



A REQUEST FOR A SIGNIFICANT PLAT AMENDMENT APPROVAL

BY: TR Golf Inc., represented by Derek Horra
FOR: Teton Reserve PUD, Phase 1
WHERE: Desert Fox Ln. & Reserve Dr. (Victor AOI)
Planning & Zoning Commission
PREPARED FOR: Public Hearing of November 8, 2016

APPLICANT: TR Golf Inc., represented by Derek Horra

LANDOWNER: TR Golf Inc.

REQUEST: TR Golf, LLC is proposing an amendment to the Teton Reserve PUD Master Plan and Development Agreement to reflect the existing location of the golf clubhouse and parking area, as well as to identify specific uses allowed on those lots. This amendment also identifies an event lawn and retains the original clubhouse/parking lots for future growth of those uses. This amendment is defined as a Substantial Changes – Decrease Scale, Impact request pursuant to the Teton County Code, Section 9-7-1-B-2.

APPLICABLE COUNTY CODE: Teton County Zoning Regulations (Title 8); Teton County Subdivision Regulations (Title 9); Areas of Impact Agreement (Title 7-3); Teton County Comprehensive Plan (A Vision & Framework 2012-2013); Idaho Statutes Title 67-65, Title 50

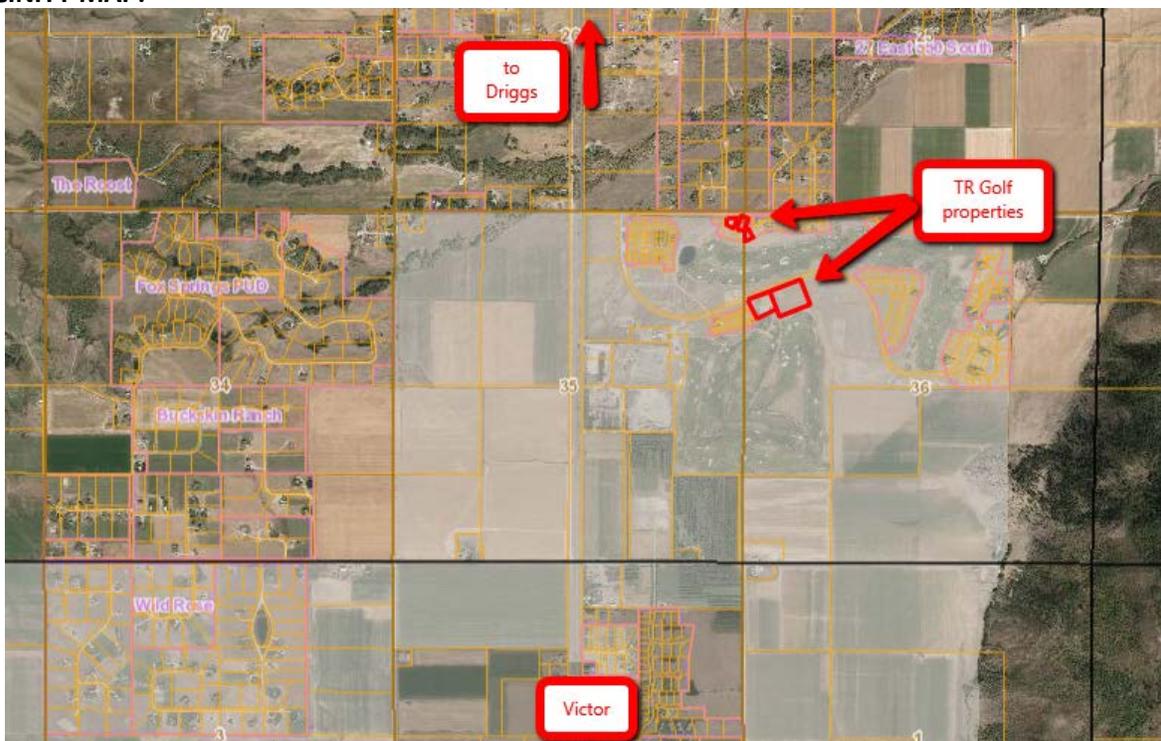
LEGAL DESCRIPTION: RP003100010010, LOT 1 BLK 1 TETON RESERVE PUD RED FOX PHASE I SEC 35 T4N R45E; RP003100010020, LOT 2 BLK 1 TETON RESERVE PUD RED FOX PHASE I SEC 35 T4N R45E; RP003100010050, LOT 5 BLK 2 TETON RESERVE PUD RED FOX PHASE I SEC 36 T4N R45E; RP003100TRAC50, TRACT 5 PARKING TETON RESERVE SUB SEC 36 T4N R45E; RP003100TRAC60, TRACT 6 GOLF CLUB HOUSE & EVENT LAWN TETON RESERVE SUB SEC 36 T4N R45E

LOCATION: Lots 1,2, & 5, Blk 1, Phase 1 (Desert Fox Ln.), Tracts 5 & 6 (Reserve Dr.)

ZONING DISTRICT: A-2.5, Victor Area of Impact

PROPERTY SIZE: 8.36 acres total

VICINITY MAP:



Lots 1, 2, & 5, Block 1, Phase 1



Tract 5 and Tract 6



PROJECT DESCRIPTION

This amendment is proposing to change the Teton Reserve PUD Master Plan and Development Agreement to reflect the existing location of the golf clubhouse and parking area, as well as to identify specific uses allowed on those lots. This amendment also identifies an event lawn and retains the original clubhouse/parking lots for future growth of those uses. None of the property boundaries are changing, so this amendment is only changing the Master Plan and the Development Agreement. The Development agreement outlines the requested uses for these lots.

When Teton Reserve was originally approved, Tracts 5 & 6 were identified for the Clubhouse and Parking lots. It also was not clear what specific uses were permitted in the Clubhouse. However, since that approval, the Clubhouse and Parking were actually located on Lots 1 & 2, Block 1, Phase 1.

Although Teton Reserve is a Planned Unit Development, the uses in the development must comply with the underlying zoning unless additional uses are specifically identified and approved. Because the Clubhouse and Parking were not approved for Lots 1 & 2, those lots can only be used for residential purposes. This amendment will bring those uses into compliance. In addition to bringing Lots 1 & 2 into compliance, the applicant is also requesting to convert Lot 5, Block 1, Phase 1 into an event lawn. As shown in the aerial image, this lot is currently being used for access to the golf course. It has also been used as their event lawn. The applicant is requesting that Tracts 5 & 6 remain a clubhouse/event lawn and parking area, with the addition of the snack shack use (existing) on Tract 5.

Requested uses include:

- Lot 1 Block 1 – club house building with restaurant and bar, retail golf shop, and golf
- cart storage. In addition, the two rooms attached to the club house may be rented on a nightly basis as an ancillary use to the sports and events facility*
- Lot 2 Block 1 – parking to accommodate the uses for Lot 1 Block 1*
- Lot 5 Block 2 – outdoor events area
- Tract 5 – parking and a building with rest rooms and limited food and beverage services*
- Tract 6 – future club house building, spa, swimming pool, tennis, and other recreation facilities

*These uses are all existing and considered noncompliant with the A-2.5 zone.

INTER-AGENCY AND DEVELOPMENT REVIEW COMMITTEE COMMENTS

On September 21, 2016, a DRC meeting was held with Derek Horra (applicant), Herb Heimerl (applicant's attorney), and Kristin Owen (Teton County Planning Administrator). Others were invited to this meeting, including Teton County (public works, prosecutor, emergency management), the City of Victor (planning administrator, public works), Teton County Fire District, Eastern Idaho Public Health, Idaho Department of Fish & Game, Idaho Transportation Department, SilverStar, Fall River Electric, and the Teton School District 401. Only the Teton County Public Works Director contacted staff that he did not have comments because this application does not affect County right of ways. At this meeting, the process for approval was discussed. No key issues were identified.

City of Victor Review: This application was sent to the Planning & Zoning Administrator (Jason Boal) and the Public Works Director (Rob Heuseveldt) on September 19, 2016 for review. Comments were requested from the Planning Administrator, but none were provided. The AOI agreement includes a provision for the Victor Planning & Zoning Commission to review an application if it impacts City easements, roadways and utilities. The City of Victor did not comment that this impacts any of those nor did they request the application to be reviewed by their Planning Commission, so it was not.

SPECIFIC REQUIREMENTS FOR PUBLIC HEARING NOTICE

Idaho Code, Title 67; Section 67-6509, 67-6511, 67-6512, and Title 9, Section 3-2-C of the Teton County Zoning Ordinance. The public hearing for the Planning & Zoning Commission was duly noticed in the Teton Valley News. A notification was sent via mail to surrounding property owners within a 300-foot buffer area, as well as all property owners in subdivisions that intersect with the 300-foot buffer. A notice was also posted on the property providing information about the public hearing.

COMMENTS FROM PUBLIC AT LARGE

Staff received two written comment letters from the public (Attachment #9).

APPLICATION REVIEW PROCESS

This application is considered a Substantial Change- Decrease Scale, Impact, because it is a renegotiation of development agreement (9-7-1-B). Some uses are being relocated to their existing locations, but these are not encroaching further into natural resource overlays.

Proposed vacations or changes of a recorded easement, right-of-way, or to an approved plat for a subdivision or Planned Unit Development, or a Development Agreement shall be reviewed pursuant to the following procedures.

Substantial Changes–Decrease Scale, Impact. Upon the Planning Administrator determining the application complete, and that the proposed changes will decrease the scale or impacts of the development, the application shall be reviewed by the following procedure.

- i. Concept Review by Planning Administrator. The application for proposed changes shall be reviewed by the Planning Administrator as a Concept Plan. The Administrator shall recommend approval, approval with conditions or denial to the Board.
- ii. Preliminary/Final Plat by Planning and Zoning Commission. Upon receiving a recommendation from the Planning Administrator, the Commission shall review the application at a public hearing. A Final Plat application shall be submitted pursuant to Title 50 of the Idaho Code and Title 9, and shall be accompanied with a revised Development Agreement and /or Conditions, Covenants and Restrictions (CC&R) as such revisions may be necessary to implement the Final Plat. The Commission shall recommend approval, approval with conditions or denial of the proposed Master Plan, Final Plat and/or Development Agreement pursuant to the criteria set forth in B-3-c of this section.
- iii. Final Approval by Board of County Commissioners. Upon receiving a recommendation from the Planning and Zoning Commission, the Board shall review the application at a public meeting. The Board shall approve, approve with conditions, remand back to the Commission, or deny the application pursuant to the criteria set forth in B-3-c of this section

Specific to the Victor Area of Impact – Review Process (7-3-4)

1. Impact Area: All development applications within the Area of Impact shall originate with the County.
2. All development applications within the Impact Area shall be forwarded for review by the Victor Planning & Zoning Administrator. Those applications that may have an impact on current or future compatibility with easements, utility and roadway connectivity and compatibility with those of the City of Victor’s easements, roadways and utilities shall be passed on to the Victor Planning & Zoning Commission for review and comment to the County Planning & Zoning Commission for their disposition. No planned unit developments are allowed in the area of impact.

CONCEPT REVIEW FINDINGS:

The Teton County Planning Administrator has reviewed the proposed changes to the Development Agreement and Master Plan for Teton Reserve PUD and finds that the changes would bring the development into compliance with Teton County regulations. The proposed changes would not require additional analysis, additional studies, additional fees, or additional expenses to Teton County. A revised Master Plan and revised Development Agreement were provided by the applicant.

CRITERIA OF APPROVAL

Applications to vacate or make changes to recorded rights-of way, easements, recorded plats, or master plans shall be reviewed using the following Criteria for Approval.

- i. The applicant shall submit to the Planning Administrator revised maps showing the proposed vacation or revisions to the layout of lots or buildings and any reduction in the number of lots or buildings. The project's Development Agreement may require adjustments in order to reflect the substantial changes being proposed. This revised layout shall be accompanied by the maps and analyses that were submitted as part of the previous application and approval. These maps and analyses include the following to the extent they were required for the previous approval:
 1. Existing Conditions Inventory and Existing Conditions Map;
 2. Existing Contour Map;
 3. Maps of Overlay Areas as established in Title 8 and Title 9;
 4. Land Management Plan and/or Open Space Management Plan
 5. Fiscal and Services Analysis;
 6. Natural Resource Analysis; and,
 7. Traffic Impact Study.
 8. Approved Development Agreement
- ii. No additional studies or analyses are required.
- iii. No additional application fees are required.
- iv. The master plan and plat for subdivision or Planned Unit Development, including the proposed changes, shall reduce governmental costs for operations and capital expenses. The applicant shall provide financial surety of 125% of a current engineer's cost estimate for infrastructure OR the development agreement shall require no lot sales in the improved amended plat until such time as infrastructure is complete or financial surety has been provided. As applicable, shall reduce the intrusion of development into natural resource areas that are protected by criteria in county regulations or reduce development in the Overlay Areas as these areas are defined in Title 8 or Title 9.

POSSIBLE CONDITIONS OF APPROVAL

1. Begin working with EIPH and IDEQ for approval.
2. Begin working with the Teton County Fire Marshal & Building Official to ensure Clubhouse compliance with the International Fire Code and Building Codes.

PLANNING & ZONING COMMISSION ACTION

- A. Recommend approval of the Master Plan & Development Agreement Amendment, with the possible conditions of approval listed in this staff report, having provided the reasons and justifications for the approval.
- B. Recommend approval of the Master Plan & Development Agreement Amendment, with modifications to the application request, or adding conditions of approval, having provided the reasons and justifications for the approval and for any modifications or conditions.
- C. Recommend denial of the Master Plan & Development Agreement Amendment and provide the reasons and justifications for the denial.
- D. Continue to a future joint PZC Public Hearing with reasons given as to the continuation or need for additional information.

POSSIBLE MOTIONS

The following motions could provide a reasoned statement if a Commissioner wanted to recommend approval or denial of the application:

APPROVAL

Having concluded that the Criteria for Approval of a Substantial Change - Decrease Scale, Impact found in Title 9-7-1-B can be satisfied with the inclusion of the following conditions of approval:

1. *Begin working with EIPH and IDEQ for approval.*
 2. *Begin working with the Teton County Fire Marshal & Building Official to ensure Clubhouse compliance with the International Fire Code and Building Codes.*
- *and having found that the considerations for granting the Master Plan & Development Agreement Amendment to TR Golf Inc. can be justified and have been presented in the application materials, staff report, and presentations to the Teton County Planning & Zoning Commission,*
 - *I move to RECOMMEND APPROVAL of the Master Plan & Development Agreement Amendment for Teton Reserve PUD Phase 1, including Lots 1, 2, & 5, Block 1 and Tracts 5 & 6, as described in the application materials and as supplemented with additional applicant information attached to this staff report.*

DENIAL

Having concluded that the Criteria for Approval of a Substantial Change – Decrease Scale, Impact found in Title 9-7-1-B have not been satisfied, I move to RECOMMEND DENIAL of the Master Plan & Development Agreement Amendment for Teton Reserve PUD Phase 1, including Lots 1, 2, & 5, Block 1 and Tracts 5 & 6, as described in the application materials and as supplemented with additional applicant information attached to this staff report. The following could be done to obtain approval:

1. ...

