



BOUNDARY COUNTY CONDITIONAL USE PERMIT APPLICATION

FILE #:
24-0076

P.O. Box 419, Bonners Ferry, Idaho 83805
Phone: (208) 267-7212

APPLICATION REQUEST:

The applicant is requesting a conditional use permit to allow:

Manufacturing Cabinet Doors & Drawers

Use is conditionally allowed at Section(s) of Boundary County Land Use Ordinance: *Section 15.9.5.2*

APPLICANT INFORMATION:

Applicant/Landowner: *Maverick LLC = Landowner*

Mailing Address: [REDACTED]

City: [REDACTED] State: [REDACTED] Zip: [REDACTED]

Site Address: *168 Pot Hole Rd* Subdivision:

Phone: [REDACTED] Email: [REDACTED]

REPRESENTATIVE INFORMATION:

Representative's name: *Nelson Mast*

Company name: *Penhandle Door Inc.*

Mailing Address: [REDACTED]

City: [REDACTED] State: [REDACTED] Zip: [REDACTED]

Phone: [REDACTED] Email: [REDACTED]

ADDITIONAL APPLICANT/REPRESENTATIVE INFORMATION:

Name/Relationship to project: *Owner*

Mailing Address:

City: State: Zip:

Phone: Email:

TO BE COMPLETED BY COUNTY:

Zone District: <i>Ag/Forestry</i>	Overlay Zones: <input type="checkbox"/> Airport <input type="checkbox"/> Flood	<input type="checkbox"/> Wetland <input checked="" type="checkbox"/> None	<input type="checkbox"/> Bonners Ferry ACI <input type="checkbox"/> Moyie Springs ACI	Received: RECEIVED MAR 28 2024
Floodplain: <i>Zone X</i>	Panel #: <i>1602070730A</i>	Development Permit #: <i>n/a</i>	Receipt #: <i>BY: 33613</i>	

PARCEL INFORMATION:

Parcel #'s: RPL6INOIE290900A	Parcel acreage: 17.2
Current Zoning: Ag Forest	Current Use: Conditional Use Permit # 05-07
Comprehensive plan designation:	
What zoning districts border the project site? Ag Forest ? Rural Residential	
North: Ag Forest	East: Rural Residential 1
South: Ag Forest	West: Ag Forest
What are the current adjacent land uses?	
North: Residential	South: Residential
East: Residential	West: Forestry
Within Area of City Impact? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	If yes, which city?

Please describe in detail all applicable uses/plans for subject property, including:

Setbacks:	Front: 300 ft	Side 1: 25 ft.	Side 2: 900 ft.	Rear: 500 ft.
Size of buildings: 31,000 sq ft.				
Type of unit: Wood Framed w/ metal siding	# of units: N/A	→ 40x60 1 barn; 1 business building*		
Machinery to be located on site? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Inside	Storage area on site? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
Expected start date: Currently Operating	Expected completion date: N/A			
Expected # of employees daily: 85	Expected # of customers/visitors daily: none			
Days and hours of operation: Monday - Friday* 6 AM - 10 PM	Traffic (vehicles per day): 80			
Advertising sign, size, location: Yes - banner*	Lighting plans: 2 - Exterior Security lights			
Water: <input checked="" type="checkbox"/> Well <input type="checkbox"/> Cabinet Mt. Water Assn.	Sewer: <input type="checkbox"/> Bonners Ferry <input checked="" type="checkbox"/> Septic <input type="checkbox"/> Community			
Proposed access and whether public or private: Pot Hole Rd. Public				

NARRATIVE STATEMENT: Use separate sheet if necessary. See Attached Narrative

How does the proposed conditional use permit application meet at a minimum the following standards of Section 7.7 of Boundary County Land Use Code 9B18LOV2?

Confirm the application and site plan are sufficient to demonstrate the full scope of the proposed use.
 Confirm the proposed use conforms with the applicable standards of the ordinance.

- How is the use to be designed and operated so as to minimize adverse impacts on surrounding properties and uses?

- How do the impacts of the proposed use compare with the impacts of the existing uses within the zone?

- How will applicant address concerns related to water and sewer services, traffic and access, electricity, fire protection, County Road & Bridge and other reviewing agencies?

4. What is the potential benefit to the community offered by the proposed use?

5. How will concerns raised by the public be adequately addressed? (If no concerns have been raised at time of application, the landowner should address this section at the public hearing.)

6. Will the proposed use constitute a public nuisance, impose undue adverse impacts to established surrounding land uses or infringe on the property rights of surrounding property owners? What mitigations could be offered to reduce potential impacts?

7. Does the proposed use place an unfair burden on Boundary County taxpayers with costs not offset by the potential benefits of the proposed use?

SITE SKETCH – Applicant may attach separate site plan. Plan shall include property boundaries, adjoining streets, parking areas, accesses, existing and proposed structures and dimensions, setbacks from all structures to property lines, proposed signs, lighting locations, outdoor storage, and other pertinent details to allow a thorough understanding of the project.



