

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

Susan R. Wilson, Attorney at Law, PLLC
208 S. Main St. Ste 2
Moscow, ID 83843

(Space Above For Recorder's Use)

**DECLARATION OF ACCESS AND UTILITY
EASEMENTS AND COVENANT**

THIS DECLARATION is made effective this ____ day of December, 2020, by CMH, LLC, an Idaho limited liability company, (hereinafter the "Declarant") of 503 3rd St., Juliaetta, ID 83535.

RECITALS:

WHEREAS, Declarant is the owner of that certain real property ("Declarant's Property") located in the County of Clearwater, State of Idaho. The Declarant has divided the Property into three separate buildable parcels, Parcel 1, Parcel 2, and Parcel 3, which are legally described in the attached Exhibit A; and

WHEREAS, the Parcels will be accessed via a private road system extending from the Cavendish Highway, traversing through Parcel 3 and extending to Parcel 1 and Parcel 2. Said private road system includes is within the Easements legally described in the legal descriptions set forth in Exhibit A and is illustrated in Exhibit B; and

WHEREAS, the Declarant intends to sell each of the Parcels together with and subject to the Easements described in Exhibit A. Accordingly, Declarant desires to establish of record a covenant to be recorded against Declarant's Property which provides for access and utility easements over, under, across, and through the Easements described on Exhibit A and illustrated on Exhibit B, burdening and benefiting the respective Parcels; and

WHEREAS, the Declarant hereby makes of record this Declaration for the benefit of the Declarant, and all future owners of the Parcels.

DECLARATION

NOW, THEREFORE, consistent with the Recitals set forth above, the Declarant hereby declares the following Covenants:

1. Access and Utility Easement. Declarant declares that there be a nonexclusive access and utility easement (the "Easement") thirty (30) feet wide, over, across, on, and through the easement area legally described within the legal descriptions of each Parcel set forth in Exhibit A and illustrated on the attached Exhibit B. The Easement is for the benefit of each Parcel that uses the Easement for access and utilities and burdens each of the Parcels which the Easement traverses. Accordingly, Parcel 3 shall be the burdened or servient property for the Easement providing access to Parcel 1 and to Parcel 2, which parcels shall be the dominant or benefiting parcels. Further, since

a portion of the Easement traverses a portion of Parcel 1 and extends back into Parcel 3, that portion that traverses Parcel 1 shall benefit Parcel 3. In such case, Parcel 3 shall be the dominant or benefited parcel for that portion and Parcel 1 shall be the burdened or servient parcel. Further that portion of the Easement that provides access to Parcel 2 traverses both Parcel 3 and Parcel 1. Parcel 3 and Parcel 1 shall be the burdened or servient parcels for that Easement and Parcel 2 shall be the dominant or benefited parcel. Further, a portion of the Easement across Parcel 2 as illustrated on Exhibit B, provides access to Parcel 1. For that portion traversing Parcel 2, Parcel 2 is the burdened or servient parcel and Parcel 1 is the dominant or benefited parcel.

2. Road Construction. Declarant agrees to construct a road within the Easement area. Construction of the road shall be completed within one-year from the sale of the first Parcel. Further, Declarant's responsibility for construction of the road shall be limited to providing base rock only. Finish gravel shall be the responsibility of the future Parcel owners.

3. Maintenance of Roadway Through Easement. Declarant shall be responsible only for such maintenance of the Easement, if any, necessitated for the Declarant's use of the Easement. Declarant shall not be responsible for any maintenance of the Easement for the use and benefit of any future Parcel owner. All future Parcel owners shall be responsible for maintaining the Easement, including without limitation, re-grading, re-graveling, filling of potholes, clearing of ditches, repair of culverts if necessary, snow removal, and any other general maintenance required to maintain the road in good condition as an all-weather roadway. Said maintenance shall be allocated as follows:

All Parcel Owners shall share equally the costs of maintenance from the point of access off of Cavendish Highway, represented by Point A on Exhibit B, to the west boundary of Parcel 3 represented by Point C on Exhibit B.

Owners of Parcel 3 and Parcel 1 shall share equally the costs of maintenance of that portion of the easement extending from Point B on Exhibit B to Point D on Exhibit B.