Prepared by Kristin Owen

Attachments:

- | | |
|---|--|
| 1. Application (2 pages) | 6. Amended Master Plan (3 pages) |
| 2. Deeds (7 pages) | 7. Amended Development Agreement (3 pages) |
| 3. Old Plats/Master Plans (8 pages) | 8. Adjacent Landowner Notification (2 pages) |
| 4. Clubhouse Legal Description (1 page) | 9. Public Comment (3 pages) |
| 5. Site Photos (4 pages) | |

End of Staff Report



RECEIVED
 BY: K. Rader
 DATE: 5-12-2016

NAME OF SUBDIVISION/PLANNED UNIT DEVELOPMENT

SUBDIVISION/PLANNED UNIT DEVELOPMENT AMENDMENT APPLICATION

Upon receipt of the required materials the planning staff shall stamp the application received and prepare a staff report. It is recommended that the Applicant review Title 9 of the Teton County Code prior to submittal. This Title along with application materials are located on the County website at www.tetoncountyidaho.gov. The planning staff is also available to discuss applications and answer questions prior to receiving an application.

To expedite the review of your application, please be sure to address each of the following items.

SECTION I: PERSONAL AND PROPERTY RELATED DATA

Owner: TR GOLF

Applicant: BRUCE HOLLIS E-mail: hollisb@mxk.edu

Phone: (873) 406-5781 Mailing Address: 1732 CANYON OAKS DR.

City: Mt. PLEASANT State: SC Zip Code: 29464

Engineering Firm: N/A Contact Person: DEREK Phone: (208) 709-8008

Address: _____ E-mail: _____

Location and Zoning District:

Address: TETON RESERVE Parcel Number: _____

Section: _____ Township: _____ Range: _____ Total Acreage: _____

Proposed Units/Lots: _____ Current Units/Lots: _____

Code Approved Under: _____

- | | |
|---|--|
| <input type="checkbox"/> FEES (pursuant to current fee schedule) \$1700 + \$200 Survey Review Fee | <input type="checkbox"/> Affidavit of Legal Interest |
| <input type="checkbox"/> Insignificant | <input type="checkbox"/> Engineer/Surveyor review cost |
| <input type="checkbox"/> Substantial Increase Scale/Impacts | <input type="checkbox"/> Taxes Current |
| <input checked="" type="checkbox"/> Substantial Decrease Scale/Impacts | |

Fees are non-refundable.

I, the undersigned, have reviewed the attached information and found it to be correct. I also understand that the items listed below are required for my application to be considered complete and for it to be scheduled on the agenda for the Board of County Commissioners public hearing.

• Applicant Signature: [Signature] Date: 5-11-16

I, the undersigned, am the owner of the referenced property and do hereby give my permission to DEREK HARRIS to be my agent and represent me in the matters of this application. I have read the attached information regarding the application and property and find it to be correct.

• Owner Signature: [Signature] Date: 5-11-16
Bruce W. Helly

SECTION II: ADMINISTRATOR DETERMINATION

The Planning Administrator has reviewed the amended plat and/or recorded documents and proposals in accordance with Teton County Subdivision Ordinances Title 9, Chapter 7. The Planning Administrator has determined the changes are:

- () Insignificant: The application will be reviewed administratively and approved, approved with conditions or denied. The plat or recorded documents for a subdivision or Planned Unit Development, including the proposed changes, shall comply with all applicable criteria and standards of the county regulations, conditions of approval established in the previous approval, and the development agreement approved as part of the previous approval.
- () Substantial Changes – Increase Scale, Impact: The application will be reviewed under any applicable current ordinances and a staff report prepared and sent to the Planning and Zoning Commission for preliminary review and noticed as a public hearing at their next available regularly scheduled meeting. Substantial changes will require amended CCR's and Development Agreement and may or may not require additional studies or application materials. After a hearing before the Planning and Zoning Commission, the Commission shall recommend to the Board of County Commissioners approval, approval with conditions or denial of the amended plat and/or recorded documents. A public hearing before the Board of County Commissioner for the final review will then be scheduled and the Board will approve, approve with conditions, or deny the amended plat and/or recorded documents.
- () Substantial Changes – Decrease Scale, Impact: The application will be reviewed under the code of original approval and a staff report prepared and sent to the Planning and Zoning Commission for concept review and noticed as a public hearing at their next available regularly scheduled meeting. Substantial changes will require amended CCR's and Development Agreement. No additional studies or application fees will be required. After a hearing before the Planning and Zoning Commission, the Commission shall recommend to the Board of County Commissioners approval, approval with conditions or denial of the amended plat and/or recorded documents. A public hearing before the Board of County Commissioner for the final review will then be scheduled and the Board will approve, approve with conditions, or deny the amended plat and/or recorded documents.

SECTION III: ITEMS REQUIRED ON THE AMENDED PLAT OR IN AMENDED RECORDED DOCUMENTS

1. Narrative explaining the changes that are being proposed.
2. Plat, if applicable, is labeled correctly as "Amended Final Plat".
Recorded documents, if applicable, are labeled as "Amended"
3. Itemize briefly the amendments on the original plat and/or recorded documents and the amended plat and/or recorded documents.
4. The following items may also be required, as applicable:
 - Letter of Credit or Bond for financial guarantee of public improvements
 - Engineers cost of public improvements
 - Three (3) Sets of "Final Stamped" construction drawings for public improvements
 - Final approval letter from Eastern Idaho Public Health
 - Final approval letter from Teton County Fire District
 - Acceptance letter from city for sewer hookup from the providing community, if applicable

Instrument # 224119

TETON COUNTY, IDAHO
09-21-2012 12:39:28 No. of Pages: 2
Recorded for: ALLIANCE TITLE - DRIGGS OFFICE
MARY LOU HANSEN Fee: \$13.00
Ex-Officio Recorder Deputy, Mary Lou Hansen
Index to: DEED, WARRANTY

WARRANTY DEED

ATEC Order No.: 160479

FOR VALUE RECEIVED

Hopkins Mortgage Fund, LLC, an Idaho Limited Liability Company, as Trustee for the benefit on a parity of all Series "A" Debenture Holders

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

TR Golf LLC

whose current address is

~~900 East Carol Street~~ 1732 Canyon Oaks Drive
~~Meredon, ID 83666~~ Mount Pleasant, SC 29464

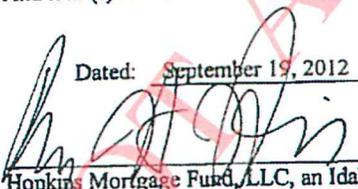
the grantee(s), the following described premises, in Teton County, Idaho, TO WIT:

Lot 1 in Block 1 of Red Fox Lots, Final Plat Phase One for Teton Reserve Planned Unit Development Phase I, Teton County, Idaho, as the same appears on the official plat thereof recorded September 2, 2004, as Instrument No. 163218

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: September 19, 2012


Hopkins Mortgage Fund, LLC, an Idaho Limited Liability Company, as Trustee for the benefit on a parity of all Series "A" Debenture Holders

MANDY H HOPKINS
BY: Randall H Hopkins, Manager

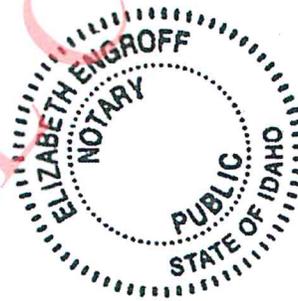
State of Id ss
County of Ada

On this 19th day of Sept, 2012, before me, Elizabeth Engroff, a Notary Public in and for said state, personally appeared Randall H Hopkins, Manager known or identified to me to be the Managing Member in the Limited Liability Company known as Hopkins Mortgage Fund, LLC, an Idaho Limited Liability Company, as Trustee for the benefit on a parity of all Series "A" Debenture Holders who executed the foregoing instrument, and acknowledged to me that he/she executed the same in said LLC 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.

Elizabeth Engroff

Notary Public for the State of Id
Residing at: Idse Id
Commission Expires: 2/3/2013



NOT A LEGAL COPY

Instrument # 224596

TETON COUNTY, IDAHO
10-19-2012 14:29:64 No. of Pages: 1
Recorded for: ALLIANCE TITLE - DRIGGS OFFICE
MARY LOU HANSEN Fee: \$10.00
Ex-Officio Recorder Deputy, Mary Lou Hansen
Index to: DEED, QUIT-CLAIM

QUITCLAIM DEED

ATEC ORDER NO.: 160467

FOR VALUE RECEIVED,

Joey Fullmer and James Fullmer, wife and husband

do(es) hereby convey, release, remise and forever quitclaim unto

TR Golf, LLC, an Idaho Limited Liability Company

whose current address is: 1732 Canyon Oaks Drive, Mount Pleasant, SC, 29464

the following described premises:

Lot 2 of Block 1, Red Fox, Amended Phase 1 for Teton Reserve Planned Unit Development, Teton County, Idaho, as the same appears on the official plat thereof recorded September 2, 2004, as Instrument No. 163248, and Amended to Teton Reserve Planned Unit Development, Replat of Lots 2 & 3, Block 1, Teton County, Idaho, as the same appears on the official plat thereof recorded October 24, 2007 as Instrument No. 192722.

TO HAVE AND TO HOLD the said premises, unto the said grantees, heirs and assigns forever.

Dated: 10/19/12 Dated: 10/19/12

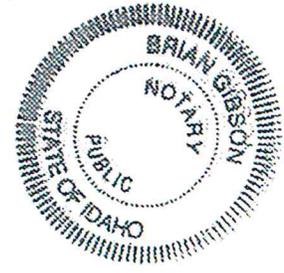
James Fullmer Joey Fullmer
James Fullmer Joey Fullmer

State of Idaho } ss
County of Teton }

On this 19 day of October, 2012, before me, Brian Gibson, a Notary Public in and for said state, personally appeared James Fullmer and Joey Fullmer, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within Instrument and acknowledged to me that he/she/they executed 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.

Brian Gibson
Notary Public for the State of Idaho
Residing at: Driggs
Commission Expires: 4/10/13



Instrument # 224221

TETON COUNTY, IDAHO
09-27-2012 09:00:37 No. of Pages: 1
Recorded for: ALLIANCE TITLE - DRIGGS OFFICE
MARY LOU HANSEN Fee: \$10.00
Ex-Officio Recorder Deputy, Mary Lou Hansen
Index to: DEED, QUIT-CLAIM

QUITCLAIM DEED

ATEC ORDER NO.: 160446

FOR VALUE RECEIVED,

Ronald L. Horst and Marina E. Horst, husband and wife,

do(es) hereby convey, release, remise and forever quitclaim unto

TR Golf, LLC

whose current address is: 910 E Carol St, Meridian, ID 83646

the following described premises:

Lot 5 of Block 2, Red Fox, Amended Phase 1 for Teton Reserve Planned Unit Development, Teton County, Idaho, as the same appears on the official plat thereof recorded September 2, 2004, as Instrument No. 163215

TO HAVE AND TO HOLD the said premises, unto the said grantees, heirs and assigns forever.

Dated: September 19, 2012

Ronald L. Horst Marina E. Horst
Ronald L. Horst Marina E. Horst

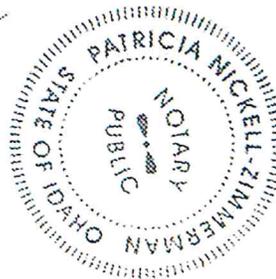
State of Idaho) ss
County of Teton)

On this 26 day of Sept, 2012, before me, Patricia Nickell-Zimmerman, a Notary Public in and for said state, personally appeared Ronald L. Horst and Marina E. Horst, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within Instrument and acknowledged to me that he/she/they executed 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.

Patricia Nickell-Zimmerman

Notary Public for the State of Idaho
Residing at: Teton, Idaho
Commission Expires: 9-26-17



Instrument # 224404

TETON COUNTY, IDAHO
 10-09-2012 10:51:22 No. of Pages: 3
 Recorded for: ALLIANCE TITLE - DRIGGS OFFICE
 MARY LOU HANSEN Fee: \$16.00
 Ex-Officio Recorder Deputy, Mary Lou Hansen
 Index to: DEED, WARRANTY

*Re-Recorded to Correct Legal
 Ref# 224121, 224318 224338*

WARRANTY DEED

ATEC Order No.:160446

FOR VALUE RECEIVED

Hopkins Northwest Fund, L.L.C., an Idaho Limited Liability Company "as trustee on a parity for the benefit of all Series "NW" Debenture Holders"

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

TR Golf LLC

whose current address is

1732 Canyon Oaks Drive
 Mount Pleasant, SC 29464

the grantee(s), the following described premises, in Teton County, Idaho, TO WIT:

ALL OF TETON RESERVE PLANNED UNIT DEVELOPMENT, Teton County, Idaho, as the same appears on the official plat thereof as Instrument No. 153363; 161570; 163218; 192722; 172906; 172907; 184195; 186347.

LESS AND EXCEPTING THEREFROM the following:

Lots 1, 2 and 3 in Block 1 (Red Fox) and Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16 and 17 in Block 2 (Red Fox), Amended Phase 1, of Teton Reserve Planned Unit Development, Teton County, Idaho, as the same appears on the official plat thereof, recorded September 2, 2004, as Instrument No. 163218, and Amended to Teton Reserve Planned Unit Development, Replat of Lots 2 & 3, Block 1, Teton County, Idaho, as the same appears on the official plat thereof recorded October 24, 2007 as Instrument No. 192722.

ALSO LESS AND EXCEPTING THEREFROM the following:

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 15 in Block 3 (Silver Fox), Amended Phase 1, of Teton Reserve Planned Unit Development, Teton County, Idaho, as the same appears on the official plat thereof, recorded September 2, 2004, as Instrument No. 163218.

ALSO LESS AND EXCEPTING THEREFROM the following:

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19 and 20 in Block 15, Lots 1, 2, 3, 4, and 5 in Block 16, Lots 1, 2, 3, 4 and 5 in Block 17; of Teton Reserve Planned Unit Development, (Royal Elk) Teton County, Idaho, as the same appears on the official plat thereof, recorded March 30, 2007, as Instrument No. 186347.

