AGENDA
PAYETTE CITY COUNCIL
SEPTEMBER 2, 2014
WORK SESSION & REGULAR MEETING

HONORABLE MAYOR JEFFREY T. WILLIAMS PRESIDING

LEE NELSON	**MARK HELEKER**
CRAIG JENSEN	**JEFF SANDS**
NANCY DALE	**RAY WICKERSHAM**

5:30 PM –

A. Joint Work Session with Parks & Rec Committee
B. Budget FY 2015

7:00 PM – Regular Meeting

I. ROLL CALL

II. PLEDGE OF ALLEGIANCE

III. CITIZENS COMMENTS

IV. APPROVAL OF MINUTES
- A. 08-18-2014 Public Hearing & Regular Meeting..... 1

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VI. SPECIAL ORDERS
- A. Library Director – Erin Haley

VII. COMMUNICATIONS
- A. Thank You - Payette Senior Citizens..... 8
- B. West Region Economic Development Forum..... 9

VIII. PLANNING & ZONING

IX. OLD BUSINESS

X. NEW BUSINESS
- A. Amend Easement – North 19th Street
- B. Bike Terrain Trail
- C. Building Permit Fees Waive Request – First Christian Church..... 10
- D. Donation Request – Westside Elementary School..... 11
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- F. Ordinance #1383- Annual Appropriations Ordinance..... 13
- G. Accept Water Line Easements @ Payette Commercial Project..... 14
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XI. DEPARTMENTAL REPORT

XII. MAYOR'S COMMENTS

XIII. CITIZEN'S COMMENTS
(Limited to 5 minutes per person, at the discretion of the Mayor)

XIV. ADJOURNMENT

Any person needing special accommodations to participate in the above noticed meeting should contact the City at least 5 days before the meeting at 700 Center Avenue or at 642-6024

MINUTES
PAYETTE CITY COUNCIL
Public Hearing & Regular Meeting
August 18, 2014

6:00 PM – Public Hearing

ROLL CALL

Members Present:	Mayor Jeff Williams; Mark Heleker, Nancy Dale, Ray Wickersham, Lee Nelson, Craig Jensen and Jeff Sands
Members Absent:	None.
Staff Present:	Staff Present: Steve Castenada, Fire Chief; Jacob Hust; Water Superintendent; Jamie Couch, Street Supervisor; Chief of Police, Mark Clark; Bert Osborn, City Attorney; Randy Fales, Park Supervisor, Randy Schwartz, Water Supervisor, John Plaza, Police Captain, Mary Cordova, City Administrator; Tiffany Howell, Assistant City Clerk

Budget 2014-2015

Clerk Cordova went over the FY15 budget slideshow.

Kathy Patrick asked if the new firefighter that the fire department wants to add, will be EMT certified. Clerk Cordova stated no, he will be EMR certified.

Mayor Williams stated that on the homeowner slide, that is just the City of Payette taxes not including the "others" that are listed on your taxes.

Councilor Jensen stated that taxes are actually going down 7% from last year. A gentleman asked why the value is going up, but when I go to sell my house it is sold at rock bottom price. Councilor Jensen stated that is something that needs to be brought up in front of the county commissioners. Councilor Jensen stated that he hired a personal appraiser and took that into the County Assessor and they lowered his taxes tremendously.

Councilor Wickersham stated that he would like to thank everyone that showed up at tonight's meeting.

Attorney Osborn closed the public hearing at 6:26pm

7:00 PM – Regular Meeting

A regular meeting of the Payette City Council was called to order at 7:02 PM by Mayor Jeff Williams in the City Council Chambers of Payette City Hall, 700 Center Avenue.

ROLL CALL

Members Present:	Mayor Jeff Williams; Mark Heleker, Nancy Dale, Ray Wickersham, Lee Nelson, Craig Jensen and Jeff Sands
Members Absent:	None.
Staff Present:	Staff Present: Steve Castenada, Fire Chief; Jacob Hust; Water Superintendent; Jamie Couch, Street Supervisor; Chief of Police, Mark Clark; Bert Osborn, City Attorney; Randy Fales, Park Supervisor; Randy Schwartz, Water Supervisor, John Plaza, Police Captain, Mary Cordova, City Administrator; Tiffany Howell, Assistant City Clerk

PLEDGE
Mayor Williams led the pledge of allegiance.