See attached Site plan

REQUIRED:

APPLICATION CHECKLIST:			
COPY OF DEED:	<input type="checkbox"/> Attached	ACCESS & EASEMENT INFO:	<input type="checkbox"/> Attached
WATER WILL SERVE LETTER:	<input type="checkbox"/> Attached	SEWER WILL SERVE LETTER:	<input type="checkbox"/> Attached
SITE PLAN:	<input type="checkbox"/> Attached	APPLICATION FEE:	<input type="checkbox"/> Included

Submit with application fee to:
Boundary County Planning & Zoning
P.O. Box 419
Bonners Ferry, ID 83805

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

Landowner's signature:  _____ Date: 3-26-24

Landowner's signature: _____ Date: _____

Date: March 26, 2024

RE: Request for an updated Conditional Use Permit

Panhandle Door Inc. is requesting an updated Conditional Use permit to operate our Cabinet door manufacturing facility at 168 Pot Hole Rd., Naples, ID. 83847.

In 2018 we purchased Panhandle Door and Drawer from the Martin family. At the time of purchase I spoke to John Moss, the P&Z administrator at the time and he told me that the special use permit that the company was operating under was attached to the parcel number and that as long as the type of manufacturing didn't change that the current permit would continue to be valid. There was never any mention of any restrictions required by the special use permit. At the time we purchased the company Panhandle Door was employing around 40 people. Since we purchased the company Panhandle Door has experience considerable growth and we currently employ 85 people. We received notice from the Boundary County Planning and Zoning staff advising us that the current use permit did not cover our current use so we are applying to update it to meet our current needs.

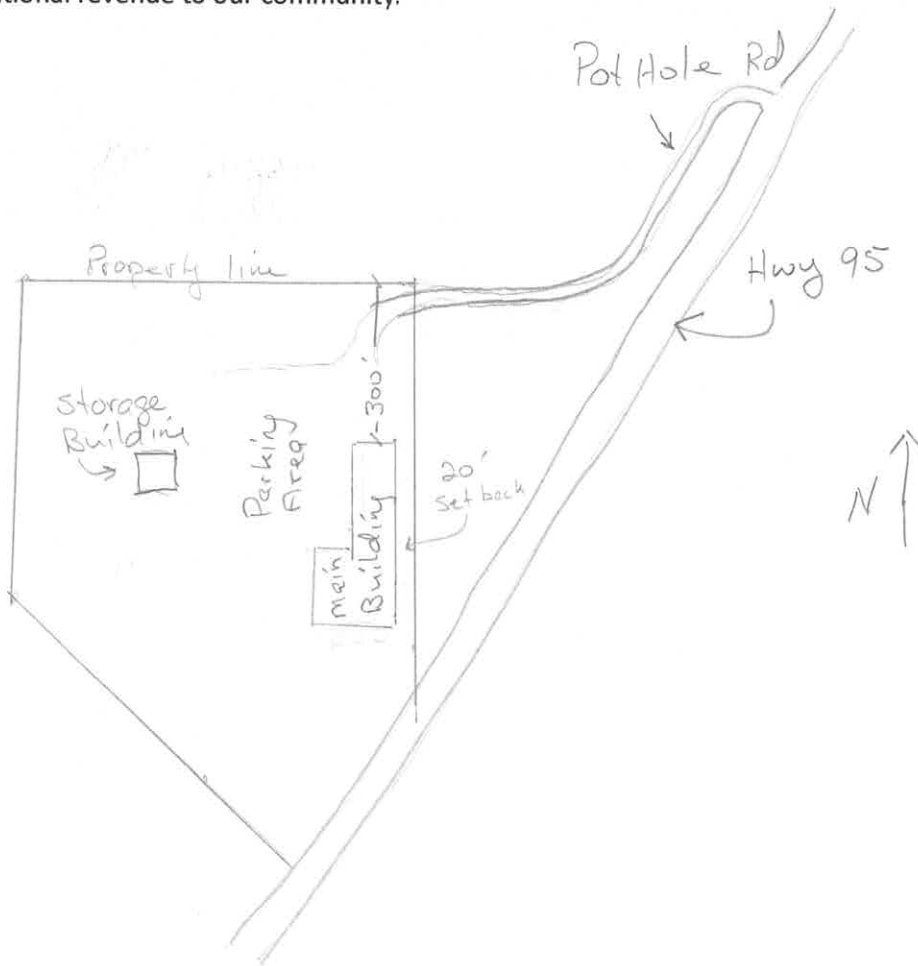
Narrative Statement:

1. Since we purchased the Company, we have upgraded the buildings, added an employee breakroom, enlarged the parking area and upgraded the private rd that accesses the property. The access to the property is via Pot Hole Rd, which is a private drive. Panhandle Door has been providing all of the road maintenance and snow removal.
2. Other than the sound of the exterior dust collector running and the traffic using the private road I don't believe that we have created an impact that is any different than the surrounding zone.
3. Since are we currently operating under a conditional use permit, I believe we have already addressed the concerns listed in question #3.
 - a. Water is supplied by Cabinet Mountain Water District.
 - b. Sewer is handled with septic system; we are currently working with Panhandle Health to upgrade our septic to handle the increase in employees.
 - c. Northern Lights has upgraded our electrical service.
 - d. The local fire district has toured our facilities and made recommendations on fire safety.
 - e. Idaho DEQ has inspected and approved of our air quality standards.
4. Panhandle Door is one of the largest employers in Boundary County. We are proud of the fact that we support local families by providing jobs and being involved in our community. Since 2018 our growth as a company has created more than 40 new jobs.
5. The only concerns over the last 6 years that we are aware of have been regarding people driving too fast on Pot Hole Rd, some trash that has blown over to the neighbor's property and noise from running the dust collector at night. We have done the following to remedy those concerns
 - a. We posted signage on Pot Hole Rd to remind people to slow down and we also make a point to talk about this issue and our concern to respect the neighbors at our weekly employee meetings.
 - b. We do what ever we can to mitigate trash anywhere on our premises. We have trash dumpsters on site for all the trash from daily operations. I believe any trash that may

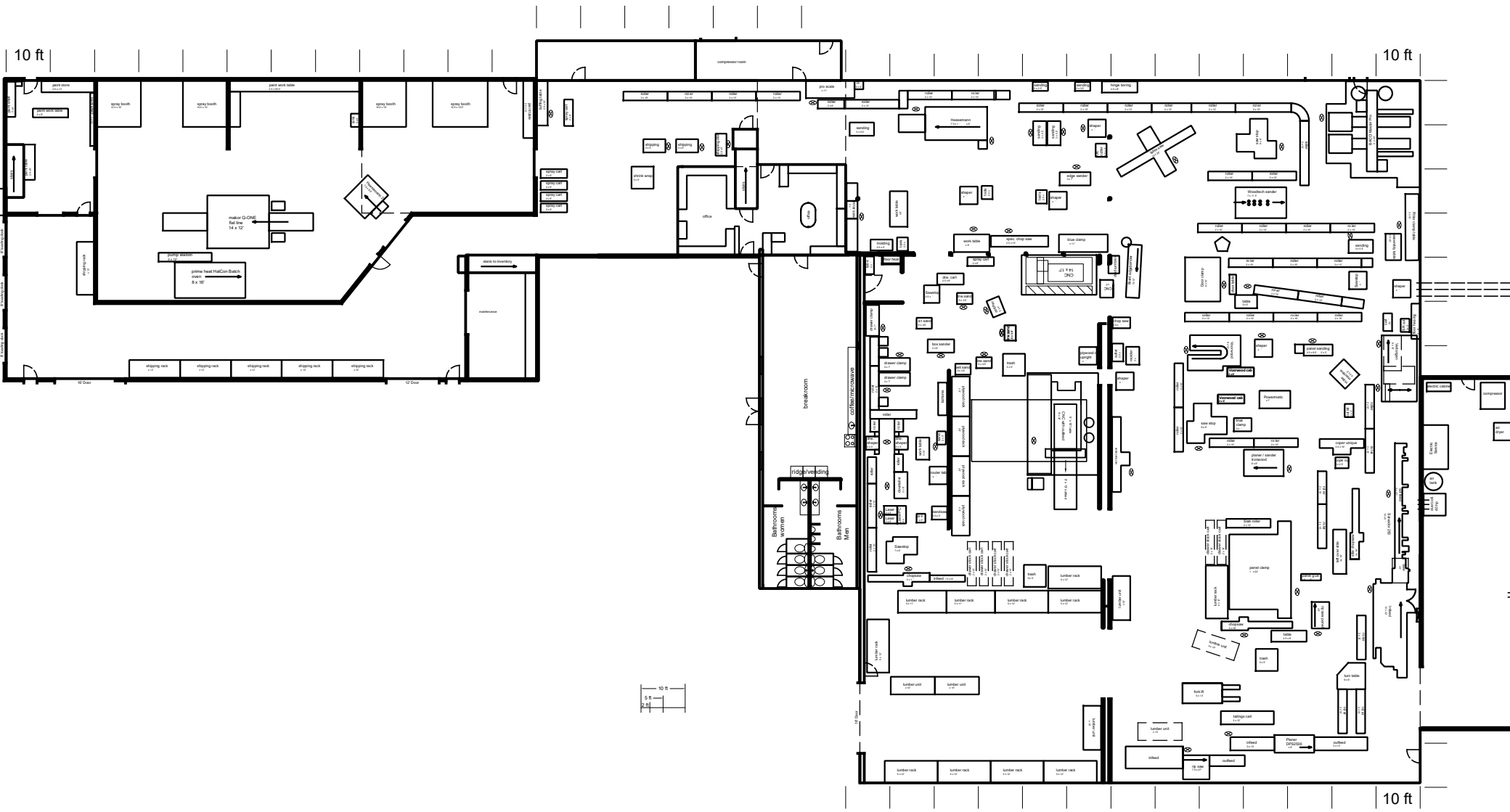
blow onto the neighbor's property probably came from our parking lot. If it continues to be a problem, we could install fencing along the property line to contain it.