ALSO LESS AND EXCEPTING THEREFROM the following:

Lots 1, 2, 3, 4, 5 and 6 in Block 4, Lots 1, 2, 3 and 4 in Block 5, Lots 1, 2, 3, 4, and 5

Idaho, as the same appears on the official plat thereof, recorded November 23, 2005, as Instrument No. 172906.

ALSO LESS AND EXCEPTING THEREFROM the following:

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12 in Block 13, Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14 in Block 14, Bison Phase for Teton Reserve Planned Unit Development, Teton County, Idaho, as the same appears on the official plat thereof, recorded January 12, 2007, as Instrument No. 184195, Replat of Bison Phase, recorded May 1, 2007 as Instrument No. 187153.

ALSO LESS AND EXCEPTING THEREFROM the following:

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21 in Block 10, Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 in Block 11, Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16 in Block 12 Red Hawk Phase for Teton Reserve Planned Unit Development, Teton County, Idaho, as the same appears on the official Plat thereof, recorded September 28, 2006, as Instrument No. 180719, and Lot Line Adjustment for Red Hawk, recorded November 6, 2007, as Instrument No. 193136.

ALSO LESS AND EXCEPTING THEREFROM the following:

Tract 1 - Commercial Teton Reserve Planned Unit Development, (Formerly Teton Valley Country Club), Teton County, Idaho, as the same appears on the official plat thereof recorded March 3, 2003, as Instrument No. 153363. Also known as:
A parcel of land lying in the Northeast Quarter of Section 35, Township 4 North, Range 45 East, Boise Meridian, Teton County, Idaho more particularly described as follows: Commencing at the North Quarter corner of said Section 35; thence along the North line of said Section 35, North 89°24'07" East 216.46 feet; thence South 00°32'55" East 28.87 feet to a point on the Southerly Right of Way of 600 South and the Easterly Right of Way of Highway 33 to the true point of beginning; thence along said Southerly Right of Way North 89°58'32" East 529.75 feet to a point on the Westerly Right of Way of Teton Reserve Drive; thence along said Westerly Right of Way South 00°27'07" East 546.11 feet to a point on a tangent curve to the left having a Radius of 1000.00 feet, a Delta of 09°29'53", a Chord of 165.58 feet which bears South 05°12'04" East; thence along said curve for an arc distance of 165.77 feet; thence South 89°27'05" West 542.24 feet to a point on the Easterly Right of Way of Highway 33; thence along said Easterly Right of Way North 00°32'55" West 716.00 feet to the true point of beginning.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: September 17, 2012

Hopkins Northwest Fund, L.L.C., an Idaho Limited Liability Company "as trustee on a parity for the benefit of all Series "NW" Debenture Holders"

[Signature]
BY: Randall H Hopkins, Manager

State of Idaho }
County of Teton ada } ss.

On this 17th day of Sept, 2012, before me, a Notary Public in and for said state, personally appeared Randy Hopkins known or identified to me to be the Manager of the Limited Liability Company known as Hopkins Northwest Fund, L.L.C., an Idaho Limited Liability Company "as trustee on a parity for the benefit of all Series "NW" Debenture Holders" who executed the foregoing instrument, and acknowledged to me that he executed the same in said LLC 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.

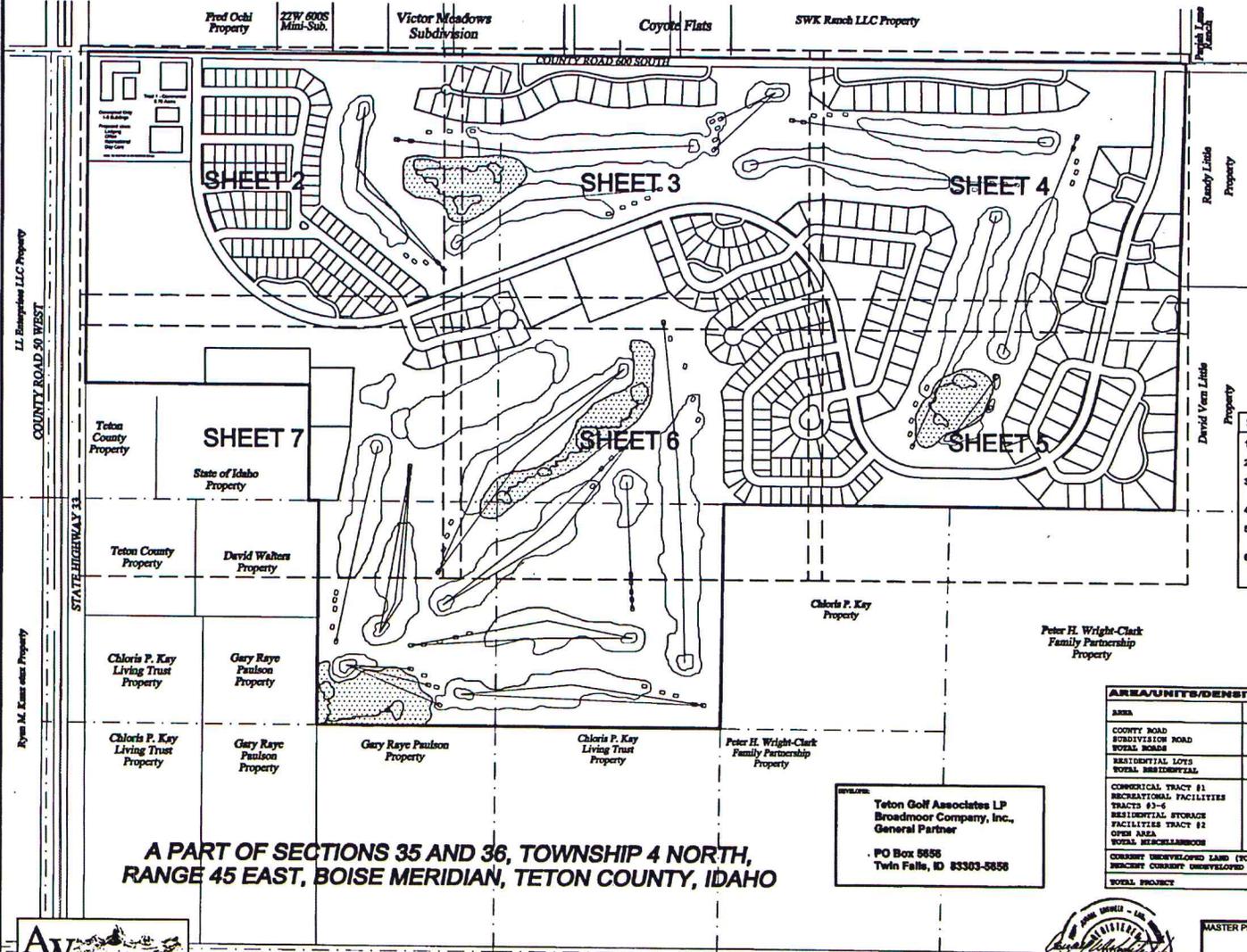
[Signature]
Notary Public for the State of Idaho
Residing at:
Commission Expires:



NOTAILED COPY

TETON RESERVE

PLANNED UNIT DEVELOPMENT



BUILDING SETBACKS	
FRONT	20'
SIDE	10'
REAR	20'



- SUBDIVISION NOTES**
- 1) A CENTRAL WATER SYSTEM IS PROPOSED.
 - 2) A CENTRAL SEWER SYSTEM IS PROPOSED.
 - 3) THERE ARE NO KNOWN WILDLIFE MIGRATION ROUTES OR UNIQUE AREAS ON THE PROPERTY.
 - 4) THERE ARE NO FLOOD PLAINS WITHIN THE PROJECT.
 - 5) THE ENTIRE PROJECT AND ALL ADJACENT PARCELS ARE WITHIN THE A-2.5 ZONE.
 - 6) 10' UTILITY EASEMENTS WILL RUN ADJACENT TO ALL SUBDIVISION, COUNTY, AND STATE ROADS WITHIN THE PROJECT.

153363 RECEIVED
MAR 3 2003
TETON CO., ID
CLERK RECORDER

AREA/UNITS/DENSITY TABLE - MASTER PLAN				
AREA	BLOCKS	ACRES	UNITS (R)	DENSITY
COUNTY ROAD	-	7.29	-	-
SUBDIVISION ROAD	-	34.78	-	-
LOCAL ROADS	-	48.97	-	-
RESIDENTIAL LOTS	ALL	90.93	384	4.22
TOTAL RESIDENTIAL	TOTAL	90.93	384	4.22
COMMERCIAL TRACT #1	-	6.70	-	-
RECREATIONAL FACILITIES TRACTS #3-6	-	11.21	-	-
RESIDENTIAL STORAGE FACILITIES TRACT #2	-	2.99	-	-
OPEN AREA	-	290.09	-	-
TOTAL MISCELLANEOUS	-	311.99	-	-
CURRENT UNDEVELOPED LAND (TOTAL LATER COUNTY ROAD)	-	436.69	ACRES	-
PERCENT CURRENT UNDEVELOPED LAND IN OPEN AREA	-	64.1	-	-
TOTAL PROJECT	-	445.98	384	8.66

DEVELOPER:
Teton Golf Associates LP
Broadmoor Company, Inc.,
General Partner
PO Box 9655
Twin Falls, ID 83303-5656

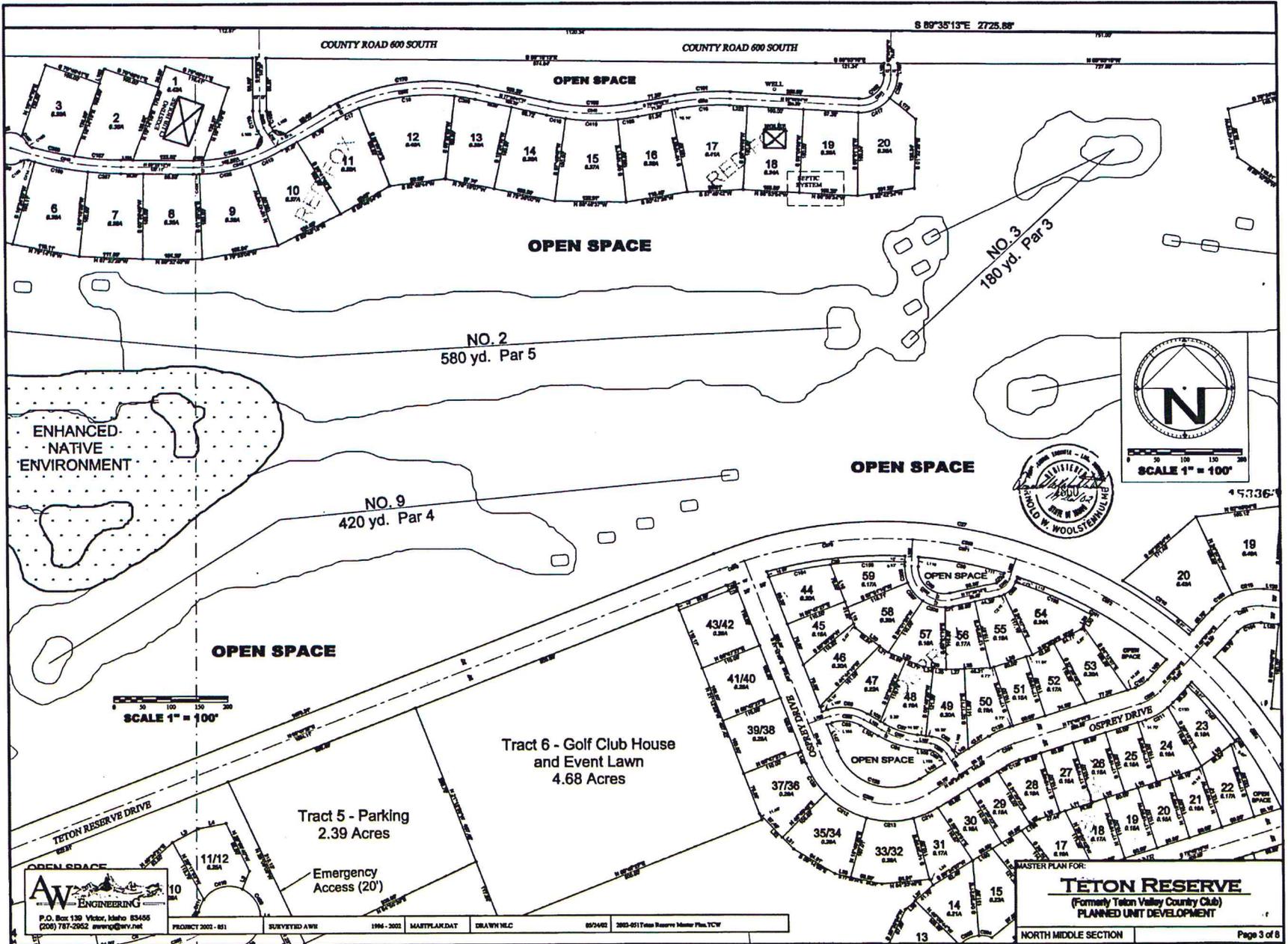
A PART OF SECTIONS 35 AND 36, TOWNSHIP 4 NORTH,
RANGE 45 EAST, BOISE MERIDIAN, TETON COUNTY, IDAHO

AW ENGINEERING
P.O. Box 139 Victor, Idaho 83455
(208) 787-2952 aweng@vnet.net



MASTER PLAN FOR:
TETON RESERVE
(Formerly Teton Valley Country Club)
PLANNED UNIT DEVELOPMENT
TITLE PAGE / SHEET INDEX / NOTES Page 1 of 8

