

9924369

# JOHNSON PARK ESTATES PHASE 4

A PORTION OF THE SW1/4 OF THE SW1/4 OF SECTION 5,

T.4N., R.2W., B.M.,

CITY OF MIDDLETON, CANYON COUNTY, IDAHO

1999

• HUBBLE ENGINEERING, INC. •  
BOISE, IDAHO



SCALE: 1" = 100'

### LEGEND

- ⊙ FOUND BRASS OR ALUMINUM CAP
- ⊙ SET 5/8" X 30" IRON PIN WITH PLASTIC CAP, PLS 4431
- SET 1/2" X 24" IRON PIN WITH PLASTIC CAP, PLS 4431
- ⊙ FOUND 5/8" IRON PIN AS NOTED
- ▲ CALCULATED POINT, NOT SET
- PROPERTY BOUNDARY
- - - EASEMENT LINE
- LOT LINE
- - - RIGHT-OF-WAY LINE
- CENTERLINE
- - - SECTION LINE
- ..... FLOWWAY LINE
- ⊙ LOT NUMBER
- WC WITNESS CORNER

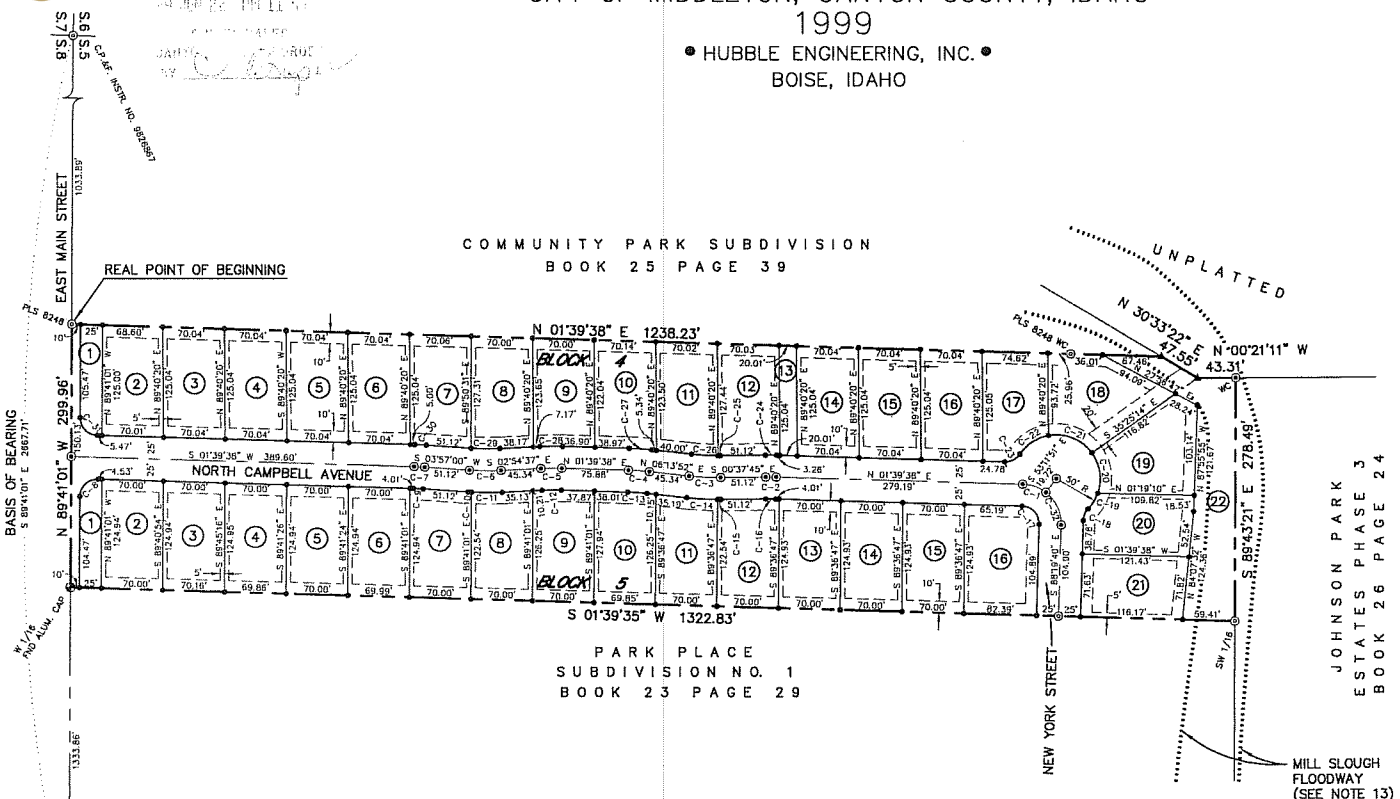


This document prepared provided courtesy of TitleOne

DATE: 09/11/99  
BY: JAMIE L. HUBBLE  
TITLE: SURVEYOR

COMMUNITY PARK SUBDIVISION  
BOOK 25 PAGE 39

PARK PLACE  
SUBDIVISION NO. 1  
BOOK 23 PAGE 29



CURVE	RADIUS	LENGTH	CHORD DIST.	CHORD BEG.	DELTA
C-1	45.00'	28.54'	28.06'	S 19°49'35" E	30°20'02"
C-2	300.00'	11.99'	11.99'	S 00°30'56" W	02°17'22"
C-3	300.00'	35.92'	35.90'	N 02°48'04" E	06°51'37"
C-4	300.00'	23.93'	23.93'	S 03°50'45" W	04°34'14"
C-5	300.00'	23.93'	23.93'	S 00°37'30" E	04°34'14"
C-6	300.00'	35.92'	35.90'	N 00°31'12" E	06°51'37"
C-7	300.00'	11.99'	11.99'	S 02°48'19" W	02°17'22"
C-8	20.00'	31.89'	28.81'	S 44°00'42" E	01°20'30"