CITIZENS COMMENTS

Doug Teetzen – 534 North 2nd Street –

Mr. Teetzen stated that the impact of the bike terrain park is in his back yard and affects the whole community and this is not something that should be for one persons personal gain.

Mr. Teetzen stated that for the last 2 months he has scrapped dirt and dust off of his personal property. The first thing he was told was the dust would be mitigated. Mr. Teetzen wants to know what happens when the volunteers are done doing the volunteering. There were two children that were there yesterday and left trash everywhere. Who are we going to be calling when we have noise issues? We had a motorized ATV out there, after dark use, cigarette butts and beer cans, vandalism concerns, puncture vines; does the insurance policy cover specifically a bike terrain park? These are my concerns and I would like to hear some answers and was told that there was a push to get the dirt moved before the meeting tonight.

Mayor Williams asked if it would be ok to have a written response at a later date. Mr. Teetzen stated that would be fine, but he would like it from the council and not the person driving the event.

Darrell Loveland – 402 River Street; Payette, Idaho

Mr. Loveland stated that he did a poll of his neighbors and all but one of them are against this project. Mr. Loveland stated that there are a couple of other areas, the brick yard and the water tower property. Mr. Loveland stated that he would like to have the councilors spread out, half on one side of town and half on the other side. Mr. Loveland stated that he went to the City of Kuna's website because they have a terrain park and they only have 5 active members. Mr. Loveland stated that the puncture vines are already a problem. This should be something for everyone to enjoy, not just the kids that want to ride their bikes. We are concerned about the barn owls on our property. Is this compliant with the ADA rules? Volunteers brought the dirt in, so they can take the dirt out.

Rodney McNitt – 604 North 2nd Street; Payette, Idaho

Mr. McNitt stated that the problem he has had is a lot of vandalism in his area. The softball park is right behind my property and I have had kids hanging on my fence, and I have to work at 4am in the morning. This is a poor design of the property, who is going to be watching the kids, what are the hours, what about the dirt? I am not happy about this project.

Janet Loveland – 402 River Street; Payette, Idaho

Mrs. Loveland stated that the park should be something that serves the whole community and this does not. Every park and BMX park and has not been adjacent to homes. People in our area do not use this park; take it up to the Jake Sherer Park where people want it. Mrs. Loveland asked City Hall if there was a schematic for the park and I was told no. I was told that all the neighbors were in favor and that is not the case. My suggestion is for it to be at the Jake Sherer park and not a neighborhood has been tagged, bike debris is left, garbage is left, proximity of houses to the park. I am not a negative person up here to talk bad about this park, but this was snuck in under our nose, and we were unaware of this project. I propose that maybe you could put a stop on what is going on and visit a bmx park and see what a real bmx park is. Councilor Dale stated that she thanks Mrs. Loveland for coming and she apologizes for any "assumptions" that were made. Councilor Heleker stated that he would echo what Councilor Dale stated, he appreciates what you individuals have to say. Mr. Loveland stated that Mayor Williams and Councilor Wickersham stated that there was nothing that can be done and that is a direct quote. Councilor Wickersham stated that is not a done deal.

Jennifer Teetzen – 534 North 2nd St; Payette, Idaho

Mrs. Teetzen stated that she heard commotion and stopped a city worker who was scrapping the lot. He told her that this was a done deal. She stated that she asked the worker why we weren't notified. Mrs. Teetzen stated that the city worker shrugged his shoulder and said "because this is Payette". Mrs. Teetzen stated that her understanding of what happened was that the city was given grant money and never utilized it for a public project and the city was caught not doing this. My understanding of the budget is that using 100% volunteer work does not qualify for a grant.

APPROVAL OF MINUTES

A motion was made by Heleker and seconded by Dale to approve the Regular meeting minutes of 08-04-2014, 08-06-2014 and 08-14-2014 with the following changes: page 4 the motion was 2nd by Councilor Jensen not Nelson. When talking about the Boise Hawk game, they did not receive a check yet, they received there 5013c. When Officer Toth was talking about the Alive at 25 Councilor Heleker would like clarification on where it is daily or monthly. Under Department Reports for Admin & Finance take off chairman in front of Mark Helekers name. Lee Nelson was at the 8-6 and 8-14 meeting and would like his name added.

After a unanimous voice vote by the Council, the motion CARRIED.

