

## Valley County Planning and Zoning

PO Box 1350 • 219 North Main Street  
Cascade, ID 83611-1350



Phone: 208-382-7115  
Fax: 208-382-7119  
Email: [cherrick@co.valley.id.us](mailto:cherrick@co.valley.id.us)

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**STAFF REPORT:** C.U.P. 21-44 Hidden Valley Subdivision – Final Plat  
**MEETING DATE:** November 10, 2022  
**TO:** Planning and Zoning Commission  
**STAFF:** Cynda Herrick, AICP, CFM  
Planning and Zoning Director  
  
**APPLICANT / OWNER:** Edward Clay Szeliga  
200 Swiftwater BLVD  
Cle Elum WA 98922  
  
**ENGINEER:** Crestline Engineers  
PO Box 2330  
McCall, ID 83638  
  
**SURVEYOR:** Ralph Miller, Secesh Engineering  
P.O. Box 70  
McCall, ID 83638  
  
**LOCATION:** 14108 Norwood Road  
RP18N03E284055  
W ½ Section 28, T.18N, R.3E, Boise Meridian, Valley County, Idaho  
  
**SIZE:** Approximately 5.25 acres  
  
**REQUEST:** Single-Family Residential Subdivision  
  
**EXISTING LAND USE:** Agricultural – Dry Grazing Land & Residence Under Construction

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Clay Szeliga is requesting final plat approval. The commission will review the final plat to determine conformance with the preliminary plat, approved densities, and conditional use permit.

The approval for a conditional use permit and preliminary plat was effective January 25, 2022. The preliminary plat approval was for a 4-lot single-family residential subdivision on 20 acres.

This plat consists of four single-family residential lots, ranging in size from 2.2 to 11.10 acres. Lots would be accessed from Norwood Road onto a private road (Piper Place). A shared driveway easement exists for Lots 2 and 4. There is also a permitted shared-access easement with parcel RP18N03E284205 (C.U.P. 21-02 Hamblin Multiple Residences and C.U.P. 21-31 Hamblin Sawmill). Road right-of-way would be dedicated for Norwood Road along the western subdivision boundary.

A water storage tank will be installed for fire mitigation purposes.

The property is within the Lake Irrigation District. The site is underneath the flight path of the McCall Airport.

## **FINDINGS:**

1. The final plat was submitted on October 11, 2022.
2. Legal notice was posted in the *Star News* on Oct. 20, 2022, and Oct. 27, 2022. The proposed final plat was posted on the Valley County website on Oct. 11, 2022. **This is not a public hearing.**
3. Agency comment received:

Paul Ashton, Parametrix and Valley County Engineer, recommend approval of the grading and drainage plans and stormwater report. (May 20, 2022)

Laurie Frederick, Valley County Cadastral Specialist III, found a few discrepancies to correct prior to recordation. (Oct. 17, 2022)

## **STAFF QUESTIONS / COMMENTS / RECOMMENDATION:**

- 1) The following documents were not received at the time of preparation of the Staff Report:
  - Proposed Declaration of Private Roads
  - Proposed Declaration of Installation of Utilities
- 2) Did you bury the conduit for fiber optics and complete the installation of utilities?
- 3) The applicant's engineer will need to submit a statement that the road was built to approved engineer plans.
- 4) The Fire Suppression Water Storage Tank location needs be shown on the Final Plat. Maintenance is covered in CCRs 2.6.1
- 5) The CCRs should address septic systems and long-term management of the septic systems as an education piece.
- 6) The 35' of dedicated public right-of-way along Norwood RD needs to state it is "dedicated public right-of-way".
- 7) Additional Notes on the plat are needed, as follows:
  - a. Only one burning device allowed per lot.
  - b. Note 6 should also include approval of Valley County Planning and Zoning Commission as part of a subdivision plat.

The following are the conditions of approval and comments as to whether the applicant has complied with each condition.

## **Approved Conditions of Approval – Instrument # 447683:**

1. The application, the staff report, and the provisions of the Land Use and Development Ordinance are all made a part of this permit as if written in full herein. ✓

2. Any change in the nature or scope of land use activities shall require an additional Conditional Use Permit. ✓
3. The final plat shall be recorded within two years, or this permit will be null and void. **Must be recorded by January 25, 2024.**
4. The issuance of this permit and these conditions will not relieve the applicant from complying with applicable County, State, or Federal laws or regulations or be construed as permission to operate in violation of any statute or regulations. Violation of these laws, regulations or rules may be grounds for revocation of the Conditional Use Permit or grounds for suspension of the Conditional Use Permit. ✓
5. Must have an approved storm water management plan and site grading plan approved by the Valley County Engineer prior to any work being done on-site.  
✓ **Approval Letter Dated May 20, 2022**
6. Must bury conduit for fiber optics in the roadway. **Declaration of Installation of Utilities #4.**
7. A Declaration of Installation of Utilities shall be placed on the face of the plat if all utilities are not in place at the time of recordation. **Plat Note #4 - Need \_\_\_\_\_**
8. A letter of approval is required from McCall Fire District prior to recording the final plat.  
**Need \_\_\_\_\_**
9. Must have approval letter from Lake Fork Irrigation District. **Need \_\_\_\_\_**
10. All lighting must comply with the Valley County Lighting Ordinance. **CCRs 2.5**
11. CCR's should address, lighting, wildfire prevention, noxious weeds, and limit each lot to one wood burning device. **CCRs 2.5, 2.6, and 2.7**
12. Shall place addressing numbers at the residence and at the driveway entrance if the house numbers are not visible from the road. **CCRs 2.10**
13. Prior to construction of any on-site improvements, the applicant shall meet with the Valley County Road Director and/or Board of County Commissioners to discuss off-site road improvements. If an agreement cannot be reached the application shall be set for another public hearing with the Valley County Planning and Zoning Commission to determine if the application can be approved without improvements and still meet their mandates concerning public health, safety, and welfare matters. The discussion will be concerning current road conditions and potential mitigation for impacts caused by the development. **Draft agreement is being finalized and will be executed prior to recordation of the final plat.**
14. The following note shall be placed in the notes on the face of the final plat:  
  
"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." **Note #9**
15. CCR's shall require additional soundproofing in new construction and require written notice to homeowners about the airport's existing flight paths as well as possibility of noise impacts. **CCRs 3.3**

16. CCR's shall require a Form 7460-1 Notice of Proposed Construction or Alteration be submitted by the developer of the subdivision for excavation and by each lot owner at the time of any building construction to be included in the building permit application to Idaho Transportation Department. **CCRs 3.3**
17. Shall record and reference in the notes on the face of the final plat an Airport Overlay Agreement that includes the following: Avigation Easement negotiated by the developer of the subdivision with the City of McCall that will apply to all future landowners with restrictions that do not go beyond the example from ITD Aeronautics, included in the record. This easement should detail height limitations on specific lots, along with the building envelopes, and be included in the CCR's. Lot owners should be directed to submit the easement with building permits. **A draft document was included in the applicant's submittal.**
18. Lots 1, 2, and 3 must access Norwood Road from the private road right-of-way. ✓
19. The Hamblin easement must be changed in order to allow access for Lot 4. If not changed, an alternative access for Lot 4 must be provided. **An alternative access for Lot 4 is shown as an access through Lot 2.**
20. Note on plat: "If requested by neighbors, must transport irrigation water through site into perpetuity, per Idaho Code. **Plat Note #10**
21. Must show ditch easement(s) on the plat or alternative lines. ✓

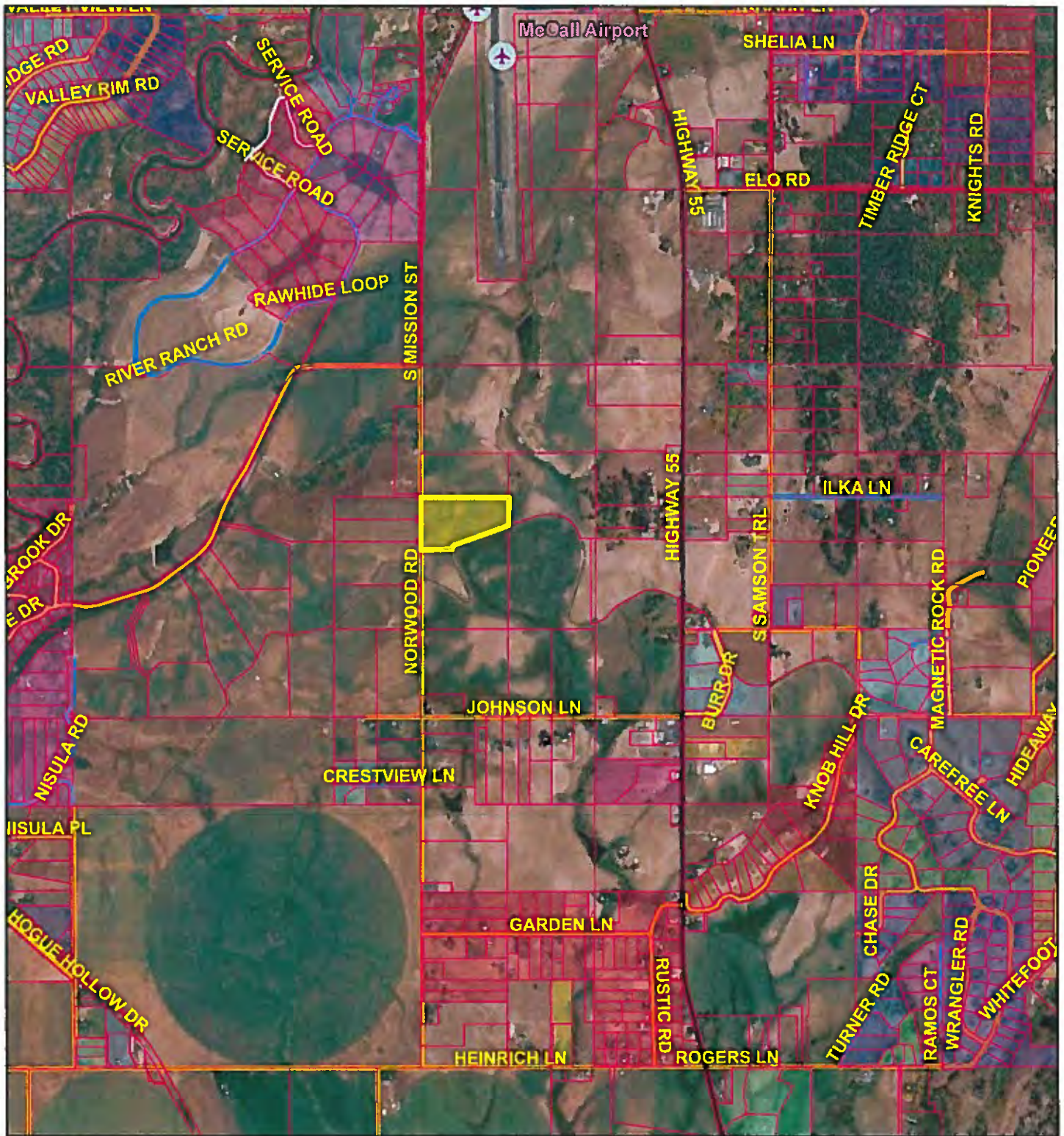
          **End Conditions of Approval**          