C-9	275.00'	10.99'	10.99'	S 02°48'19" W	02°17'22"
C-10	325.00'	3.89'	3.99'	N 03°35'54" E	00°42'11"
C-11	325.00'	34.92'	34.91'	N 00°10'06" E	06°09'25"
C-12	275.00'	21.94'	21.93'	S 00°37'30" E	04°34'14"
C-13	275.00'	21.94'	21.93'	S 03°56'45" W	04°34'14"
C-14	325.00'	35.03'	35.02'	N 03°08'34" E	06°10'35"
C-15	325.00'	3.89'	3.88'	N 00°17'14" W	00°41'02"
C-16	275.00'	10.99'	10.99'	S 00°30'56" W	02°17'22"
C-17	20.00'	31.42'	28.29'	S 46°39'59" W	00°00'42"

CURVE	RADIUS	LENGTH	CHORD DIST.	CHORD BEG.	DELTA
C-18	20.00'	14.67'	14.34'	S 67°19'00" E	42°01'21"
C-19	50.00'	21.08'	20.91'	N 58°22'28" W	24°08'18"
C-20	50.00'	48.41'	46.54'	S 01°49'06" W	55°28'33"
C-21	50.00'	56.09'	53.19'	S 21°58'45" W	64°16'08"
C-22	50.00'	39.82'	38.78'	S 33°00'23" E	45°28'10"
C-23	20.00'	20.07'	19.23'	N 27°04'55" W	57°29'06"
C-24	325.00'	12.99'	12.99'	S 00°30'56" W	02°17'22"
C-25	275.00'	2.62'	2.62'	N 00°21'22" W	00°32'46"
C-26	275.00'	30.31'	30.29'	N 03°04'27" E	06°18'51"
C-27	325.00'	28.93'	28.92'	S 03°56'45" W	04°34'14"
C-28	325.00'	28.93'	28.92'	S 00°37'30" E	04°34'14"
C-29	275.00'	32.83'	32.81'	N 00°31'12" E	06°51'37"
C-30	325.00'	12.99'	12.99'	S 02°48'19" W	02°17'22"
C-31	20.00'	30.95'	27.95'	N 45°59'18" E	88°39'22"
C-32	45.00'	42.16'	40.63'	S 64°50'00" W	53°40'40"