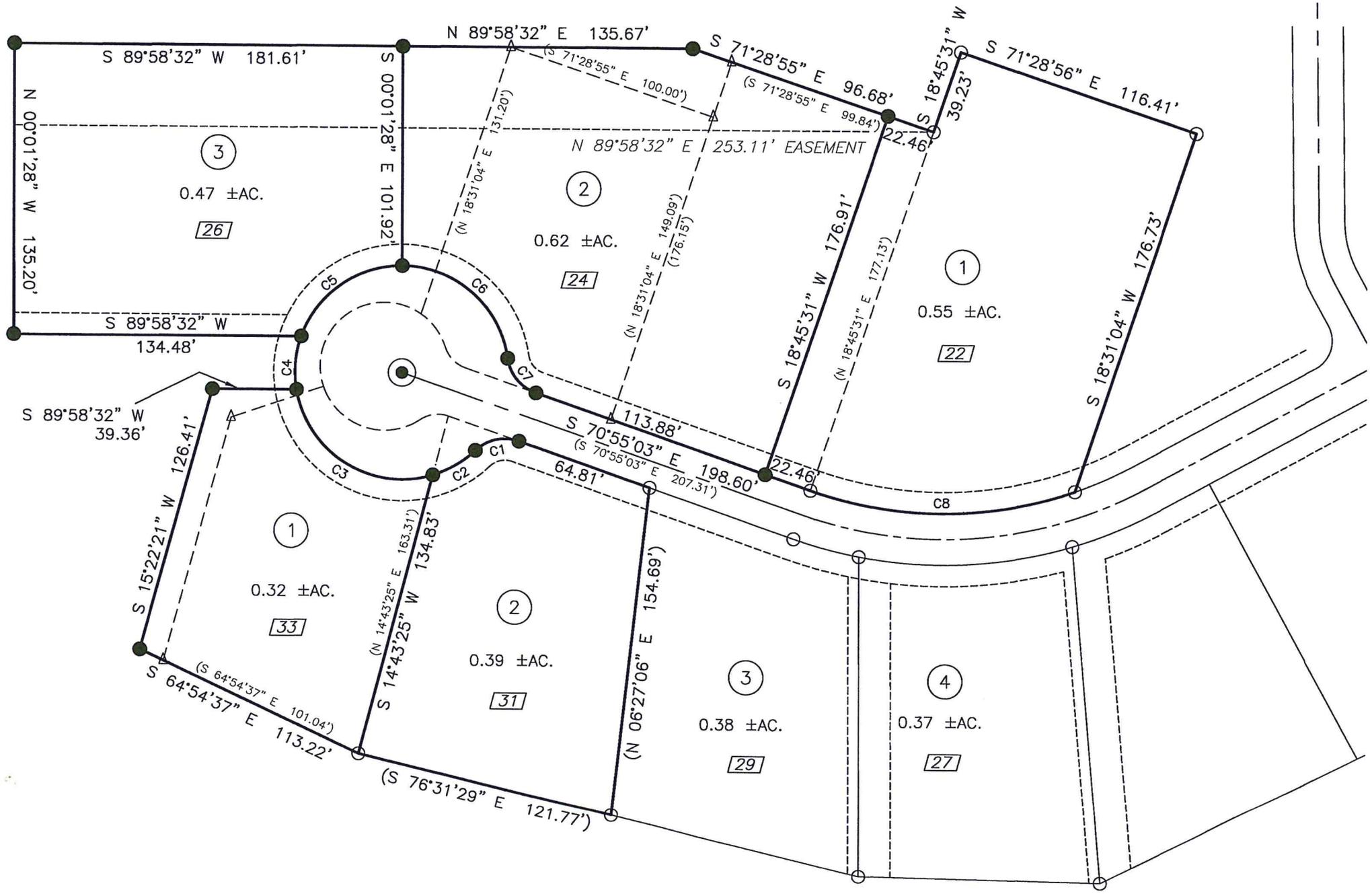
PROJECT 2002 - 051	SURVEYED AWE	1996 - 2002	MAP/PLAN/DAT	DRAWN HLC	05/24/02	2002-051 Teton Reserve Master Plan.TCW
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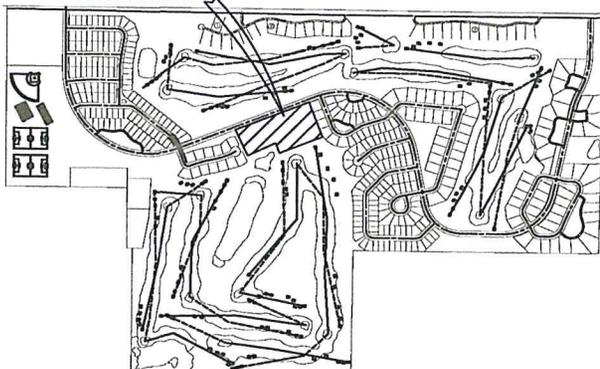
AV ENGINEERING
 P.O. Box 139 Victor, Idaho 83456
 (208) 787-2952 aveng@aveng.net

PROJECT 2002 - 051 SURVEYED AWH 1994 - 2002 MATPLANK.DAT DRAWN NLC 05/24/02 2002-051 Teton Reserve Master Plan, TCW

MASTER PLAN FOR:
TETON RESERVE
 (Formerly Teton Valley Country Club)
 PLANNED UNIT DEVELOPMENT



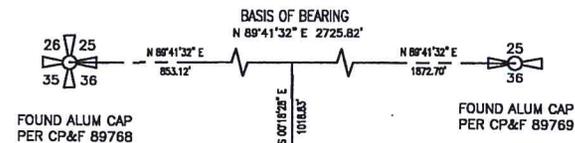
CLUB HOUSE PHASE



OVERVIEW
NOT TO SCALE

TETON RESERVE PLANNED UNIT DEVELOPMENT - CLUB HOUSE COMPLEX REPLAT - BLOCK 18

LOCATED IN SECTIONS 35 AND 36, T.4N., R.45E., B.M.
IN TETON COUNTY, IDAHO



BASIS OF BEARING PER IDAHO STATE PLANE
COORDINATE SYSTEM 83, EAST ZONE GRID
BEARINGS. GROUND DISTANCE BASED ON
SCALE FACTOR OF 1.0002566965



TETON RESERVE DRIVE

BLOCK 18
6.63 ±Ac.

Future Osprey Area

Fd 1/2" per Bison Plat 1573.00'
N 89°41'12" E
Fd 5/8" per Bison Plat 1587.31'
N 89°41'12" E
Fd 1/2" per Bison Plat 622.23'

LEGEND

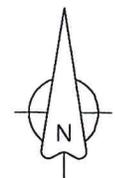
- SET 1/2" x 24" REBAR WITH PLASTIC CAP PLS 10900
- FOUND REBAR AS NOTED
- SECTION LINES
- - - RIGHT OF WAY LINES
- NEW LOT LINES
- · - ROADWAY CENTERLINE
- · - 10' UTILITY EASEMENT AS SHOWN
- ORIGINAL LOT LINES
- EXISTING EDGE OF GOLF COURSE

40.00'
N 39°42'55" E
316.29'
Bison Area

7.15'
N 83°17'00" E
333.08'
46.35'
Fd 1/2" per Clubhouse Plat
331.80'

40.55'
N 89°41'12" E
160.55'
5.2125 ±Ac. E
A.00'
Fd 1/2" per Clubhouse Plat
500.00'
N 89°41'12" E
4.30'

6.00'
Fd 1/2" per Clubhouse Plk



SECTION 35 - 36	Dioptra Geomatics	
	TETON RESERVE	
Drawn By: SKW	Scale: 1"=60'	Project: 05009
Date: 06-18-07		

ASSESSOR'S CERTIFICATE

PRESENTED TO THE TETON COUNTY ASSESSOR ON THE FOLLOWING DATE FOR APPROVAL AND ACCEPTANCE.

Rebecca Ward 5-17-07
COUNTY ASSESSOR DATE

RECORDER'S CERTIFICATE

STATE OF IDAHO)
) SS
COUNTY OF TETON)

I DO HEREBY CERTIFY THAT THIS PLAT WAS FILED THIS _____ DAY OF _____, 200____, AT _____

AT THE REQUEST OF _____
INSTRUMENT NUMBER _____

TREASURER'S CERTIFICATE

I HEREBY CERTIFY THAT ALL TAXES DUE HAVE BEEN PAID ON THE TRACT OF LAND AS SHOWN ON THIS PLAT.

Bruce Hatch 8-17-07
COUNTY TREASURER DATE

COMMISSIONERS' CERTIFICATE

PRESENTS TO THE TETON COUNTY BOARD OF COMMISSIONERS ON THE FOLLOWING DATE AT WHICH TIME THIS SUBDIVISION WAS APPROVED AND ACCEPTED.

[Signature] 10-24-07
CHAIRMAN, COUNTY COMMISSIONERS DATE

PLANNING AND ZONING APPROVAL

PRESENTED TO THE TETON COUNTY PLANNING AND ZONING COMMISSION ON THE FOLLOWING DATE AT WHICH TIME THIS SUBDIVISION WAS APPROVED AND ACCEPTED.

[Signature] 10-19-07
CHAIRMAN, PLANNING AND ZONING DATE

HEALTH DEPARTMENT CERTIFICATE

I HEREBY CERTIFY THAT SANITARY RESTRICTIONS AS DESCRIBED IN SECTIONS 50-1326-29, IDAHO CODE, HAVE BEEN SATISFIED AND THIS PLAT IS HEREBY APPROVED BY THIS DEPARTMENT FOR RECORDING.

[Signature] 13 August 07
DISTRICT HEALTH DEPARTMENT DATE

OWNERS CERTIFICATE

BE IT KNOWN THAT WE, THE UNDERSIGNED OWNERS OF THE SUBDIVISION OF LAND AS HEREIN PLATED AND DESCRIBED, CERTIFY THAT IT IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF SAID OWNERS AND PROPRIETORS OF SAID DESCRIBED LANDS; THAT THE NAME OF THE SUBDIVISION SHALL BE TETON RESERVE; THAT ACCESS TO SAID SUBDIVISION SHALL BE FROM COUNTY ROAD 600 SOUTH; THAT THE SUBDIVISION IS SUBJECT TO THE DECLARATION OF COVENANTS AND RESTRICTIONS TO BE RECORDED WITH THIS PLAT; THAT THE SUBDIVISION IS SUBJECT TO ANY RIGHTS-OF-WAY OR EASEMENTS OF RIGHT OR RECORD AND AS DEDICATE BY THIS PLAT; THAT THE SUBDIVISION IS SUBJECT TO THE RIGHT TO FARM STATED IN IDAHO CODE SECTION 22-4500 AND DOES RECOGNIZE THE NEIGHBORING LAND RIGHTS UNDER THIS LAW; THAT ALL ROADS WILL BE CONSIDERED PRIVATE ROADS FOR MAINTENANCE, GRADING, SNOW CLEARING, AND RIGHT OF ACCESS TO THE SUBDIVISION. THAT THE OWNER/DEVELOPER OF THE PROJECT WILL BE RESPONSIBLE FOR THE MAINTENANCE AND SNOW CLEARING OF ALL ROADS UNTIL THE HOMEOWNERS' ASSOCIATION ASSUMES RESPONSIBILITY FOR SAID MAINTENANCE AND SNOW CLEARING; THAT THE DEDICATED 10 FOOT UTILITY EASEMENT IS FOR THE USE OF ELECTRIC, TELEPHONE, AND CABLE TV UTILITIES, AND OTHER UTILITIES AS APPROVED BY THE HOMEOWNERS' ASSOCIATION; THAT THE DEVELOPER/OWNER WILL MAINTAIN ALL LANDSCAPING ACCORDING TO THE FINAL LANDSCAPING PLAN SUBMITTED TO THE TETON COUNTY PLANNING AND ZONING COMMISSION UNTIL THE HOMEOWNERS' ASSOCIATION ASSUMES RESPONSIBILITY FOR SAID LANDSCAPING MAINTENANCE.

DESCRIPTION OF LAND BEING DIVIDED:

APART OF SECTIONS 35 AND 36, TOWNSHIP 4 NORTH, RANGE 45 EAST OF THE BOISE MERIDIAN, LOCATED IN TETON COUNTY, IDAHO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOTS 2 AND 3 OF BLOCK 1 AND A PORTION OF THE COMMON AREA OF THE TETON RESERVE PLANNED UNIT DEVELOPMENT - AMENDED PHASE 1 SUBDIVISION PLAT AS RECORDED IN THE TETON COUNTY COURTHOUSE

[Signature] SAND CREEK LLC, AARON PETERSON
[Signature] CYNTHIA PARDEE
[Signature] TETON VALLEY GOLF ASSOCIATES, PAM WASCHER

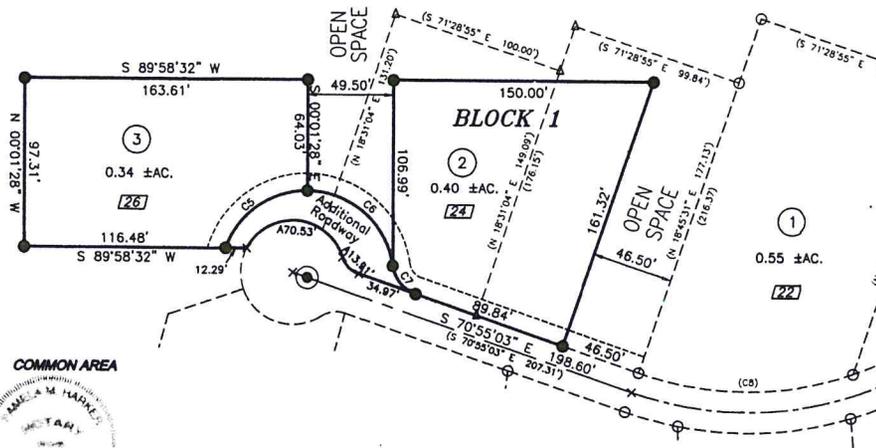
TETON RESERVE
PLANNED UNIT DEVELOPMENT

REPLAT OF LOTS 2 & 3 BLOCK 1

LOCATED IN SECTIONS 35 AND 36, T.4N., R.45E., B.M.
IN TETON COUNTY, IDAHO

LEGEND

- ⊙ SET 5/8" x 30" REBAR WITH ALUM CAP PLS 10900
- SET 1/2" x 24" REBAR WITH PLASTIC CAP PLS 10900
- x CALCULATED POINT NOTHING SET IN ASPHALT
- ⊕ FOUND 5/8" REBAR WITH ALUM CAP PLS 10900
- FOUND 1/2" REBAR WITH PLASTIC CAP PLS 10900
- △ FOUND 1/2" REBAR WITH PLASTIC CAP PLS 10900 OLD LOT CORNER REMOVED
- N 90°00'00" W 124.02' NEW BEARINGS AND DISTANCE
- (N 90°00'00" W 124.02') RECORD BEARINGS AND DISTANCE
- [] PARCEL STREET ADDRESS
- _____ PROPOSED LOT LINES
- _____ EXISTING LOT LINES
- _____ OLD LOT LINE
- _____ ROADWAY CENTERLINE
- _____ NEW 10' UTILITY EASEMENT AS SHOWN