**ATTACHMENTS:**








- Vicinity Map
- Aerial Map
- Conditional Use Permit
- Proposed Final Plat
- Approved Preliminary Plat
- Responses
- Applicant's Submittal for Final Plat

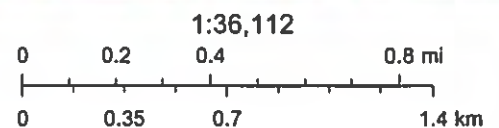
**END OF STAFF REPORT**

# C.U.P. 21-44 Vicinity



12/7/2021, 8:12:22 AM

-  Airstrips
-  Parcel Boundaries
- All Road Labels
- Roads
-  MAJOR
-  COLLECTOR
-  URBAN/RURAL
-  PRIVATE
-  OTHER



Maxar

Web AppBuilder for ArcGIS

Maxar | Valley County IT | Idaho Department of Water Resources | Payette Forest East Zone GIS office McCall, ID. M. Tari, mtari@fs.fed.us. Gary Murphy Dispatch and Tanker center Manager @

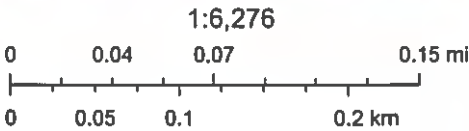
C.U.P. 21-44 Aerial



October 17, 2022

- Override 1
- Address Points
- Parcel Boundaries
- Roads
- URBAN/RURAL
- County Boundaries

VALLEY COUNTY



Maxar

# Valley County Planning and Zoning

PO Box 1350 • 219 North Main Street  
Cascade, ID 83611-1350  
Phone: 208-382-7115  
Email: cherrick@co.valley.id.us



**Instrument # 447683**

VALLEY COUNTY, CASCADE, IDAHO

1-28-2022 09:24:25 AM No. of Pages: 3

Recorded for : P&Z

DOUGLAS A. MILLER

Fee: 0.00

Ex-Officio Recorder Deputy

Index to: COUNTY MISC

## CONDITIONAL USE PERMIT

**NO. 21-44**

**Hidden Valley Subdivision**

**Issued to:** Edward Clay Szeliga  
200 Swiftwater BLVD  
Cle Elum WA 98922

**Property Location:** The site is 20 acres and is addressed at 14108 Norwood Road on RP18N03E284055 in Section 28, T. 18N, R. 3E, Boise Meridian, Valley County, Idaho.

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There have been no appeals of the Valley County Planning and Zoning Commission's decision of January 13, 2022. The Commission's decision stands, and you are hereby issued Conditional Use Permit No. 21-44 with Conditions for establishing a four lot single family subdivision as described in the application, staff report, and minutes.

The effective date of this permit is January 25, 2022.

### Conditions of Approval:

1. The application, the staff report, and the provisions of the Land Use and Development Ordinance are all made a part of this permit as if written in full herein.
2. Any change in the nature or scope of land use activities shall require an additional Conditional Use Permit.
3. The final plat shall be recorded within two years, or this permit will be null and void.
4. The issuance of this permit and these conditions will not relieve the applicant from complying with applicable County, State, or Federal laws or regulations or be construed as permission to operate in violation of any statute or regulations. Violation of these laws, regulations or rules may be grounds for revocation of the Conditional Use Permit or grounds for suspension of the Conditional Use Permit.
5. Must have an approved storm water management plan and site grading plan approved by

Conditional Use Permit

Page 1 of 3

the Valley County Engineer prior to any work being done on-site.

6. Must bury conduit for fiber optics in the roadway.
7. A Declaration of Installation of Utilities shall be placed on the face of the plat if all utilities are not in place at the time of recordation.
8. A letter of approval is required from McCall Fire District prior to recording the final plat.
9. Must have approval letter from Lake Fork Irrigation District.
10. All lighting must comply with the Valley County Lighting Ordinance.
11. CCR's should address, lighting, wildfire prevention, noxious weeds, and limit each lot to one wood burning device.
12. Shall place addressing numbers at the residence and at the driveway entrance if the house numbers are not visible from the road.
13. Prior to construction of any on-site improvements, the applicant shall meet with the Valley County Road Director and/or Board of County Commissioners to discuss off-site road improvements. If an agreement cannot be reached the application shall be set for another public hearing with the Valley County Planning and Zoning Commission to determine if the application can be approved without improvements and still meet their mandates concerning public health, safety, and welfare matters. The discussion will be concerning current road conditions and potential mitigation for impacts caused by the development.

- 
14. The following note shall be placed in the notes on the face of the final plat:

"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."

15. CCR's shall require additional soundproofing in new construction and require written notice to homeowners about the airport's existing flight paths as well as possibility of noise impacts.
16. CCR's shall require a Form 7460-1 Notice of Proposed Construction or Alteration be submitted by the developer of the subdivision for excavation and by each lot owner at the time of any building construction to be included in the building permit application to Idaho Transportation Department.
17. Shall record and reference in the notes on the face of the final plat an Airport Overlay Agreement that includes the following: Avigation Easement negotiated by the developer of the subdivision with the City of McCall that will apply to all future landowners with restrictions that do not go beyond the example from ITD Aeronautics, included in the record. This easement should detail height limitations on specific lots, along with the building envelopes, and be included in the CCR's. Lot owners should be directed to submit the easement with building permits.

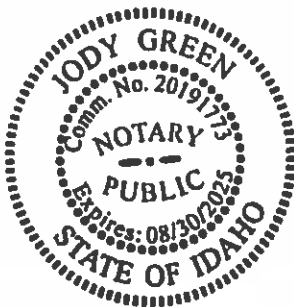
18. Lots 1, 2, and 3 must access Norwood Road from the private road right-of-way.
19. The Hamblin easement must be changed in order to allow access for Lot 4. If not changed, an alternative access for Lot 4 must be provided.
20. Note on plat: "If requested by neighbors, must transport irrigation water through site into perpetuity, per Idaho Code.
21. Must show ditch easement(s) on the plat or alternative lines.

END CONDITIONAL USE PERMIT

Date January 27, 2022  
Approved by Cynda Herrick

On this 27th day of January, 2022 before me, a notary public in and for said State, Cynda Herrick personally appeared, and is known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

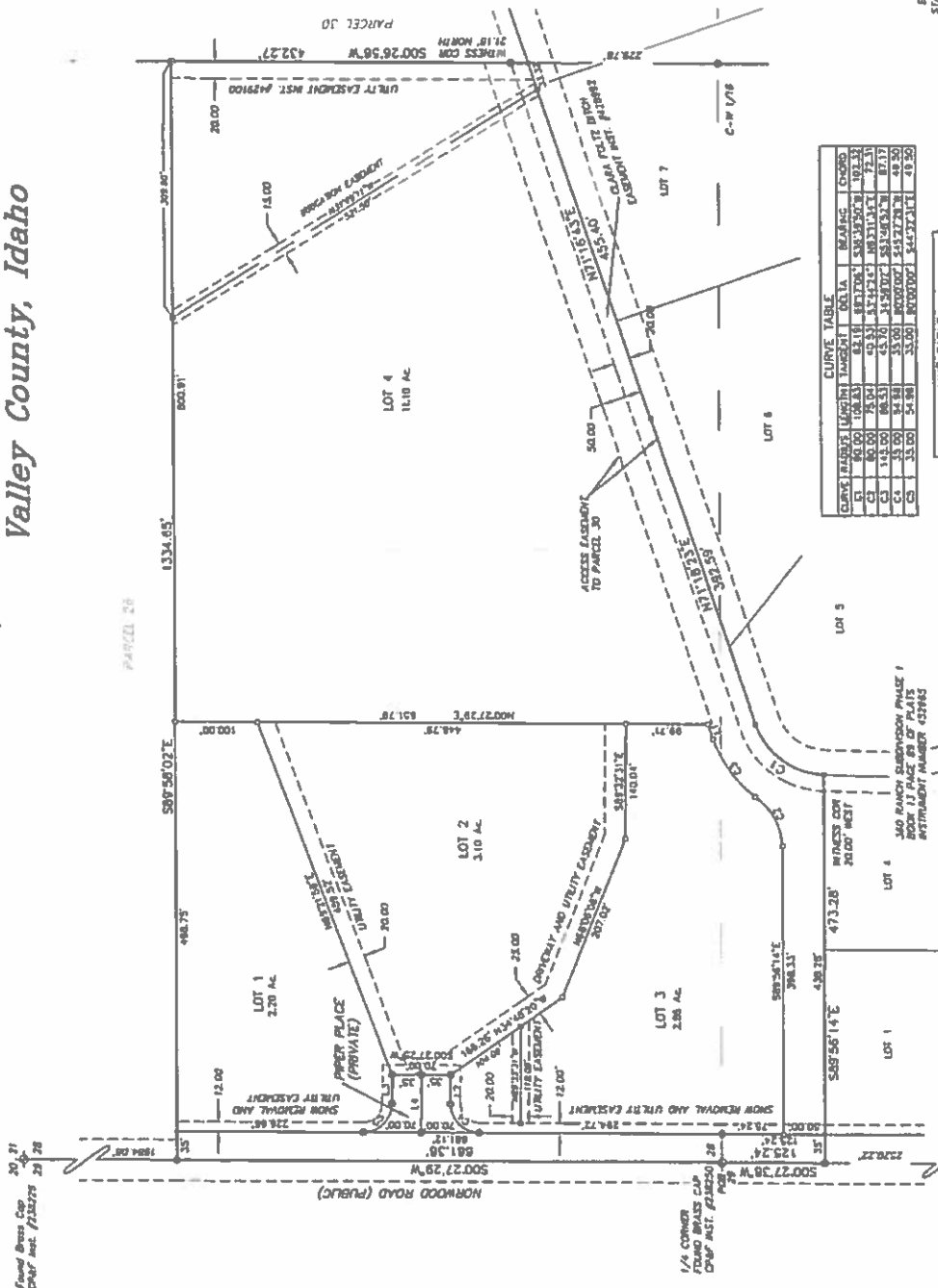
IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year in this certificate above written.