- NOTES:**
- 1) A PUBLIC UTILITY, DRAINAGE AND IRRIGATION EASEMENT 10.00 FEET IN WIDTH IS HEREBY DEDICATED ADJACENT TO ALL PUBLIC STREETS.
  - 2) A DRAINAGE AND UTILITY EASEMENT 5.00 FEET IN WIDTH IS HEREBY DEDICATED ALONG ALL SIDE LOT LINES. IF THE LOT LINES ARE ADJUSTED, THE EASEMENT SHALL ALSO BE ADJUSTED ACCORDINGLY. PROVIDED NO UTILITIES HAVE BEEN INSTALLED IN THE EASEMENT.
  - 3) THIS SUBDIVISION IS SUBJECT TO COMPLIANCE WITH THE IDAHO CODE SECTION 31-3005 CONCERNING IRRIGATION WATER.
  - 4) ANY RESUBDIVISION OF THIS PLAT SHALL COMPLY WITH THE APPLICABLE ZONING REGULATIONS IN EFFECT AT THE TIME OF RESUBDIVISION.
  - 5) ALL LOTS WITHIN THIS SUBDIVISION ARE SINGLE-FAMILY RESIDENTIAL LOTS EXCEPT LOTS 1, 13, & 22 BLOCK 4 AND LOT 1, BLOCK 5, WHICH ARE DESIGNATED AS COMMON AREA LOTS TO BE OWNED BY THE HOMEOWNER'S ASSOCIATION. LOTS 1 & 13 BLOCK 4 AND LOT 1 BLOCK 5 SHALL BE MAINTAINED BY THE HOMEOWNER'S ASSOCIATION.
  - 6) LOT 18, BLOCK 4, IS SUBJECT TO A 20 FOOT WIDE UTILITY EASEMENT AND PERMANENT STRUCTURES MAY ENCRUSH IN SAID EASEMENT.
  - 7) THERE SHALL BE NO DIRECT LOT ACCESS TO EAST MAIN STREET.
  - 8) STREETS SHALL BE DEDICATED TO THE CITY OF MIDDLETON.
  - 9) LOT 1, BLOCK 5, AND LOT 1, BLOCK 4, HAVE A BLANKET IRRIGATION EASEMENT IN FAVOR OF DRAINAGE DISTRICT NO. 2.
  - 10) BERM/PENANCE OF LOT 1, BLOCKS 4 & 5, SHALL MATCH EXISTING LANDSCAPING OF PARK PLACE SUBDIVISION.
  - 11) LOT 23 BLOCK 4 SHALL BE A NON-BUILDABLE COMMON LOT OWNED BY THE HOMEOWNER'S ASSOCIATION AND MAINTAINED BY DRAINAGE DISTRICT #2 AS PART OF THEIR 100' EASEMENT FOR THE OPERATION AND MAINTENANCE OF DITCH NO. 6.
  - 12) LOT 13 BLOCK 4 SHALL HAVE A BLANKET EASEMENT FOR PUBLIC UTILITIES AND PEDESTRIAN ACCESS.
  - 13) FLOWWAY CALCULATED AND LOCATED BY HUBBLE ENGINEERING INC., BASED ON CROSS SECTION AND DATA SET CONTAINED IN THE MILL SLOUGH FLOOD PLAN STUDY FOR THE CITY OF MIDDLETON, OCTOBER, 1997 PROVIDED BY HOLLADAY ENGINEERING COMPANY.