Owners of Parcel 2 and Parcel 1 shall share equally the costs of maintenance of that portion of the easement extending from Point C on the west boundary of Parcel 3 as shown on Exhibit B to Point E on Exhibit B.

The intent of the allocation of maintenance responsibilities is that each Parcel Owner be responsible for maintaining that portion of the Easement that provides access to any part of that Parcel Owner's parcel.

4. Improvements to Roadway Through Easement. Declarant agrees to improve the roadway pursuant to Paragraph 2 above. Any additional improvements or upgrades made to the roadway within the Easement established hereunder shall be made at the sole expense of the Parcel owner making the improvements, unless mutually agreed upon by all Parcel Owners.

5. Binding on Successors. This Declaration and Covenant shall be recorded in the official records of Clearwater County, and shall be binding on the heirs, successors, administrators, executors and assigns of all future Parcel Owners hereto and shall run with the land.

6. Covenants. The Parcels shall be sold with the following covenant: No Parcel Owner may bring onto a Parcel any trailer or manufactured home that is not real property for the purposes of a

permanent residence. A permanent residence is a residence that is used six or more consecutive months in a year. This provision is not intended to allow any use that is not in compliance with the local zoning authority. Further, no Parcel Owner may use any Parcel in a manner that constitutes a public or private nuisance as defined by local ordinance or state law.

7. Amendment. The Declarant reserves the right to amend this Declaration, in the Declarant's sole discretion, so long as the Declarant holds any interest in any of the Parcels. Upon the dissolution of the Declarant, or once the Declarant no longer owns any interests in any of the Parcels, then this Declaration may be amended by unanimous vote of all Parcel Owners.

8. Future Conveyances of Parcels. Each Parcel shall be conveyed together with and subject to this Declaration. This Declaration, and the Easement and Covenants contained herein shall run with the land and be binding on all future Parcel Owners.

IN WITNESS WHEREOF, the Declarant has caused this Declaration to be executed the day and year first written above.

DECLARANT:
CMH, LLC, an Idaho limited liability company

CHRISTOPHER HEIER, Member

MORGAN HEIER, Member

STATE OF IDAHO)
) ss.
County of Latah)

On this ____ day of December, 2020, before me _____, personally appeared CHRISTOPHER HEIER and MORGAN HEIER, known 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 as Members of CMH, LLC, an Idaho limited liability company, which company executed the same.

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

NOTARY PUBLIC FOR THE STATE OF IDAHO
Residing at _____
My Commission Expires _____

EXHIBIT A

PROPERTY DESCRIPTION FOR PARCEL 1

A parcel of land located in the southwest quarter of the northeast quarter and in the northwest quarter of the southeast quarter of Section 3, Township 37 North, Range 1 West of the Boise Meridian, Clearwater County, Idaho described as follows:

The southwest quarter of the northeast quarter and the north half of the northwest quarter of the southeast quarter, all in Section 3.

Containing 60.95 acres, more or less.

TOGETHER WITH: A utility easement located in the west half of the southeast quarter of Section 3, Township 37 North, Range 1 West of the Boise Meridian described as follows:

A strip of land lying 30 feet west of the following described line:

BEGINNING at the southeast corner of the southwest quarter of said southeast quarter;
Thence along the east line thereof, N 00°24'35" E, 1327.20 feet to the northeast corner of said southwest quarter of the southeast quarter;
Thence along the east line of the northwest quarter of said southeast quarter,
N 00°24'35" E, 663.60 feet to the northeast corner of the south half of the northwest quarter of said southeast quarter and the termination of this easement.

TOGETHER WITH: An easement for ingress and egress located in the north half of the southeast quarter of Section 3, Township 37 North, Range 1 West of the Boise Meridian described as follows:

COMMENCING at the northwest corner of the northeast quarter of the southeast quarter of Section 3, from which the northeast corner of said northeast quarter of the southeast quarter bears S 89°23'16" E, 1338.34 feet; Thence along the north line thereof,
S 89°23'16" E, 333.85 feet to a point on the west right of way line of Cavendish Highway; Thence leaving said north line and along said right of way line through a non-tangent curve to the left having an arc length of 28.16 feet, a radius of 290.05 feet, the long chord of which bears S 27°08'48" E, 28.15 feet to the **POINT OF BEGINNING:**

A strip of land lying 15 feet on both sides of the following described centerline:

Thence S 39°38'16" W, 17.05 feet;
Thence through a tangent curve to the left having an arc length of 25.34 feet, a radius of 23.15 feet, the long chord of which bears S 08°16'20" W, 24.09 feet;
Thence S 23°05'36" E, 95.30 feet;
Thence through a tangent curve to the right having an arc length of 161.40 feet, a radius of 736.68 feet, the long chord of which bears S 16°49'01" E, 161.08 feet;
Thence S 10°32'25" E, 101.91 feet;
Thence through a tangent curve to the right having an arc length of 46.32 feet, a radius of 66.79 feet, the long chord of which bears S 09°19'41" W, 45.40 feet to the point of termination of a latter access easement, said easement being the last easement described on this document;
Thence continuing through a curve to the right having an arc length of 87.02 feet, a radius of 66.79 feet, the long chord of which bears S 66°31'14" W, 57.96 feet
Thence N 76°09'18" W, 79.67 feet;
Thence through a tangent curve to the left having an arc length of 93.89 feet, a radius of 88.41 feet, the long chord of which bears S 73°25'14" W, 89.54 feet;
Thence S 42°59'47" W, 94.30 feet;

Thence through a tangent curve to the right having an arc length of 143.46 feet, a radius of 148.51 feet, the long chord of which bears S 70°40'13" W, 45.40 feet to a point on the west line of the northeast quarter of the southeast quarter of Section 3.

The sidelines of this easement shall be shortened or lengthened to terminate on the west line of Cavendish Highway and the west line of the northeast quarter of the southeast quarter of Section 3.

RESERVING & TOGETHER WITH & SUBJECT TO: An easement for ingress and egress located in the north half of the southeast quarter of Section 3, Township 37 North, Range 1 West of the Boise Meridian described as follows:

COMMENCING at the southeast corner of the afore described parcel, said point being the southeast corner of the north half of the northwest quarter of the southeast quarter of Section 3; Thence along the east line thereof, N 00°24'35" E, 57.78 feet to the **POINT OF BEGINNING:**

A strip of land lying 15 feet on both sides of the following described centerline:

Thence through a non-tangent curve to the right having an arc length of 58.33 feet, a radius of 148.51 feet, the long chord of which bears N 70°24'08" W, 57.96 feet;

Thence N 59°08'58" W, 85.13 feet;

Thence through a tangent curve to the left having an arc length of 87.25 feet, a radius of 204.50 feet, the long chord of which bears N 71°22'23" W, 86.59 feet;

Thence N 83°35'47" W, 74.34 feet;

Thence through a tangent curve to the left having an arc length of 49.10 feet, a radius of 30.46 feet, the long chord of which bears S 50°13'56" W, 43.96 feet;

Thence S 04°03'38" W, 76.70 feet;

Thence through a tangent curve to the right having an arc length of 53.20 feet, a radius of 82.19 feet, the long chord of which bears S 22°36'05" W, 52.27 feet to a point on the south line of the north half of the northwest quarter of the southeast quarter of Section 3 and the termination of this easement.

The sidelines of this easement shall be shortened or lengthened to terminate on the east and south lines of the north half of the northwest quarter of the southeast quarter of Section 3.

TOGETHER WITH: An easement for ingress and egress located in the north half of the southeast quarter of Section 3, Township 37 North, Range 1 West of the Boise Meridian described as follows:

COMMENCING at the southeast corner of the afore described parcel, said point being the southeast corner of the north half of the northwest quarter of the southeast quarter of Section 3; Thence along the south line thereof, N 89°21'30" W, 342.26 feet to the **POINT OF BEGINNING:**

A strip of land lying 15 feet on both sides of the following described centerline:

Thence through a non-tangent curve to the right having an arc length of 106.24 feet, a radius of 82.19 feet, the long chord of which bears S 41°05'18" W, 98.99 feet;

Thence S 78°06'58" W, 198.74 feet;

Thence through a tangent curve to the right having an arc length of 273.20 feet, a radius of 287.78 feet, the long chord of which bears N 74°41'14" W, 263.06 feet;

Thence N 47°29'27" W, 4.85 feet to a point on the south line of the north half of the northwest quarter of the southeast quarter of Section 3 and the termination of this easement.

