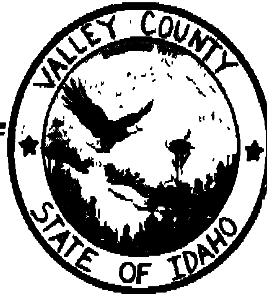


Valley County Planning and Zoning Commission

P.O. Box 1350
Courthouse Building Annex



Cascade, Idaho 83611
Phone (208) 382-7114

Date May 28, 2004

Approved by Cyril Herrick

Instrument # 283535

VALLEY COUNTY, CASCADE, IDAHO
2004-05-28 02:30:08 No. of Pages: 2

Recorded for: V C P & Z

LELAND G. HEINRICH

Fee: 0.00

Ex-Officio Recorder Deputy J. Novak

Index to: COUNTY MISC

CONDITIONAL USE PERMIT NO. 04-05

Fir Grove Estates Preliminary Plat

Issued to: Royal Fork Restaurant Corporation, Inc.
6874 Fairview Avenue
Boise, ID 83704

Property Location: The site is RP16N03E272408A in Section 27, T. 18N, R. 3E, B.M.,
Valley County, Idaho. The site is 70.895 acres.

There have been no appeals of the Valley County Planning and Zoning Commission's decision of May 13, 2004. The Commission's decision stands and you are hereby issued Conditional Use Permit No. 04-05 with Conditions for establishing a single family subdivision as described in the application, staff reports, and minutes.

The effective date of this permit is May 24, 2004. All provisions of the conditional use permit must be established and the final plat recorded within one year or a new permit or a permit extension in compliance with the Valley County Land Use and Development Ordinance will be required.

Conditions of Approval:

1. The application, the staff report, and the provisions of the Land Use and Development Ordinance and Subdivision Regulations are all made a part of this permit as if written in full herein.
2. Any change in the nature or scope of land use activities shall require an additional Conditional Use Permit.
3. The final plat shall be recorded within one year of the date of approval or this permit shall

be null and void.

4. The issuance of this permit and these conditions will not relieve the applicant from complying with applicable County, State, or Federal laws or regulations or be construed as permission to operate in violation of any statute or regulations. Violation of these laws, regulations or rules may be grounds for revocation of the Conditional Use Permit or grounds for suspension of the Conditional Use Permit.
5. A final site-grading plan with BMPs should be reviewed and approved by the Valley County Engineer.
6. Purchasers of lots will be provided with the necessary information in order to comply with site grading requirements, lighting standards, footing requirements, landscaping requirements, and other requirements as provided in the CCRs.
7. Those portions of the CCRs that are presented as part of the application to fulfill requirements of the LUDO are enforceable by Valley County.
8. The Board of County Commissioners will need to agree that the Letter of Credit is adequate to cover installation of roads and utilities.
9. A letter from North Lake Sewer and Water District describing their agreement to provide sewer and water shall be required.
10. A letter from Donnelly Fire District describing their agreement with the standards of the fire protection system shall be required.
11. A letter from the Corps of Engineers regarding wetland issues will be required.
12. The face of the plat shall state: "Utilities have not been installed at the time of recordation of this plat" and the applicant will submit an installation of utilities plan.
13. The CCRs shall describe the level of maintenance of the road that is agreed to by the Board of County Commissioners. There should also be a statement that if the roads are paved in the future, the homeowner's shall participate proportionally.
14. The CCRs shall describe long-term maintenance of the drainage canal by the homeowner's association and prohibit use of the canal.
15. The applicant will dedicate an easement on each drainage swale.
16. No work will be done on site until the Planning and Zoning Commission and Valley County Engineer approve the final drainage plan.

END CONDITIONAL USE PERMIT