



BONNER COUNTY PLANNING DEPARTMENT

1500 HIGHWAY 2, SUITE 208, SANDPOINT, ID 83864 (208) 265-1458 (208) 265-1463 (FAX)
planning@bonnercountyid.gov (email) www.bonnercountyid.gov (web page)

VARIANCE APPLICATION

FOR OFFICE USE ONLY:

FILE # V0005-24 Administrative Variance Public hearing required	RECEIVED: RECEIVED By Rob Winningham at 6:10 am, Feb 08, 2024
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PROJECT DESCRIPTION:

The applicant is requesting a variance from a:

<input checked="" type="checkbox"/> Front yard setback	<input type="checkbox"/> Rear yard setback
<input type="checkbox"/> Side yard setback	<input type="checkbox"/> Water front setback

The applicant is requesting a 10.68' foot setback to allow for the construction of:
(Specify the type of structure and use) Garage [primarily the SW corner]. The Garage otherwise conforms to and or exceeds front and side yard setbacks.

After receipt of the previously approved setback variance and commencement of foundation works, it was discovered the original plat used in preparing the variance site plan contained errors. As a result of recent survey work, it was confirmed that the garage foundation (as built) will result in the roof overhangs encroaching into the approved setback area by 1.82' at their greatest extent. This application seeks to remedy that condition by requesting the existing variance be modified to provide for the setback distance noted above (and as shown on attached site plan exhibit A1.1 dated 01-27-2024). All other elements of the application, including the garage size and location in relation to the existing residence remain unchanged. The roof overhangs provide protection from snow and rain and are important design elements in providing weather protection to ensure a long life for the structure. If not approved, these protective elements would require elimination from the southwest portion of the building. It should also be noted the building foundation is already compliant with the setback requirements and only the roof overhang would encroach beyond the previously approved variance.

Other (Please specify)

Landowner's name: Tom Lindquist

Mailing address: [REDACTED]

City: [REDACTED]	State: WA	Zip code: 98040
Telephone: [REDACTED]	Fax:	
E-mail: [REDACTED]		

REPRESENTATIVE'S INFORMATION:

Representative's name: Caleb Worley - Contractor

Company name: Worley Homes

Mailing address: 771 Peninsula Loop Road

City: Priest River	State: ID	Zip code: 83856
Telephone: (208)627-2091	Fax:	
E-mail: worleyhomes@gmail.com		

ADDITIONAL APPLICANT/REPRESENTATIVE INFORMATION:

Name/Relationship to project: Doug Cole - Architect

Company Name: Doug Cole Architect

Mailing Address: 16802 3rd Ave

City: LaConner	State: WA	Zip Code: 98257
Telephone: (360)630-7228	Fax:	
E-mail: dougcolearchitect@gmail.com		

PARCEL INFORMATION:

Section #: 27	Township: 61N	Range: 4W	Parcel acreage: 0.39
Parcel # (s): RP059610010370A			
Legal description: 125 Pinto Point Road, Coolin Idaho 83821 <small>Lot 37, Block 1 and an undivided 1/53rd interest in Lot 1, Block 2 of STATE SUBDIVISION - PINTO POINT, according to the plat thereof, recorded in Book 10 of Plats, page 152, records of Bonner County, Idaho and Affidavit of Correction recorded October 2, 2014 as Instrument No. 864955</small>			
Current landowner's name: Northwest Family Co-Investment #1 LLC [Lindquist Family Trust]			
Current zoning: Recreation		Current use: Lake Cabin	
What zoning districts border the project site?			
North: Recreation		East: Priest Lake	
South: Recreation		West: Recreation	
Comprehensive plan designation:			
Uses of the surrounding land (describe lot sizes, structures, uses):			
North: Neighbor cabin [Graff]			
South: Neighbor cabin [Schnug]			
East: Lake			
West: Neighbor cabin [Mager]			
Nearest city: Coolin, ID 83821		Distance to the nearest city: 10 miles	
Detailed directions to site: 125 Pinto Point Road, Coolin, Idaho 83821 [East side of Priest Lake - mid lake]. Google maps provide accurate location.			

NARRATIVE STATEMENT:

Explain the effects of elements such as noise, light glare, odor, fumes and vibrations on adjoining property: Adjoining property impacts should be minimal. All [3] directly adjacent neighbors have reviewed our plans and support the project as compatible and as positive design. Also, we have attached pictures of all [3] neighbors properties from this site -which primarily highlight adjacency to garage structures.