[Signature]  
Notary Public  
Residing at: Valley County  
Commission Expires: 8/30/25

# HIDDEN VALLEY SUBDIVISION

Located in  
W 1/2 Section 28, T.18N., R.3E., B.M.  
Valley County, Idaho



CURVE TABLE						
CURVE	PLACEMENT	LENGTH	BEARING	DELTA	BEARING	CHORD
C1	80.00	104.83	82.16	87.72°N	S89°56'32\"	102.32
C2	80.00	75.04	82.53	S74°47'15\"	S81°31'34\"	72.31
C3	142.00	88.53	43.60	S4°59'07\"	S53°46'52\"	87.17
C4	33.00	54.84	53.00	S0°00'00\"	S45°27'31\"	49.50
C5	33.00	54.84	33.00	S0°00'00\"	S44°27'31\"	48.90

LINE	LENGTH	BEARING
L1	18.13	N11°15'43\"/>

## HEALTH CERTIFICATE

SUBDIVISION AS REQUIRED BY IDAHO CODE TITLE 50 CHAPTER 12 HAVE BEEN SURVEYED. SANITARY RESTRICTIONS MAY BE RELAXED IN ACCORDANCE WITH IDAHO CODE TITLE 50 CHAPTER 12 SECTION 50-1206 BY THE ISSUANCE OF A CERTIFICATE OF DISAPPROVAL.

## SURVEY NARRATIVE

A. This plat is based on the 4 lots from Parcel 27 of McCall Ranch, an unsplit development shown on Record of Survey in Book 14 of Page 25. The boundary of the parcel parcel was derived from record documents along with found monuments as shown on the plat.

## Record Documents

Record of Survey Book 16 Page 120, Instrument Number 411748  
Record of Survey Book 16 Page 25, Instrument Number 428001  
300 Ranch Subdivision Phase 1 Book 13 Page 83, Instrument Number 429443

## NOTES:

- All lots shall be subject to the Declaration of Covenants, Conditions, Restrictions and Easements for the Hidden Valley Subdivision, as recorded with the Office of Recorder of Valley County, Idaho, Instrument Number \_\_\_\_\_.
- All lots shall be accessed from Piper Place.
- Piper Place and its right of way as depicted on this plat is private, and, after completion, it will be owned and maintained by the Hidden Valley Subdivision Property Owners Association as a private road. The right of way shall be dedicated to the Property Owners Association concurrently with this plat into the Office of Recorder of Valley County, as Instrument Number \_\_\_\_\_.
- Utilities will be completed as provided in the Declaration of Incorporation of UTEWA, which is being recorded concurrently with this plat with the Office of Recorder of Valley County, Idaho, as Instrument No. \_\_\_\_\_.
- No additional domestic water supply shall be provided beyond the water system approved in the Sanitary Restraints.
- There shall be no further subdivision of any lot shown on this plat without the approval of the Health Authority.
- All utility easements shown on this plat are per FEMA FEMA permit #10855C 1001 Division February 1, 2019 Flood Zone: Zone 3 Base Flood Elevation: N/A Flood Zones are subject to change by FEMA and all land within a Flood Zone or Floodway is regulated by Title 8 and Title 11 of the Valley County Code.
- The Valley County Board of Commissioners have the sole discretion to set the level of services for any public road. The level of service can be changed.
- Hidden Valley Subdivision is subject to a Declaration of Major Delivery Easement, on file at the Office of Recorder of Valley County, Instrument Number 428001. Per Idaho Code, if requested by neighbors, Owners shall provide access through this easement into this property.
- All lots are subject to the Surface and Subsurface Easement with the City of McCall, Idaho, as recorded with the Office of Recorder of Valley County, Idaho, as Instrument Number \_\_\_\_\_.

## LEGEND

SUBDIVISION BOUNDARY

- FOUND 5/8" IRON PIN
- FOUND 1/2" IRON PIN
- SET 5/8" X 30" REBAR MKD LS B577
- SET 1/2" X 24" REBAR MKD LS B577
- ◆ FOUND BRASS CAP MONUMENT
- ◆ FOUND ALUMINUM CAP MONUMENT
- ANGLE POINT - NOTHING SET
- EASEMENT LINE

SCALE 1"=100'  
BOUNDARY EASEMENT  
STATE PLANE COED. BOUND WEST ZONE



SHOENHUT ENGINEERING, INC.  
McCall, Idaho

# HIDDEN VALLEY SUBDIVISION

Located in  
W 1/2 Section 28, T.18N., R.3E., B.M.  
Valley County, Idaho

## CERTIFICATE OF OWNER

A parcel of land, located in Section 28 T.18N., R.3E., B.M., more particularly described as follows:

BEGINS at the west 1/4 corner of said Section 28 as shown on a Record of Survey filed in Book 14 of Page 25 of Surveys, Records of Valley County, Idaho; thence, along the west line of said Section 28,

- 1.) N 02°27'29"E., 681.36 feet to; thence, departing said section line,
- 2.) S 89°58'02"E., 1334.65 feet; thence,
- 3.) S 07°26'56"W., 432.27 feet to a point in Clara Falls Ditch; thence, along said ditch,
- 4.) S 71°16'43"W., 455.40 feet; thence,
- 5.) S 71°18'23"W., 392.59 feet to a point on a tangent curve; thence,
- 6.) along said curve to the left having a radius of 80.00 feet, an arc length of 108.83 feet, through a central angle of 89°17'06"; and a chord bearing and distance of S 36°39'50"W., 102.32 feet; thence, departing said Clara Falls Ditch,
- 7.) N 88°56'14"W., 473.28 feet to a point on the west line of said Section 28; thence,
- 8.) N 02°27'38"E., 125.24 feet to the POINT OF BEGINNING.

CONTAINING 20.01 Acres, more or less.

That it is the intention of the undersigned to and they do hereby include said land in this Plat.  
Irigation water has been provided from Lake Krigellon District in compliance with Idaho Code 31-3005(b). Lots within the subdivision will be entitled to Irigation water rights as stated in the Declaration of Covenants, Conditions, Restrictions and Easements for Hidden Valley Subdivision, as recorded with the Office of Recorder of Valley County, Idaho. Owners will be obligated for assessments from Lake Krigellon District.

By: EDWARD CLAY SZELICA, OWNER

## ACKNOWLEDGMENT

STATE OF IDAHO, }  
COUNTY OF VALLEY, }

On this \_\_\_\_\_ day of \_\_\_\_\_, 2022, before me, a Notary Public in and for said State, personally appeared EDWARD CLAY SZELICA, known or identified to me to be the person whose name is subscribed to the within instrument, and accompanied to me that he executed the same as his free and voluntary act and deed. I have hereunto set my hand and seal on the day and year last written above.

NOTARY PUBLIC FOR IDAHO

Residing at: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

## APPROVAL OF THE BOARD OF VALLEY COUNTY COMMISSIONERS

ACCEPTED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022, BY THE BOARD OF COUNTY COMMISSIONERS OF VALLEY COUNTY, IDAHO.

CHAIRMAN

## APPROVAL OF THE VALLEY COUNTY PLANNING AND ZONING COMMISSION

ACCEPTED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022, BY THE VALLEY COUNTY PLANNING AND ZONING COMMISSION.

CHAIRMAN

## CERTIFICATE OF COUNTY SURVEYOR

I, GEORGE BOWERS, REGISTERED PROFESSIONAL LAND SURVEYOR FOR VALLEY COUNTY, IDAHO, DO HEREBY CERTIFY THAT I HAVE CHECKED THIS PLAT AND THAT IT COMPLIES WITH THE STATE OF IDAHO CODE RELATING TO PLATS AND SURVEYS.

VALLEY COUNTY SURVEYOR

## CERTIFICATE OF SURVEYOR

I, RALPH MILLER, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR IN THE STATE OF IDAHO, AND THAT THIS PLAT AS DESCRIBED IN THE "CERTIFICATE OF OWNERS" WAS DRAWN FROM THE FIELD NOTES OF A SURVEY MADE ON THE GROUND UNDER MY DIRECT SUPERVISION AND ACCURATELY REPRESENTS THE POINTS PLATTED HEREON, AND IS IN CONFORMITY WITH THE STATE OF IDAHO CODE RELATING TO PLATS AND SURVEYS.



RALPH MILLER  
IDAHO NO. 8577

## CERTIFICATE OF COUNTY TREASURER

I, THE UNDERSIGNED, COUNTY TREASURER IN AND FOR THE COUNTY OF VALLEY, STATE OF IDAHO, PER THE REQUIREMENTS OF I.C. 50-1308, DO HEREBY CERTIFY THAT ANY AND ALL CURRENT AND/OR DELINQUENT COUNTY PROPERTY TAXES FOR THE PROPERTY INCLUDED IN THIS SUBDIVISION HAVE BEEN PAID IN FULL THIS CERTIFICATION IS VALID FOR THE NEXT THIRTY (30) DAYS ONLY.