JOHNSON PARK ESTATES PHASE 4

**CERTIFICATE OF OWNERS**

KNOW ALL MEN BY THESE PRESENTS: THAT CHERRY LANE LAND DEVELOPMENT, LLC, AN IDAHO LIMITED LIABILITY COMPANY, IS THE OWNER OF THE PROPERTY DESCRIBED AS FOLLOWS:

A PARCEL OF LAND LOCATED IN THE SW 1/4 OF THE SW 1/4 OF SECTION 5, T.4N., R.2W., B.M., CANYON COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE CORNER COMMON TO SECTIONS 6, 7, 8 AND THE SAID SECTION 5, FROM WHICH THE 1/4 CORNER COMMON TO SAID SECTIONS 5 AND 8 BEARS SOUTH 89°41'01" EAST, 2667.71 FEET; THENCE SOUTH 89°41'01" EAST, 1033.89 FEET TO THE SOUTHEAST CORNER OF COMMUNITY PARK SUBDIVISION, AS SAME IS RECORDED IN BOOK 25 OF PLATS AT PAGE 39, RECORDS OF CANYON COUNTY, IDAHO, SAID POINT BEING THE ~~REAL POINT OF BEGINNING~~; THENCE ALONG THE EASTERLY BOUNDARY OF COMMUNITY PARK SUBDIVISION NORTH 1°39'38" EAST, 1238.23 FEET TO THE MOST NORTHERLY CORNER OF JOHNSON PARK ESTATES PHASE 3, AS SAME IS RECORDED IN BOOK 26 OF PLATS AT PAGE 24, RECORDS OF CANYON COUNTY, IDAHO; THENCE ALONG THE SOUTHERLY BOUNDARY OF SAID SUBDIVISION SOUTH 89°43'21" EAST, 278.49 FEET TO THE SW 1/16 CORNER OF SAID SECTION 5; THENCE ALONG THE EAST BOUNDARY OF THE SW 1/4 OF THE SW 1/4 AND THE WESTERLY BOUNDARY OF PARK PLACE SUBDIVISION NO. 1 AS SAME IS RECORDED IN BOOK 23 OF PLATS AT PAGE 29, RECORDS OF CANYON COUNTY, IDAHO, SOUTH 1°39'35" WEST, 1322.83 FEET TO THE WEST 1/16 CORNER COMMON TO SAID SECTIONS 5 AND 8; THENCE NORTH 89°41'01" WEST, 299.96 FEET TO THE POINT OF BEGINNING. CONTAINING 9.07 ACRES, MORE OR LESS.

IT IS THE INTENTION OF THE UNDERSIGNED TO HEREBY INCLUDE THE ABOVE DESCRIBED PROPERTY IN THIS PLAT AND TO DEDICATE TO THE PUBLIC THE PUBLIC STREETS AS SHOWN ON THIS PLAT. THE EASEMENTS AS SHOWN ON THIS PLAT ARE NOT DEDICATED TO THE PUBLIC. HOWEVER, THE RIGHT TO USE SAID EASEMENTS IS HEREBY PERPETUALLY RESERVED FOR PUBLIC UTILITIES AND SUCH OTHER USES AS DESIGNATED WITHIN THIS PLAT AND NO PERMANENT STRUCTURES ARE TO BE ERRECTED WITHIN THE LINES OF SAID EASEMENTS. ALL OF THE LOTS IN THIS PLAT WILL BE ELIGIBLE TO RECEIVE WATER SERVICE FROM THE CITY OF MIDDLETON EXISTING WATER SYSTEM AND THE CITY OF MIDDLETON HAS AGREED IN WRITING TO SERVE ALL OF THE LOTS IN THIS SUBDIVISION.

CHERRY LANE LAND DEVELOPMENT, LLC

*Harmon H. Johnson*  
HARMON H. JOHNSON, MEMBER

**ACKNOWLEDGEMENT**

STATE OF IDAHO )  
                          ) S.S.  
COUNTY OF ADA )

ON THIS 4 DAY OF APRIL, 1999, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED HARMON H. JOHNSON, KNOWN OR IDENTIFIED TO ME TO BE A MEMBER OF CHERRY LANE LAND DEVELOPMENT, LLC, AN IDAHO LIMITED LIABILITY COMPANY, THE PERSON WHO EXECUTED THIS INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME ON BEHALF OF SAID LIMITED LIABILITY COMPANY.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL THE DAY AND YEAR IN THIS CERTIFICATE FIRST ABOVE WRITTEN.