There will be noise and some vibrations during construction. As a result, we hope to build the garage during the upcoming Fall, Winter and Spring to avoid Summer use impacts.

Explain how the proposed use is compatible with adjoining land uses: Nearly every cabin in the Pinto Point neighborhood has a garage separate from the main cabins. Under the Pinto Point Owners Association CC&Rs and similar to past approvals from IDL [former lease lots], reduced front yard setbacks for garage are and have been allowed. Approximately 12 cabins in our direct neighborhood have garages with setbacks under 25 feet.

The Pinto Point Sewer District has approved the proposed location [see discussion below]

The Pinto Point Owners Association has approved the garage as compatible with all CCRs and defers to Bonner County on Front Yard setbacks.

All [3] adjacent neighbors agrees the garage is compatible with their sites.

Explain why it is not possible to comply with the ordinance standards: The Garage site location needs to be North or South.

1. The proposed location avoids existing underground power service [to joint lots] versus a north location
2. Avoids relocating underground sanitary service on the site [due to age - location is unknown by Pinto Point Sewer District] versus a north location.
3. Maintains clear access to existing Septic Tank for servicing [versus being partially blocked by alternative north garage location]
4. Maintains distance from existing water wellhead area [due east of proposed garage]
5. Provides adequate distance and separation from the main cabin to allow human/pedestrian access.

Describe whether an undue hardship exists because of site characteristics, and whether special conditions and circumstances exist that are peculiar to the land, structures, or building involved that the applicant has no control over. BCRC 12-234(a) *Example: A site may have excessive slopes that prevent a structure from meeting the required setbacks.* _____

Another important hardship/circumstance relates to the Pinto Point Road itself. When IDL established the Plat for purposes of Public Auction, it imposed a 30 Foot Wide Right of Way in the middle of Pinto Point. Pinto Point is a very narrow physical neighborhood in the Priest Lake area. It is also a small dead end neighborhood with very limited traffic flow. Many of us suggested a 20 foot Right of Way as adequate. Nevertheless, the 30' ROW existing puts additional burden on the Front Yard setback requirement for many of us in the neighborhood.

Explain whether special conditions and circumstances result from the actions of the applicant. BCRC 12-234(b) *Example: Did the applicant reduce the size of his/her parcel, thereby creating an "unbuildable" parcel?* No. There has been no alteration of the original lot lines or parcel size reduction.

Explain whether granting this variance is in conflict with the public interest in that it will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity of the subject parcel or lot. BCRC 12-234(c)

Example: Will approval of the variance result in a potential obstruction of public access or cause a safety hazard? It will not - and matches the building condition already found throughout the entire [narrow and dead end] neighborhood.

Please see the attached Pinto Point Neighborhood Map.

ACCESS INFORMATION:

Please check appropriate boxes:

Private Easement Existing Proposed
Describe travel surface (e.g., gravel, dirt, paved, etc.), travel way width, road grade and easement width. Include recorded instrument number for existing easements & name, if existing: 30 foot ROW with gravel condition [maintained annually as a CCR obligation by the Pinto Point Owners Association]. The State of Idaho has reserved access rights. In addition, the State of Idaho owns the (Lot 3, Block 1) and has granted lot owners an easement for access and utilities.

Public Road Existing Proposed
Describe travel surface (e.g., gravel, dirt, paved, etc.), travel way width, road grade right-of-way width and name, if existing:

Combination of Public Road/Private Easement Existing Proposed
Describe travel surface (e.g., gravel, dirt, paved, etc.), travel way width, road grade and right-of-way/easement width and road name, if existing:

SITE INFORMATION:

Please provide a detailed description of the following land features:

Topography (lay of the land), including estimated maximum slope, rock outcroppings, benches, etc:
Generally flat but impacted by numerous easements. Please consult the Site Plan.

Water courses (lakes, streams, rivers & other bodies of water):
Priest Lake adjoins the lot directly to the east as shown on the Site Plan.

Is site within a floodplain? Yes No Firm Panel #: _____ Map designation: _____

Springs & wells: Our lot has a water well and the garage project is located with the well site protected [see site plan]

Existing structures (size & use): Our Primary cabin is adjacent as noted on the Site Plan. Pictures of adjacent neighbor garages are also provided.
The existing cabin is 1,440 sf and there is an existing sleeping porch of 171 sf.

Land cover (timber, pastures, etc): Developed with associated trees. Garage area is currently a gravel lot. Picture provided.