The sidelines of this easement shall be shortened or lengthened to terminate on the south line of the north half of the northwest quarter of the southeast quarter of Section 3.

RESERVING & TOGETHER WITH & SUBJECT TO: An easement for ingress and egress located in the north half of the southeast quarter of Section 3, Township 37 North, Range 1 West of the Boise Meridian described as follows:

COMMENCING at the northeast corner of the northwest quarter of the southeast quarter of Section 3; Thence along the north line thereof, N 89°23'16" W, 30.00 feet to the **POINT OF BEGINNING:**

A strip of land lying 15 feet on both sides of the following described line:

Thence S 44°29'21" E, 42.51 feet to a point on the east line of said northwest quarter of the southeast quarter and the termination of this easement.

The sidelines of this easement shall be shortened or lengthened to terminate on the north and east lines of the northwest quarter of the southeast quarter of Section 3.

TOGETHER WITH: An easement for ingress and egress located in the north half of the southeast quarter of Section 3, Township 37 North, Range 1 West of the Boise Meridian described as follows:

COMMENCING at the northwest corner of the northeast quarter of the southeast quarter of Section 3; Thence along the west line thereof, S 00°24'35" W, 30.00 feet to the **POINT OF BEGINNING:**

A strip of land lying 15 feet on both sides of the following described line:

Thence S 19°34'00" E, 44.03 feet;

Thence through a tangent curve to the right having an arc length of 26.97 feet, a radius of 82.78 feet, the long chord of which bears S 10°13'55" E, 26.85 feet;

Thence S 00°53'51" E, 37.25 feet;

Thence S 01°36'09" W, 35.15 feet;

Thence through a tangent curve to the right having an arc length of 29.45 feet, a radius of 30.05 feet, the long chord of which bears S 29°41'08" W, 28.29 feet;

Thence S 57°46'07" W, 7.46 feet to a point on the west line of said northeast quarter of the southeast quarter and the termination of this easement.

The sidelines of this easement shall be shortened or lengthened to terminate on the west line of the northeast quarter of the southeast quarter of Section 3.

RESERVING & TOGETHER WITH: An easement for ingress and egress located in the north half of the southeast quarter of Section 3, Township 37 North, Range 1 West of the Boise Meridian described as follows:

COMMENCING at the northwest corner of the northeast quarter of the southeast quarter of Section 3; Thence along the west line thereof, S 00°24'35" W, 198.86 feet to the **POINT OF BEGINNING:**

A strip of land lying 15 feet on both sides of the following described line:

Thence S 57°46'07" W, 14.16 feet;

Thence through a tangent curve to the left having an arc length of 39.28 feet, a radius of 39.24 feet, the long chord of which bears S 29°05'21" W, 37.66 feet;

Thence S 00°24'35" W, 109.79 feet;

Thence through a tangent curve to the left having an arc length of 39.52 feet, a radius of 40.80 feet, the long chord of which bears S 27°20'15" E, 37.99 feet;

Thence S 55°05'04" E, 14.94 feet to a point on the west line of said northeast quarter of the southeast quarter.

The sidelines of this easement shall be shortened or lengthened to terminate on the west line of the northeast quarter of the southeast quarter of Section 3.

TOGETHER WITH: An easement for ingress and egress located in the north half of the southeast quarter of Section 3, Township 37 North, Range 1 West of the Boise Meridian described as follows:

COMMENCING at the northwest corner of the northeast quarter of the southeast quarter of Section 3; Thence along the west line thereof, S 00°24'35" W, 391.43 feet to the **POINT OF BEGINNING:**

A strip of land lying 15 feet on both sides of the following described line:

Thence S 55°05'04" E, 9.88 feet;

Thence through a curve to the left having an arc length of 89.34 feet, a radius of 90.24 feet, the long chord of which bears S 83°26'45" E, 85.74 feet;

Thence N 68°11'35" E, 41.46 feet;

Thence through a curve to the right having an arc length of 17.01 feet, a radius of 113.20 feet, the long chord of which bears N 72°29'48" E, 16.99 feet;

Thence N 76°48'02" E, 69.85 feet;

Thence through a curve to the right having an arc length of 23.40 feet, a radius of 31.60 feet, the long chord of which bears S 81°59'09" E, 22.87 feet;

Thence S 60°46'19" E, 100.91 feet;

Thence through a curve to the left having an arc length of 23.20 feet, a radius of 89.20 feet, the long chord of which bears S 68°13'20" E, 23.13 feet;

Thence S 75°40'20" E, 84.87 feet to the previously described termination of this easement.