DATE

RPI/8103E78/055

COUNTY TREASURER

SECESEH ENGINEERING, INC.  
McCall, Idaho

PRELIMINARY PLAT-HIDDEN VALLEY SUBDIVISION

PROPERTY CURVE TABLE			
CURVE	LENGTH	BALANCE	CHORD LENGTH
C1	108.33	80.00	101.33

A RESIDENTIAL SUBDIVISION LOCATED IN  
SW 1/4 OF THE NW 1/4 AND THE NW 1/4 OF THE SW 1/4 SECTION 20  
T.10N. R.3E. B.M.  
VALLEY COUNTY, IDAHO  
2021

NOTES:

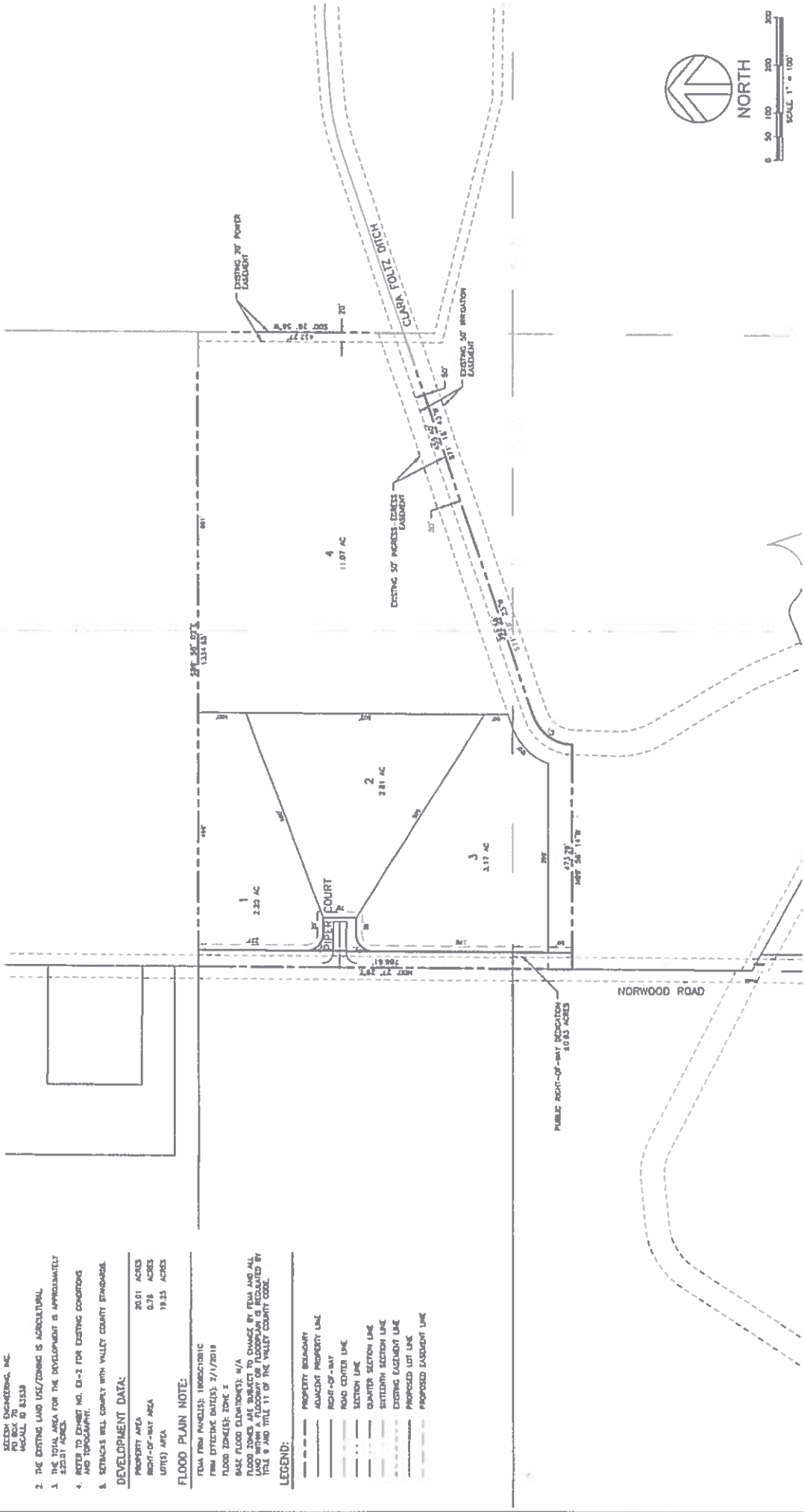
- THE SUBDIVISION OF THIS PROPOSED DEVELOPMENT IS:  
CLAY SIEGEL  
2000 10TH AVENUE  
BOZEMAN, MT 59717
- THE LAND SURVEYOR OF THIS PROPOSED DEVELOPMENT IS:  
JENNIFER S. SIEGEL  
2000 10TH AVENUE  
BOZEMAN, MT 59717
- THE EXISTING LAND USE/ZONING IS AGRICULTURAL.
- THE TOTAL AREA FOR THE DEVELOPMENT IS APPROXIMATELY 22.51 ACRES.
- NOTES TO EXHIBIT NO. 10-2 FOR EXISTING CONTOURS AND TOPOGRAPHY.
- SETBACKS WILL COMPLY WITH VALLEY COUNTY STANDARDS.

DEVELOPMENT DATA:	
PROPERTY AREA	20.01 ACRES
RIGHT-OF-WAY AREA	0.78 ACRES
LOT(S) AREA	19.25 ACRES

FLOOD PLAIN NOTE:  
FEMA FIRM PANEL(S): 18062C010C  
FIRM EFFECTIVE DATE(S): 7/1/2018  
FLOOD ZONE(S): ZONE X  
BASE FLOOD ELEVATION(S): 414  
FLOOD ZONE(S) ARE SUBJECT TO CHANGE BY FEMA AND ALL LAND WITHIN A FLOODPLAIN OR FLOODPLAIN IS REGULATED BY TITLE 9 AND TITLE 11 OF THE VALLEY COUNTY CODE.

LEGEND:

- PROPERTY BOUNDARY
- ADJACENT PROPERTY LINE
- RIGHT-OF-WAY
- ROAD CENTER LINE
- SECTION LINE
- QUARTER SECTION LINE
- SECTIDIVISION SECTION LINE
- EXISTING EASEMENT LINE
- PROPOSED LOT LINE
- PROPOSED EASEMENT LINE



CRESTLINE ENGINEERS 323 DENHARD LANE, SUITE C PO BOX 2130 MCALL, IDAHO 83638 208 634 4140 208 634 4148 FAX		HIDDEN VALLEY SUBDIVISION VALLEY COUNTY, IDAHO PRELIMINARY PLAT		VERIFY SCALE DATE 10/10/2021 BY J.S.S. PROJECT 218 DATE 11/17/21 DRAWING NO. 10-218-01 EX-1 1 OF 3
NO	BY	DATE	DESIGN	DTI
			GRAPH	
			CHECKED	
			DTI	
			APPROVED	
			DTI	

SENT VIA EMAIL

May 20, 2022  
Parametrix No. 314-4875-001 Task 02.91

Ms. Cynda Herrick, AICP, CFM  
Valley County Planning and Zoning Administrator  
P.O. Box 1350  
Cascade, ID 83611

Re: Hidden Valley Subdivision – Final Grading and Drainage Plans and Stormwater Drainage Report

Dear Cynda:

We have reviewed the above referenced documents against the current Valley County (VC) standards. Per our review, the grading and drainage plans and stormwater report meet the standards and requirements; therefore, we are recommending approval of the documents.

Please contact me with any questions or comments.

Sincerely,

PARAMETRIX  
Valley County Engineer



Paul Ashton, P.E.

cc: Project File

Anthony Dini, EIT, Crestline Engineers

## Valley County Assessor's Office

P.O. Box 1350 • 219 N. Main Street  
Cascade, Idaho 83611-1350  
Phone (208) 382-7126 • Fax (208) 382-7187

**JUNE FULLMER**

Assessor  
jfullmer@co.valley.id.us



**Department of Motor Vehicles**  
Phone (208) 382-7141 • Fax (208) 382-7187

**SUE LEEPER**

Chief Deputy Assessor  
sleeper@co.valley.id.us

October 17, 2022

Cynda Herrick  
Valley Co. P&Z Administrator  
Valley County Courthouse  
Cascade, Idaho 83611

RE: Final Plat Review " Hidden Valley Subdivision "

Dear Cynda,

This letter is in response to your request for our office to review the final plat of the above referenced subdivision.

I have run a traverse of the subdivision boundary from the legal description provided on the Certificate of Owners. Enclosed you will find a copy. This **2023** proposed to plat parcel referenced on the Assessment Roll as Tax #33 in the SWNW & in the NWSW (aka Parcel #27), in Section 28 of Township 18 North, Range 3 East. The parcel number(s) and ownership are as follows:

**RP 18N03E284055** – Edward Clay Szeliga

I have enclosed a copy of the GIS plat for that portion of Section 28, T18N, R3E with this proposed replat highlighted. We have found a few discrepancies within this plat. Ralph, please review the face of the plat. I have one bearing uncertainty and some distance errors. *See attached* We recommend any issues be resolved prior to recording this proposed Subdivision.

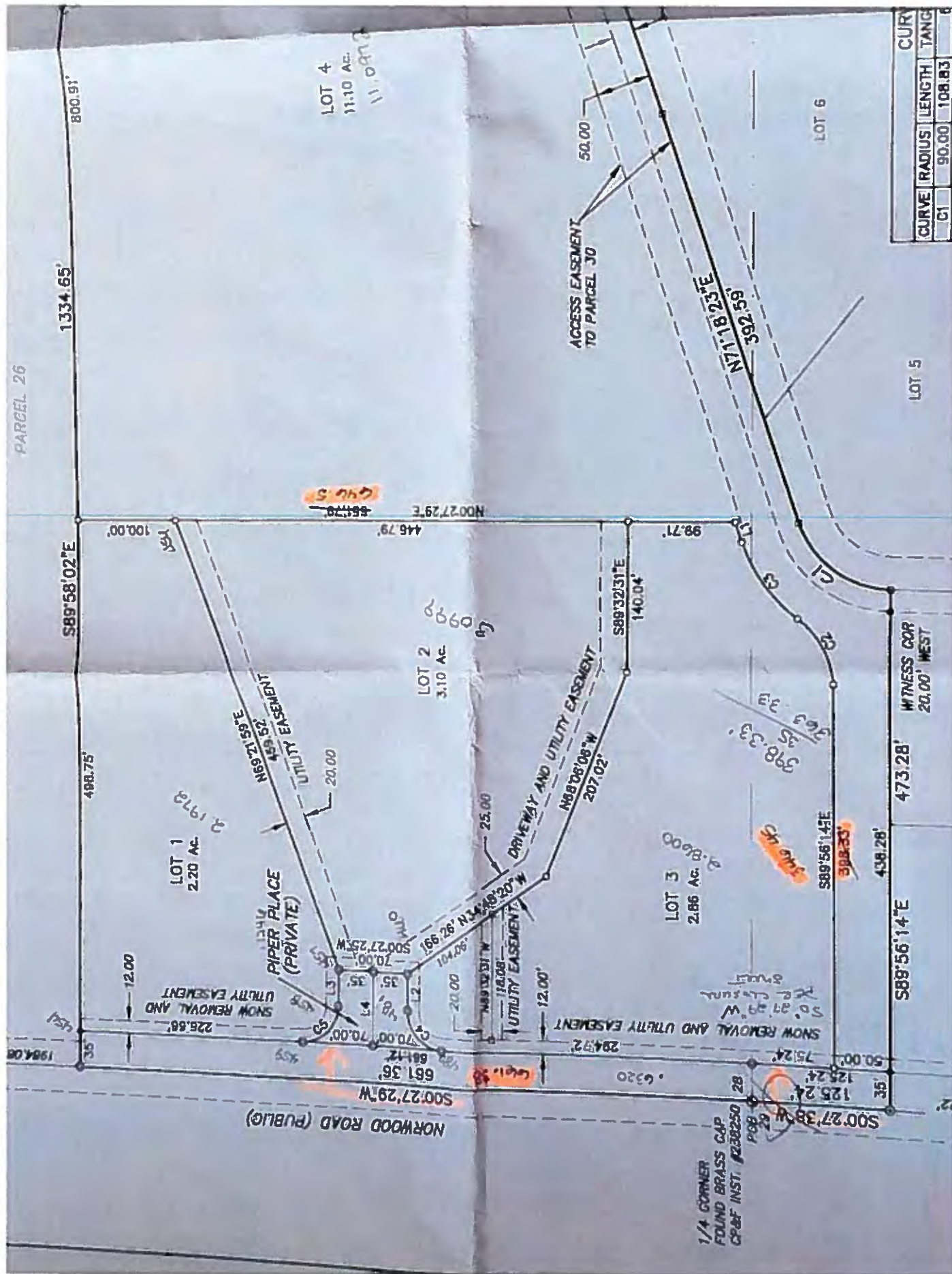
Please feel free to contact our office with any further questions or inquiries. Thank you for allowing us the opportunity to review this plat.