Are wetlands present on site? Yes No Source of information: _____

Other pertinent information (attach additional pages if needed): _____

SERVICES:

Sewage disposal will be provided by:

- Existing Community System - List name of sewer district or provider and type of system:
Pinto Point Sewer District - Septic tanks with force mains and community drainfield half a mile away.
- Proposed Community System - List type & proposed ownership:
- Individual system - List type:

Explain the type of sewage system, capacity, maintenance plan, location of facilities, if applicable and other details:

Water will be supplied by:

- Existing public or community system - List name of provider:
- Proposed Community System - List type & proposed ownership:
- Individual well

Please explain the water source, capacity, system maintenance plan, storage and delivery system and other details: 400' deep private well. Proposed garage location avoids well head conflict.

Distance (in miles) to the nearest:

Public/Community Sewer System: half mile	Solid Waste Collection Facility: 12 miles
Public/Community Water System: n/a	Fire Station:
Elementary School: 20 miles	Secondary Schools: 30 miles
County Road: 1 mile	County Road Name: East Side Road

Which fire district will serve the project site? East Priest Lake Fire District [new District]

Which power company will serve the project site? Northern Lights service to the site

How is the use/plan in accordance with the general and specific objectives of the Comprehensive Plan? (Copy of goals and objectives attached)

Property Rights: compatible


Population: existing

School facilities & Transportation: compatible

Economic Development: compatible

Land Use: <u>compatible</u>
Natural Resources: <u>compatible</u>
Hazardous Areas: <u>No hazardous areas are known on or near this lot</u>
Public Services: <u>compatible</u>
Transportation: <u>compatible</u>
Recreation: <u>compatible</u>
Special Areas or Sites: <u>No special areas or sites are known on or near this lot</u>
Housing: <u>compatible</u>
Community Design: <u>Approved by Pinto Point Owners Association CCRs</u>
Implementation: (Not required to complete this element)

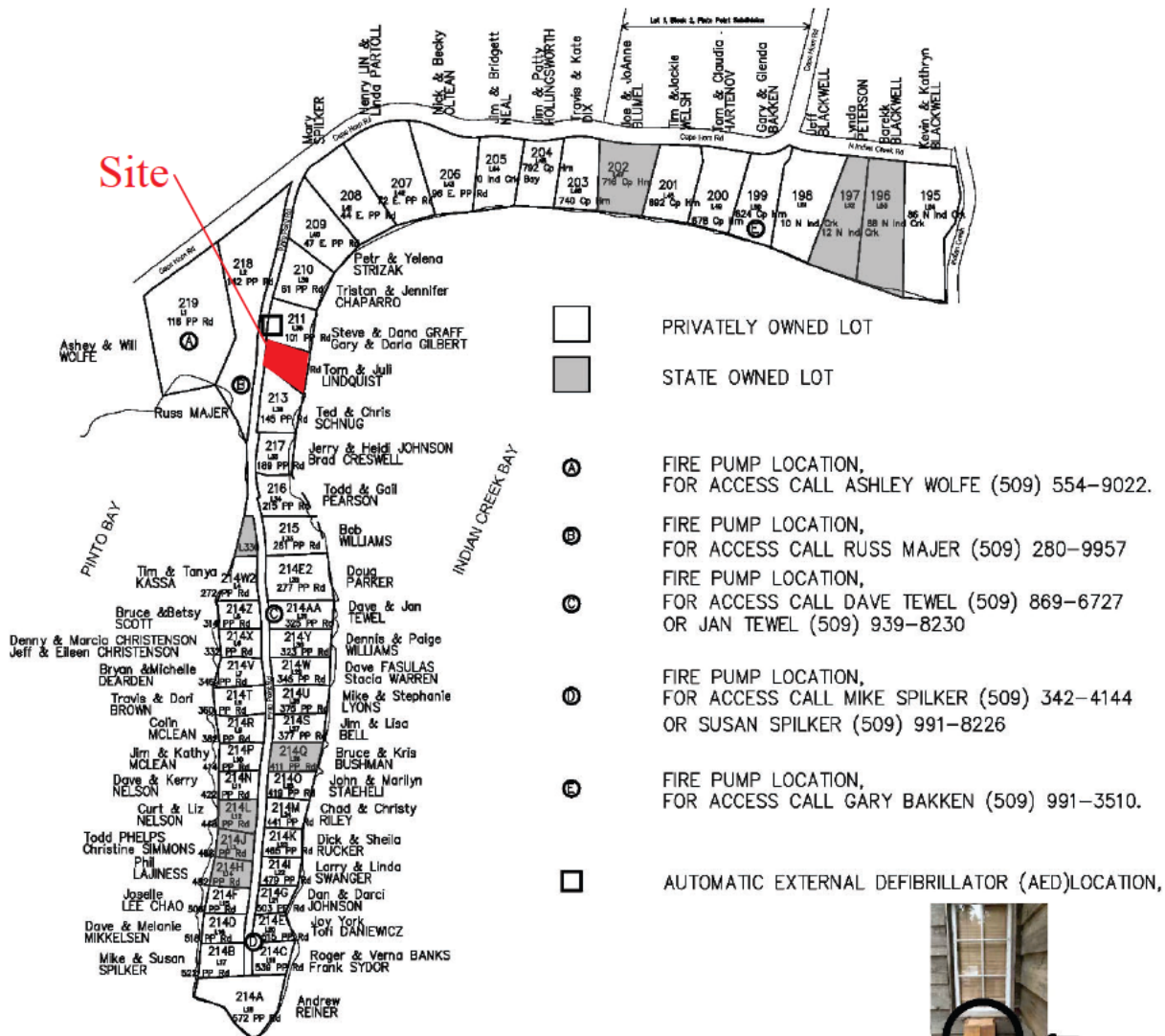
I hereby certify that all the information, statements, attachments and exhibits submitted herewith are true to the best of my knowledge. I further grant permission to Bonner County employees and representatives, elected or appointed officials to enter upon the subject land to make examinations, post the property or review the premises relative to the processing of this application.

