## CITY OF MIDDLETON

P O Box 487



Planning & Zoning Department

Master Land Use Application

1103 W MAIN ST, MIDDLETON, 208-585-3133, FAX: 208-58 WWW.MIDDLETON.ID.GO	DV SUCH SUCH A	ee Paid: \$	ed by: won't complete the compl
OWNER/APPLICANT:	30		Not accupyed
BRILLER MILLER	208-863-4898	BRILLISM	ILLER @ YAHOU-COM
Name	Phone	Email	
25356 KAREN DR	MIDDLETON	10	83644
Mailing Address	City	State	Zip Code
REPRESENTATIVE:	208-919-46	74 401	esmiller C, yahoo.com
KYLE MILLER Name	Phone	Email	Estima C jana.
·			
Mailing Address	City	State	Zip Code
Rezone Ordinan	ment Agreement Desi ce Amendment Preli Use Permit Final	PPLICATIONS gn Review*** minary Plat** Plat** struction Plans**	MISC. APPLICATIONS  Lot Line Adjustment***  Floodplain***  Time Extension***  Approach Permit***
* Public Hearings: a neighborhood meet to participate in the hearing by offering coneighborhood meeting and public hearing ** Public Meetings: Individuals have a rig application is being considered by decision public hearing. A neighborhood meeting is *** Administratively: reviewed and approximately.	omments. Plats not designed. ht to observe, but not come n makers. Plats designed to s still required.	ed to city code a ment, at an oper o city code and s	nd standards require a name of the name of
Subdivision or Project Name:	ILLHTS LANDING		Phase
Site Address: 23443 Cemeter	, Rd, MIDDLETON,	10 83644 Tota	al Acres:
Tax Parcel No(s): R179040000 5			<del>)</del>
Existing Zoning:	Proposed Zoning:	~/	<u></u>
Floodplain Zone:	Hillside (grades exce	eding 10%):	~/A
BRILLES MILLER Printed Name	5/27/21 Date	Signature	
TIMECO ITORIO		- G - H 1 - H	