APPROVAL OF BILLS & PAYROLL

A motion was made by Heleker and seconded by Jensen to approve the City Bills & Payroll in the amount of $240,624.17.

At the roll call:
Ayes: Wickersham, Dale, Heleker, Nelson, Jensen, Sands
Nays:

The motion CARRIED.

SPECIAL ORDERS

A. Childhood Cancer Awareness

A motion was made by Sands and seconded by Dale to declare the month of September as Childhood Cancer Awareness month.

After a unanimous voice vote by the Council, the motion CARRIED.

COMMUNICATIONS

None

PLANNING & ZONING

None

OLD BUSINESS

None

NEW BUSINESS

A. Prescott Wilkie Lease Agreements – D-05 & E-08

A motion was made by Heleker and seconded by Jensen to approve the lease agreements for Prescott Wilkie's for hangers D-05 & E-08

After a unanimous voice vote by the Council, the motion CARRIED.

Mayor Williams, Bert Osborn and the City Council agree that staff shall approve the lease agreements.

B. Agenda Request – Payette Hometown – Community Yard Sale

Mayor Williams stated that Ms. Amason has withdrawn this request.

C. Appointment to Public Works Committee – Chuck Dodson & Liz Amason

A motion was made by Heleker and seconded by Jensen to appoint Chuck Dodson & Liz Amason to the Public Works Committee.

After a unanimous voice vote by the Council, the motion CARRIED.

D. Donation Request – McCain Middle School Education Trip

A motion was made by Wickersham and seconded by Nelson to purchase two pirate stencils at Bancroft Park instead of the cleaning.

After a unanimous voice vote by the Council, the motion CARRIED.

DEPARTMENTAL REPORT

A. Police Department – July 2014

Chief Clark stated that it is business as usual. Chief Clark stated that we had a grand jury on our homicide and he pled not guilty, which is typical and we are moving forward. Ben Brahnam is getting ready to head to post and we are excited about that. Chief Clark stated that he received the final report on the shooting at Maverick and he has forwarded that to a specialist. We did a crosswalk sting the other day and we got a lot of complaints HWY 95 and within a 2 hour period we wrote 10 tickets. We will be doing this again, but want to educate them first. We are preparing for Cruise Night and we pull in all of our resources for this event. We had a pursuit the other night and no one was hurt, except our car. Fruitland Police spiked our car. Our drug task force has been very busy and we had a nice article in the paper, as well as assisting Ontario PD. Chief Clark stated that we had a gentleman who drifted off and hit a fire hydrant and a street sign. We are happy to say that the vehicle was found and the gentleman was arrested for leaving the scene of a crime. Councilor Heleker stated that when we have our opening assembly we tell the students about that.

B. Parks & Rec Committee – August 5th

C. Airport Commission – August 11th

Councilor Wickersham stated that we are having an issue with keeping up with the AV gas and we are looking at getting a bigger tank.

D. Library Commission – August 12th & 13th

Councilor Dale stated that the Library has hired a new librarian, her name is Erin Hailey. She is a very energetic person and she will be a great addition to the library.

E. Historical Commission – August 18th

Jeff Sands stated that they are really close to finishing up the "walking brochure" and hopefully putting it on the website.

MAYORS COMMENTS

Mayor Williams asked if the council wants to have one more work session before the final budget. Is everyone ok with the budget we just presented? Councilor Heleker stated that if a project was brought to us within the next few days we would be able to get together, then I would like to hear that.

Mayor Williams stated that the ball fields up at McCain Middle School, the City paid for the rough plumbing, the foundation, concrete and we have spent our $25,000, so the rest is up to the Payette County Recreational District.

Mayor Williams stated that he received a call from Idaho Power and they want to put on a workshop on October 16th and it will be from 9am-6pm.

Mayor Williams stated that the county's budget will be held on September 2nd. The museum would like all participants to come and voice their support for the museum and ask for more money for the museum.

Mayor Williams stated that on September 11th from 4-6pm the city will host a picnic for all commissioners, committee members, and city councilmember's and employees.

CITIZEN'S COMMENTS

Councilor Wickersham stated that he would like to apologize to Mrs. Loveland if she thought he was telling her it was a done deal. He was on a job with a customer standing over his shoulder, so he apologizes. Councilor Sands stated that he thinks we should have a public hearing for things like this, whether we think we are doing the right thing or not.