Landowner's signature:  Date: _____

Landowner's signature: _____ Date: _____

LINDQUIST GARAGE VARIANCE APPLICATION

125 Pinto Point Road, Coolin, ID 83821



PINTO POINT NEIGHBORHOOD

BLOCK 1, PINTO POINT SUBDIVISION rev: 8/30/22

Pinto Point Subdivision Map

125 Pinto Point Road Variance Application



View from Pinto Point Road to Proposed Garage Site

Red indicates approximate garage footprint

Dashed yellow indicates approximate 25' setback line from Pinto Point Road ROW

Refer to site plan drawing for a scale-accurate depiction.

125 Pinto Point Road Variance Application



View to South from Proposed Garage Site
Looking towards Schnug's Garage



View to North from Proposed Garage Site
Looking towards Graff's Garage

125 Pinto Point Road Variance Application



View to West across Pinto Point Road from Proposed Garage Site
Looking towards Majer's Garage



Excerpt from Original Plat Map



Impervious Surface Notes

THE AREA BETWEEN PINTO POINT ROAD AND THE EXISTING RESIDENCE IS CURRENTLY DEVELOPED WITH GRASS. THE PROPOSED NEW GARAGE AND A PORTION OF SEVERAL EXISTING DRIVEWAYS AND NEW IMPERVIOUS SURFACE ARE BEING CONSTRUCTED BY THE APPLICATOR AND SHALL BE LANDSCAPED WITH NATIVE GRASSES AND PLANTINGS AS SHOWN ON THIS SITE PLAN.

Impervious Surface Calculations

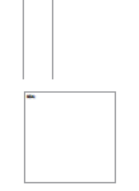
TOTAL SITE AREA (BLK ACRES)	16.888 SF
TOTAL SITE AREA WITHIN 50' OF HIGHWAY	10,000 SF
MAXIMUM IMPERVIOUS SURFACE AREA AT 50'	10,000 SF
IMPERVIOUS SURFACE	10,000 SF
EXISTING RESIDENCE FOOTPRINT	3,200 SF
EXISTING DRIVEWAY FOOTPRINT	1,500 SF
NEW GARAGE FOOTPRINT	1,500 SF
NEW DRIVEWAY AND PARKING AREAS (TOTAL)	2,000 SF
TOTAL	8,200 SF
IMPERVIOUS COVERAGE	68.2%

Site Plan Key Notes

- CONNECT TO EXISTING WATER AND SEWER SERVICES UNDERNEATH MAIN HIGHWAY

PROVIDE TO THE APPLICATOR A COPY OF THIS SITE PLAN AND ALL ATTACHED DOCUMENTS TO THE CITY OF COQUILA FOR REVIEW AND APPROVAL. THE CITY OF COQUILA IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED HEREIN.