3-29-2005  
MY BOND EXPIRES



*Cherallee D. Guzman*  
NOTARY PUBLIC FOR IDAHO  
RESIDING IN BOISE, IDAHO

**CERTIFICATE OF THE COUNTY TREASURER**

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

June 22, 1999  
DATE

*Tracie L. Laid*  
COUNTY TREASURER  
By *B. Ahaus, Chief Deputy*

**CERTIFICATE OF SURVEYOR**

I, D. TERRY PEUGH, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR LICENSED BY THE STATE OF IDAHO, AND THAT THIS PLAT AS DESCRIBED IN THE "CERTIFICATE OF OWNERS" WAS DRAWN FROM AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY DIRECT SUPERVISION AND ACCURATELY REPRESENTS THE POINTS PLATTED THEREON, AND IS IN CONFORMITY WITH THE STATE OF IDAHO CODE RELATING TO PLATS AND SURVEYS.



D. TERRY PEUGH IDAHO NO. 4431

**APPROVAL OF CITY ENGINEER**

I, THE UNDERSIGNED, CITY ENGINEER IN AND FOR THE CITY OF MIDDLETON, CANYON COUNTY, IDAHO, DO HEREBY APPROVE THIS PLAT.

*Michael W. Davis* P.E. 8823  
MIDDLETON CITY ENGINEER 6-18-99

**APPROVAL OF CITY COUNCIL**

I, *Sylvia Robison*, CITY CLERK IN AND FOR THE CITY OF MIDDLETON, CANYON COUNTY, IDAHO, DO HEREBY CERTIFY THAT AT A REGULAR MEETING OF THE MIDDLETON CITY COUNCIL HELD ON THE 2nd DAY OF February, 1999, THIS PLAT WAS DULY ACCEPTED AND APPROVED.

*Sylvia Robison*  
CITY CLERK, MIDDLETON, IDAHO

**APPROVAL OF CITY PLANNING AND ZONING COMMISSION**

THE FOREGOING PLAT WAS ACCEPTED AND APPROVED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF MIDDLETON, IDAHO ON THE 26th DAY OF January, 1998.

*John J. Phillips*  
CHAIRMAN  
MIDDLETON PLANNING & ZONING COMMISSION

*Charles R. Buskirk*  
SECRETARY  
MIDDLETON PLANNING & ZONING COMMISSION

**CERTIFICATE OF COUNTY SURVEYOR**

I, DENNIS A. KING, PROFESSIONAL LAND SURVEYOR FOR CANYON COUNTY, IDAHO, HEREBY CERTIFY THAT I HAVE CHECKED THIS PLAT AND FIND THAT IT COMPLIES WITH THE STATE OF IDAHO CODE RELATING TO PLATS AND SURVEYS.

*Dennis A. King* P.L.S. 344  
DENNIS A. KING, P.L.S. 4/5/99

**APPROVAL OF SOUTHWEST DISTRICT HEALTH DEPARTMENT**

SANITARY RESTRICTIONS OF THIS PLAT ARE HEREBY REMOVED ACCORDING TO THE LETTER TO BE READ ON FILE WITH THE COUNTY RECORDER, OR HIS AGENT LISTING THE CONDITIONS OF APPROVAL.

BY *Marie Keihl EHS II*  
SOUTHWEST DISTRICT HEALTH DEPARTMENT

**COUNTY RECORDER'S CERTIFICATE**

STATE OF IDAHO )  
                          ) S.S.  
COUNTY OF CANYON )

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD AT THE REQUEST OF \_\_\_\_\_ AT \_\_\_\_\_ MINUTES PAST \_\_\_\_\_ O'CLOCK \_\_\_\_\_ M., ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, IN BOOK \_\_\_\_\_ OF PLATS AT PAGE \_\_\_\_\_ INSTRUMENT NO. \_\_\_\_\_

DEPUTY

EX-OFFICIO RECORDER

DECLARATION OF ANNEXATION OF JOHNSON PARK ESTATES  
(PHASE 4) TO THAT DECLARATION OF  
COVENANTS, CONDITIONS AND RESTRICTIONS FOR  
JOHNSON PARK ESTATES (PHASE 1)

This Declaration of Annexation is made effective the 7th day of July, 1999, by Cherry Lane Land Development LLC (hereinafter "Grantor" or "Declarant") whose address is 9550 Bethel Court, Boise, Idaho 83709.