Mr. & Mrs. Loveland would like to thank the council for listening to the neighbors. Mr. Loveland asked if he can discuss this with the Parks and Recreation Committee. Mayor Williams stated that you are more than welcome to come to those meetings. Mrs. Loveland asked if the work can be stopped. Councilor Wickersham and Councilor Heleker stated they feel it should be stopped until we learn more about this.

Johnny Cochran stated that he would like to thank the city for the CPI increase.

ADJOURNMENT

A motion was made by Heleker and seconded by Nelson to adjourn the regular meeting at 8:13 PM.

After a unanimous voice vote by the Council, the motion CARRIED.

Signed this_____day of_____, 2014.

_____
Jeffery T. Williams, Mayor

ATTEST:

_____
Brenda Stowe

CITY OF PAYETTE
SEPTEMBER 2, 2014

CITY PAYROLL	8/22/2014	$ 117,183.20
HARDIN SANITATION	8/21/2014	26,794.92
A COMPANY	9/2/2014	90.50
ADVANCED CONTROL	9/2/2014	2,779.00
ALICE TRAINING INSTITUE	9/2/2014	495.00
ALLDATA LLC	9/2/2014	1,500.00
AMERICAN CHILLER	9/2/2014	502.30
AMERICAN STAFFING	9/2/2014	486.40
BUILT RITE CONSTRUCTION	9/2/2014	9,565.00
D&B SUPPLY	9/2/2014	1,288.02
DART'S	9/2/2014	1,441.93
DCS TECHNOLOGIES	9/2/2014	215.00
DURHAM GRAVEL	9/2/2014	7,175.00
ELECTRONIC DATA SOLUTIONS	9/2/2014	5,199.57
FASTENAL	9/2/2014	28.03
FRANKLIN BUILDING	9/2/2014	1,673.17
FRUITLAND ELECTRIC	9/2/2014	208.00
HANIGAN CHEVROLET	9/2/2014	1,604.21
IDAHO ASPHALT	9/2/2014	16,498.35
IDAHO DEPT. OF HEALTH & WELFARE	9/2/2014	195.00
IDAHO POWER	9/2/2014	4,703.39
IDAHO TRANSPORTATION DEPT.	9/2/2014	23.00
INDEPENDENT ENTERPRISE	9/2/2014	29.00
INDEPENDENT ENTERPRISE	9/2/2014	772.02
IRVCO ASPHALT	9/2/2014	371.22
MCCREA HEATING	9/2/2014	538.67
METROQUIP	9/2/2014	971.68
MICROMARKETING	9/2/2014	243.63
NORCO	9/2/2014	220.77
ONTARIO PIPE SUPPLY	9/2/2014	168.51
ONTARIO ROCK & LANDSCAPE	9/2/2014	100.00
ONTARIO TOOL	9/2/2014	54.50
OVERDRIVE	9/2/2014	861.05
OXARC	9/2/2014	49.35
RESPOND FIRST AID	9/2/2014	75.48
ROBERTSON SUPPLY	9/2/2014	58.94
S&H	9/2/2014	71.37
SHERWIN-WILLIAMS	9/2/2014	1,150.00
SIRCHIE FINGER PRINT LAB	9/2/2014	64.73
SYME ELECTRIC	9/2/2014	180.00
TNT SIGNS	9/2/2014	408.00
TOOMBS JANITORIAL	9/2/2014	93.70
UNITED PARCEL SERVICE	9/2/2014	35.69
WATCHGUARD VIDEO	9/2/2014	264.00
WESTSIDE MARKET	9/2/2014	60.14
WHITE CLOUD COMMUNCATIONS	9/2/2014	221.75
YATES, RANDALL	9/2/2014	96.94
ZEE SERVICE CO.	9/2/2014	104.95
	9/2/2014	
		$ 206,915.08

thank you

very much

for your contribution
to our Meals on Wheels
program.

Rayette Lewis
Carter

Greetings,

We are excited to be inviting you to attend our upcoming West Region Economic Development Forum this October 16th, from approximately 9am to 4pm. This is intended to be a place holder on your calendar.

The location will be the Clarion Inn, take exit 376B (Fruitland/Payette) off the I-84 freeway. We will be providing lunch.

More details will be coming soon along with an agenda.