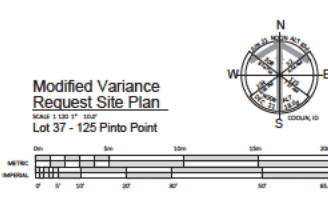
- Legend**
- 1. EXISTING IMPERVIOUS SURFACE
 - 2. EXISTING DRIVEWAY
 - 3. EXISTING RESIDENCE
 - 4. EXISTING DRIVEWAY
 - 5. EXISTING DRIVEWAY
 - 6. EXISTING DRIVEWAY
 - 7. EXISTING DRIVEWAY
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 - 16. EXISTING DRIVEWAY
 - 17. EXISTING DRIVEWAY
 - 18. EXISTING DRIVEWAY
 - 19. EXISTING DRIVEWAY
 - 20. EXISTING DRIVEWAY



Doug Cole Architect
 125 PINTO POINT ROAD
 COQUILA, OREGON 97103
 (503) 865-1234
 www.douglcole.com

TOM & JULI LINDQUIST
 ARCHITECTS
 125 PINTO POINT ROAD
 COQUILA, OREGON 97103
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 www.tomandjulielindquist.com

PINTO POINT GARAGE/SHOP & GUEST ROOM
 125 PINTO POINT ROAD
 COQUILA, OREGON 97103



DATE	DATE
BY	BY
SCALE	SCALE
SITE PLAN	
3	A1.1

Original Variance Approval
Documents Follow



Bonner County Planning Department

"Protecting property rights and enhancing property value"

1500 Highway 2, Suite 208, Sandpoint, Idaho 83864

Phone (208) 265-1458 - Fax (866) 537-4935

Email: planning@bonnercountyid.gov - Web site: www.bonnercountyid.gov

September 25, 2023

Thomas Lindquist



Subj: File V0014-23 – Variance – Street Setback

Encl: (1) File V0014-23 Hearing Examiner Approved Site Plan

Dear Applicant,

The Bonner County Hearing Examiner at the September 20, 2023, hearing approved the referenced application with conditions.

DECISION TO APPROVE: Hearing Examiner Rucker approved this project FILE V0014-23, a reduced street setback of 12.5 feet where 25 feet is required, finding that it is in accord with the Bonner County Revised Code as enumerated in the following conclusions of law:

Conclusions of Law:

Based upon the findings of fact, the following conclusions of law are adopted:

Conclusion 1:

Conditions apply to the property that **do not** apply generally to other properties in the same zone or vicinity, which conditions are a result of lot size, shape, topography, or other circumstances over which the applicant has no control.

Conclusion 2:

Special conditions and circumstances **do not** result from the actions of the applicant.

Conclusion 3:

The granting of the variance **is not** in conflict with the public interest in that it **will not** be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity of the subject parcel or lot.

And based upon the evidence submitted up to the time the Staff Report was prepared, and testimony received at this hearing. Examiner Rucker further adopted the following findings of fact and conclusions of law as written. The action that

could be taken to obtain the variance is to complete the Conditions of Approval as adopted. This action does not result in a taking of private property.

Findings of Fact

1. The proposal was reviewed for compliance with BCRC 12-234 Variances, and standards for review of applications, BCRC 12-400, et seq.
2. The parcel contains 0.39 acres.
3. The parcel does contain mapped slopes in excess of 30% per USGS.
4. The parcel does contain mapped wetlands per USFWS.
5. The parcel does contain frontage on Priest Lake.
6. The parcel is within SFHA Zone X & Zone AE per FIRM Panel Number 16017C0225F, Effective Date 7/7/2014.
7. The lot is zoned Recreation with a land use designation of Resort Community.
8. The lot is described as 27-61N-4W PINTO POINT BLK 1 LOT 37, according to the plat thereof, recorded in Book 10 of Plats, Page 152, records of Bonner County, Idaho.
9. The property has an existing single-family dwelling.
10. The applicant purchased the parcel in 2018, Instrument number 929573.

Conditions of approval:

Standard permit conditions:

A-1 Only the building envelope for street setback on the site plan has been reviewed for variance standards. All other development shown must comply with Bonner County Revised Code excepting the modified building envelope herein.

A-2 The granting of this variance shall not supersede any deed restrictions.

Bonner County Revised Code, Section 12-262, provides an opportunity for affected persons to appeal Hearing Examiner decisions with the Planning Director within 28 days after the final written decision of the Hearing Examiner has been issued. Any such appeal must be submitted in accordance with the referenced code section no later than **5:00 p.m., October 23, 2023. AN APPEAL SHALL BE ACCOMPANIED BY A FILING FEE IN ACCORDANCE WITH THE APPROVED**

FEE SCHEDULE. THE FEES ARE PAYABLE TO THE BONNER COUNTY PLANNING DEPARTMENT.