Sincerely,

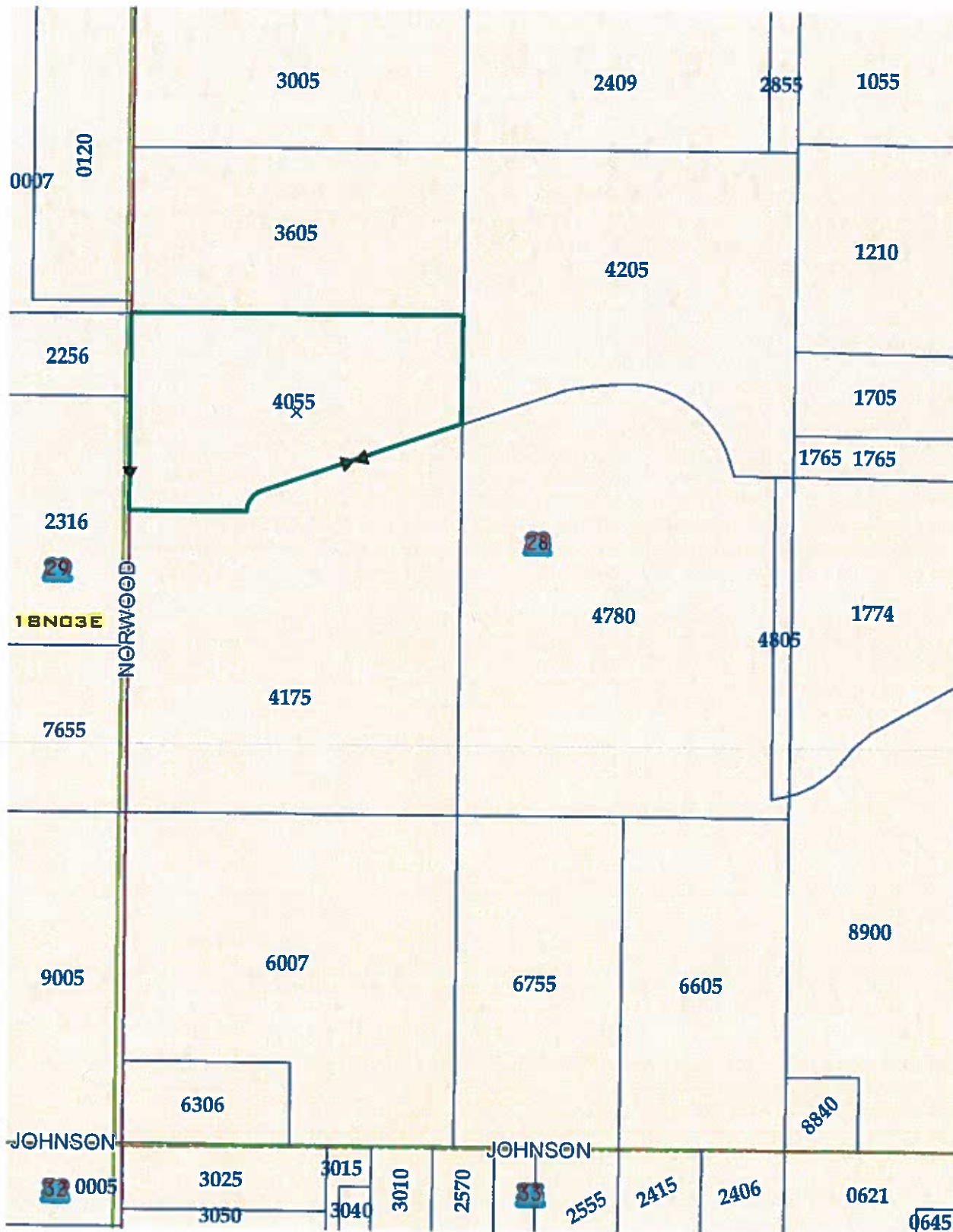
Laurie Frederick  
Cadastral Specialist III  
Valley County Cartography Department

Enclosure

Cc: Chip Bowers, Valley County Surveyor; Ralph Miller, Secesh Engineering Inc.



Proposed "HIDDEN VALLEY SUBDIVISION"  
RP18NO3E284O55



**Legend**

- Streets
- ↔ Proposed Line
- Township
- PLSS Section
- Parcels

This map or drawing is to be used for reference purposes only. The County is not responsible for any inaccuracies contained herein.

Date: 10/17/2022  
By: L. Frederick

J:\Assessor\Traverse PC\traverse 2013\18n\3E\28\_29MirrorPond.TRV  
 T18N R3E SEC 20 & SEC 29  
 360 Ranch Subdivision Phase 1

Hidden Valley Sub boundary

871679.6097 SqFt 20.0110 Acres

Point	Type	Grid Bearing	Grid Dist	Radius	Arc Length	Delta	Northing	Easting
E4							-2645.31	-21.10
111'		N0°27'29"E	661.36				-1983.97	-15.81
109'		S89°58'02"E	1334.65				-1984.73	1318.84
108A		S0°26'56"W	432.27				-2416.99	1315.45
94A		S71°16'43"W	455.40				-2563.16	884.15
93'	PC	S71°18'23"W	392.59				-2688.98	512.27
92'	PT	S36°39'50"W	102.32	-90.00	108.83	69°17'01"	-2771.06	451.17
89A		N89°56'14"W	473.28				-2770.54	-22.10
E4		N0°27'38"E	125.24				-2645.31	-21.10

Monday, October 17, 2022 11:12:22  
 lfederick

## **Hidden Valley Subdivision (CUP 21-44) - Final Plat**

**From:** Garrett de Jong <garrett@mccallfire.com>

**Sent:** Thursday, October 20, 2022 3:19 PM

**To:** Cynda Herrick <cherrick@co.valley.id.us>

**Cc:** Rob Pair <rpair@crestline-eng.com>; Devon Spickard <DSpickard@msn.com>

**Subject:** Re: Hidden Valley Subdivision (CUP 21-44) - Final Plat

Hi Cynda,

I do not have any comments regarding the final plat of the Hidden Valley Subdivision and recommend approval.

Thank you,

**Garrett de Jong**  
**Fire Chief**  
**McCall Fire & EMS**  
**201 Deinhard Lane**  
**McCall, ID 83638**  
**208-634-7070**





October 11, 2022

Cynda Herrick, AICP, CFM  
Valley County Planning and Zoning Administrator  
219 North Main Street  
PO Box 1350  
Cascade, Idaho 83611

Subject: Hidden Valley Subdivision – Final Plat Submittal Letter

Dear Cynda,

This purpose of this letter is to request the Hidden Valley Subdivision Final Plat be placed on the November 10, 2022 Valley County Planning and Zoning Meeting Agenda. The Hidden Valley Subdivision Final Plat substantially complies with the Preliminary Plat from recorded C.U.P. 21-44. Financial Guarantees are in place for Idaho Power and shared trench construction and have been paid in full (See Declaration of Installation of Utilities No. 3 and 4). No other financial guarantees exist as construction of the other required improvements are anticipated to be completed by Fall 2022. A formal Wildland Urban Interface Fire Protection Plan was not warranted however, from C.U.P. 21-44, the private road will be constructed, a water storage tank will be installed, and disturbed areas will be revegetated following the Wildfire Mitigation Plan. Below you will find the list of Conditions of Approval from C.U.P. 21-44 and a response stating how each condition has been substantially met.

#### Conditions of Approval

1. *The application, the staff report, and the provisions of the Land Use and Development Ordinance are all made a part of this permit as if written in full herein.*

Response: None, understood.

2. *Any change in the nature or scope of land use activities shall require an additional Condition Use Permit.*

Response: There have been no changes in the nature or scope of land use.

3. *The Final Plat shall be recorded within two years or this permit will be null and void. The Final Plat must be recorded by January 25, 2024.*

Response: It is anticipated that the Final Plat will be recorded prior to the date above.

4. *The issuance of this permit and these conditions will not relieve the applicant from complying with applicable County, State, or Federal laws or regulations to be construed as permission to operate in violation of any statute or regulations. Violations of these laws, regulations, or rules may be grounds for revocation of the Conditional Use Permit or Grounds for suspension of the Conditional Use Permit.*

Response: None, understood.

5. *Must have an approved stormwater management plan and site grading plan approved by the Valley County Engineer prior to any work being done on-site.*

Response: Site Grading and Stormwater management was designed by Crestline Engineers, Inc. and approved by the Valley County Engineer on May 20, 2022. Approval letter is attached.

6. *Must bury conduit for fiber optics in the roadway.*

Response: Fiber optics conduit is anticipated to be installed in conjunction with Idaho Power as part of a shared trench project. See Declaration of Installation of Utilities No. 3 and 4.

7. *A declaration of Installation of Utilities shall be placed on the face of the plat if all utilities are not in place at time of recordation.*

Response: See note 4 on Final Plat. See attached Declaration of Installation of Utilities

8. *A letter of approval is required from McCall Fire District prior to recording the Final Plat.*

Response: A letter from McCall Fire District will be submitted prior to recording the Final Plat.