Thanks, Mike

Mike Ybarguen
Community Relations/Economic Development
2420 Chacartegui Lane
Nampa, Idaho 83687
208-465-8653
mybarguen@idahopower.com

City of Payette

Agenda Request Form

OFFICE USE ONLY	
Date Received	8.20.14
Received by	
Date faxed	
Faxed by	

First Name Corey Last Name Garcia

Current Address 250 South Iowa Ave - Payette

Home Number 642-6840 Cell Number 208-740-4869

Date of City Council meeting
Tuesday September 2nd 2014

Describe what you would like to address the Council on

Corey Garcia (Chairman of the Board) with the First Christian Church of Payette would like to ask the the City Council to waive the Building Permit Fees for construction at 906 2nd Ave North. This will allow us to do the necessary repairs to have the nuisance abatement order removed so we can occupy the building. Funds for this project are limited!

DATE 08/27/2014 SIGNATURE Corey Garcia

Westside Elementary School

Committed to Excellence

MaryBeth Bennett
Principal

Kelly Sullivan
Counselor

Angela Fletcher
Secretary

609 North 5th Street
Payette, Idaho 83661

208-642-3241
Fax: 208-642-3307

To: Donator
From: Westside Elementary School
Re: Fall Fundraiser
Contact Person: Mari Cluff

August 11, 2014

Hello,

We are very excited to be planning the 2014 Westside Elementary School Fall Potato Feed and Raffle. This is our 8th Annual event and we are very thrilled to share in a fun time for families and our school. This year we are raising funds to help purchase playground equipment, computers, funding educational field trips and reward programs for student success.

We would be very grateful if you could provide a donation of an item or items for our raffle. All donators will be displayed on our "Westside Supporters" bulletin board.

The Potato Feed and Raffle event is scheduled for Thursday, October 9, 2014, from 5:00-7:00 PM in the Westside cafeteria, located at 609 N. 5th St., Payette.

For your tax records our identification number is 82-6000862. Thank you again for your generous donation, and please do not hesitate to call if you have any further questions. I can be reached at (208) 642-3241.

Sincerely,

Westside Elementary Fundraising Committee

ORDINANCE 1383
ANNUAL APPROPRIATIONS ORDINANCE

AN ORDINANCE ENTITLED ANNUAL APPROPRIATIONS FOR THE TWELVE MONTH PERIOD FROM THE FIRST DAY OF OCTOBER 2014 TO AND INCLUSIVE OF THE THIRTIETH DAY OF SEPTEMBER 2015; APPROPRIATING SEVEN MILLION, SIX HUNDRED NINETEEN THOUSAND, TWO HUNDRED SEVENTY-THREE DOLLARS ($7,619,273) TO PAY THE EXPENSES OF THE CITY OF PAYETTE, PAYETTE COUNTY, IDAHO, AND SPECIFYING THE OBJECTS AND PURPOSES FOR WHICH SAID APPROPRIATION IS MADE.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PAYETTE, IDAHO:

Section 1. That the sum of $7,619,273 be appropriated to defray the necessary expenses and liabilities for the City of Payette, Idaho, for the fiscal year beginning October 1, 2014.

Section 2. That the objects and purposes for which said appropriation is made in the amount of each object and purpose is as follows:

GENERAL GOVERNMENT	
Executive & Legislative	$ 98,164
Administration	$ 388,630
Police	$1,258,491
Code Enforcement	$ 64,335
Fire	$ 516,735
Park	$ 351,622
STREETS	$1,002,944
RECREATION	$ 289,082
LIBRARY	$ 253,602
LIABILITY INSURANCE	$ 89,895
HEALTH INSURANCE	$ 50,000
AIRPORT	$ 130,350
CAPITAL IMPROVEMENTS	$ 60,200
SANITATION	$ 395,150
LOCAL IMPROVEMENT DISTRICTS	$ 13,441
WATER	$ 938,593
SEWER	$1,452,590
REVOLVING LOAN	$ 133,750
PROJECT RESERVE	$ 70,000
DEBT SERVICES	$ 61,699
TOTAL EXPENDITURES	***$ 7,619,273***

Section 3. That the amount of money derived from funds or sources created by law for specific purposes is hereby appropriated for such purposes.

Section 4. That this ordinance shall be in full force and effect after its passage, approval and publication.

APPROVED by the Mayor and City Council this 2nd day of September, 2014.