NOTE: Following any final decision concerning a site-specific land use request, the applicant has a right to request a regulatory taking analysis pursuant to Section 67-8003, Idaho Code (*Idaho Code §67-6535(3)*).

Please contact the Planning Department if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Jacqueline S Rucker". The signature is written in a cursive style with a horizontal line underneath the name.

Jacqueline Rucker
Hearing Examiner

c: Doug Cole, Project Representative
Caleb Worley, Project Representative



Excerpt from Original Plat Map



Impervious Surface Notes
 THE AREA OF PINTO POINT ROAD AND THE FOOTING OF LOT 37 IS CLASSIFIED AS IMPERVIOUS SURFACE. THE FOOTING OF LOT 37 IS CLASSIFIED AS IMPERVIOUS SURFACE. THE AREA OF PINTO POINT ROAD AND THE FOOTING OF LOT 37 IS CLASSIFIED AS IMPERVIOUS SURFACE. THE AREA OF PINTO POINT ROAD AND THE FOOTING OF LOT 37 IS CLASSIFIED AS IMPERVIOUS SURFACE.

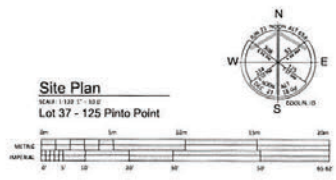
SYMBOL	DESCRIPTION
(Symbol)	EXISTING BUILDING
(Symbol)	PROPOSED BUILDING
(Symbol)	EXISTING DRIVE
(Symbol)	PROPOSED DRIVE
(Symbol)	EXISTING PARKING
(Symbol)	PROPOSED PARKING
(Symbol)	EXISTING FENCE
(Symbol)	PROPOSED FENCE
(Symbol)	EXISTING UTILITY
(Symbol)	PROPOSED UTILITY

Doug Cole Architect
 ARCHITECT
 123 PINTO POINT ROAD
 COOLIDGE, ARIZONA 85921

TOM & JULI LINDQUIST
 ARCHITECTS
 123 PINTO POINT ROAD
 COOLIDGE, ARIZONA 85921

PINTO POINT GARAGE/SHOP & GUEST ROOM
 123 PINTO POINT ROAD
 COOLIDGE, ARIZONA 85921

BONNER COUNTY APPROVED SITE PLAN
Jacqueline Kusler 9/24/23
 DATE



DATE	10/10/23
BY	JACQUILINE KUSLER
FOR	TOM & JULI LINDQUIST
PROJECT	PINTO POINT GARAGE/SHOP & GUEST ROOM
SCALE	AS SHOWN
APP. NO.	A1.1

Instrument # 1027229
Bonner County, Sandpoint, Idaho
11/06/2023 09:45:33 AM No. of Pages: 5
Recorded for BONNER COUNTY PLANNING
Michael W Rosedale Fee: \$0.00
Ex-Officio Recorder Deputy
Index to: MISC

**BONNER COUNTY PLANNING DEPARTMENT
VARIANCE - V0014-23
ASSESSOR'S PARCEL NUMBER: RP059610010370A**

TO: Thomas Lindquist



PURPOSE: Reduced street setback of 12.5 feet where 25 feet is required.

LOCATION: 125 Pinto Point Road, Coolin ID 83821 in Section 27, Township 61 North, Range 04 West, Boise-Meridian.

CONDITIONS OF APPROVAL:

1. Only the building envelope for street setback on the site plan has been reviewed for variance standards. All other development shown must comply with Bonner County Revised Code excepting the modified building envelope herein.
2. The granting of this variance shall not supersede any deed restrictions.

This Variance is issued pursuant to the September 25, 2023 written decision of the Hearing Examiner.



Jacob Gabell, Planning Director

11/6/23
Date

STATE OF IDAHO)
) :ss
COUNTY OF BONNER)

On this 6 day of November in the year 2023 before me, a Notary Public in and for said State, personally appeared Bonner County Planning Director Jacob Gabell 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, as such Director of the Bonner County Planning Department.

