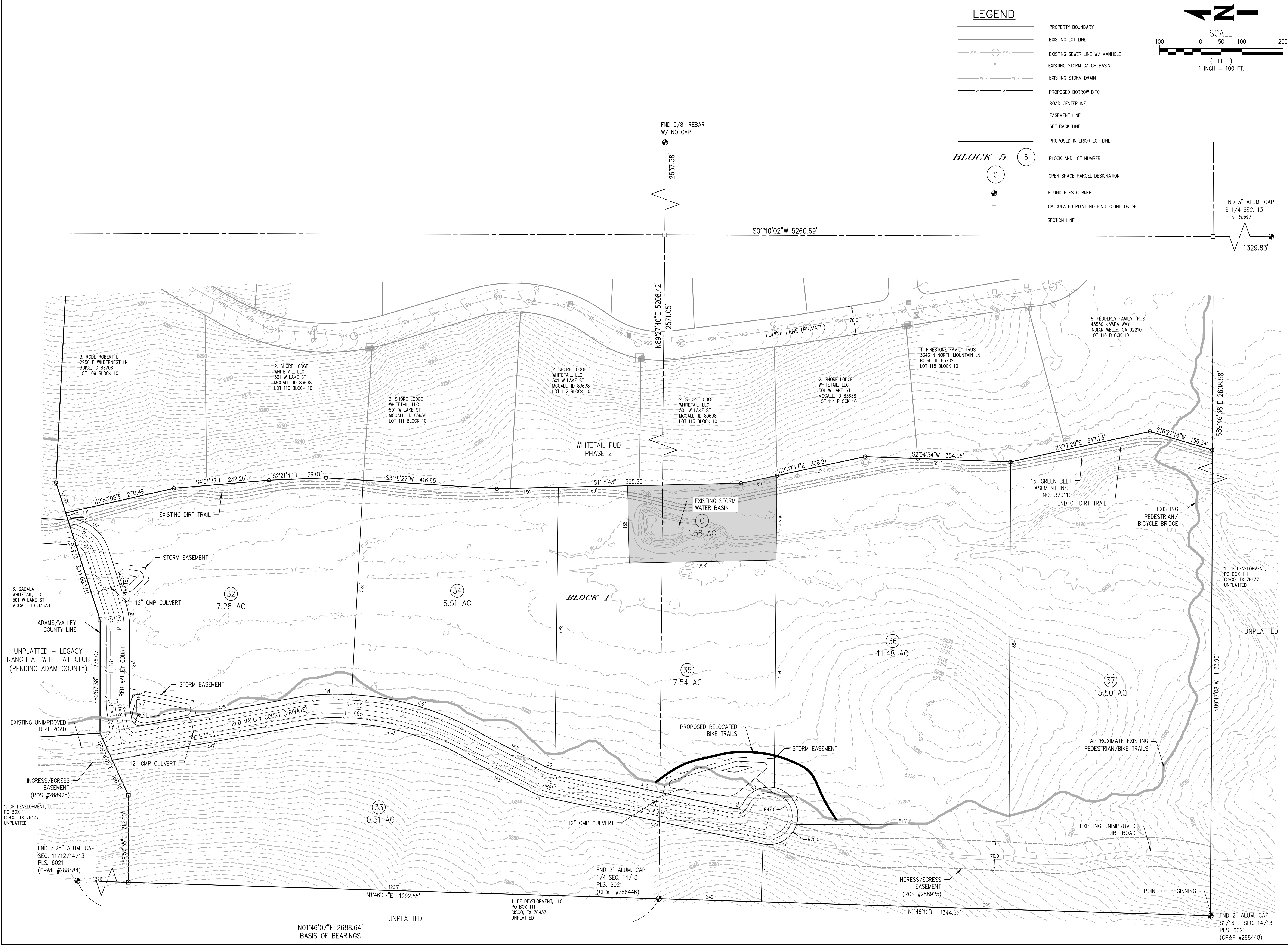
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DESIGNED	KVP
DRAWN	KVP
CHECKED	MMM
APPROVED	MMM
LAST EDIT	4/21/2023
PLOT DATE	4/24/2023
SUBMITTAL	