ACKNOWLEDGEMENT - SAND CREEK LLC

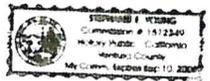
STATE OF IDAHO)
) SS
COUNTY OF Teton)
THE EXECUTION OF THE FOREGOING INSTRUMENT BY AARON PETERSON WAS ACKNOWLEDGED BEFORE ME THIS 26 DAY OF July, 2007, BY Aaron Peterson
WITNESS MY HAND AND OFFICIAL SEAL
NOTARY PUBLIC Pamela M. Wascher
MY COMMISSION EXPIRES 01-31-2013

ACKNOWLEDGEMENT - PARDEE

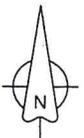
STATE OF CA)
) SS
COUNTY OF Ventura)
THE EXECUTION OF THE FOREGOING INSTRUMENT BY CYNTHIA PARDEE WAS ACKNOWLEDGED BEFORE ME THIS 8th DAY OF May, 2007, BY Cynthia Pardee
WITNESS MY HAND AND OFFICIAL SEAL
NOTARY PUBLIC [Signature]
MY COMMISSION EXPIRES Sep 10, 2008

ACKNOWLEDGEMENT - TETON GOLF ASSOCIATES

STATE OF IDAHO)
) SS
COUNTY OF Teton)
THE EXECUTION OF THE FOREGOING INSTRUMENT BY PAM WASCHER WAS ACKNOWLEDGED BEFORE ME THIS 30 DAY OF July, 2007, BY Pamela Wascher
WITNESS MY HAND AND OFFICIAL SEAL
NOTARY PUBLIC [Signature]
MY COMMISSION EXPIRES 01-31-2013



CURVE	RADIUS	ARC	CHORD	CHORD BEARING	DELTA ANGLE
C4	50.00'	25.37'	25.10'	N 04°58'18" E	29°04'03"
C5	50.00'	61.50'	57.69'	N 54°44'26" E	70°28'12"
C6	50.00'	71.47'	65.54'	N 49°04'21" E	81°54'14"
C7	20.00'	21.92'	20.84'	N 39°31'08" W	62°47'50"
C8	188.00'	126.19'	123.63'	S 89°51'12" W	38°27'30"



SURVEYORS CERTIFICATE

I, Rodney T. Burch, a Registered Professional Land Surveyor in the state of Idaho do hereby certify that this survey was made under my direction of the premises described in the legal description and shown on the accompanying plat upon which this certification appears. I further certify that plat is prepared under my direction and that the monumentation shown conforms with that set on the ground and that the pertinent statutes of the State of Idaho, together with all local ordinances have been complied with.



SECTION 35

Dioptra Geomat

TETON RESER

Drawn By: BVB Scale: 1" = 400'

Date: 5-01-07 Project: C

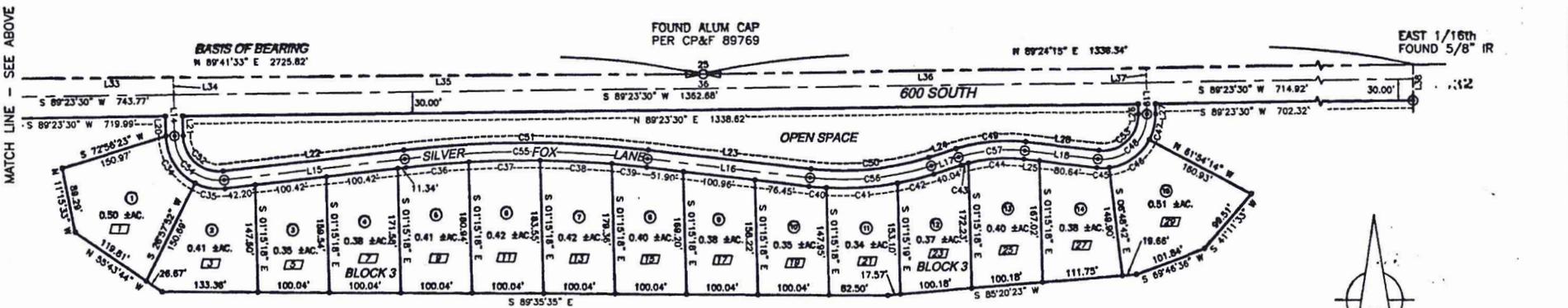
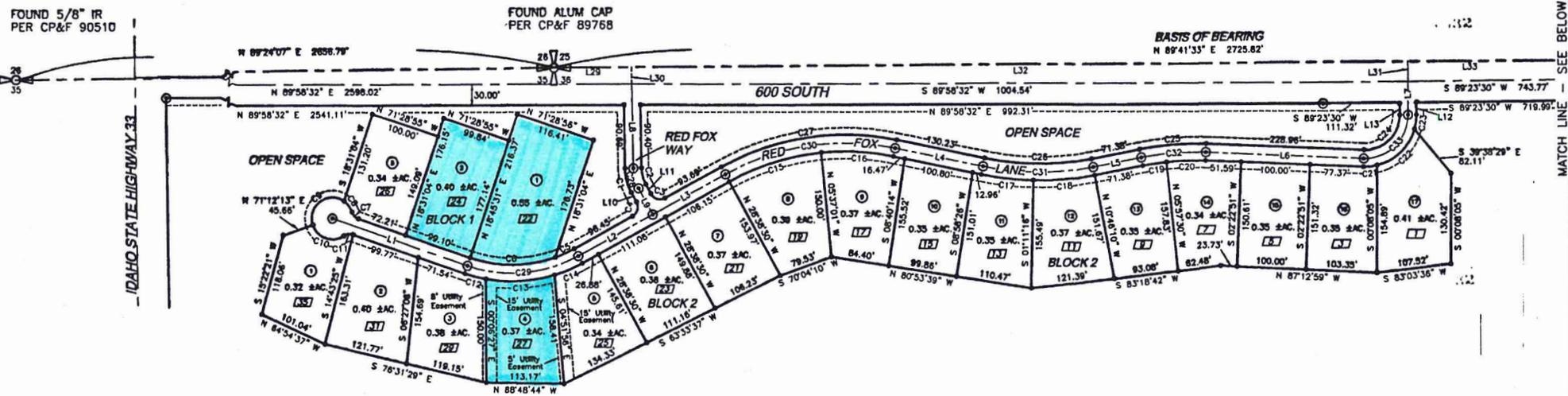
T. 4N., R.45E.

BASIS OF BEARING PER IDAHO STATE PLANE COORDINATE SYSTEM 83, EAST ZONE GRID BEARINGS. GROUND DISTANCE BASED ON SCALE FACTOR OF 1.0002568965

TETON RESERVE PLANNED UNIT DEVELOPMENT - AMENDED PHASE 1

LOCATED IN SECTIONS 35 AND 36, T.4N., R.45E., B.M.
IN TETON COUNTY, IDAHO

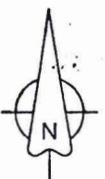
The applicant highlighted Lot 4, but
the application is for Lot 5.



- LEGEND**
- SET 5/8" x 30" REBAR WITH ALUM CAP PLS 10900
 - SET 1/2" x 24" REBAR WITH PLASTIC CAP PLS 10900
 - PARCEL STREET ADDRESS
 - SECTION LINES
 - LOT LINES
 - - - ROADWAY CENTERLINE
 - 10' UTILITY EASEMENT AS SHOWN

BASIS OF BEARING PER IDAHO STATE PLANE
COORDINATE SYSTEM 83, EAST ZONE GRID
BEARINGS. GROUND DISTANCE BASED ON
SCALE FACTOR OF 1.0002566965

SECTION 35 - 36	Dioptra Geomatics	
SHEET 2 OF 3	Drawn By: RTB	Scale: 1"=100'
	Date: 8-23-04	Project: 04007

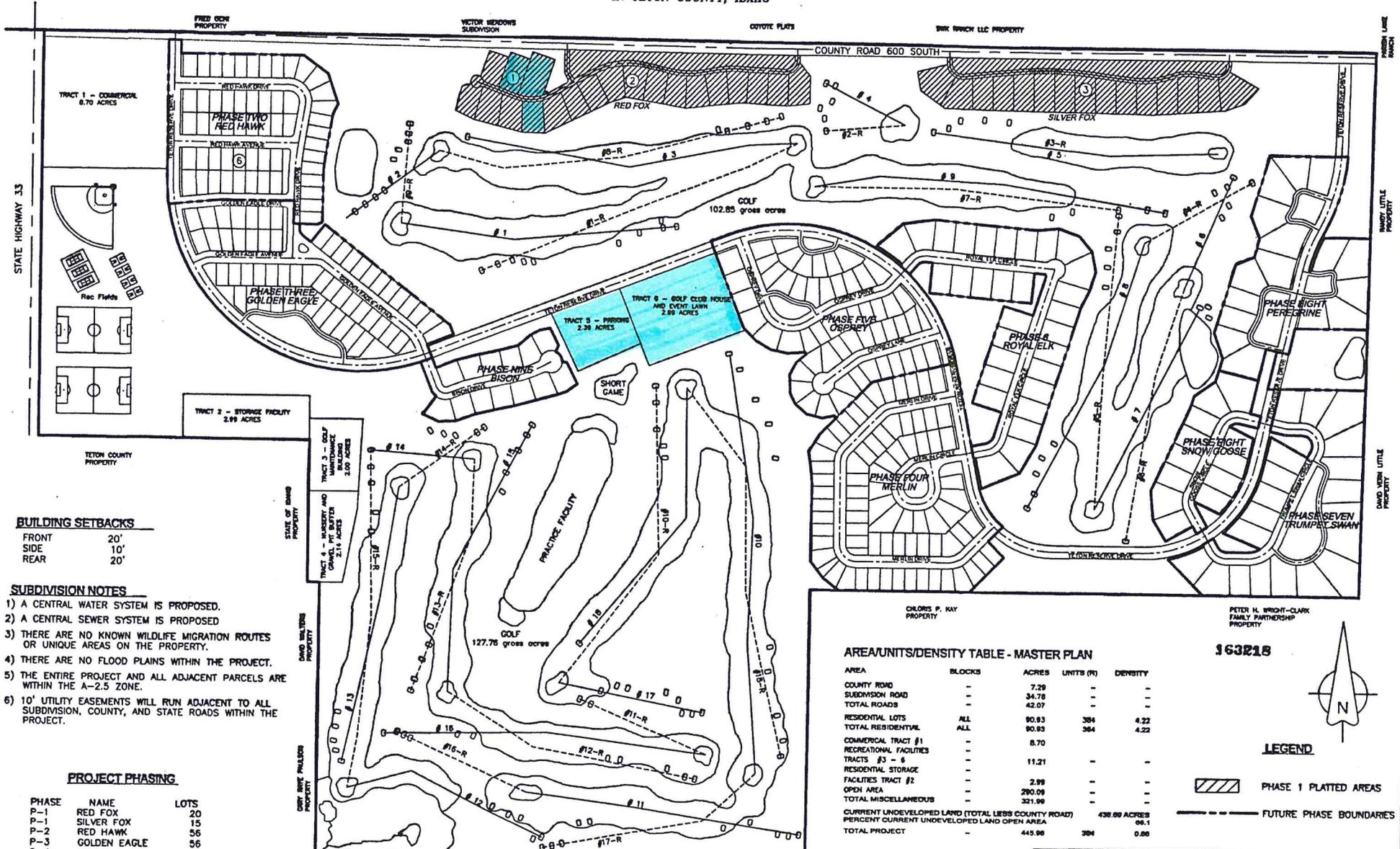


153218

TETON RESERVE PLANNED UNIT DEVELOPMENT - AMENDED MASTER PLAN / PHASE MAP

LOCATED IN SECTIONS 35 AND 36, T.4N., R.45E., B.M.
IN TETON COUNTY, IDAHO

The applicant highlighted Lot 4,
but the application is for Lot 5.



BUILDING SETBACKS

FRONT	20'
SIDE	10'
REAR	20'

SUBDIVISION NOTES

- 1) A CENTRAL WATER SYSTEM IS PROPOSED.
- 2) A CENTRAL SEWER SYSTEM IS PROPOSED.
- 3) THERE ARE NO KNOWN WILDLIFE MIGRATION ROUTES OR UNIQUE AREAS ON THE PROPERTY.
- 4) THERE ARE NO FLOOD PLAINS WITHIN THE PROJECT.
- 5) THE ENTIRE PROJECT AND ALL ADJACENT PARCELS ARE WITHIN THE A-2.5 ZONE.
- 6) 10' UTILITY EASEMENTS WILL RUN ADJACENT TO ALL SUBDIVISION, COUNTY, AND STATE ROADS WITHIN THE PROJECT.

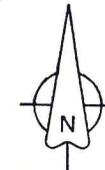
PROJECT PHASING

PHASE	NAME	LOTS
P-1	RED FOX	20
P-1	SILVER FOX	15
P-2	RED HAWK	56
P-3	GOLDEN EAGLE	56
P-4	MERLIN	74
P-5	OSPREY	59
P-6	ROYAL ELK	30
P-7	TRUMPET SWAN	20
P-8	SNOW GOOSE	12
P-8	PEREGRINE	16
P-9	BISON	26
TOTAL		384

AREA/UNITS/DENSITY TABLE - MASTER PLAN

AREA	BLOCKS	ACRES	UNITS (R)	DENSITY
COUNTY ROAD	-	7.29	-	-
SUBDIVISION ROAD	-	34.78	-	-
TOTAL ROADS	-	42.07	-	-
RESIDENTIAL LOTS	ALL	90.83	384	4.22
TOTAL RESIDENTIAL	ALL	90.83	384	4.22
COMMERCIAL TRACT #1	-	8.70	-	-
RECREATIONAL FACILITIES	-	11.21	-	-
RESIDENTIAL STORAGE	-	2.99	-	-
FACILITIES TRACT #2	-	280.09	-	-
OPEN AREA	-	321.99	-	-
TOTAL MISCELLANEOUS	-	444.98	-	-
CURRENT UNDEVELOPED LAND (TOTAL LIES COUNTY ROAD)	-	438.68	384	0.88
PERCENT CURRENT UNDEVELOPED LAND OPEN AREA	-	-	-	96.1
TOTAL PROJECT	-	445.96	384	0.86

163218

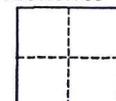


LEGEND

PHASE 1 PLATTED AREAS

FUTURE PHASE BOUNDARIES

SECTION 35 - 36



T. 4N., R. 45E.

SHEET 1 OF 3

**Dioptra
Geomatics**

TETON RESERVE

Drawn By: RTB BCW Scale: 1"=300'
Date: 08-23-04 Project: 04007



**Teton Reserve
Clubhouse Legal**

Part of Section 36, Township 4 North, Range 45 East Boise Meridian, Teton county, Idaho, described as;

Commencing at the Northwest corner of Section 36, Township 4 North, Range 45 East and running thence N 89°42'32" E 853.12 feet along the north line of said Section 36, thence S 00°18'28" E 1018.83 feet to a point on the south right-of-way line of Teton Reserve Drive, said point being the **True Point of Beginning**;

Thence S 21°55'48" E 407.42 feet along the west line of Osprey Area;

Thence S 68°04'12" W 500.00 feet;

Thence N 21°55'48" W 120.00 feet;

Thence S 63°17'05" W 331.80 feet;

Thence N 26°42'55" W 316.20 feet to a point on the south right-of-way line of Teton Reserve Drive;

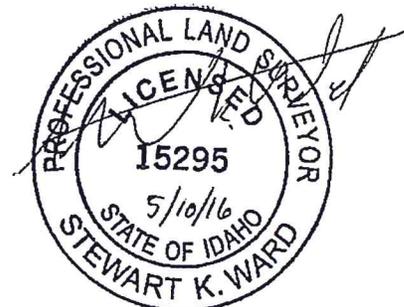
Thence N 68°04'12" E 857.03 feet along the south right-of-way line of Teton Reserve Drive to the **Point of Beginning**.