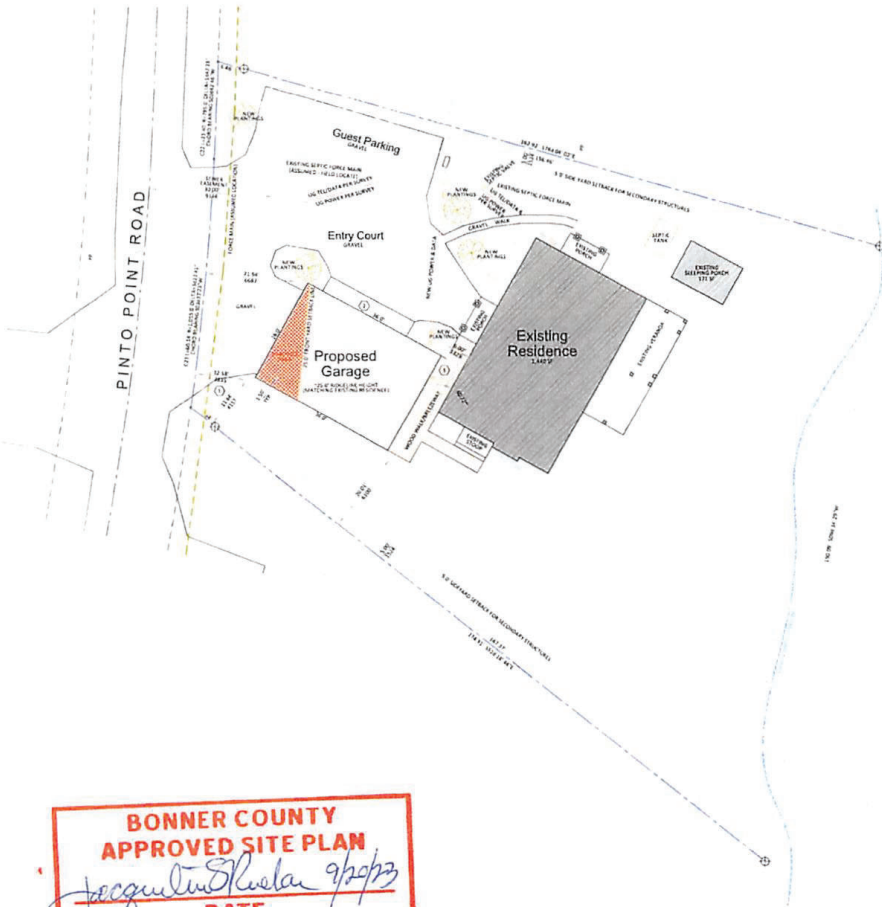


Notary Public

Residing at: Sandpoint, Idaho

My commission expires: 9-07 2029





Excerpt from Original Plat Map



Impervious Surface Notes
 THE AREA SHOWN IN PINK ON THIS SITE PLAN IS DESIGNATED AS IMPERVIOUS SURFACE. THIS AREA IS SUBJECT TO THE REQUIREMENTS OF THE ZONING BY-LAW AND THE DEVELOPMENT PERMIT REGULATIONS. THE DEVELOPER SHALL SUBMIT A LANDSCAPE PLAN WITH THE DEVELOPMENT PERMIT APPLICATION THAT SHOWS THE PROPOSED LANDSCAPING TO BE INSTALLED TO MITIGATE THE IMPACTS OF THE IMPERVIOUS SURFACE. THE LANDSCAPE PLAN SHALL BE APPROVED BY THE CITY ENGINEER.

DATE 9/29/23
DATE 9/29/23
DATE 9/29/23
DATE 9/29/23
DATE 9/29/23

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PINTO POINT GARAGE/SHOP & GUEST ROOM

125 PINTO POINT ROAD
 COOKSVILLE, TN 37030

BONNER COUNTY APPROVED SITE PLAN
Jacqueline Shelton 9/29/23
DATE

Site Plan
 Scale: 1/8" = 1'-0"
 Lot 37 - 125 Pinto Point

DATE: 9/29/23
 SHEET: A.1.1

Instrument # 929573
Bonner County, Sandpoint, Idaho
10/16/2018 01:06:41 PM No. of Pages: 3
Recorded for: FIRST AMERICAN TITLE AND ESCROW COMPANY
Michael W. Rosedale Fee: \$0.00
Ex-Officio Recorder Deputy rlaharty
Index to: DEED

STATE OF IDAHO DEED

ELECTRONICALLY RECORDED - DO NOT
REMOVE THE COUNTY STAMPED FIRST
PAGE AS IT IS NOW INCORPORATED AS
PART OF THE ORIGINAL DOCUMENT.