Jeffrey T. Williams, MAYOR

ATTEST:

Mary Cordova, CMC
City Clerk/Treasurer

PERMANENT WATERLINE EASEMENT

RCG, INC, an Idaho corporation, P.O. Box 220, New Plymouth, Idaho, 83655, GRANTOR, owner of real property affected hereby, for value received, does hereby grant the CITY OF PAYETTE, a municipal corporation of the State of Idaho, 700 Center Avenue, Payette, Idaho 83661, GRANTEE, and its agents and assigns, a non-exclusive permanent easement and right-of-way in which to construct and maintain an underground waterline and related appurtenances, including the right to enter upon, occupy and use property located in the City of Payette, Payette County, Idaho, to wit:

A permanent public waterline easement located in Block 39 of Westslope Plat to the City of Payette, Payette County, Idaho, shown on the attached Exhibit 'A' and being more particularly described as follows:

EXTERIOR EASEMENT BOUNDARY: SEE ATTACHED EXHIBIT 'B'

SAID EASEMENT contains 0.07 acres, more or less, for the purpose of constructing, operating, maintaining, and repairing or replacing underground waterlines, water service lines, water meters, fire hydrants, and other related appurtenances by the City of Payette or its agents or contractors.

GRANTOR, its successors and assigns, reserves the right to improve said easement area as long as such improvement shall not unreasonably interfere with the construction, operation, maintenance, repair and/or reconstruction of the waterline or related appurtenances. GRANTOR agrees that it and its heirs or assigns will not build or place any new encroachment thereon which will unreasonably interfere with the right of GRANTEE.

GRANTEE, its agents or transferees, shall have the right to perform any maintenance it may deem necessary or wish to exercise in connection with the aforesaid waterline or related appurtenances (including, but not limited thereto, the right to make necessary repairs, alterations, and removals or replacement thereof). Upon exercising these rights, GRANTEE shall restore the property to its prior condition.

GRANTEE is granted the aforementioned rights, together with the rights and privileges of ingress and egress to and from said property for the above stated purposes. It is expressly intended that the rights, burdens and restrictions contained in this Easement shall run with the land and shall bind GRANTOR AND GRANTEE, their heirs and assigns until such time this Easement is vacated by GRANTEE.

IN WITNESS WHEREOF, GRANTOR has hereunto set its hand and seal this____day of September, 2014.

_____
RCG, Inc.
Robert C. Goodwin

State of Idaho)
County of Payette) s.s.
City of Payette)

On this _____ day of _____, 2014, before me, a Notary Public in and for said state, personally appeared _____, known to me to be the President of _____, which executed the foregoing instrument, and acknowledged to me that he 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.

S
E
A
L

Notary Public_____
Commission Expires:_____

EXHIBIT A

Sawtooth Land Surveying, LLC
P: (208) 398-8104 F: (208) 398-8105
101 Canal St., Emmett, ID 83617

WATER EASEMENT

A parcel of land located in the SE1/4 of the NW1/4 of Section 3, T. 8 N., R. 5 W., B.M., City of Payette, Payette County, Idaho, more particularly described as follows;

COMMENCING at a found brass cap marking the C1/4 corner of Section 3;

Thence North 0°17'42" East, coincident with the east line of the SE1/4 of the NW1/4 of said Section 3, a distance of 988.02 feet;

Thence South 90°00'00" West, 55.48 feet to the easterly right of way line of U.S. 95 and the **POINT OF BEGINNING**;

Thence South 89°58'37" West, 225.50 feet;

Thence South 0°01'23" East, 32.00 feet;

Thence South 89°58'37" West, 10.00 feet;

Thence North 0°01'23" West, 32.00 feet;

Thence South 89°58'37" West, 35.00 feet;

Thence North 0°01'23" West, 10.00 feet;

Thence North 89°58'37" East, 199.50 feet;

Thence North 0°01'23" West, 14.00 feet;

Thence North 89°58'37" East, 10.00 feet;

Thence South 0°01'23" East, 14.00 feet;

Thence North 89°58'37" East, 61.00 feet;

Thence South 0°01'23" East, 10.00 feet to the **POINT OF BEGINNING**;