ARTICLE 1  
ANNEXATION

1.1. Property Annexed: The property hereby annexed is that real property legally described in Exhibit A which is attached hereto. This property is owned by the Declarant. Once the final plat of this property is recorded it will be known as Johnson Park Estates Phase 4 and it is adjacent to Johnson Park Estates Phase 3.

1.2 Existing Property and CC&R's to Which Property is Annexed: This property (Johnson Park Estates Phase 4) is hereby annexed into that Declaration of Covenants, Conditions and Restrictions for Johnson Park Estates (Phase 1) which were recorded the 12th day of November, 1998, in Canyon County as Instrument No. 9841703. (These Covenants, Conditions and Restrictions, as amended, shall be referred to herein as the "Master CC&R's".) The Master CC&R's were amended by that "First Amendment to Declaration of Covenants, Conditions and Restrictions for Johnson Park Estates No. 1, 2, and 3" recorded the 21 day of April, 1999 in Canyon County as Instrument No. 9915403. The Master CC&R's, as amended, are incorporated herein as if set forth in full. The property originally subject to those Master CC&R's is Johnson Park Estates Phase 1 which is legally described in those Master CC&R's. Johnson Park Estates Phase 2 and Phase 3 are also subject to the Master CC&R's and the legal description of each phase is attached to each Declaration of Annexation.

Phase 2 was annexed into the Master CC&R's by that Annexation recorded in Canyon County on the 7th day of January, 1999 as Instrument No. 9900721. Johnson Park Estates Phase 3 was annexed by that Declaration of Annexation which was recorded the 19 day of January, 1999 in Canyon County as Instrument No. 9901935.

1.3 Declarations Run With Annexed Land: The Master CC&R's referred to above, The Declaration of Annexation of Phases 2 and 3, and the provisions of this Declaration of Annexation of Johnson Park Estates Phase 4 shall run with the annexed land which is described in Exhibit A attached hereto. The Master CC&R's, the Declaration of Annexation of Phases 2 and 3, and this Declaration of Annexation of Phase 4 shall be construed as one document, governing all subdivisions together as if all had been done at the same time.

1.4 Authority: This Declaration of Annexation is made pursuant to Article 11, Section 11.5 of the Master CC&R's which allows this annexation by Declarant.

1.5 Effect: The effect of this Declaration of Annexation shall be that Johnson Park Estates Phases 1, 2, 3, and 4 shall be treated as one subdivision and all properties therein shall be subject to the Master CC&R's and be governed by the Johnson Park Estates Neighborhood Association, Inc. (the "Association") as set out in the Master CC&R's. Provided, however, that the provisions in Article 2 of this Declaration of Annexation of Johnson Park Estates Phase 4 (set out below) shall apply specifically to Johnson Park Estates Phase 4. Other than the provisions specifically set out in Article 2 below which are specific to the lots in Johnson Park Estates Phase 4, the Master CC&R's govern all lots in Johnson Park Estates Phase 4.

1.6 Common Area Lots: The following lots in Johnson Park Estates Phase 4 shall be Common Area Lots to be owned and maintained by the Association as set out in the Master CC&R's:

- Lot 1           Block 5
- Lot 1           Block 4
- Lot 13          Block 4
- Lot 22          Block 4

1.6.1 Common Area Lots bordering East Main Street; Lot 1, Block 5 and Lot 1, Block 4. A permanent irrigation easement is hereby granted to Drainage District No. 2 over Common Area Lot 1, Block 4 and Lot 1, Block 5. Grantor will construct a berm along East Main Street as a buffer between that street and this phase of Johnson Park Estates Subdivision. Grantor shall also construct a fence on the boundary of these Common Area lots.