2966150-TD

DEED NO. 14237

(125 Pinto Point Road, Coolin, ID 83821)

THIS STATE DEED ("Deed") is made this 20th day of September, 2018, by the **STATE OF IDAHO, STATE BOARD OF LAND COMMISSIONERS**, whose mailing address is P.O. Box 83720, Boise, Idaho 83720-0050 ("Grantor"), and **Northwest Family Co-Investment #1 LLC, a Delaware limited liability company**, whose mailing address is 7630 79th Avenue SE, Mercer Island, WA 98040 ("Grantee").

WITNESSETH: That Grantor, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby bargain, sell, convey and release unto Grantee all of Grantor's right, title and interest in and to the following described real property, with a street address of 125 Pinto Point Road, Coolin, ID 83821 (the "Property") situated in Bonner County, State of Idaho, to-wit:

Lot 37, Block 1 and an undivided 1/53rd interest in Lot 1, Block 2 of State Subdivision - Pinto Point, according to the plat thereof, recorded in Book 10 of Plats, page 152, records of Bonner County, Idaho and Affidavit of Correction recorded October 2, 2014 as Instrument No. 864955.

TOGETHER WITH:

1. All mineral rights pursuant to Idaho Code § 47-711(1).
2. The tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining.
3. "State of Idaho Declaration of Access Easement, State Subdivision - Pinto Point, No. ES100009", upon the terms, conditions and provisions contained therein, recorded in the records of Bonner County, Idaho, as Instrument No. 865275.
4. "State of Idaho Declaration of Driveway and Utility Easement, State Subdivision - Pinto Point, No. ES100091", upon the terms, conditions and provisions contained therein, recorded in the records of Bonner County, Idaho, as Instrument No. 865280; and clarified and corrected by Instrument No. 877425.
5. The granting of an easement for ingress and egress over, across and along all existing roads as described in that certain "Amended State of Idaho Easement No. 4744", recorded in the records of Bonner County, Idaho, as Instrument No. 861624.

SUBJECT TO:

1. All matters, whether or not of record.
2. "State of Idaho Declaration of Access Easement, State Subdivision – Pinto Point, No. ES100009", upon the terms, conditions and provisions contained therein, recorded in the records of Bonner County, Idaho, as Instrument No. 865275.
3. "State of Idaho Declaration of Driveway and Utility Easement, State Subdivision – Pinto Point, No. ES100091", upon the terms, conditions and provisions contained therein, recorded in the records of Bonner County, Idaho, as Instrument No. 865280; and clarified and corrected by Instrument No. 877425.
4. The terms, conditions and provisions contained in that certain "Amended State of Idaho Easement No. 4744", recorded in the records of Bonner County, Idaho, as Instrument No. 861624.

RESERVING THEREFROM, a right of way for ditches constructed by authority of the United States as identified in Idaho Code § 58-604.

THE PROPERTY IS CONVEYED "AS IS", with no representation or warranty of any kind as to the fitness of the Property for any particular purpose.


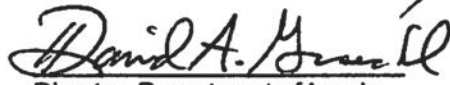
TO HAVE AND TO HOLD, all and singular, the Property unto the said Grantee and its successors and assigns forever.

[Remainder of page intentionally left blank]

IN WITNESS WHEREOF, I, C.L. "BUTCH" OTTER, the Governor of the State of Idaho and President of the State Board of Land Commissioners, have hereunto signed my name and caused the Great Seal of the State of Idaho and the Seal of the State Board of Land Commissioners to be hereunto affixed hereto.


Governor of Idaho and President of the
State Board of Land Commissioners

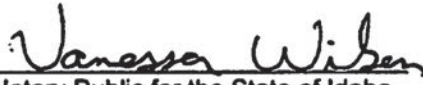
COUNTERSIGNED:


Secretary of State

Director, Department of Lands



STATE OF IDAHO)
) ss.
County of Ada)

On this 20th day of September in the year 2018, before me a Notary Public in and for said State, personally appeared C.L. "BUTCH" OTTER, known to me to be the Governor of the State of Idaho and President of the State Board of Land Commissioners, and LAWRENCE E. DENNEY, known to me to be the Secretary of State of the State of Idaho, and DAVID GROESCHL, known to me to be the Director of the Department of Lands of the State of Idaho, who executed the said instrument and acknowledged to me that such State of Idaho executed the same.


Notary Public for the State of Idaho
Residing at: Boise, Id
Exp 8-11-2020