COVER SHEET & NOTES	
SHORE LODGE WHITETAIL LEGACY RANCH AT WHITETAIL CLUB	
PROJECT NUMBER 80000339	DRAWING FILE NAME C-PPLT-VALLEY
SCALE AS SHOWN	

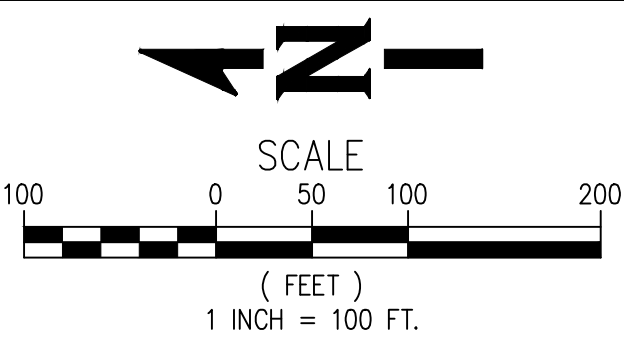
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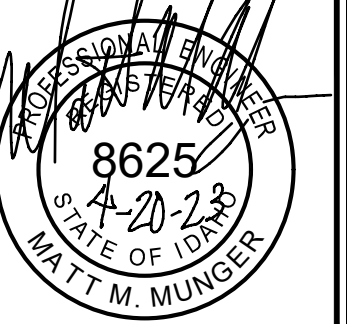


LEGEND

- PROPERTY BOUNDARY
- EXISTING LOT LINE
- EXISTING SEWER LINE W/ MANHOLE
- EXISTING STORM CATCH BASIN
- EXISTING STORM DRAIN
- PROPOSED BORROW DITCH
- ROAD CENTERLINE
- EASEMENT LINE
- SET BACK LINE
- PROPOSED INTERIOR LOT LINE
- BLOCK AND LOT NUMBER
- OPEN SPACE PARCEL DESIGNATION
- FOUND PLSS CORNER
- CALCULATED POINT NOTHING FOUND OR SET
- SECTION LINE



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REVISIONS		NO.	BY	DATE	REMARKS

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DESIGNED		DRAWN		CHECKED		APPROVED	
LAST EDIT		PLOT DATE		4/24/2023		4/24/2023	

PRELIMINARY SITE PLAN

**SHORE LODGE WHITETAIL
LEGACY RANCH AT WHITETAIL CLUB**

PROJECT NUMBER: B000339
DRAWING FILE NAME: C-PLT-VALLEY

SCALE: AS SHOWN

SHEET NUMBER: **C2.0**

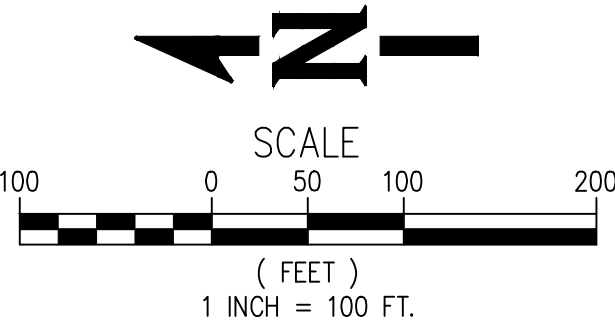
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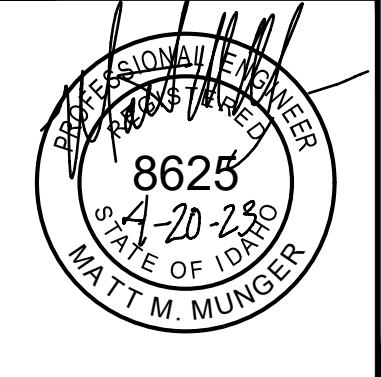
LEGEND

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PLOT DATE	4/24/2023	
		SUBMITAL

PRELIMINARY ROAD GRADING PLAN

SHORE LODGE WHITETAIL
LEGACY RANCH AT WHITETAIL CLUB

PROJECT NUMBER
B000339

DRAWING FILE NAME
C-PPLT-VALLEY

SCALE
AS SHOWN

SHEET NUMBER
C3.0