9. *Must have approval letter from Lake Fork Irrigation District.*

Response: Owner/Developer will work with Lake Irrigation District to obtain an approval letter prior to recording Final Plat.

10. *All lighting shall comply with the Valley County Lighting Ordinance.*

Response: See article 2.5 in the draft CCR's.

11. *CCR's should address, lighting, wildfire prevention, noxious weeds, and limit each lot to one wood burning device*

Response: See articles 2.5, 2.6, 2.6.1, 2.6.2, and 2.7 in the draft CCR's.

12. *Shall place addressing numbers at each driveway and each residence.*

Response: See article 2.10 in the Draft CCR's.

13. *Prior to construction of any on-site improvements, the applicant shall meet with the Valley County Road Director and/or Board of County Commissioners to discuss off-site road improvements. If an agreement cannot be reached the application shall be set for another public hearing with the Valley County Planning and Zoning Commission to determine if the application can be approved without improvements and still meet their mandates concerning public health, safety, and welfare matters. The discussion will be concerning current road conditions and potential mitigation for impacts caused by the development.*

Response: The Owner/Developer has met with Staff and the Valley County Road Director and/or Board of County Commissioners. A draft agreement is being finalized and will be executed prior to recordation of the Final Plat.

14. *The following note shall be placed in the notes on the face of the Final Plat: "The Valley County Board of County Commissioners have the sole discretion to set the level of service for any public road; the level of service can be changed."*

Response: See note 9 on the Final Plat.

15. *CCR's shall require additional soundproofing in new construction and require written notice to homeowners about the airport's existing flight paths as well as possibility of noise impacts.*

Response: See article 3.3 in the draft CCR's.

16. *CCR's shall require a Form 7460-1 Notice of Proposed Construction or Alteration be submitted by the developer of the subdivision for excavation and by each lot owner at the time of any building construction to be included in the building permit application to Idaho Transportation Department.*

Response: See article 3.2 in the draft CCR's.

17. *Shall record and reference in the notes on the face of the Final Plat an Airport Overlay Agreement that includes the following: Avigation Easement negotiated by the developer of the subdivision with the City of McCall that will apply to all future landowners with restrictions that do not go beyond the example from ITD Aeronautics, included in the record. This easement should detail height limitations on specific lots, along with the building envelopes, and be included in the CCR's. Lot owners should be directed to submit the easement with building permits.*

Response: A draft of a McCall Municipal Airport Surface and Overhead Avigation Easement and Right-of-Way has been included in the submittal.

18. *Lots 1, 2, and 3 must access Norwood Road from the private road right-of-way.*

Response: Lots 1, 2, and 3 access Norwood Road from the private road right-of-way as shown within note 2 of the Final Plat.

19. *The Hamblin easement must be changed in order to allow access for Lot 4. If not changed, an alternative access for Lot 4 must be provided.*

Response: An alternative access for Lot 4 is shown on the Final Plat along the lot lines of Lot 2 and Lot 3 as a Driveway and Utility Easement.

20. *Note on plat: "If requested by neighbors, must transport irrigation water through site into perpetuity, per Idaho Code.*

Response: See note 10 on Final Plat.

*21. Must show ditch easement(s) on the plat or alternative lines.*

Response: A fifteen (15') foot irrigation easement is shown on the Final Plat across Lot 4, along with the Clara Foltz ditch Easement.

Thank you for your attention to these responses and please feel free to contact me by phone or email at your earliest convenience should you have any questions or comments.

Sincerely,



Robert Pair, E.I.T.  
Associate Engineer

Cc: Clay Szeliga, Owner/Applicant  
Ralph Miller, Surveyor, Secesh Engineering  
Devon Spikard, Client Attorney

Enclosures:

1. 3 – Full size copies of Final Plat (2 Sheets)
2. 10 copies 11"x17" copies of Final Plat (2 Sheets)
3. Lot and Subdivision Closure Sheets
4. Declaration of Installation Utilities – Draft
5. CCR's – Draft
6. Avigation Easement – Draft
7. Approval Letter for Site Grading/Storm Water Management from Valley County Engineer

**DECLARATION OF INSTALLATION OF UTILITIES  
FOR HIDDEN VALLEY SUBDIVISION  
VALLEY COUNTY, IDAHO**

This **DECLARATION** is made this \_\_\_\_\_ day of \_\_\_\_\_, 2022, by **EDWARD CLAY SZELIGA**, who is the owner of certain lands located in Valley County, Idaho, which are platted as Hidden Valley Subdivision.

**WHEREAS**, on \_\_\_\_\_ day of \_\_\_\_\_, 2022, Edward Clay Szeliga filed of record with the Office of the Recorder of Valley County, Idaho, as Instrument No. \_\_\_\_\_ in Plat Book \_\_\_\_\_, on Page \_\_\_\_\_, the Final Plat for Hidden Valley Subdivision (hereinafter "Final Plat");

**WHEREAS**, Edward Clay Szeliga is the Owner of the real property contained in said Final Plat ("Hidden Valley Subdivision");

**WHEREAS**, the purpose of this Declaration is to describe the utilities which will be placed in Hidden Valley Subdivision, the schedule for completion of such utilities, and the entity with responsibility for construction of such utilities;

**NOW, THEREFORE**, Edward Clay Szeliga hereby states and declares as follows:

1. **Sewage Disposal:** Sewage disposal for each lot in Hidden Valley Subdivision will be supplied by means of individual septic/drainfield systems, installation and maintenance of which shall be the sole and exclusive responsibility of lot owners. Permits therefore shall be required from Central District Health Department.
2. **Potable Water:** Water for each lot will be supplied by means of individual wells, installation and maintenance of which shall be the sole and exclusive responsibility of lot owners.
3. **Power:** Installation of electrical power to all lots in Hidden Valley Subdivision has been contracted and paid for by Declarant and will be installed by Idaho Power in the Spring of 2023.

**5. Responsibility for Construction:** Responsibility for the costs of construction of the aforesaid utilities is specified above. VALLEY COUNTY HAS NO RESPONSIBILITY FOR THE DESIGN, CONSTRUCTION, MAINTENANCE REPAIR, REPLACEMENT, OR OPERATION OF ANY OF THE AFORESAID UTILITIES.

Edward Clay Szeliga

On this \_\_\_\_ day of \_\_\_\_\_, 2022, before me, \_\_\_\_\_,  
a Notary Public in and for the State of \_\_\_\_\_, personally appeared CLAY  
SZELIGA, known or identified to me to be the person whose name is subscribed to the foregoing  
instrument and acknowledge to me that he executed the same.

Notary Public for the State of \_\_\_\_\_  
Residing at: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

**After Recording Return to:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS**

**FOR**

**HIDDEN VALLEY SUBDIVISION**

(Lots 1 Through 4)

**THIS DECLARATION** made on the date hereinafter set forth by Edward Clay Szeliga, hereinafter referred to as "Declarant".

**WITNESSETH**

**I.**

Declarant is the owner of certain property in Valley County Idaho more particularly described as:

Lots 1-4 of the Hidden Valley Subdivision, according to the official plat thereof recorded in the real property records of Valley County, Idaho, as Instrument No. \_\_\_\_\_.

**II.**

Declarant is in the process of dividing the above described property into for parcels, and has received preliminary approval for said subdivision – Valley County C.U.P. 21-44, Hidden Valley Subdivision.

**III.**

Declarant deems it desirable in furtherance of the purposes set out herein to establish these covenants and restrictions which shall apply to all real property contained in the development.

**NOW THEREFORE**, Declarant hereby declares that all of the properties described

above shall be held, sold and conveyed subject to all easements, reservations, covenants, conditions, and restrictions as shown on the recorded plat of Hidden Valley Subdivision which are declared for the purpose of protecting the value and desirability of, and which shall run with, the real property and be binding on all parties having any right, title or interest in the described properties or any part thereof, their heirs, successors and assigns, and shall inure to the benefit of each owner thereof.

## **ARTICLE I**

### **Definitions**

**"Owner":** Shall mean and refer to the record owner, including contract purchasers, whether one or more persons or entities, of the fee simple title to any lot which is part of the properties, including contract sellers, but excluding those having such interest merely as security for the performance of an obligation.

**"Properties":** Shall mean and refer to that certain real property hereinbefore described.

**"Lot":** Shall mean and refer to any plot or parcel of land shown on any recorded subdivision map of the properties.

## **ARTICLE II**

### **General and Specific Obligations and Restrictions**

The Lots in the Hidden Valley Subdivision may be used for all lawful purposes subject to the following restrictions:

**2.1 Compliance with Laws:** All activity within the Hidden Valley Subdivision shall comply with the laws and ordinances of the United States of America, the State of Idaho, and Valley County.

**2.2 Nuisances:** No noxious, illegal, or seriously offensive activities shall be carried on or upon any Lot, or any part of Hidden Valley Subdivision, nor shall anything be done thereon which may be or may become a serious annoyance or a nuisance to any Owner, or which may in any way interfere with the quiet enjoyment of each of the Owners of his or her respective Lot(s).

**2.3 No Single-wide Manufactured Homes:** Single-wide manufactured homes shall not be allowed as a permanent residence on the property.

**2.4 No Storage/Junk Yard:** No owner shall store inoperable motor vehicles or equipment on their Lot. All vehicles and equipment on a Lot shall be limited in number and stored in a manner that is not objectionable to a reasonable owner of any Lot in the

Hidden Valley Subdivision.

**2.5 Lighting:** All exterior lights shall comply with the Valley County Lighting Ordinance (Title 6, Chapter 2), any requirements established by the FAA, the City of McCall, or other jurisdiction having authority, and must comply with the Avigation Agreement described in Article III, below.

**2.6 Wildfire Prevention:** Each owner shall take reasonable measures to mitigate wildfire on their Lot. Such measures may include re-vegetation of native grasses, installation of sod and other appropriate landscaping, and grading to improve upon existing pastureland conditions. Other wildfire prevention measures for the subdivision include:

**2.6.1 Fire Suppression Water Storage Tank:** Hidden Valley Subdivision is equipped with a water storage tank for fire suppression needs, which is available for use by the McCall Fire Department. Each owner is equally responsible for maintaining the fire suppression storage tank in a good and workmanlike manner and shall be responsible for maintaining adequate water levels within the same.