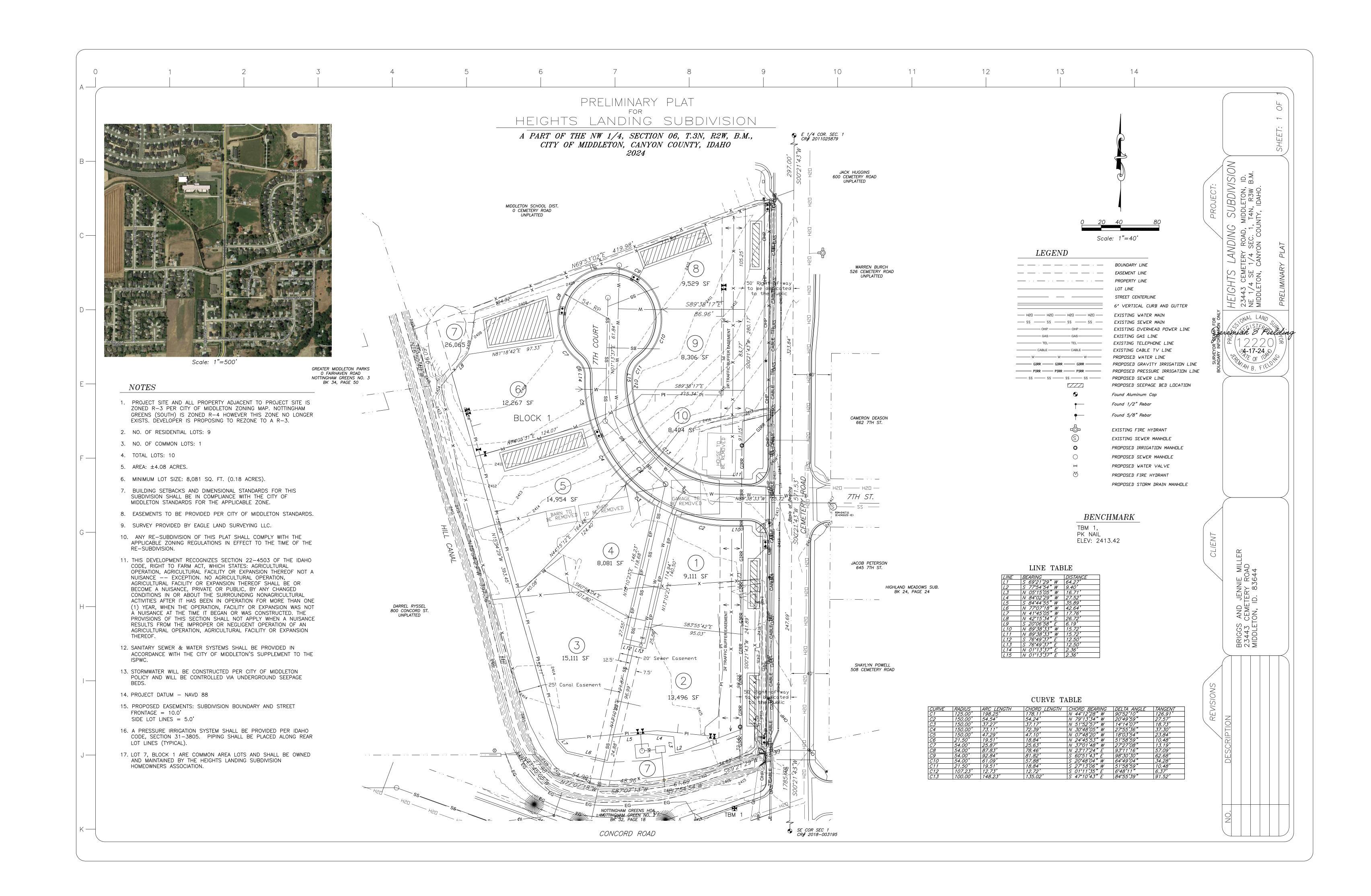
## CITY OF MIDDLETON

P O Box 487 1103 W Main St, Middleton, ID 83644 208-585-3133, Fax: 208-585-9601 www.middleton.id.gov

## Planning & Zoning Department Preliminary Plat Checklist

Please submit all items listed below. Applications missing the following items will be deemed incomplete, and the application will not be processed.

Applicant	Description	Staff				
X	Completed and signed Master Land Use Application	an				
X	Fee	Lin				
X	<ul> <li>Narrative fully describing the proposed project. Additionally:</li> <li>Please indicate whether a variance or special use permit is being requested along with the preliminary plat.</li> <li>Describe requirements imposed by any Development Agreement, Covenants or other commitments.</li> <li>Describe any anticipated adverse impacts on adjoining property.</li> <li>Describe how the request is consistent with the Middleton Comprehensive Plan.</li> </ul>	gr-				
X	Vicinity Map	an				
×	Proposed Preliminary Plat (3 full-size paper copies & 1 electronic full-size copy provided on a USB)	/				
y	Drainage Calculations - preliminary Nucl					
X	Title Report/Commitment (Schedule B)					
N-197	Landscape Plan					
X	Preliminary Plat must comply with Middleton City Code 5-4-4					
×	Warranty Deed showing proof of ownership	all				
X	If owner is not the applicant, then representative must provide a letter showing the owner's authorization for representative to submit the application. New Art I					
<b>)</b> 0	Two sets of adhesive mailing labels containing the names and addresses of property owners within 300 feet of the perimeter boundary of the subject property. Contact Canyon County Plat Room at (208) 455-6016 for a list of landowners.	ge				
P	Copy of neighborhood meeting notice, sign-in sheet, and minutes summarizing discussion					
NA	Traffic Impact Study if residential subdivision with more than 25 dwelling units.	<i>r</i>				
y	Electronic copy of entire application on USB					



City of Middleton 1103 West Main Street Middleton, Idaho 83644 P: 208-585-3133

Application for the Heights Landing Subdivision – Preliminary Plat of Parcels #R1790401000, and R1790400000. Address: 23443 Cemetery Rd, Middleton, Idaho 83644

I would like to submit the above referenced application for the proposed Heights Landing Subdivision. Enclosed you will find the required application & documents for the preliminary plat application for this subdivision. Both parcel number R1790401000 & R1790400000 are within the city limits of Middleton and are zoned currently R-3. The preliminary plat includes 12 single-family residence lots. Lot #2 in the proposed plan is already an existing single-family residence. Access and entry/driveway to Lot #2, the existing residence will change and be accessed from within the new proposed subdivision road. Lot #5 in the proposed plan will be dedicated to drain/runoff. This would leave 11 additional building lots within the Heights Landing Subdivision proposal.