- c. We are working to reduce the amount of nighttime noise by installing an additional dust collector and by reducing the hours our swing shift works. The county code (10.1.3) specifies that the noise level is to muffled and to be similar to the sound produced by a residential lawn mower at our property line. While I believe our noise level is less than that allowed by code, we are trying to do what we can to be a good neighbor.
6. I do not believe we are creating any adverse conditions on the surrounding land uses. The fact that we are and have been operating at this location since 2005 is proof this.
7. We have not placed an unfair burden on local taxpayer or the community. On the contrary I believe we are an asset to this community. Both through job creation and as a way to bring additional revenue to our community.

Site Sketch







10 ft

10 ft

10 ft

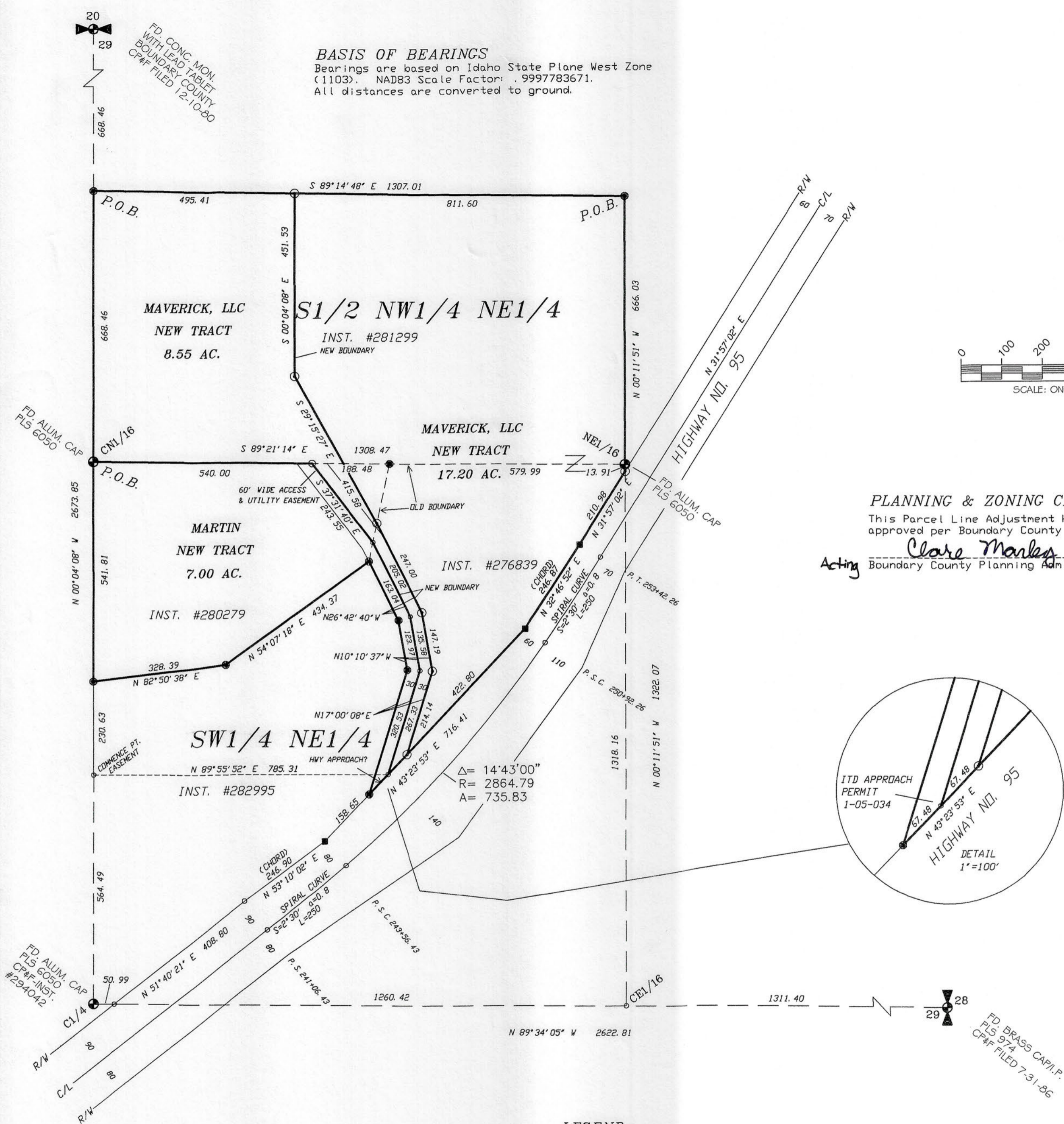
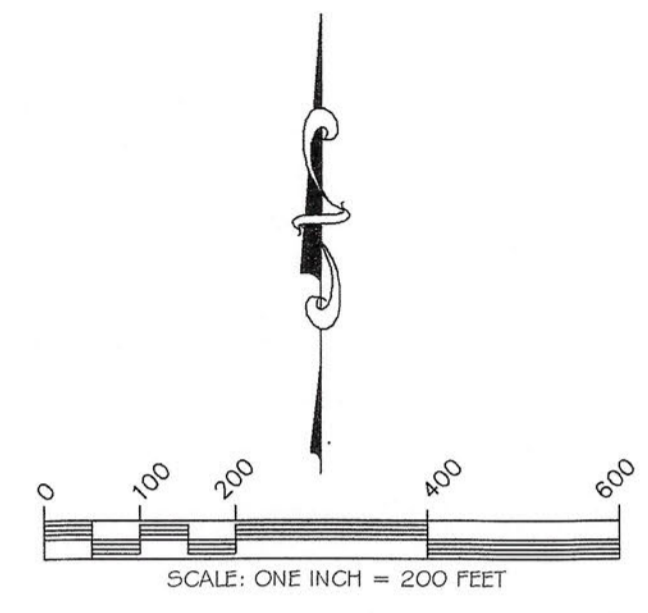