The sidelines of this easement shall be shortened or lengthened to terminate on the west line of the northeast quarter of the southeast quarter of Section 3 and the northerly sideline of said previously described easement.

This description was prepared by Michael E. Dahlin on November 23, 2020.

PROPERTY DESCRIPTION FOR PARCEL 2

A parcel of land located in the east half of the southeast quarter of Section 3, Township 37 North, Range 1 West of the Boise Meridian, Clearwater County, Idaho described as follows:

The south half of the northwest quarter of the southeast quarter and the southwest quarter of the southeast quarter, all in Section 3.

EXCEPTING THEREFROM: a parcel of land described in Warranty Deed, Inst. No. 226224, Clearwater County Records.

Containing 31.23 acres, more or less.

TOGETHER WITH: A utility easement located in the west half of the southeast quarter of Section 3, Township 37 North, Range 1 West of the Boise Meridian described as follows:

A strip of land lying 30 feet west of the following described line:

BEGINNING at the southeast corner of the southwest quarter of said southeast quarter;
Thence along the east line thereof, N 00°24'35" E, 1327.20 feet to the northeast corner of said southwest quarter of the southeast quarter;
Thence along the east line of the northwest quarter of said southeast quarter,
N 00°24'35" E, 663.60 feet to the northeast corner of the south half of the northwest quarter of said southeast quarter and the termination of this easement.

TOGETHER WITH: An easement for ingress and egress located in the north half of the southeast quarter of Section 3, Township 37 North, Range 1 West of the Boise Meridian described as follows:

COMMENCING at the northwest corner of the northeast quarter of the southeast quarter of Section 3, from which the northeast corner of said northeast quarter of the southeast quarter bears S 89°23'16" E, 1338.34 feet; Thence along the north line thereof,
S 89°23'16" E, 333.85 feet to a point on the west right of way line of Cavendish Highway; Thence leaving said north line and along said right of way line through a non-tangent curve to the left having an arc length of 28.16 feet, a radius of 290.05 feet, the long chord of which bears S 27°08'48" E, 28.15 feet to the **POINT OF BEGINNING:**

A strip of land lying 15 feet on both sides of the following described centerline:

Thence S 39°38'16" W, 17.05 feet;
Thence through a tangent curve to the left having an arc length of 25.34 feet, a radius of 23.15 feet, the long chord of which bears S 08°16'20" W, 24.09 feet;
Thence S 23°05'36" E, 95.30 feet;
Thence through a tangent curve to the right having an arc length of 161.40 feet, a radius of 736.68 feet, the long chord of which bears S 16°49'01" E, 161.08 feet;
Thence S 10°32'25" E, 101.91 feet;
Thence through a tangent curve to the right having an arc length of 46.32 feet, a radius of 66.79 feet, the long chord of which bears S 09°19'41" W, 45.40;
Thence continuing through a curve to the right having an arc length of 87.02 feet, a radius of 66.79 feet, the long chord of which bears S 66°31'14" W, 57.96 feet
Thence N 76°09'18" W, 79.67 feet;
Thence through a tangent curve to the left having an arc length of 93.89 feet, a radius of 88.41 feet, the long chord of which bears S 73°25'14" W, 89.54 feet;
Thence S 42°59'47" W, 94.30 feet;

Thence through a tangent curve to the right having an arc length of 143.46 feet, a radius of 148.51 feet, the long chord of which bears S 70°40'13" W, 45.40 feet to a point on the west line of the northeast quarter of the southeast quarter of Section 3.

The sidelines of this easement shall be shortened or lengthened to terminate on the west line of Cavendish Highway and the west line of the northeast quarter of the southeast quarter of Section 3.