These two Common Area Lots and the dividing fence shall be owned and maintained by the Association.

1.6.2 Micro-Path Lot 13 Block 4 and Easement Area: A permanent blanket easement on Common Area Lot 13, Block 4 is granted for public utilities. Lot 13, Block 4 shall also be used for the purpose of maintaining a non-exclusive Micro-Path and easement area. The Micro-Path shall be graveled or paved, as approved by the City of Middleton. Any Micro-Path built shall be at least seven (7) feet in width. This Micro-Path shall be for the ingress and egress of pedestrian and bicycle traffic to and from North Campbell Avenue and the adjacent subdivision and shall be for the benefit of all lots in all phases of Johnson Park Estates subdivisions and the students and invitees of the Middleton School District. This Micro-Path and easement area shall be owned and maintained by the Association and such maintenance shall comply with all City of Middleton requirements and regulations for Micro-Path easement areas. These Micro-Path easements and the maintenance responsibilities relating thereto shall not be dissolved without the express written permission of the City of Middleton.

**No Liability.** Each lot owner, by accepting a deed to any lot in Johnson Park Estates, and each occupant by occupying a lot in Johnson Park Estates, and each user of the Micro-Path and easement area specifically agrees that the Declarant, its agents, officers, members, managers, employees and shareholders shall have no liability of any kind whatsoever relating in any way to the use of the Micro-Path or the easement area including, but not limited to, any accidents or bodily injuries which result from the use of the Micro-Path or easement area. Nor shall the Association, its officers, agents, or employees have any such liability. All lot owners, occupants and users of the Micro-Path specifically assume the risk and waive any and all claims relating to the use of this Micro-Path.

1.6.3 Common Area Lot 22, Block 4; Drainage District No. 2

Irrigation Easement: Common Area Lot 22, Block 4 is subject to a Drainage District No. 2 irrigation and maintenance easement. This easement and maintenance area is identified on the plat and shall be maintained by Drainage District No. 2 as part of their easement for the operation and maintenance of Ditch No. 6. No fences, structures, landscaping, trees, shrubs, lawn or other improvements of any kind shall be placed, installed or constructed on any part of Lot 22 unless such have received the prior written approval of Drainage District No. 2 and the Association. No vehicular, bicycle or pedestrian traffic is allowed in this easement area. Each adjacent Lot Owner may, if such Owner chooses, install a fence along the boundary line of Lot 22, Block 4.

ARTICLE 2

SPECIFIC PROVISIONS APPLYING TO  
PROPERTY AND LOTS IN JOHNSON PARK ESTATES PHASE 4

2.1 Drainage District No. 2; Canyon County Water Company Agreements: The lots in Johnson Park Estates Phase 4 shall be subject to any existing or future recorded agreements or license agreements with Drainage District No. 2 or Canyon County Water Company affecting or regarding Johnson Park Estates Phase 4 entered into by the Declarant or the Association.

2.2 Special Provisions Regarding Lot 18 Block 4. Lot 18, Block 4 shall be subject to a 20 foot wide utilities easement as set out in the Plat of Johnson Park Estates Subdivision, Phase 4. No permanent structures shall be built or maintained in this easement area.

2.3 Association Assessments: All Association Assessments for Class A lots in Johnson Park Estates Phase 4 shall be the same assessments per Class A lot as set out in the amendment (referred to above) to the Master CC&R's. All Class A lots (excluding Declarant's lots) shall be subject to Association Assessments. In addition to the powers of the Association granted in the Master CC&R's, the Association shall have the power, at the discretion of the Board, to use Assessments to provide for: a) the cleaning and sweeping of the streets in all phases of this subdivision to keep construction mud and debris to a minimum; and b) mowing the vacant lots and maintaining right of

DECLARATION OF ANNEXATION OF  
JOHNSON PARK ESTATES PHASE 4

way areas in or adjacent to the subdivision to keep the subdivision as a whole as aesthetically pleasing as possible.