RECORD OF SURVEY PARCEL LINE ADJUSTMENT

IN THE
W1/2 NE1/4 OF SECTION 29
TOWNSHIP 61 NORTH, RANGE 1 EAST, B.M.
BOUNDARY COUNTY, IDAHO
FOR
MAVERICK, LLC./MARTIN

SHEET 1 OF 2

BASIS OF BEARINGS
Bearings are based on Idaho State Plane West Zone
(1103). NAD83 Scale Factor: .9997783671.
All distances are converted to ground.

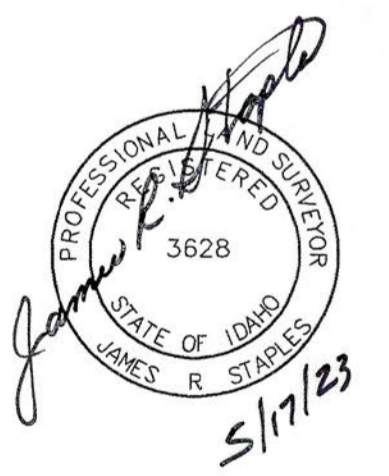


PLANNING & ZONING CERTIFICATE
This Parcel Line Adjustment has been examined and approved per Boundary County application No. 23-0026.
Acting Clare Manley 5/17/23 Date
Boundary County Planning Administrator

ADJACENT SURVEYS OF RECORD
Book 4 of Surveys, Page 141 Book 6 of Surveys, Page 152
Book 5 of Surveys, Page 249 Book 7 of Surveys, Page 163
Book 6 of Surveys, Page 110 Book 9 of Surveys, Page 49

SURVEY NARRATIVE
The purpose of this survey was to adjust the boundaries between 3 contiguous parcels of record. No additional parcels were created. Existing monuments as shown hereon were located with GPS. All were found to significantly agree with courses of record.

SURVEYOR'S CERTIFICATION
I, James R. Staples, Idaho Land Surveyor No. 3628, do hereby certify that the plat hereon is a true and correct representation of a survey made by me or under my direct supervision in conformance with the laws of the State of Idaho (Idaho Code 31-2709, 1973 and Idaho Code 55-1905 through 1906) and accepted methods and procedures of surveying.



COUNTY RECORDER
This Record of Survey was filed for record in the office of the Recorder of Boundary County, Idaho, at the request of J.R.S. Surveying, Inc. this 18th day of May 2023, at 1:20 P.M. as Instrument No. 294397 recorded in Book 10 of Surveys, Page 33 as Instrument No. 294397.
Glenda Boston County Recorder C. Greenleaf Deputy Recorder

294397

- LEGEND**
- Found corner evidence as noted
 - Found 3/8" rebar/plastic cap PLS 6050
 - Found right of way monument
 - Set 3/8" rebar/plastic cap PLS 3628
 - Computed point

COPY

J. R. S. SURVEYING, INC.	
P. O. BOX 3099 - 6476 S. MAIN ST. BONNERS FERRY, IDAHO 83805 208-267-7555	
RECORD OF SURVEY	
FOR: MAVERICK, LLC./MARTIN	
DWN BY: JDM	04-17-2023
SEC. 29, T61N, R1E, B.M.	SHEET 1 OF 2
BOUNDARY COUNTY, IDAHO	JOB #22-44