**2.6.2 Wood Burning Device Limits:** Each Lot in the Hidden Valley Subdivision is limited to one wood burning device.

**2.7 Noxious Weeds:** Each owner shall prevent and eradicate any noxious weeds on their Lot. Owners are hereby notified that neglect or failure to control noxious weeds may lead to enforcement by Valley County pursuant to County Code of Valley County Idaho, Title 3, Chapter 3.

**2.8 Sewage Disposal Systems:** Sewage disposal for each Lot shall be supplied by means of individual septic/drainfield systems. Permits therefore shall be required from Central District Health Department. Installation and maintenance of said systems shall be the responsibility of each individual Lot owner.

**2.9 Piper Place:** All Lots shall access any residence in the subdivision from Piper Place, a private right of way. Lot owners shall be equally responsible for the maintenance and upkeep of Piper Place. No owner shall impact the use of Piper Place by another owner, and shall ensure that snow plowing of their driveways shall not result in the obstruction of Piper Place.

**2.10 Address Numbers:** Each owner must place addressing numbers in a clearly visible location at the entrance of the driveway to their Lot and on or near their residential dwelling.

## ARTICLE III

### FAA Regulations and Compliance

**3.1 Notice and Compliance with Airport Conditions.** Each Owner is hereby notified that each Lot exists within designated FAA flight paths and controlled air space. Accordingly, each Lot may be limited as to building height and location, and no improvements can be constructed on a Lot without prior approval from jurisdictions having authority thereover. The current maximum building height within each Lot's FAA Analyzed Building Site is set forth in **Exhibit A**, attached hereto. Each owner must abide by all FAA and City of McCall requirements relating to the operation of the McCall Municipal Airport.

**3.2 Form 7460-1 Required.** At least forty-five (45) days prior to any new construction activity an Owner must submit FAA Form 7460-1 to the FAA's Obstruction Evaluation Group. Further information and the form can be found at:

<https://oeaaa.faa.gov/oeaaa/external/portal.jsp>

**3.3 Soundproofing Required.** Each Owner must install soundproofing within their respective dwellings to mitigate against noise exposure from the McCall Municipal Airport and its associated flight paths. The FAA provides guidance for such soundproofing through its Airport Noise Compatibility Planning under 14 CFR Part 150.

**3.4 Lighting Requirements and Limitations.** The City of McCall and the FAA may require certain obstruction lighting for improvements constructed on each Lot. Further, certain lighting, such as directional or upward facing lights, may be prohibited on each Lot.

**3.5 Avigation Easement.** All Lots in the Hidden Valley Subdivision are subject to that certain McCall Municipal Airport Surface and Overhead Avigation Easement and Right of Way, a copy of which is attached hereto as **Exhibit B**.

## **ARTICLE IV**

### **General Provisions**

**4.1 Enforcement:** Any affected Owner of a Lot in the subdivision shall have full rights to enforce the covenants and restrictions contained herein. No failure to prosecute any person for any violation or attempted violation shall be deemed a waiver of a right to enforce any such violations by the same person or other persons. The prevailing party shall be entitled to recover costs and a reasonable attorney's fees, both trial and appellate, in any such proceeding.

**4.2 Conflict:** In the case of conflict between these restrictions and any zoning ordinance of any governmental body, the more restrictive shall prevail.

**4.3 Severability:** Invalidation of any part of the restrictions shall in no way affect the remaining restrictions.

**4.4 Binding Effect:** The provisions herein shall be binding upon and inure to the benefit of the successors, heirs, and assigns of the owners and all Lot purchasers, users and owners.

**4.5 Term:** This Declaration shall run for the benefit of each of the Lots affected and shall control the use of the Lots for a period of twenty (20) years from the date the declaration is recorded, after which time they shall automatically be extended for successive periods of ten (10) years.

**4.6 Amendment:** Except as specifically set forth herein, this Declaration may be amended by an instrument signed by each Declarant to the extent that Declarant is the owner of any Lots, and by the owners of not less than 75% of the Lots of the subdivision not owned by either Declarant. Upon execution, the instrument shall be recorded in the Official Records of Valley County, Idaho.

IN WITNESS WHEREOF, Declarants have executed this instrument on the \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
CLAY SZELIGA, Declarant

STATE OF \_\_\_\_\_)  
: ss  
County of \_\_\_\_\_)

On this \_\_\_\_ day of \_\_\_\_\_, 2022, before me, the undersigned, a Notary Public in and for said State, personally appeared EDWARD CLAY SZELIGA known to me or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he/she executed the same.

\_\_\_\_\_  
Notary Public for \_\_\_\_\_  
Commission Expires: \_\_\_\_\_

Recording Requested By and  
When Recorded Return to:

City Clerk  
City of McCall  
216 East Park Street  
McCall, Idaho 83638

---

For Recording Purposes Do  
Not Write Above This Line

**MCCALL MUNICIPAL AIRPORT  
SURFACE AND OVERHEAD AVIGATION EASEMENT  
AND RIGHT-OF-WAY**

This Easement and right-of-way is granted to the City of McCall (hereinafter "City") and all future users of the McCall Municipal Airport (hereinafter "Airport") for the purposes of flight by EDWARD CLAY SZELIGA (hereinafter "Grantor") without any duress or coercion. It is supported by good and valuable consideration, the sufficiency of which is acknowledged by Grantor. This Easement shall be effective upon the recording of the Final Plat for the Hiden Valley Subdivision, Valley County CUP No. 21-44. It is permanent and non-exclusive.

Grantor acknowledges that its property is located near a busy Airport which is important both to the City of McCall and users of the Airport. Grantor further acknowledges that the terms and conditions of this Easement are reasonable and are aimed at the continued safe use of the McCall Airport and its users. Accordingly, Grantor, for itself, its assigns and successors in interest grants the following appurtenant rights, conditions and benefits to the City of McCall and to all persons using the Airport without limitation to the time or frequency of use of the Airport:

1. The unobstructed use and passage of all types of aircraft in and through the Airport's airspace at any height or altitude above the

surface of Grantor's land described in Exhibit A which is attached hereto and is incorporated herein by reference. As used in this Easement, the term "aircraft" means devices designed to transport persons or property through the air including, but not limited to, those which are propelled by jet(s) or propeller, whether civil or military, commercial, public or privately owned. The term "aircraft" also includes sailplanes, gliders, lighter-than-air balloons and helicopters.

2. The right of said aircraft to cause noise, vibrations, fumes, deposits of dust, fuel particles (incidental to the normal operation of aircraft); fear, interference with sleep or communication, and any other effects associated with the normal operation of aircraft taking off, landing or operating in the vicinity of the Airport.
3. The right of said aircraft to utilize the Airport or the airspace surrounding it without respect to the frequency of use, the time of day or night, the height above the ground used by said aircraft, the type of aircraft and the proximity of flight near or over Grantor's property burdened by this Easement.

Grantor, on behalf of itself and its assigns and successors in interest, will, as a material part of this Easement provide a copy of this Easement to all of its assigns and successors in interest before the passing of title.

Grantor further expressly agrees for itself, its successors and assigns to restrict the height of structures, objects of natural growth and other obstructions on Grantor's Property to a height in compliance with Title 14 CFR Part 77, *Safe, Efficient Use and Preservation of the Navigable Airspace*, as amended from time-to-time, and to file with the FAA a Form 7460-1 when required by the United States Code of Federal Regulations.

This Easement and right-of-way additionally grants to Grantee the continuing right to prevent the erection or growth upon Grantor's Property of any building, structure, tree, machine or other object that extends into the airspace above said Property in excess of the heights allowed by the United States Code of Federal Regulations or objects or

structures which create glare, lights or reflectors which might interfere with a pilot's vision.

Grantor expressly agrees for itself, its successors and assigns to prevent any use of Grantor's Property which would interfere with landing or taking off of aircraft at the Airport, or otherwise constitute an Airport hazard. Such hazards include uses that create electrical interference with navigational signals or radio communication between the Airport and aircraft, make it difficult for pilots to distinguish between Airport lights and other lights, result in glare in the eyes of pilots using the Airport, impair visibility in the vicinity of the Airport, create or build water features or ponds that are bird attractants which may cause bird strike hazards, or otherwise in any way endanger or interfere with the landing, takeoff or maneuvering of aircraft intending to use the Airport.

Grantor and its successors and assigns does hereby fully waive damages, claims for damages and causes of action, including injunctive relief, which they may now have or which they may have in the future against Grantee and the Airport users due or alleged to be due to noise, vibrations, fumes, dust and fuel particles or any other condition or effect that may be caused or may have been caused by the lawful operation of aircraft landing at, taking off from or operating at, near or from the Airport.

TO HAVE AND TO HOLD said Easement and right-of-way, and all rights appertaining thereto unto Grantee, its successors and assigns, until McCall Municipal Airport shall be abandoned and shall cease to be used for public airport purposes. It is understood and agreed that all provisions herein shall run with the land and shall be binding upon Grantors, their heirs, administrators, executors, successors and assigns until such time that the Easement is extinguished.

NOTICES between the parties may be made by personal delivery or by United States mail, postage pre-paid, registered or certified, with return receipt requested, or by telegram, facsimile transmission or mail-o-gram or by recognized courier delivery (*e.g.* Federal Express, UPS, DHL, etc.) addressed to the parties, as the case may be, at the address set forth below or at such other addresses as the parties may subsequently designate by written notice given in the manner provided in this section. The parties are required to provide any change of address to each other.

Grantee: McCall Municipal Airport  
Attn: Airport Manager  
216 East Park Street  
McCall, Idaho 83638

Copy To: City of McCall  
Attn: City Clerk  
216 East Park Street  
McCall, Idaho 83638

Grantor: EDWARD CLAY SZELIGA  
200 Swiftwater Blvd  
Cle Elum, WA 98922

**GRANTEE: CITY OF MCCALL, IDAHO**

By: \_\_\_\_\_  
Robert S. Giles, Mayor

Attest: \_\_\_\_\_  
BessieJo Wagner, City Clerk

STATE OF IDAHO                    )  
  : ss  
County of Valley                 )

On this \_\_\_\_ day of \_\_\_\_\_, 2022, before me, the undersigned, a Notary Public in and for said State, respectively of the CITY OF MCCALL, IDAHO, known to me or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same and were so authorized to do so on behalf of the City of McCall, Idaho.

\_\_\_\_\_  
Notary Public for Idaho  
Commission Expires: \_\_\_\_\_

**GRANTOR:**

\_\_\_\_\_  
EDWARD CLAY SZELIGA

STATE OF \_\_\_\_\_)  
  : ss  
County of \_\_\_\_\_)

On this \_\_\_\_ day of \_\_\_\_\_, 2022, before me, the undersigned, a Notary Public in and for said State, personally appeared EDWARD CLAY SZELIGA known to me or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he/she executed the same.