TOGETHER WITH: An easement for ingress and egress located in the north half of the southeast quarter of Section 3, Township 37 North, Range 1 West of the Boise Meridian described as follows:

COMMENCING at the southeast corner of the north half of the northwest quarter of the southeast quarter of Section 3; Thence along the east line thereof, N 00°24'35" E, 57.78 feet to the **POINT OF BEGINNING:**

A strip of land lying 15 feet on both sides of the following described centerline:

Thence through a non-tangent curve to the right having an arc length of 58.33 feet, a radius of 148.51 feet, the long chord of which bears N 70°24'08" W, 57.96 feet;

Thence N 59°08'58" W, 85.13 feet;

Thence through a tangent curve to the left having an arc length of 87.25 feet, a radius of 204.50 feet, the long chord of which bears N 71°22'23" W, 86.59 feet;

Thence N 83°35'47" W, 74.34 feet;

Thence through a tangent curve to the left having an arc length of 49.10 feet, a radius of 30.46 feet, the long chord of which bears S 50°13'56" W, 43.96 feet;

Thence S 04°03'38" W, 76.70 feet;

Thence through a tangent curve to the right having an arc length of 53.20 feet, a radius of 82.19 feet, the long chord of which bears S 22°36'05" W, 52.27 feet to a point on the south line of the north half of the northwest quarter of the southeast quarter of Section 3 and the termination of this easement.

The sidelines of this easement shall be shortened or lengthened to terminate on the east and south lines of the north half of the northwest quarter of the southeast quarter of Section 3.

SUBJECT TO: An easement for ingress and egress located in the north half of the southeast quarter of Section 3, Township 37 North, Range 1 West of the Boise Meridian described as follows:

COMMENCING at the southeast corner of the afore described parcel, said point being the southeast corner of the north half of the northwest quarter of the southeast quarter of Section 3; Thence along the south line thereof, N 89°21'30" W, 342.26 feet to the **POINT OF BEGINNING:**

A strip of land lying 15 feet on both sides of the following described centerline:

Thence through a non-tangent curve to the right having an arc length of 106.24 feet, a radius of 82.19 feet, the long chord of which bears S 41°05'18" W, 98.99 feet;

Thence S 78°06'58" W, 198.74 feet;

Thence through a tangent curve to the right having an arc length of 273.20 feet, a radius of 287.78 feet, the long chord of which bears N 74°41'14" W, 263.06 feet;

Thence N 47°29'27" W, 4.85 feet to a point on the south line of the north half of the northwest quarter of the southeast quarter of Section 3 and the termination of this easement.

The sidelines of this easement shall be shortened or lengthened to terminate on the south line of the north half of the northwest quarter of the southeast quarter of Section 3.

This description was prepared by Michael E. Dahlin on November 23, 2020.

PROPERTY DESCRIPTION FOR PARCEL 3

A parcel of land located in the northeast quarter of the southeast quarter of Section 3 and in the northwest quarter of the southwest quarter of Section 2, Township 37 North, Range 1 West of the Boise Meridian, Clearwater County, Idaho described as follows:

That part of the northeast quarter of the southeast quarter of Section 3 and that part of the northwest quarter of the southwest quarter of Section 2, all lying west of Cavendish Highway.

Containing 37.83 acres, more or less.

TOGETHER WITH: A utility easement located in the west half of the southeast quarter of Section 3, Township 37 North, Range 1 West of the Boise Meridian described as follows:

A strip of land lying 30 feet west of the following described line:

BEGINNING at the southeast corner of the southwest quarter of said southeast quarter;
Thence along the east line thereof, N 00°24'35" E, 1327.20 feet to the northeast corner of said southwest quarter of the southeast quarter;
Thence along the east line of the northwest quarter of said southeast quarter,
N 00°24'35" E, 663.60 feet to the northeast corner of the south half of the northwest quarter of said southeast quarter and the termination of this easement.

SUBJECT TO: An easement for ingress and egress located in the north half of the southeast quarter of Section 3, Township 37 North, Range 1 West of the Boise Meridian described as follows:

COMMENCING at the northwest corner of the northeast quarter of the southeast quarter of Section 3, from which the northeast corner of said northeast quarter of the southeast quarter bears S 89°23'16" E, 1338.34 feet; Thence along the north line thereof,
S 89°23'16" E, 333.85 feet to a point on the west right of way line of Cavendish Highway; Thence leaving said north line and along said right of way line through a non-tangent curve to the left having an arc length of 28.16 feet, a radius of 290.05 feet, the long chord of which bears S 27°08'48" E, 28.15 feet to the **POINT OF BEGINNING:**

A strip of land lying 15 feet on both sides of the following described centerline:

Thence S 39°38'16" W, 17.05 feet;
Thence through a tangent curve to the left having an arc length of 25.34 feet, a radius of 23.15 feet, the long chord of which bears S 08°16'20" W, 24.09 feet;
Thence S 23°05'36" E, 95.30 feet;
Thence through a tangent curve to the right having an arc length of 161.40 feet, a radius of 736.68 feet, the long chord of which bears S 16°49'01" E, 161.08 feet;
Thence S 10°32'25" E, 101.91 feet;
Thence through a tangent curve to the right having an arc length of 46.32 feet, a radius of 66.79 feet, the long chord of which bears S 09°19'41" W, 45.40 feet to the point of termination of a latter access easement, said easement being the last easement described on this document;
Thence continuing through a curve to the right having an arc length of 87.02 feet, a radius of 66.79 feet, the long chord of which bears S 66°31'14" W, 57.96 feet
Thence N 76°09'18" W, 79.67 feet;
Thence through a tangent curve to the left having an arc length of 93.89 feet, a radius of 88.41 feet, the long chord of which bears S 73°25'14" W, 89.54 feet;
Thence S 42°59'47" W, 94.30 feet;

Thence through a tangent curve to the right having an arc length of 143.46 feet, a radius of 148.51 feet, the long chord of which bears S 70°40'13" W, 45.40 feet to a point on the west line of the northeast quarter of the southeast quarter of Section 3.

The sidelines of this easement shall be shortened or lengthened to terminate on the west line of Cavendish Highway and the west line of the northeast quarter of the southeast quarter of Section 3.

SUBJECT TO: An easement for ingress and egress located in the north half of the southeast quarter of Section 3, Township 37 North, Range 1 West of the Boise Meridian described as follows:

COMMENCING at the northwest corner of the northeast quarter of the southeast quarter of Section 3; Thence along the west line thereof, S 00°24'35" W, 30.00 feet to the **POINT OF BEGINNING:**

A strip of land lying 15 feet on both sides of the following described line:

Thence S 19°34'00" E, 44.03 feet;

Thence through a tangent curve to the right having an arc length of 26.97 feet, a radius of 82.78 feet, the long chord of which bears S 10°13'55" E, 26.85 feet;

Thence S 00°53'51" E, 37.25 feet;

Thence S 01°36'09" W, 35.15 feet;

Thence through a tangent curve to the right having an arc length of 29.45 feet, a radius of 30.05 feet, the long chord of which bears S 29°41'08" W, 28.29 feet;

Thence S 57°46'07" W, 7.46 feet to a point on the west line of said northeast quarter of the southeast quarter and the termination of this easement.

The sidelines of this easement shall be shortened or lengthened to terminate on the west line of the northeast quarter of the southeast quarter of Section 3.

SUBJECT TO: An easement for ingress and egress located in the north half of the southeast quarter of Section 3, Township 37 North, Range 1 West of the Boise Meridian described as follows:

COMMENCING at the northwest corner of the northeast quarter of the southeast quarter of Section 3; Thence along the west line thereof, S 00°24'35" W, 391.43 feet to the **POINT OF BEGINNING:**

A strip of land lying 15 feet on both sides of the following described line:

Thence S 55°05'04" E, 9.88 feet;

Thence through a curve to the left having an arc length of 89.34 feet, a radius of 90.24 feet, the long chord of which bears S 83°26'45" E, 85.74 feet;

Thence N 68°11'35" E, 41.46 feet;

Thence through a curve to the right having an arc length of 17.01 feet, a radius of 113.20 feet, the long chord of which bears N 72°29'48" E, 16.99 feet;

Thence N 76°48'02" E, 69.85 feet;

Thence through a curve to the right having an arc length of 23.40 feet, a radius of 31.60 feet, the long chord of which bears S 81°59'09" E, 22.87 feet;

Thence S 60°46'19" E, 100.91 feet;

Thence through a curve to the left having an arc length of 23.20 feet, a radius of 89.20 feet, the long chord of which bears S 68°13'20" E, 23.13 feet;

Thence S 75°40'20" E, 84.87 feet to the previously described termination of this easement.

The sidelines of this easement shall be shortened or lengthened to terminate on the west line of the northeast quarter of the southeast quarter of Section 3 and the northerly sideline of said previously described easement.

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