RECORD OF SURVEY PARCEL LINE ADJUSTMENT

IN THE
W1/2 NE1/4 OF SECTION 29
TOWNSHIP 61 NORTH, RANGE 1 EAST, B.M.
BOUNDARY COUNTY, IDAHO
FOR
MAVERICK, LLC./MARTIN

SHEET 2 OF 2

PROPERTY DESCRIPTION - MAVERICK, LLC. NEW TRACT

A tract of land situated in the South Half of the Northwest Quarter of the Northeast Quarter (S1/2 NW1/4 NE1/4) and the Southwest Quarter of the Northeast Quarter (SW1/4 NE1/4) of Section Twenty-nine (29), Township Sixty-one (61) North, Range One (1) East of the Boise Meridian, Boundary County, Idaho, being portions of those properties described in Instrument No. s 281299, 276839, and 280279; more particularly described as follows:

BEGINNING at the northwest corner of said S1/2 NW1/4 NE1/4 which is marked on the ground by a 5/8" rebar and plastic cap stamped PLS 6050; thence, along the north line of the S1/2 NW1/4 NE1/4, S 89°14'48" E, 495.41 feet to a 5/8" rebar and plastic cap stamped PLS 3628; thence, leaving said north line S 00°04'08" E, 451.53 feet to a 5/8" rebar and plastic cap stamped PLS 3628; thence S 29°15'27" E, 415.58 feet to a 5/8" rebar and plastic cap stamped PLS 3628; thence S 26°42'40" E, 247.00 feet to a 5/8" rebar and plastic cap stamped PLS 3628; thence S 10°10'37" E, 147.19 feet to a 5/8" rebar and plastic cap stamped PLS 3628; thence S 17°00'08" W, 214.22 feet to the intersection with the northwesterly right of way of U.S. Highway No. 95 which is marked on the ground by a 5/8" rebar and plastic cap stamped PLS 3628; thence, along said right of way S 43°23'53" W, 67.48 feet; thence, leaving said right of way N 17°00'08" E, 267.33 feet; thence N 10°10'37" W, 135.58 feet; thence N 26°42'40" W, 205.02 feet; thence N 37°31'40" W, 243.55 feet to the intersection with the south line of the S1/2 NW1/4 NE1/4 which is marked on the ground by a 5/8" rebar and plastic cap stamped PLS 3628; thence, along said south line N 89°21'14" W, 540.00 feet to the southwest corner of the S1/2 NW1/4 NE1/4 which is marked on the ground by an aluminum cap stamped PLS 6050; thence, along the west line of the S1/2 NW1/4 NE1/4, N 00°04'08" W, 668.46 feet to the POINT OF BEGINNING, encompassing an area of 8.55 acres.

SUBJECT TO and TOGETHER WITH an easement for access and utilities in the Southwest Quarter of the Northeast Quarter (SW1/4 NE1/4) of Section Twenty-nine (29), Township Sixty-one (61) North, Range One (1) East of the Boise Meridian, Boundary County, Idaho, being Sixty (60) feet in width and lying Thirty (30) feet on each side of the following described centerline:

Commencing at a point on the west line of said SW1/4 NE1/4 which is S 00°04'08" E, 772.44 feet from the northwest corner of the SW1/4 NE1/4; thence, leaving said west line in a perpendicular direction N 89°55'52" E, 725.31 feet to the northwesterly right of way of U.S. Highway No. 95 and the TRUE POINT OF BEGINNING; thence, leaving said right of way N 17°00'08" E, 267.33 feet; thence N 10°10'37" W, 135.58 feet; thence N 26°42'40" W, 205.02 feet; thence N 37°31'40" W, 243.55 feet to the north line of the SW1/4 NE1/4 and the terminus of this easement, with the sidelines extended or shortened to intersect adjacent boundaries.

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BEGINNING at the northeast corner of said S1/2 NW1/4 NE1/4 which is marked on the ground by a 5/8" rebar and plastic cap stamped PLS 6050; thence, along the east line of the S1/2 NW1/4 NE1/4, S 00°11'51" E, 666.03 feet to an aluminum cap stamped PLS 6050; thence, along the east line of said SW1/4 NE1/4, S 00°11'51" E, 13.91 feet to the intersection with the northwesterly right of way of U.S. Highway No. 95 which is marked on the ground by a 5/8" rebar and plastic cap stamped PLS 3628; thence, along said right of way the following Three (3) courses: S 31°57'02" W, 210.98 feet to an Idaho Department of Transportation right of way monument; thence, along a spiral curve to the right on a chord of S 32°46'52" W, 246.87 feet (centerline-S=2°30', a=0.8, L=250) to an Idaho Department of Transportation right of way monument; thence S 43°23'53" W, 422.80 feet to a 5/8" rebar and plastic cap stamped PLS 3628; thence, leaving said right of way N 17°00'08" E, 214.14 feet to a 5/8" rebar and plastic cap stamped PLS 3628; thence N 10°10'37" W, 147.19 feet to a 5/8" rebar and plastic cap stamped PLS 3628; thence N 26°42'40" W, 247.00 feet to a 5/8" rebar and plastic cap stamped PLS 3628; thence N 29°15'27" W, 415.58 feet to a 5/8" rebar and plastic cap stamped PLS 3628; thence N 00°04'08" W, 451.53 feet to the north line of the S1/2 NW1/4 NE1/4 which is marked on the ground by a 5/8" rebar and plastic cap stamped PLS 3628; thence, along said north line S 89°14'48" E, 811.60 feet to the POINT OF BEGINNING, encompassing an area of 17.20 acres.