The following utilities will be provided and within the development:

- Sewer service will be provided by Middleton Sewer District through an extension of the existing system. A lift station is proposed to serve the project.
- Water service will be provided by city of Middleton water through an extension of the existing system located in Cemetery Road. Water will be for domestic use and for fire protection.
- The street within the development will be built to the City of Middleton standards. The street will include curb, gutter, and sidewalks. Sidewalks will be connected to Cemetery Road on the east side of the property.
- A pressurized irrigation system using existing surface and groundwater rights will serve all lots and open space throughout the project. The homeowner's association will own and operate the irrigation system.

A traffic impact study (TIS) is not required because is less than 25 dwelling units.

This proposed subdivision is conveniently located next to Heights Elementary School and should provide a long-lasting asset to the City of Middleton. If you have any further questions or comments, please contact me at 208-863-4898 or via email at <a href="mailto:briggsmiller@yahoo.com">briggsmiller@yahoo.com</a>.

Sincerely,

Briggs Miller





CEMETERY RD SUBDIVISION
23443 CEMETERY RD
CANYON COUNTY MIDDLETON, ID
BRIGGS MILLER

File Number: 202193

Designed By: C.KENYON

Drawn By: C.KENYON

SEPT, 2020

Date:

FIGURE 1

1 OF 1

[Space Above This Line For Recording Date]

## DEED OF TRUST

MIN: 1013373-1000078795-5

MERS Phone: 888-679-6377

## DEFINITIONS

Words used in multiple sections of this document are defined below and other words are defined in Sections 3, 11, 13, 18, 20 and 21. Certain rules regarding the usage of words used in this document are also provided in Section 16.

with all Riders to this document. (A) "Security Instrument" means this document, which is dated APRIL 29, 2019

, together

(B) "Borrower" is BRIGGS MILLER AND JENNIE MILLER, HUSBAND AND WIFE

Borrower is the trustor under this Security Instrument.

(C) "Lender" is CANOPY MORTGAGE, LLC

and existing under the laws of UTAH Lender's address is UTAH LIMITED LIABILITY COMPANY 360 TECHNOLOGY CT, STE 200, LINDON, UTAH 84042

organized

(D) "Trustee" is Old Republic National Title Insurance Company

100 10th Avenue South, Nampa , Idaho 83651

Instrument. MERS is organized and existing under the laws of Delaware, and has an address and telephone number of P.O. Box 2026, Flint, MI 48501-2026, tel. (888) 679-MERS. solely as a nominee for Lender and Lender's successors and assigns. MERS is the beneficiary under this Security (E) "MERS" is Mortgage Electronic Registration Systems, Inc. MERS is a separate corporation that is acting

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100 10th Avenue South Nampa, ID \$3651

ELECTRONICALLY RECORDED-DO NOT REMOVE THE COUNTY STAMPED FIRST PAGE AS IT IS NOW INCORPORATED AS PART OF THE ORIGINAL DOCUMENT

File No. 681213 KD/HH

Beneficiary Initials

## DEED OF TRUST

wife herein called GRANTOR, whose address is 23443 Cemetery Road, Middleton, ID 83644; Pioneer herein called BENEFICIARY; Title Company of Canyon County, herein called TRUSTEE; and Alan Sproat whose mailing address is,, THIS DEED OF TRUST, Made April 27, 2019 between Briggs Miller and Jennie Miller, husband and

described as follows: TRUSTEE IN TRUST, WITH POWER OF SALE, that property in the County of Canyon, State of Idaho, WITNESSETH: That Grantor does hereby brevocably GRANT, BARGAIN, SELL AND CONVEY TO

OF USE, OR IS LOCATED WITHIN AN INCORPORATED CITY OR VILLAGE. DAIRY OR AQUATIC GOODS, OR IS NOT MORE THAN FORTY (40) ACRES REGARDLESS PRINCIPALLY USED FOR THE AGRICULTURAL PRODUCTION OF CROPS, LIVESTOCK THE REAL PROPERTY IS NOT MORE THAN EIGHTY (80) ACRES AND IS NOT