Parcel contains ±7.06 acres

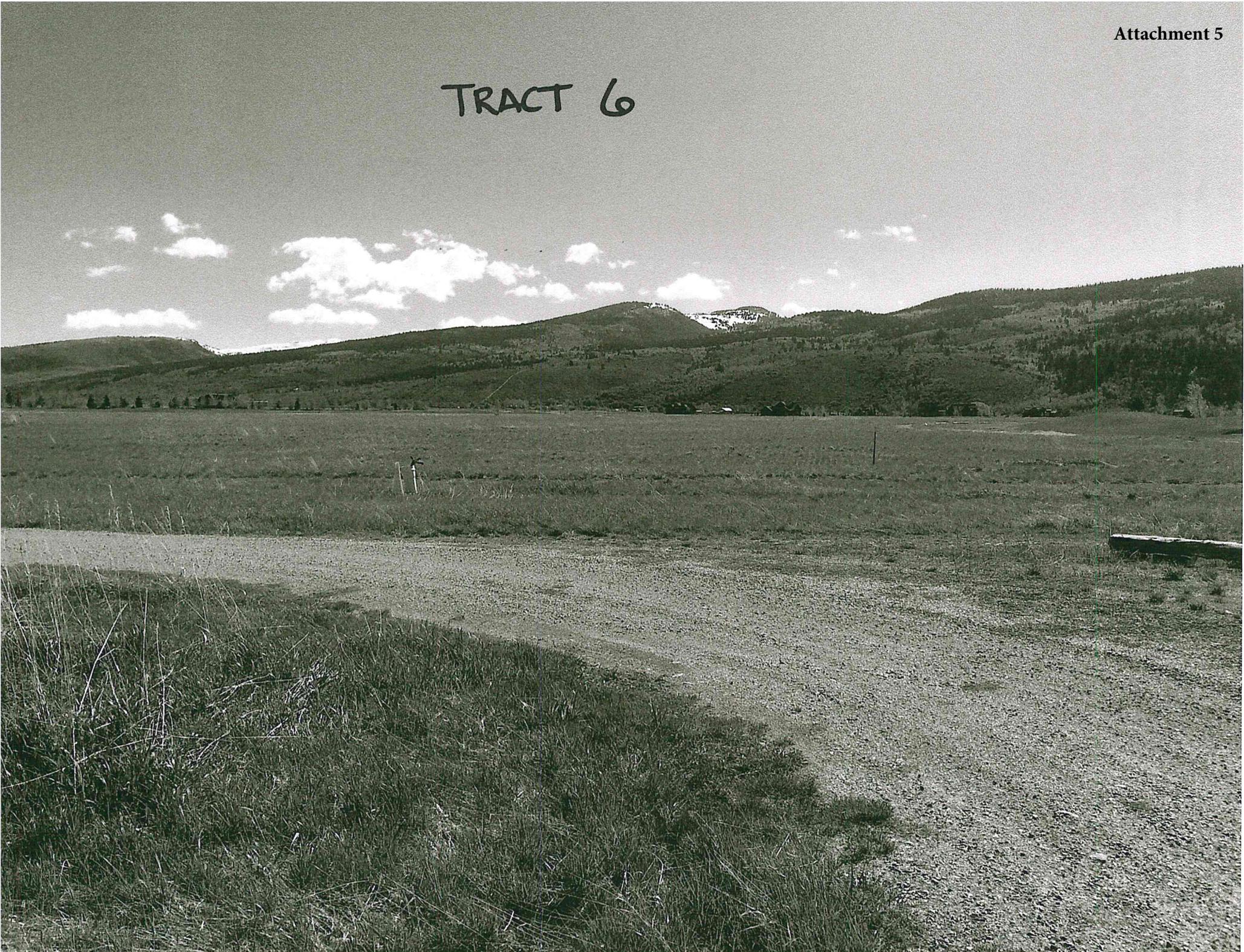
SMB / DRH

May 10, 2016

Z:\projects\2005 Projects\05009 Teton Reserve II\Clubhouse Legal.docx



TRACT 6



TRACT 5





1232

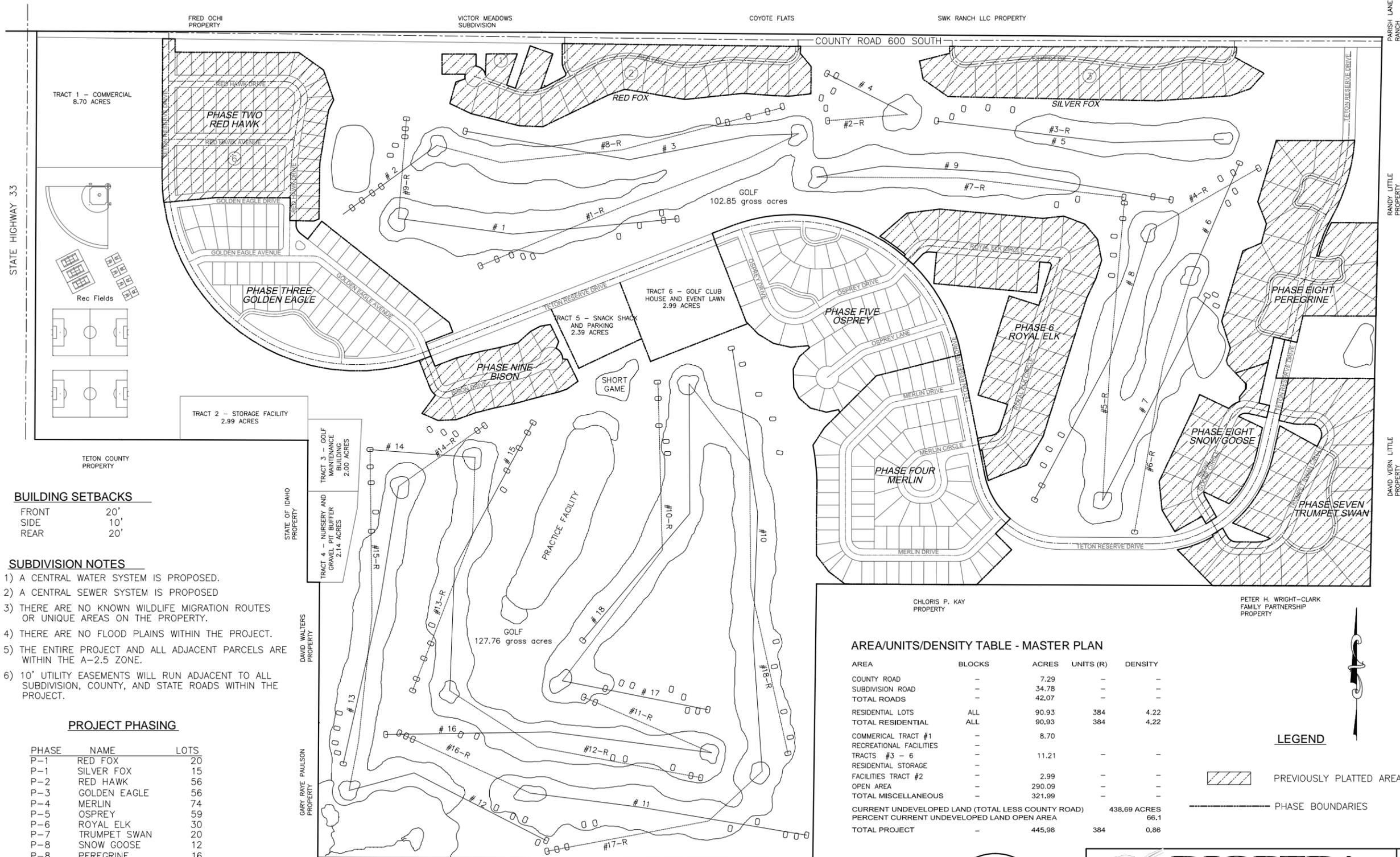


HOUSE - VISITOR CENTER

LIBI

TETON RESERVE PLANNED UNIT DEVELOPMENT – AMENDED MASTER PLAN / PHASE MAP

LOCATED IN SECTIONS 35 AND 36, T.4N., R.45E., B.M.
IN TETON COUNTY, IDAHO



BUILDING SETBACKS

FRONT	20'
SIDE	10'
REAR	20'

- SUBDIVISION NOTES**
- 1) A CENTRAL WATER SYSTEM IS PROPOSED.
 - 2) A CENTRAL SEWER SYSTEM IS PROPOSED
 - 3) THERE ARE NO KNOWN WILDLIFE MIGRATION ROUTES OR UNIQUE AREAS ON THE PROPERTY.
 - 4) THERE ARE NO FLOOD PLAINS WITHIN THE PROJECT.
 - 5) THE ENTIRE PROJECT AND ALL ADJACENT PARCELS ARE WITHIN THE A-2.5 ZONE.
 - 6) 10' UTILITY EASEMENTS WILL RUN ADJACENT TO ALL SUBDIVISION, COUNTY, AND STATE ROADS WITHIN THE PROJECT.

PROJECT PHASING

PHASE	NAME	LOTS
P-1	RED FOX	20
P-1	SILVER FOX	15
P-2	RED HAWK	56
P-3	GOLDEN EAGLE	56
P-4	MERLIN	74
P-5	OSPREY	59
P-6	ROYAL ELK	30
P-7	TRUMPET SWAN	20
P-8	SNOW GOOSE	12
P-8	PEREGRINE	16
P-9	BISON	26
TOTAL		384

NOTE:

1. THE PURPOSE OF THIS AMENDED MASTER PLAN IS TO REFLECT THE CHANGE IN USE ON LOTS 1 AND 2, BLOCK 1, LOT 4 BLOCK 2 AND TRACT 5. LOT 1 IS DESIGNATED AS THE CURRENT GOLF CLUBHOUSE, LOT 2 IS DESIGNATED AS THE CLUBHOUSE PARKING AND LOT 4 IS DESIGNATED AS THE EVENTS LAWN. TRACT 5 IS DESIGNATED AS A SNACK SHACK AND PARKING AREA.
2. TRACTS 5 AND 6 AS SHOWN ON THE ORIGINAL MASTER PLAN WILL REMAIN AS FUTURE GOLF CLUBHOUSE AND PARKING.
3. REFER TO THE RECORDED PLATS FOR BEARINGS AND DISTANCES ON ALL AREAS SHOWN AS BEING PREVIOUSLY PLATTED.

AREA/UNITS/DENSITY TABLE - MASTER PLAN

AREA	BLOCKS	ACRES	UNITS (R)	DENSITY
COUNTY ROAD	-	7.29	-	-
SUBDIVISION ROAD	-	34.78	-	-
TOTAL ROADS	-	42.07	-	-
RESIDENTIAL LOTS	ALL	90.93	384	4.22
TOTAL RESIDENTIAL	ALL	90.93	384	4.22
COMMERCIAL TRACT #1	-	8.70	-	-
RECREATIONAL FACILITIES	-	-	-	-
TRACTS #3 - 6	-	11.21	-	-
RESIDENTIAL STORAGE	-	-	-	-
FACILITIES TRACT #2	-	2.99	-	-
OPEN AREA	-	290.09	-	-
TOTAL MISCELLANEOUS	-	321.99	-	-
CURRENT UNDEVELOPED LAND (TOTAL LESS COUNTY ROAD)	-	-	438.69 ACRES	-
PERCENT CURRENT UNDEVELOPED LAND OPEN AREA	-	-	-	66.1
TOTAL PROJECT	-	445.98	384	0.86