\_\_\_\_\_  
Notary Public for \_\_\_\_\_  
Commission Expires: \_\_\_\_\_

SENT VIA EMAIL

May 20, 2022

Parametrix No. 314-4875-001 Task 02.91

Ms. Cynda Herrick, AICP, CFM  
Valley County Planning and Zoning Administrator  
P.O. Box 1350  
Cascade, ID 83611

Re: Hidden Valley Subdivision – Final Grading and Drainage Plans and Stormwater Drainage Report

Dear Cynda:

We have reviewed the above referenced documents against the current Valley County (VC) standards. Per our review, the grading and drainage plans and stormwater report meet the standards and requirements; therefore, we are recommending approval of the documents.

Please contact me with any questions or comments.

Sincerely,

PARAMETRIX  
Valley County Engineer



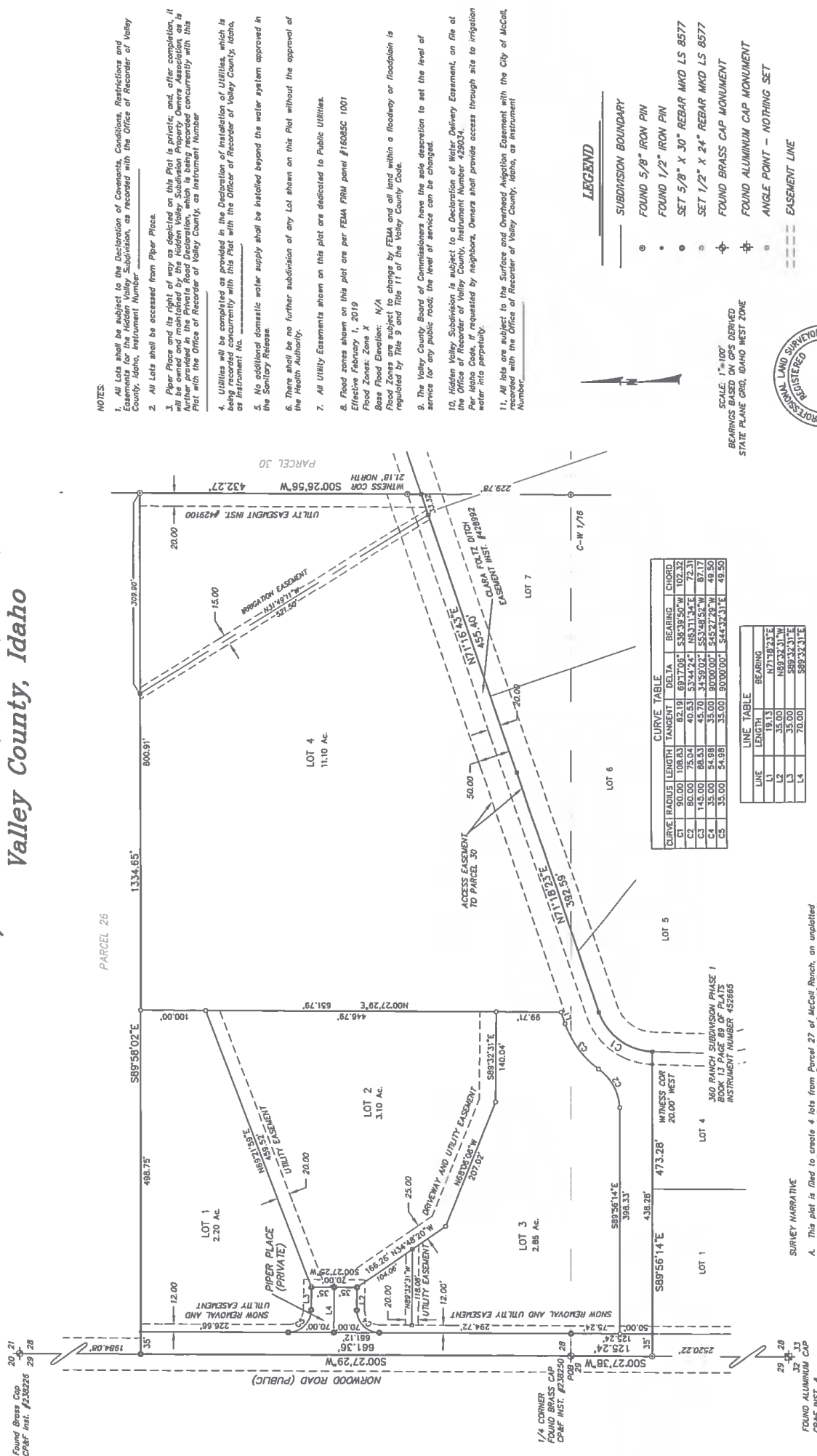
Paul Ashton, P.E.

cc: Project File

Anthony Dini, EIT, Crestline Engineers

## HIDDEN VALLEY SUBDIVISION

*Located in  
NW 1/2 Section 28, T.18N., R.3E., B.M.  
Valley County, Idaho*



SURVEY NARRATIVE

4. This plat is filed to create 4 lots from Parcel 27 of McCall Ranch, an unplatted development shown on Record of Survey in Book 14 at Page 25. The boundary of the parent parcel was derived from record documents along with found monuments as shown on this plat.

8. Record Documents:  
Record of Survey Book 14 Page 130, Instrument Number 441746  
Record of Survey Book 14 Page 25, Instrument Number 429001  
J60 Ranch Subdivision Phase 1 Book 13 Page 89, Instrument Number 441746

## HEALTH CERTIFICATE

SANITARY RESTRICTIONS AS REQUIRED BY IDAHO CODE TITLE 50 CHAPTER 3 J HAVE BEEN SATISFIED. SANITARY RESTRICTIONS MAY BE REIMPOSED IN ACCORDANCE WITH IDAHO CODE TITLE 50 CHAPTER 13, SECTION 50-1326, BY THE ISSUANCE OF A CERTIFICATE OF DISAPPROVAL.

2578

DISTRICT HEALTH DEPARTMENT EMS

**SECESH ENGINEERING, INC.**  
**McCall, Idaho**

# HIDDEN VALLEY SUBDIVISION

Located in  
W 1/2 Section 28, T.18N., R.3E., B.M.  
Valley County, Idaho

## CERTIFICATE OF OWNER

A parcel of land, located in Section 28 T.18N., R.3E., B.M., more particularly described as follows:

BEGINNING at the west 1/4 corner of said Section 28 as shown on a Record of Survey filed in Book 14 at Page 25 of Surveys, Records of Valley County, Idaho; thence, along the west line of said Section 28,

- 1.) N.0°27'29"E., 661.36 feet to; thence, departing said section line,
- 2.) S.89°58'02"E., 1334.65 feet; thence,
- 3.) S.0°26'56"W., 432.27 feet to a point in Clara Foltz Ditch, thence, along said ditch,
- 4.) S.71°16'43"W., 455.40 feet; thence,
- 5.) S.71°18'23"W., 392.59 feet to a point on a tangent curve; thence,
- 6.) along said curve to the left having a radius of 90.00 feet, an arc length of 108.63 feet, through a central angle of 69°17'06", and a chord bearing and distance of S.36°39'50"W., 102.32 feet; thence, departing said Clara Foltz Ditch,
- 7.) N.89°56'14"W., 473.28 feet to a point on the west line of said Section 28; thence,
- 8.) N.0°27'38"E., 125.24 feet to the POINT OF BEGINNING.

CONTAINING 20.01 Acres, more or less.

That it is the intention of the undersigned to and they do hereby include said land in this Plat.  
Irrigation water has been provided from Lake Irrigation District in compliance with Idaho Code 31-3805(b). Lots within the subdivision will be entitled to irrigation water rights as stated in the Declaration of Covenants, Conditions, Restrictions and Easements for Hidden Valley Subdivision., as recorded with the Office of Recorder of Valley County, Idaho. Owners will be obligated for assessments from Lake Irrigation District.

By: \_\_\_\_\_  
EDWARD CLAY SZEJICA, OWNER

## ACKNOWLEDGMENT

STATE OF IDAHO, )  
COUNTY OF VALLEY, )  
(ss.  
)

On this \_\_\_\_\_ day of \_\_\_\_\_, 2022, before me, \_\_\_\_\_, a Notary Public in and for said State, personally appeared EDWARD CLAY SZEJICA, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.  
IN WITNESS WHEREOF, I have hereunto set my hand and seal on the day and year last written above.

NOTARY PUBLIC FOR IDAHO  
Residing at: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

## CERTIFICATE OF COUNTY SURVEYOR

I, GEORGE BOWERS, REGISTERED PROFESSIONAL LAND SURVEYOR FOR VALLEY COUNTY, IDAHO, DO HEREBY CERTIFY THAT I HAVE CHECKED THIS PLAT AND THAT IT COMPLIES WITH THE STATE OF IDAHO CODE RELATING TO PLATS AND SURVEYS.

VALLEY COUNTY SURVEYOR

## CERTIFICATE OF SURVEYOR

I, RALPH MILLER, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR IN THE STATE OF IDAHO, AND THAT THIS PLAT AS DESCRIBED IN THE "CERTIFICATE OF OWNERS" WAS DRAWN FROM THE FIELD NOTES OF A SURVEY MADE ON THE GROUND UNDER MY DIRECT SUPERVISION AND ACCURATELY REPRESENTS THE POINTS PLATTED HEREON, AND IS IN CONFORMITY WITH THE STATE OF IDAHO CODE RELATING TO PLATS AND SURVEYS.

RALPH MILLER  
IDAHO NO. 8577



## CERTIFICATE OF COUNTY TREASURER

I, THE UNDERSIGNED, COUNTY TREASURER IN AND FOR THE COUNTY OF VALLEY, STATE OF IDAHO, PER THE REQUIREMENTS OF I.C. 50-1308, DO HEREBY CERTIFY THAT ANY AND ALL CURRENT AND/OR DELINQUENT COUNTY PROPERTY TAXES FOR THE PROPERTY INCLUDED IN THIS SUBDIVISION HAVE BEEN PAID IN FULL. THIS CERTIFICATION IS VALID FOR THE NEXT THIRTY (30) DAYS ONLY.

DATE \_\_\_\_\_  
COUNTY TREASURER

RP18NO3E284055

SECESH ENGINEERING, INC.  
McCall, Idaho