SUBJECT TO and TOGETHER WITH an easement for access and utilities in the Southwest Quarter of the Northeast Quarter (SW1/4 NE1/4) of Section Twenty-nine (29), Township Sixty-one (61) North, Range One (1) East of the Boise Meridian, Boundary County, Idaho, being Sixty (60) feet in width and lying Thirty (30) feet on each side of the following described centerline:

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PROPERTY DESCRIPTION - MARTIN NEW TRACT

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BEGINNING at the northwest corner of said SW1/4 NE1/4 which is marked on the ground by an aluminum cap stamped PLS 6050; thence, along the north line of the SW1/4 NE1/4, S 89°21'14" E, 540.00 feet to a 5/8" rebar and plastic cap stamped PLS 3628; thence, leaving said north line S 37°31'40" E, 243.55 feet; thence S 26°42'40" E, 205.02 feet; thence S 10°10'37" E, 135.58 feet; thence S 17°00'08" W, 267.33 feet to the intersection with the northwesterly right of way of U.S. Highway No. 95; thence, along said right of way S 43°23'53" W, 67.48 feet to a 5/8" rebar and plastic cap stamped PLS 6050; thence, leaving said right of way N 17°00'08" E, 320.53 feet to a 5/8" rebar and plastic cap stamped PLS 6050; thence N 10°10'37" W, 123.97 feet to a 5/8" rebar and plastic cap stamped PLS 6050; thence N 26°42'40" W, 163.04 feet to a 5/8" rebar and plastic cap stamped PLS 6050; thence S 54°07'18" W, 434.37 feet to a 5/8" rebar and plastic cap stamped PLS 6050; thence S 82°50'38" W, 328.39 feet to the intersection with the west line of the SW1/4 NE1/4 which is marked on the ground by a 5/8" rebar and plastic cap stamped PLS 6050; thence, along said west line N 00°04'08" W, 541.81 feet to the POINT OF BEGINNING, encompassing an area of 7.00 acres.

SUBJECT TO and TOGETHER WITH an easement for access and utilities in the Southwest Quarter of the Northeast Quarter (SW1/4 NE1/4) of Section Twenty-nine (29), Township Sixty-one (61) North, Range One (1) East of the Boise Meridian, Boundary County, Idaho, being Sixty (60) feet in width and lying Thirty (30) feet on each side of the following described centerline:

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294397-2

COPY

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RECORD OF SURVEY	
FOR: MAVERICK, LLC./MARTIN	
DWN BY: JDM	04-17-2023
SEC. 29, T61N, R1E, B.M.	SHEET 2 OF 2
BOUNDARY COUNTY, IDAHO	JOB #22-44

Community Title has not examined this document and assumes no liability as to the validity of its effects upon the title.

296715

WARRANTY DEED

For Boundary Line Adjustment according to Survey No. 294397

FOR VALUE RECEIVED

Maverick, LLC, an Idaho Limited Liability Company
And
Lorna Martin, an unmarried person

the grantor, does hereby grant, bargain, sell and convey unto

Maverick, LLC, an Idaho Limited Liability Company

whose current address is **PO Box 1696**
Bonnres Ferry, ID 83805

the grantee, the following described premises, in **Boundary** County, **Idaho**, TO WIT:

SEE EXHIBIT "A" ATTACHED HERETO FOR COMPLETE LEGAL DESCRIPTION.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, their heirs and assigns forever. And the Grantor does hereby covenant to and with the Grantee, that it is the owner in fee simple of said premises; that they are free from all encumbrances EXCEPT all easements, right of ways, covenants, restrictions, reservations of record and taxes and assessments, and that they will warrant and defend the same from all lawful claims whatsoever.