See Exhibit A attached hereto and made a part hereof.

may, at Beneficiary's option, declare all sums secured by this Deed of Trust to be immediately due and payable. excluding a transfer by devise, descent or operation of law upon the death of the Grantor, Beneficiary be sold or transferred in the future by agreement, without the Beneficiary's prior written consent, If all, or any part, of the subject real property, or an interest therein is sold, transferred, or contracted to

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Owner's Policy File No.: 676600

Policy No.: OX-11661974

## **EXHIBIT** A

A tract of land situated Northeast Quarter of the Southeast Quarter of Section 1, Township 4 North, Range 3 West, Boise Meridian, Canyon County, Idaho, and Lot 11 of HAWTHORNE PLAT of Middleton at Plat Book 3, Page 22 of Canyon County, Idaho and more particularly described as follows:

Commencing at the Northeast corner of said Northeast Quarter of the Southeast Quarter (East Quarter corner); thence

South 0° 25' 00" West, of record as South a distance of 297.00 feet along the Easterly boundary of said Northeast Quarter of the Southeast Quarter to the POINT OF BEGINNING; thence continuing South 0° 25' 00' West, of record as South a distance of 350.00 feet along said Easterly boundary; thence North 90° 00' 00" West, a distance of 140.00 feet; thence

North 0° 25' 00" East, a distance of 298.68 feet parallel with the Easterly boundary of said Northeast Quarter of the Southeast Quarter to a point on the Northerly boundary of said Lot 11; thence North 69° 55' 00" East, of record as North 69° 30' East a distance of 149.46 feet along the Northerly boundary of said Lot 11 to the POINT OF BEGINNING.

Policy No.: OX-11661977

## **EXHIBIT A**

Lot 11 of HAWTHORNE PLAT OF MIDDLETON, as platted and recorded in plat Book 3, Page 22, official plat records of Canyon County, Idaho, more particularly described as follows:

Beginning at a point 297 feet South of the Quarter Section corner on the East side of Section 1, Township 4 North, Range 3 West of the Boise Meridian; thence

South 69° 30' West 420 feet to the North bank of the Canyon Hill Ditch; thence along said North Bank South 18° 55' East 476.6 feet; thence

North 85° 27' East 248 feet to the easterly boundary line of said Section; thence North 478 feet along said Section line, more or less to the PLACE OF BEGINNING.

## **EXCEPTING THEREFROM:**

A tract of land situated Northeast Quarter of the Southeast Quarter of Section 1, Township 4 North, Range 3 West, Boise Meridian, Canyon County, Idaho, and Lot 11 of HAWTHORNE PLAT of Middleton at Plat Book 3, Page 22 of Canyon County, Idaho and more particularly described as follows:

Commencing at the Northeast corner of said Northeast Quarter of the Southeast Quarter (East Quarter corner); thence

South 0° 25' 00" West, of record as South a distance of 297.00 feet along the Easterly boundary of said Northeast Quarter of the Southeast Quarter to the POINT OF BEGINNING; thence continuing South 0° 25' 00' West, of record as South a distance of 350.00 feet along said Easterly boundary; thence North 90° 00' 00" West, a distance of 140.00 feet; thence

North 0° 25' 00" East, a distance of 298.68 feet parallel with the Easterly boundary of said Northeast Quarter of the Southeast Quarter to a point on the Northerly boundary of said Lot 11; thence North 69° 55' 00" East, of record as North 69° 30' East a distance of 149.46 feet along the Northerly boundary of said Lot 11 to the POINT OF BEGINNING.

I, Briggs Miller, give written authorization to Kyle Miller to represent with all dealings pertaining to this project and ability to submit this application to the City of Middleton on my behalf.

Thanks,

Briggs Miller

Noed Roft

Date: August 25, 2021

Dear Property Owner,

The City of Middleton in accordance with "Code 1-14-1: Neighborhood Meeting:" requires that prior to applying, the applicant provides an opportunity for a meeting between the applicant and the property owners within 300 feet of the subject property. This is an invitation to a neighborhood meeting concerning Parcel #R1790401000 and Parcel #R1790400000 which are located at 23443 Cemetery Rd. Middleton Idaho. A conceptual Layout depicting the proposed layout is enclosed. This is not a public hearing and public officials will not be present.