LEGEND

- PREVIOUSLY PLATTED AREAS
- PHASE BOUNDARIES



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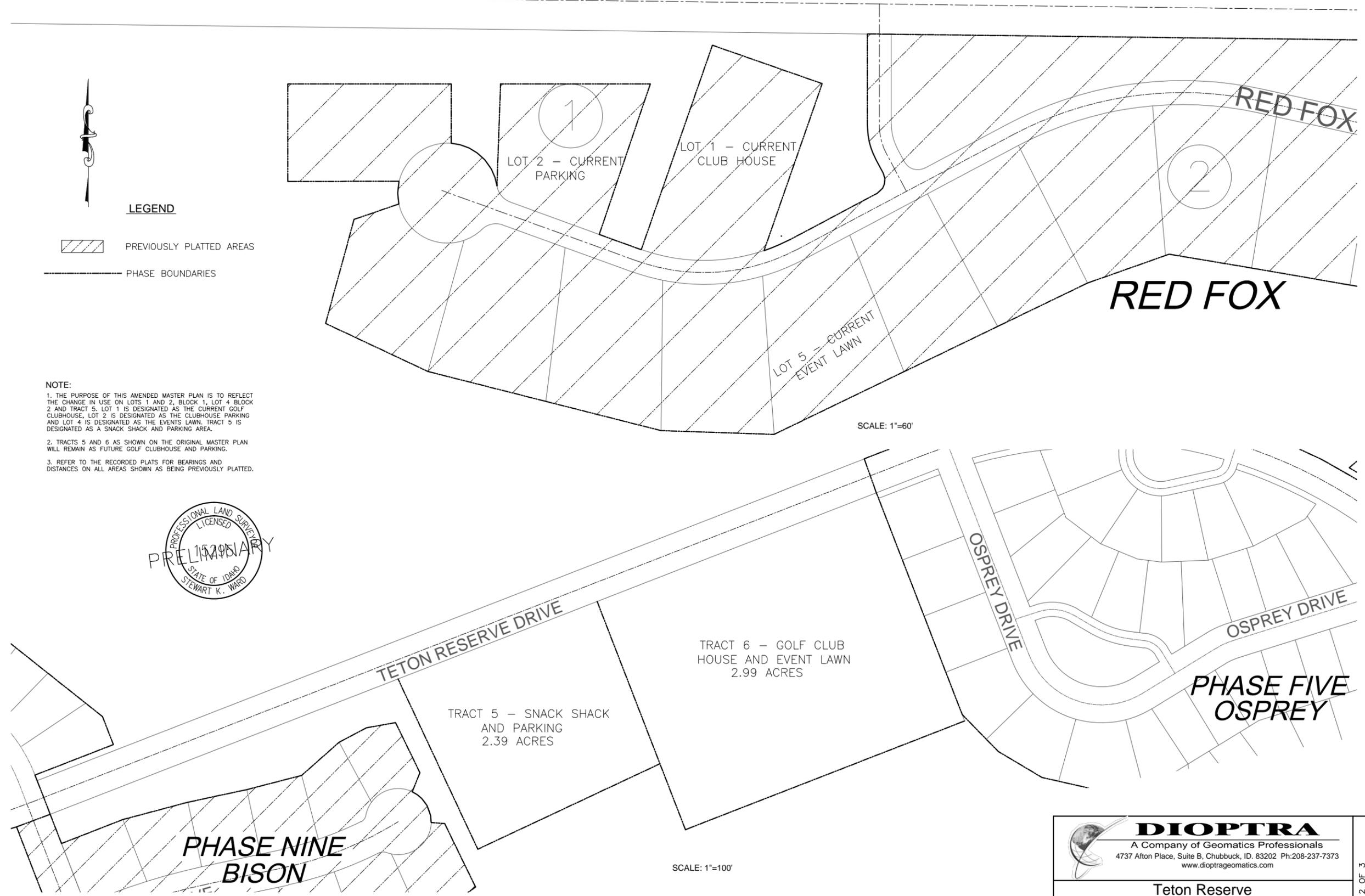
Teton Reserve

Drawn By: SKW	Scale: 1"=300'
Date: 05-18-16	Project: 16034

TETON RESERVE

PLANNED UNIT DEVELOPMENT – AMENDED MASTER PLAN / PHASE MAP

LOCATED IN SECTIONS 35 AND 36, T.4N., R.45E., B.M.
IN TETON COUNTY, IDAHO



LEGEND

- PREVIOUSLY PLATTED AREAS
- PHASE BOUNDARIES

NOTE:

1. THE PURPOSE OF THIS AMENDED MASTER PLAN IS TO REFLECT THE CHANGE IN USE ON LOTS 1 AND 2, BLOCK 1, LOT 4, BLOCK 2 AND TRACT 5. LOT 1 IS DESIGNATED AS THE CURRENT GOLF CLUBHOUSE, LOT 2 IS DESIGNATED AS THE CLUBHOUSE PARKING AND LOT 4 IS DESIGNATED AS THE EVENTS LAWN. TRACT 5 IS DESIGNATED AS A SNACK SHACK AND PARKING AREA.
2. TRACTS 5 AND 6 AS SHOWN ON THE ORIGINAL MASTER PLAN WILL REMAIN AS FUTURE GOLF CLUBHOUSE AND PARKING.
3. REFER TO THE RECORDED PLATS FOR BEARINGS AND DISTANCES ON ALL AREAS SHOWN AS BEING PREVIOUSLY PLATTED.



SCALE: 1"=60'

SCALE: 1"=100'

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Teton Reserve	
Drawn By: SKW	Scale: 1"=300'
Date: 10-12-16	Project: 16034

Sheet: 2 OF 3

TETON RESERVE
PLANNED UNIT DEVELOPMENT – AMENDED MASTER PLAN / PHASE MAP

LOCATED IN SECTIONS 35 AND 36, T.4N., R.45E., B.M.
 IN TETON COUNTY, IDAHO

OWNERS CERTIFICATE

BE IT KNOWN THAT WE, THE UNDERSIGNED OWNERS OF THE SUBDIVISION OF LAND AS HEREIN PLATTED AND DESCRIBED, CERTIFY THAT IT IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF SAID OWNERS AND PROPRIETORS OF SAID DESCRIBED LANDS;
 THAT THE NAME OF THE SUBDIVISION SHALL BE TETON RESERVE;
 THAT ACCESS TO SAID SUBDIVISION SHALL BE FROM COUNTY ROAD 600 SOUTH;
 THAT THE SUBDIVISION IS SUBJECT TO THE DECLARATION OF COVENANTS AND RESTRICTIONS TO BE RECORDED WITH THIS PLAT;
 THAT THE SUBDIVISION IS SUBJECT TO ANY RIGHTS-OF-WAY OR EASEMENTS OF SIGHT OR RECORD AND AS DEDICATED BY THIS PLAT;
 THAT THE SUBDIVISION IS SUBJECT TO THE RIGHT TO FARM STATED IN IDAHO CODE SECTION 22-4500 AND DOES RECOGNIZE THE NEIGHBORING LAND RIGHTS UNDER THIS LAW;
 THAT ALL ROADS WILL BE CONSIDERED PRIVATE ROADS FOR MAINTENANCE, GRADING, SNOW CLEARING, AND RIGHT OF ACCESS TO THE SUBDIVISION.
 THAT THE OWNER/DEVELOPER OF THE PROJECT WILL BE RESPONSIBLE FOR THE MAINTENANCE AND SNOW CLEARING OF ALL ROADS UNTIL THE HOMEOWNERS' ASSOCIATION ASSUMES RESPONSIBILITY FOR SAID MAINTENANCE AND SNOW CLEARING;
 THAT THE DEDICATED 10 FOOT UTILITY EASEMENT IS FOR THE USE OF ELECTRIC, TELEPHONE, AND CABLE TV UTILITIES, AND OTHER UTILITIES AS APPROVED BY THE HOMEOWNERS' ASSOCIATION;
 THAT THE OWNER/DEVELOPER WILL MAINTAIN ALL LANDSCAPING ACCORDING TO THE FINAL LANDSCAPING PLAN SUBMITTED TO THE TETON COUNTY PLANNING AND ZONING COMMISSION UNTIL THE HOMEOWNERS' ASSOCIATION ASSUMES RESPONSIBILITY FOR SAID LANDSCAPING MAINTENANCE.

DESCRIPTION OF LAND BEING DIVIDED;

A PART OF SECTIONS 35 AND 36, TOWNSHIP 4 NORTH, RANGE 45 EAST OF THE BOISE MERIDIAN, TETON COUNTY, IDAHO, BEING FURTHER DESCRIBED AS FOLLOWS:
 COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 36 AND RUNNING THENCE S 89°35'13" E 2725.88 FEET ALONG THE NORTH LINE OF SAID SECTION 36 TO THE NORTH 1/4 CORNER OF SAID SECTION 36, THENCE S 89°52'43" E 1335.76 ALONG THE NORTH LINE OF SAID SECTION 36 TO THE NORTHEAST CORNER OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF SECTION 36, THENCE S 01°15'28" W 2845.87 FEET ALONG THE EAST LINE OF SAID WEST 1/2 OF THE NORTHEAST 1/4 TO THE SOUTHEAST CORNER OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF SAID SECTION 36, THENCE N 89°46'49" W 2675.08 FEET ALONG THE SOUTH LINE OF THE NORTH 1/2 OF SAID SECTION 36 TO THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 36, THENCE S 00°44'48" W 1326.50 FEET ALONG THE EAST LINE OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 TO THE SOUTHEAST CORNER OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 36, THENCE N 89°48'13" W 1056.00 FEET ALONG THE SOUTH LINE OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 35 TO A POINT, THENCE N 00°20'41" E 1325.96 FEET TO A POINT, THENCE N 89°48'54" W 59.44 FEET TO A POINT, THENCE N 00°16'08" E 683.40 FEET TO A POINT, THENCE N 89°48'54" W 1318.36 FEET TO A POINT ON THE EASTERN RIGHT-OF-WAY LINE OF STATE HIGHWAY 33, THENCE N 00°16'08" E 1966.58 FEET ALONG THE EASTERN RIGHT-OF-WAY LINE OF STATE HIGHWAY 33 TO A POINT ON THE NORTHERN SECTION LINE OF SAID SECTION 35, THENCE S 89°52'13" E 2437.31 FEET ALONG THE NORTHERN SECTION LINE OF SAID SECTION 35 TO THE POINT OF BEGINNING.

CONTAINS 445.96 ACRES, MORE OR LESS

STATE OF IDAHO)
) SS
 COUNTY OF TETON)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 20____, BY _____
 WITNESS MY HAND AND OFFICIAL SEAL.

NOTARY PUBLIC _____

MY COMMISSION EXPIRES _____

PLANNING AND ZONING APPROVAL

PRESENTED TO THE TETON COUNTY PLANNING AND ZONING COMMISSION ON THE FOLLOWING DATE AT WHICH TIME THIS SUBDIVISION WAS APPROVED AND ACCEPTED.

CHAIRMAN, PLANNING AND ZONING _____ DATE _____

ASSESSOR'S CERTIFICATE

PRESENTED TO THE TETON COUNTY ASSESSOR ON THE FOLLOWING DATE FOR APPROVAL AND ACCEPTANCE FOR FILING.

COUNTY ASSESSOR _____ DATE _____

RECORDER'S CERTIFICATE

STATE OF IDAHO)
) SS
 COUNTY OF TETON)

I DO HEREBY CERTIFY THAT THIS PLAT WAS FILED THIS _____ DAY OF _____, 200____, AT _____.

AT THE REQUEST OF _____

INSTRUMENT NUMBER _____

TREASURER'S CERTIFICATE

PRESENTED TO THE TETON COUNTY TREASURER WHO HEREBY CERTIFIES THAT ALL TAXES HAVE BEEN PAID ON THE SHOWN TRACT OF LAND ON THIS PLAT AND ARE CURRENT.

COUNTY TREASURER _____ DATE _____

COMMISSIONERS' CERTIFICATE

PRESENTED TO THE TETON COUNTY BOARD OF COMMISSIONERS ON THE FOLLOWING DATE AT WHICH TIME THIS SUBDIVISION WAS APPROVED AND ACCEPTED.

CHAIRMAN, COUNTY COMMISSIONERS _____ DATE _____

COUNTY FIRE MARSHAL CERTIFICATE

PRESENTED TO THE TETON COUNTY FIRE MARSHAL ON THE FOLLOWING DATE, AT WHICH TIME THIS PLAT WAS DEEMED TO MEET TETON COUNTY FIRE CODE AND APPROVED FOR FILING.

COUNTY FIRE MARSHAL _____ DATE _____

HEALTH DEPARTMENT CERTIFICATE

SANITARY RESTRICTIONS AS REQUIRED BY IDAHO CODE, TITLE 50, CHAPTER 13 HAVE BEEN SATISFIED SUBJECT TO THE INFORMATION CONTAINED IN THE ATTACHED SANITARY REGULATIONS AND RULES. SANITARY RESTRICTIONS MAY BE REIMPOSED, IN ACCORDANCE WITH SECTION 50-1326, IDAHO CODE, BY ISSUANCE OF CERTIFICATE OF DISAPPROVAL

EASTERN IDAHO PUBLIC HEALTH, REHS _____

DATE _____

REVIEWING SURVEYOR'S CERTIFICATE

I, THE UNDERSIGNED, BEING A SURVEYOR IN THE STATE OF IDAHO DO HEREBY CERTIFY THAT I HAVE REVIEWED THIS PLAT AND FIND THAT IT COMPLIES WITH IDAHO CODE 50-1305 RELATING TO PLATS AND SURVEYS AND APPROVE THIS PLAT FOR FILING.

TETON CO. PLAT REVIEW SURVEYOR _____ PLS # _____

SURVEYORS CERTIFICATE

I, STEWART K. WARD, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF IDAHO DO HEREBY CERTIFY THAT A SURVEY WAS MADE UNDER MY DIRECTION OF THE PREMISES DESCRIBED IN THE BOUNDARY DESCRIPTION AND SHOWN ON THIS PLAT UPON WHICH THIS CERTIFICATION APPEARS. I FURTHER CERTIFY THAT THIS PLAT WAS PREPARED UNDER MY DIRECTION AND THAT THE MONUMENTATION SHOWN CONFORMS WITH THAT SET ON THE GROUND AND THAT THE PERTINENT STATUTES OF THE STATE OF IDAHO, TOGETHER WITH ALL LOCAL ORDINANCES HAVE BEEN COMPLIED WITH.

Stewart K. Ward, License No. 15295 _____ Date _____



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Teton Reserve	
Drawn By: SKW	Scale: 1"=300'
Date: 05-18-16	Project: 16034

**AMENDMENT TO DEVELOPERS AGREEMENT
FOR
TETON RESERVE**

This Amendment to Developers Agreement, made the ____ day of November, 2016, by and between Teton County, Idaho, hereinafter called the "County", and TR Golf, LLC, whose mailing address is _____, Idaho 83422 (this "Amendment").

WHEREAS, Teton Valley Golf Associates, LP (the "Developer") and the County entered into that certain Final Master Plan Development Agreement (the "DA") dated September 9th, 2002, regarding the Teton Reserve Planned Unit Development (the "Subdivision"), which was recorded in the Teton County Clerk's Office on March 5, 2003 as Instrument # 153426; and

WHEREAS, the Developer caused a plat to be filed in the Teton County Clerk's Office on _____, under cover number _____ depicting the subdivision (the "Plat"); and

WHEREAS, TR Golf, LLC purchased the unsold lots in the Subdivision from the Developer; and

WHEREAS, TR Golf and the County have agreed to amend the DA and the Plat to make it clear as to what the uses of certain lots in the Subdivision may be used for.