DATED: March 29, 2024

Lorna Martin
 Lorna Martin

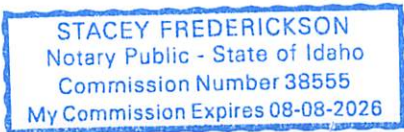
Maverick, LLC
 By: Nelson Mast, Managing Member

Vernon Helmuth
 By: Vernon Helmuth, Member

STATE OF **IDAHO** }
 }SS.
 COUNTY OF **BOUNDARY** }

On this 29th day of **March, 2024**, before me, the undersigned, a Notary Public in and for said state, personally appeared **Nelson Mast and Vernon Helmuth** known or identified to me to be the **Managing Member and Member** that executed this instrument or the persons who executed the instrument on behalf of said LLC, and acknowledged to me that said LLC executed the same.

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



Stacey Frederickson
 Notary Public for the State of Idaho
 Residing at: **Boundary County**
 Commission Expires: **08/08/2026**

STATE OF IDAHO }
 County of Boundary }SS.
 Filed by: Community Title of W. Idaho
 on 3-29-24 at 2:23
 Glenda Poston C. Grainger
 County Recorder By Deputy
 Fee \$ 15.00 Chr
 Mail to Inter office mail

296715

STATE OF IDAHO)
) SS.
COUNTY OF BOUNDARY)

On this 29th day of March, 2024, before me, the undersigned, a Notary Public in and for said County and State, personally appeared LORNA MARTIN, personally 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 SHE executed the same.

Stacey Frederickson
Notary Public in and for said County and State

Residing at: BOUNDARY COUNTY
Commission Expires: 08/08/2026

STACEY FREDERICKSON
Notary Public - State of Idaho
Commission Number 38555
My Commission Expires 08-08-2026

Exhibit "A"

PROPERTY DESCRIPTION – MAVERICK, LLC

A tract of land situated in the South Half of the Northwest Quarter of the Northeast Quarter (S1/2 NW1/4 NE1/4) and the Southwest Quarter of the Northeast Quarter (SW1/4 NE1/4) of Section Twenty-nine (29), Township Sixty-one (61) North, Range One (1) East of the Boise Meridian, Boundary County, Idaho, being portions of those properties described in Instrument No.s 281299, 276839, and 280279; more particularly described as follows:

BEGINNING at the northeast corner of said S1/2 NW1/4 NE1/4 which is marked on the ground by a 5/8" rebar and plastic cap stamped PLS 6050; thence, along the east line of the S1/2 NW1/4 NE1/4, S 00°11'51" E, 666.03 feet to an aluminum cap stamped PLS 6050; thence, along the east line of said SW1/4 NE1/4, S 00°11'51" E, 13.91 feet to the intersection with the northwesterly right of way of U.S. Highway No. 95 which is marked on the ground by a 5/8" rebar and plastic cap stamped PLS 3628; thence, along said right of way the following Three (3) courses: S 31°57'02" W, 210.98 feet to an Idaho Department of Transportation right of way monument; thence, along a spiral curve to the right on a chord of S 32°46'52" W, 246.87 feet (centerline-S=2°30', a=0.8, L=250) to an Idaho Department of Transportation right of way monument; thence S 43°23'53" W, 422.80 feet to a 5/8" rebar and plastic cap stamped PLS 3628; thence, leaving said right of way N 17°00'08" E, 214.14 feet to a 5/8" rebar and plastic cap stamped PLS 3628, thence N 10°10'37" W, 147.19 feet to a 5/8" rebar and plastic cap stamped PLS 3628; thence N 26°42'40" W, 247.00 feet to a 5/8" rebar and plastic cap stamped PLS 3628; thence N 29°15'27" W, 415.58 feet to a 5/8" rebar and plastic cap stamped PLS 3628; thence N 00°04'08" W, 451.53 feet to the north line of the S1/2 NW1/4 NE1/4 which is marked on the ground by a 5/8" rebar and plastic cap stamped PLS 3628; thence, along said north line S 89°14'48" E, 811.60 feet to the POINT OF BEGINNING, encompassing an area of 17.20 acres.

SUBJECT TO and TOGETHER WITH an easement for access and utilities in the Southwest Quarter of the Northeast Quarter (SW1/4 NE1/4) of Section Twenty-nine (29), Township Sixty-one (61) North, Range One (1) East of the Boise Meridian, Boundary County, Idaho, being Sixty (60) feet in width and lying Thirty (30) feet on each side of the following described centerline:

Commencing at a point on the west line of said SW1/4 NE1/4 which is S 00°04'08" E, 772.44 feet from the northwest corner of the SW1/4 NE1/4; thence, leaving said west line in a perpendicular direction N 89°55'52" E, 725.31 feet to the northwesterly right of way of U.S. Highway No. 95 and the TRUE POINT OF BEGINNING; thence, leaving said right of way N 17°00'08" E, 267.33 feet; thence N 10°10'37" W, 135.58 feet; thence N 26°42'40" W, 205.02 feet; thence N 37°31'40" W, 243.55 feet to the north line of the SW1/4 NE1/4 and the terminus of this easement, with the sidelines extended or shortened to intersect adjacent boundaries.