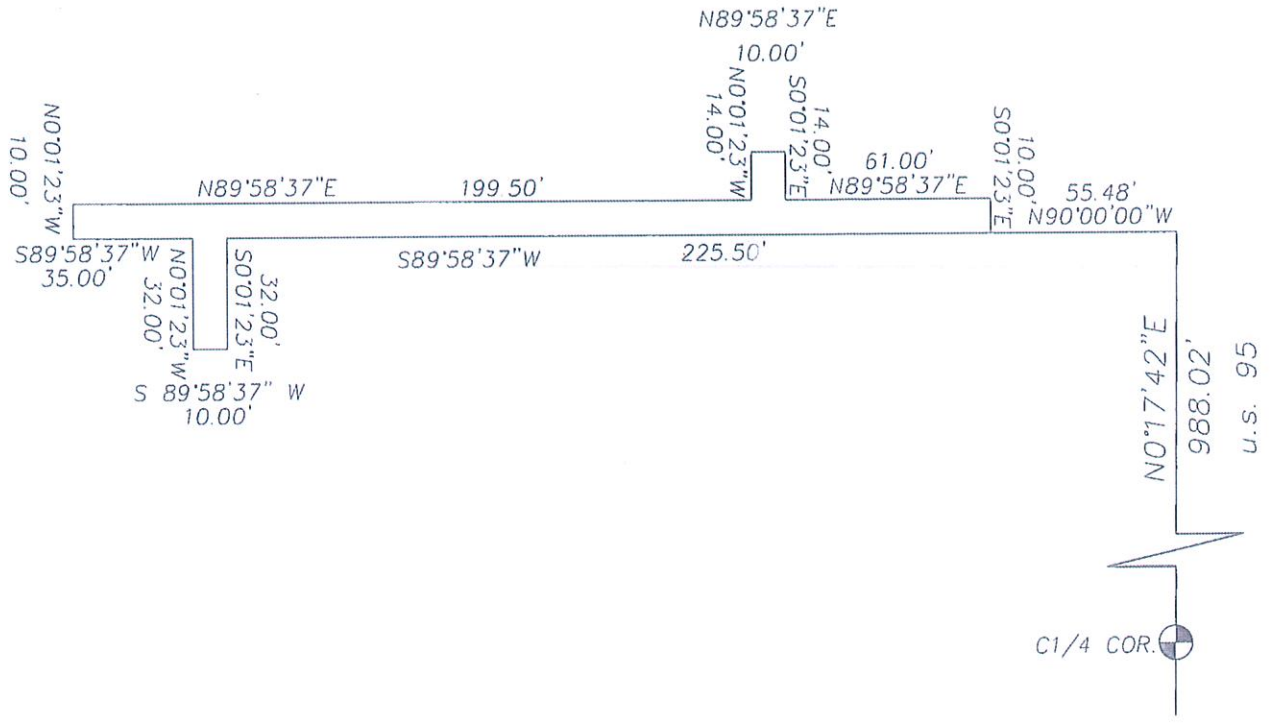
The above described parcel contains 0.07 acres more or less.

Together with and subject to covenants, restrictions and easements of record.

PROFESSIONAL LAND SURVEYOR LICENSED 14221 STATE OF IDAHO CARL PORTER 8/25/19

Carl Porter, PLS Date
End Description

EXHIBIT B



PROFESSIONAL LAND SURVEYOR
LICENSED
Carl Porter
14221
8/25/14
STATE OF IDAHO
CARL PORTER

N

NTS

PROJECT: PAYETTE COMMERCIAL PROJECT WATER EASEMENT	OWNER/DEVELOPER: BK PROPERTIES P.O. BOX 220 NEW PLYMOUTH, IDAHO 208--440--4463 DATE: 8/2014	SAWTOOTH Land Surveying, LLC EMMETT, IDAHO	101 CANAL ST. EMMETT, ID 83617 P: (208) 398-8104 F: (208) 398-8105 WWW.SAWTOOTHLS.COM	DWG # 13105--EX PROJECT# 13105 SHEET 1 OF 1

PERMANENT SEWER LINE EASEMENT

RCG, INC, an Idaho corporation, P.O. Box 220, New Plymouth, Idaho, 83655, GRANTOR, owner of real property affected hereby, for value received, does hereby grant the CITY OF PAYETTE, a municipal corporation of the State of Idaho, 700 Center Avenue, Payette, Idaho 83661, GRANTEE, and its agents and assigns, a non-exclusive permanent easement and right-of-way in which to construct and maintain an underground sewer line and related appurtenances, including the right to enter upon, occupy and use property located in the City of Payette, Payette County, Idaho, to wit:

A permanent public sewer line easement located in Block 39 of Westslope Plat to the City of Payette, Payette County, Idaho, shown on the attached Exhibit 'A' and being more particularly described as follows:

EXTERIOR EASEMENT BOUNDARY: SEE ATTACHED EXHIBIT 'B'

SAID EASEMENT contains 0.25 acres, more or less, for the purpose of constructing, operating, maintaining, and repairing or replacing underground sewer lines, sewer service lines, and other related appurtenances by the City of Payette or its agents or contractors.