Dated this 7<sup>th</sup> day of July, 1999.

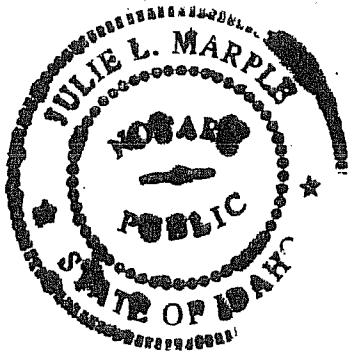
CHERRY LANE LAND DEVELOPMENT LLC

By   
Title MEMBER

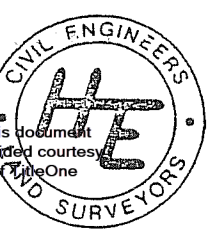
STATE OF IDAHO, COUNTY OF ADA, ) ss

On this 7<sup>th</sup> day of JULY, 1999, before me, the undersigned a Notary Public in and for said State, personally appeared JAMES C. MERKLE known or identified to me to be the MEMBER of the limited liability company of Cherry Lane Land Development LLC, and the person(s) who subscribed said limited liability company's name in the foregoing instrument, and acknowledged to me that he/she executed the same in said limited liability company's name.

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



Julie L. Marple  
Notary Public for Idaho  
Residing in Boise, Idaho  
My Commission Expires: 2/4/2004



# HUBBLE ENGINEERING, INC.

9550 Bethel Court ■ Boise, Idaho 83709

208/322-8992 ■ Fax 208/378-0329

## EXHIBIT A

Project No. 4-9807800

December 17, 1998

### JOHNSON PARK ESTATES PHASE 4

A parcel of land located in the SW1/4 of the SW1/4 of Section 5, T.4N., R.2W., B.M., Canyon County, Idaho, more particularly described as follows: Commencing at the corner common to Sections 6, 7, 8 and the said Section 5, from which the 1/4 corner common to said Sections 5 and 8 bears South 89°41'01" East, 2667.71 feet; thence South 89°41'01" East, 1033.89 feet to the southeast corner of Community Park Subdivision, as same is recorded in Book 25 of Plats at Page 39, records of Canyon County, Idaho, said point being the **REAL POINT OF BEGINNING**.

Thence along the easterly boundary of Community Park Subdivision North 1°39'38" East, 1238.23 feet to the most northerly corner of said subdivision;

thence North 3°33'22" East, 47.55 feet;

thence North 00°21'11" West, 43.31 feet to the southwest corner of Johnson Park Estates Phase 3, as same is recorded in Book 26 of Plats at Page 24, records of Canyon County, Idaho;

thence along the southerly boundary of said subdivision South 89°43'21" East, 278.49 feet to the SW1/16 corner of said Section 5;

thence along the East boundary of the SW1/4 of the SW1/4 and the westerly boundary of Park Place Subdivision No. 1 as same is recorded in Book 23 of Plats at Page 29, records of Canyon County, Idaho, South 1°39'35" West, 1322.83 feet to the West 1/16 corner common to said Sections 5 and 8;

thence North 89°41'01" West, 299.96 feet to the Point of Beginning. Containing 9.07 acres, more or less.

9927015

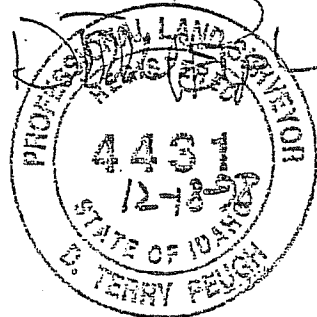
RECORDED

99 JUL 8 AM 10 37

G NOEL HALES  
CANYON COUNTY RECORDER  
BY *J.M. James*

REQUEST Cherry Lane Land Development  
TYPE MISC FEE 18.00

Prepared by:  
HUBBLE ENGINEERING, INC.



DTP/vw/Johnson Park

D. Terry Peugh, P.L.S.