NOW THEREFORE, in consideration of the covenants and conditions set forth herein, the parties hereto agree to amend the DA and the Plat in the following manner:

- 1) The following Article V is hereby added to the DA:

**ARTICLE V
Permitted Land Uses**

The following are permitted land uses pursuant to Teton County Code Subdivision Ordinance 9-5-3(B) and the referenced lots, blocks, and tracts correlate to the Plat:

- A) Lot 1 Block 1 – club house building with restaurant and bar, retail golf shop, and golf cart storage. In addition, the two rooms attached to the club house may be rented on a nightly basis as an ancillary use to the sports and events facility.
 - B) Lot 2 Block 1 – parking to accommodate the uses for Lot 1 Block 1.
 - C) Lot 5 Block 2 – outdoor events area
 - D) Tract 5 – parking and a building with rest rooms and limited food and beverage services.
 - E) Tract 6 – future club house building, spa, swimming pool, tennis, and other recreation facilities.
- 2) Any inconsistencies between this Amendment and the DA shall be construed in favor of this Amendment, and all other terms and conditions of the DA shall remain unaffected by this Amendment and in full force and effect.
 - 3) This Amendment and the DA shall be construed according to the laws of the State of Idaho.
 - 4) This Amendment shall be binding upon, inure to the benefit of and be enforceable by the parties hereto and their respective heirs, successors, and assigns.
 - 5) The parties hereto may, in law or in equity, by suit, action, mandamus, or any other proceeding, including without limitation specific performance, enforce or compel the performance of this Amendment or the DA.

- 6) The invalidity or unenforceability of any provision of this Amendment or the DA shall not affect the other provisions hereof or in the DA and this Amendment shall be construed in all respects as if such invalid or unenforceable provisions were omitted.
- 7) The County and the Developer hereby acknowledge and agree that all required notices, meetings and hearings have been properly given and held by the County with respect to the approval of this Amendment or the DA and agree not to challenge this Amendment or the DA or any of the obligations created by it on the grounds of any procedural infirmity or any denial of any procedural right. The County hereby warrants and represents to the Developer that the persons executing this Amendment on its behalf have been properly authorized to do so by the County. The Developer hereby warrants and represents to the County (1) that it has the right, power, and authority to enter into this Amendment and to agree to the terms, provisions, and conditions set forth herein, (2) that all legal action needed to authorize the execution, delivery and performance of this Amendment have been taken, and (3) that neither the execution of this Amendment nor the performance of the obligations assumed by the Developer hereunder will (i) result in a breach or default under any agreement to which the Developer is a party or to which it or the Subdivision is bound or (ii) violate any statute, law, restriction, court order, or agreement to which the Developer or the Subdivision is subject.
- 8) The Developer shall have this Amendment recorded in the office of the Teton county Clerk.

[signature page to follow]

IN WITNESS WHEREOF, the parties hereto have executed this Agreement the day and date first above written.

Teton County

TR Golf, LLC

Name:

Title:

Name:

Title:

STATE OF IDAHO)
) ss.
COUNTY OF TETON)

On this _____ day of _____, 2016 before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared _____, known and identified to me to be the person whose name is subscribed to the within and foregoing instrument and acknowledged to me that he executed the same.

SEAL

Notary Public for Idaho

Residing at: _____

Commission Expires: _____

STATE OF IDAHO)
) ss.
COUNTY OF TETON)

On this _____ day of _____, 2016 before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared _____, known and identified to me to be the person whose name is subscribed to the within and foregoing instrument and acknowledged to me that he executed the same.

SEAL

Notary Public for Idaho

Residing at: _____

Commission Expires: _____



NOTE: This application was rescheduled to November 8, so the applicant could correct an error. This proposal includes Lot 5 of Red Fox, not Lot 4.

October 14, 2016

RE: Notice of Public Hearing and Solicitation for Comments from property owners within 300 feet of a property that has an application for a Subdivision Amendment – “Substantial Changes – Decrease Scale, Impact”.

Dear Property Owners:

This letter is to notify you that an application for a Subdivision Amendment to amend the Master Plan and Development Agreement has been submitted to the Teton County Planning Department by a nearby landowner. Subdivision Amendments are allowed in Idaho State Code and the Teton County Code. This process is intended to provide an efficient procedure for reviewing changes or proposed vacations to previously recorded subdivisions and PUDs, to ensure the revised documents comply with all applicable regulations, and to reduce the intrusion of development into sensitive natural areas of the county and reduce governmental costs associated with scattered development.

The planning staff is soliciting comments from people in the vicinity of the applicant’s property so that we can be aware of neighborhood issues and then include your comments in the packet of information provided to the Planning & Zoning Commission for their consideration prior to the hearing. Please provide comments related to this application and the Subdivision Amendment criteria of approval found in Teton County Code (9-7-1-B-3).

Applicant: TR Golf LLC **Landowner:** TR Golf LLC

Legal Description: RP003100010010, LOT 1 BLK 1 TETON RESERVE PUD RED FOX PHASE I SEC 35 T4N R45E; RP003100010020, LOT 2 BLK 1 TETON RESERVE PUD RED FOX PHASE I SEC 35 T4N R45E; RP003100010050, **LOT 5 BLK 2 TETON RESERVE PUD RED FOX PHASE I SEC 36 T4N R45E**; RP003100TRAC50, TRACT 5 PARKING TETON RESERVE SUB SEC 36 T4N R45E; RP003100TRAC60, TRACT 6 GOLF CLUB HOUSE & EVENT LAWN TETON RESERVE SUB SEC 36 T4N R45E

Zoning District: A-2.5; Victor Area of Impact

Description of the Request: TR Golf, LLC is proposing an AMENDMENT to the Teton Reserve PUD Master Plan and Development Agreement to reflect the existing location of the golf clubhouse and parking area, as well as to identify specific uses allowed on those lots. This amendment also identifies an event lawn and retains the original clubhouse/parking lots for future growth of those uses. This amendment is defined as a Substantial Changes – Decrease Scale, Impact request pursuant to the Teton County Code, Section 9-7-1-B-2.

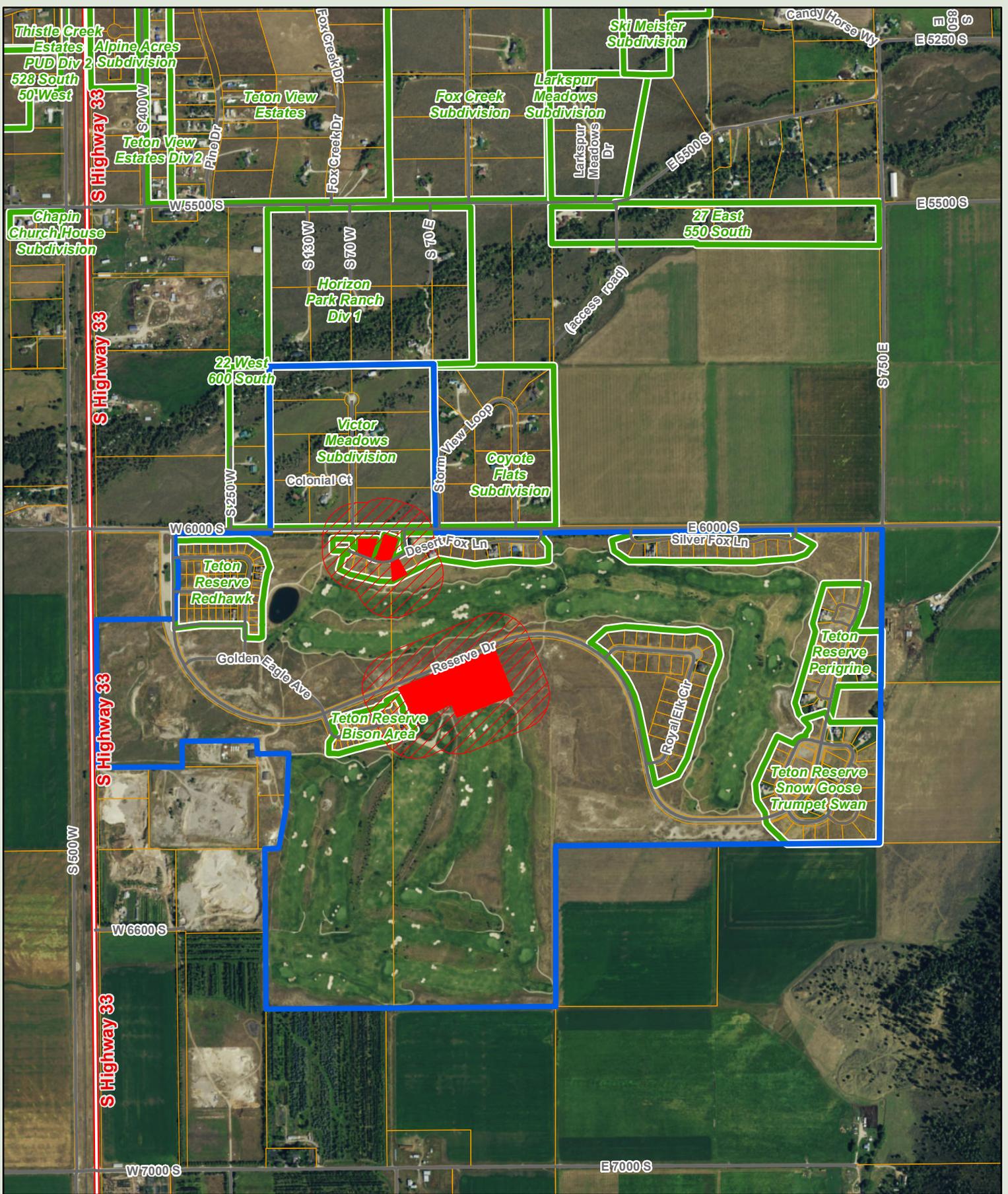
PUBLIC HEARING

The Planning & Zoning Commission will hold a public hearing in the Main Courtroom located on the Third Floor (lower level, southwest entrance) at 150 Courthouse Drive, Driggs, Idaho on **November 8, 2016** on this matter. This application is the second item on the agenda, and it is scheduled to be heard at **5:30 pm**.

Information on the above application is available for public viewing in the Teton County Planning Department at the Teton County Courthouse in Driggs, Idaho. The development application and various related documents are also posted, as they become available, at www.tetoncountyidaho.gov. To view these items, go to the Planning & Zoning Commission department page, then select the 11-8-2016 Meeting Docs item in the Additional Information Side Bar. Written comments will be included in the packet of information provided to the Commission for consideration prior to the hearing if they are received in the Planning Department no later than 5:00pm on November 1, 2016. Written comments may be e-mailed to pz@co.teton.id.us, mailed to the address above, or faxed. You may also present your comments in person at the hearing.

The public shall not contact members of Planning & Zoning Commission or the Board of County Commissioners concerning this application, as their decision must, by law, be confined to the record produced at the public hearing.

If you have any further questions, please do not hesitate to contact Kristin Owen, Planning Administrator (kowen@co.teton.id.us).



Legend

- 300 ft Notification Buffer
- Subject Parcel
- Subdivisions / Phases
- Parcels
- Notified Parcels

**TETON RESERVE PUD, PHASE 1
SUBDIVISION AMENDMENT APPLICATION NOTIFICATION
(MASTER PLAN & DEVELOPMENT AGREEMENT)**

Attachment 8

Printed: October 14, 2016



Kristin Rader

From: Judith McKinney [REDACTED]
Sent: Tuesday, October 11, 2016 7:01 PM
To: PZ
Cc: [REDACTED]
Subject: Public Hearing 10-18-2016

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Teton Planning Department:

RE: Comments for proposed Amendment to the Teton PUD Master Plan

I am a homeowner in Teton Reserve and I am very concerned about the proposed variation by TR Golf to the Teton Reserve Master Plan.

My home directly faces the current temporary clubhouse and parking lot. In our original plan those amenities and parking were planned for an off road location on the south border of the community facing the south and open land. The proposal will now make a parking lot part of my permanent view and will be a detriment to the lots that directly interface with the temporary clubhouse and parking lots. I am sure future homeowners will not be pleased with looking at the parking lot and being in the midst of "events." Most likely they will never be able to be sold, and if they are, at a greatly reduced price. The addition of the parking and events will contribute to a higher noise level, traffic and safety concerns. We have no trained staff to accommodate larger groups of people in our community.

I know that this comment is a few hours late. I live out of town and have been away on business for a couple of weeks. All of my neighbors and I are retired or semi-retired and look for a wonderful life in the valley that we love. We chose our location for the great beauty and wilderness qualities that it represents, not a golf course. We need your help in protecting us from the dominance of a business/investor controlled board to protect the regular homeowners from the board's autocratic rule.

The owners of TR golf have never presented a long term plan for their golf course or for the surrounding development. They are also part of the three people who control the HOA board of Teton Reserve. So far, they have been neglectful fiduciaries in their role as board members. They have acted in an irresponsible manner with little or no communication with homeowners, and little documentation required by their position and the bylaws of the HOA. For example, the documents for this request were filed in May and June and your notification was the first we heard of this request even though we had our annual meeting in August and this was not in our minutes nor discussed.

Further, the owners of TR Golf are also in direct conflict of interest in their roles as board members of the HOA and are not acting in the best interest of the homeowners and the Teton Reserve community as a whole. Their interest is primarily for the benefit of their businesses. Since we ultimately as homeowners have no real input into their decisions as three of our board officers control the majority of lots(votes), we look to you to help us make sure that the decisions that you make benefit the homeowners and not their failing business(the golf course is currently losing in excess of \$100,000 per year).

Respectfully submitted,

Judith H McKinney
[REDACTED]

Victor, ID 83455

Mailing address:

[REDACTED]
Libertyville, IL 60048

[REDACTED]
[REDACTED]

Sent from other than my office.

Kristin Rader

From: Donna Dengler [REDACTED]
Sent: Tuesday, October 11, 2016 4:32 PM
To: PZ
Cc: Donna Dengler
Subject: Public Hearing 10-18-2016

Follow Up Flag: Follow up
Flag Status: Flagged

Comments for proposed Amendment to the Teton Reserve PUD Master Plan.

As a homeowner in the Teton Reserve, I'm very concerned with many issues facing this Subdivision. Bruce Hollis and Ron Horst, Teton Reserve Golf Course owners have never provided homeowners with Audits, board meeting notes, and HOA notes for the past Three years. They are also in violation of numerous Idaho laws with this negligence. I was told by Board Member Robert Anderson if I wanted an Audit I could pay for it myself.

I received a letter from the Teton County P&Z committee requesting a hearing on [October 18](#) concerning a plat amendment. I feel this should not be approved by the P&Z not only due to the possible increased noise, traffic and congestion this plat variance would cause, but also due to the golf course owners negligence and lack of fiduciary responsibilities in running the HOA. There is no consideration in regards to the Homeowners with Bruce Hollis as president. The running of the current HOA is plagued with legal difficulties. Please post-pone any approval of an Amendment to the Teton Reserve PUD Master Plan until these legal issues are resolved. Your consideration in this matter would be greatly appreciated.

Respectfully Submitted by,

Donna Dengler
[REDACTED]
Victor, Idaho 83455

Sent from my iPhone