GRANTOR, its successors and assigns, reserves the right to improve said easement area as long as such improvement shall not unreasonably interfere with the construction, operation, maintenance, repair and/or reconstruction of the sewer line or related appurtenances. GRANTOR agrees that it and its heirs or assigns will not build or place any new encroachment thereon which will unreasonably interfere with the right of GRANTEE.

GRANTEE, its agents or transferees, shall have the right to perform any maintenance it may deem necessary or wish to exercise in connection with the aforesaid sewer line or related appurtenances (including, but not limited thereto, the right to make necessary repairs, alterations, and removals or replacement thereof). Upon exercising these rights, GRANTEE shall restore the property to its prior condition.

GRANTEE is granted the aforementioned rights, together with the rights and privileges of ingress and egress to and from said property for the above stated purposes. It is expressly intended that the rights, burdens and restrictions contained in this Easement shall run with the land and shall bind GRANTOR AND GRANTEE, their heirs and assigns until such time this Easement is vacated by GRANTEE.

IN WITNESS WHEREOF, GRANTOR has hereunto set its hand and seal this____day of September, 2014.

_____

RCG, Inc.
Robert C. Goodwin

State of Idaho)
County of Payette) s.s.
City of Payette)

On this _____ day of _____, 2014, before me, a Notary Public in and for said state, personally appeared _____, known to me to be the President of RCG, Inc., which executed the foregoing instrument, and acknowledged to me that he 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.

S
E
A
L

Notary Public_____
Commission Expires:_____

EXHIBIT A

Sawtooth Land Surveying, LLC

P: (208) 398-8104 F: (208) 398-8105
101 Canal St., Emmett, ID 83617

SEWER EASEMENT

A parcel of land located in the SE1/4 of the NW1/4 of Section 3, T. 8 N., R. 5 W., B.M., City of Payette, Payette County, Idaho, more particularly described as follows;

COMMENCING at a found brass cap marking the C1/4 corner of Section 3;

Thence North 0°17'42" East, coincident with the east line of the SE1/4 of the NW1/4 of said Section 3, a distance of 340.47 feet;

Thence South 90°00'00" West, 51.89 feet to the easterly right of way line of U.S. 95 and the and the northeast corner of sewer easement Instrument No. 323339, Payette County Records;

Thence North 89°24'59" West, coincident with the north line of said existing sewer easement, 264.51 feet to the **POINT OF BEGINNING**;

Thence continuing North 89°24'59" West, coincident with said north line of existing sewer easement, 17.00 feet;

Thence North 0°01'23" West, 644.56 feet;

Thence North 89°58'37" East, 17.00 feet;

Thence South 0°01'23" East, 644.74 feet to the **POINT OF BEGINNING**;

The above described parcel contains 0.25 acres more or less.

Together with and subject to covenants, restrictions and easements of record.

PROFESSIONAL LAND SURVEYOR LICENSED Carl Porter 14221 1/25/14 STATE OF IDAHO CARL PORTER

Carl Porter, PLS — Date
End Description

EXHIBIT B

PROFESSIONAL LAND SURVEYOR
LICENSED
14221
8/25/14
STATE OF IDAHO
CARL PORTER

NTS

PROJECT: PAYETTE COMMERCIAL PROJECT SEWER EASEMENT	OWNER/DEVELOPER: BK PROPERTIES P.O. BOX 220 NEW PLYMOUTH, IDAHO 208-440-4463 DATE: 8/2014	SAWTOOTH Land Surveying, LLC EMMETT, IDAHO	101 CANAL ST. EMMETT, ID 83617 P: (208) 398-8104 F: (208) 398-8105 WWW.SAWTOOTHLS.COM	DWG # 13105-EX PROJECT# 13105 SHEET 1 OF 1