The neighborhood meeting will be held:

WHEN: Thursday, September 9, 2021 at 6:00 p.m.

WHERE: 23443 Cemetery Rd.

Middleton ID 83644

The applicant, Briggs Miller will be requesting approval of a Preliminary Plat consisting of 12 single family lots. The subject property is currently Zoned R-3. A site plan depicting the proposed layout is enclosed.

If you have questions, please contact: Kyle Miller 25356 Karen Dr. Middleton, ID 83646 208-919-4674 Yotesmiller@yahoo.com

## Neighborhood Meeting Concerns September 9, 2021

Kyle Miller (representative) and 1 neighbor attended the meeting.

Below is a listed comments and concerns from the neighborhood meeting held on September 9, 2021 for the 12 lots that are being proposed.

1. The neighbors concern was where his property line was in reference to the ditch on the West side of the property. He was wanting to know if it ran along the side of the ditch or down the middle.

## **NEIGHBORHOOD MEETING SIGN IN SHEET**

Purpose: Pre-Application neighborhood meeting for Preliminary Plat consisting of 12 single family lots.

Location: 23443 Cemetery Rd. Middleton ID 83644

Date: Thursday September 9 2021

Time: 7:00 p.m.

## **PLEASE SIGN IN**

NAME		ADDRESS	3	PHONE
DARREC	RYSSE(	800 W	Concors	9492309611
	7			
-				
,				



BEDKE COLTON 500 CEMETERY RD MIDDLETON, ID 83644 BURCH WARREN II 526 CEMETERY RD MIDDLETON, ID 83644 COLF LINDSAY E 482 GARDEN CT MIDDLETON, ID 83644

CUMMINGS BRIAN 464 GARDEN CT MIDDLETON, ID 83644 DEASON CAMERON E 662 7TH ST MIDDLETON, ID 83644 DRAGOO JAMES R 616 7TH ST MIDDLETON, ID 83644

EHRENPFORT ANDREW 507 GARDEN CT MIDDLETON, ID 83644 FLORES CECILIA 623 7TH ST MIDDLETON, ID 83644 FULGENZI JOETTA PO BOX 636 MIDDLETON, ID 83644

GREATER MIDDLETON AREA PARK AND RECREATION DISTRICT PO BOX 265 MIDDLETON, ID 83644 GREATER MIDDLETON PARKS RECREATION DIST PO BOX 265 MIDDLETON, ID 83644 HESTEAD LONNY R 487 OAK AVE MIDDLETON, ID 83644

HUGGINS JACK 600 N CEMETERY RD MIDDLETON, ID 83644 IDAHO CONFERENCE OF SEVENTH DAY ADVENTISTS 7777 FAIRVIEW AVE BOISE, ID 83704-8418 LEMRICK FRED AND MARGE TRUST 510 GARDEN CT MIDDLETON, ID 83644

LEWIS ANITA M TRUST 611 7TH ST MIDDLETON, ID 83644 LUCYBOBO TRUST 604 7TH ST MIDDLETON, ID 83644 MCFARLAND AUSTIN B 497 OAK AVE MIDDLETON, ID 83644

MIDDLETON SCHOOL DIST NO 134 5 S 3RD AVE W MIDDLETON, ID 83644

MILLER BRIGGS 23443 CEMETERY RD MIDDLETON, ID 83644 MILLER BRIGGS 23443 CEMETERY RD MIDDLETON, ID 83644

NOTTINGHAM GREENS HOMEOWNERS ASSOCIATION INC PO BOX 1090 MERIDIAN, ID 83680 POST JEFF AND MARGARET TRUST 498 CEMETERY RD MIDDLETON, ID 83644 POWELL SHAYLYN 508 CEMETERY RD MIDDLETON, ID 83644

POWELL SHAYLYN 508 CEMETERY RD MIDDLETON, ID 83644 PRICE MICHAEL W 257 E ROSELAKE DR MIDDLETON, ID 83644 RODGERS H MICHELE 9284 GOLDEN WILLOW ST MIDDLETON, ID 83644

RYSSEL DARREL R 800 CONCORD ST MIDDLETON, ID 83644 SCROGGINS GLENDA TRUST 490 CEMETERY RD MIDDLETON, ID 83644 WHITING DAKOTA 705 W CONCORD ST MIDDLETON, ID 83644





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