Type of Review Requested (check all that apply)

☐ Annexation/Deannexation
☐ Appeal/Amendment
☐ Comprehensive Plan Map Change
☐ Design Review
☐ Ordinance Amendment
☐ Rezone
☐ Special Use Permit
☐ Subdivision- Preliminary Plat
☐ Subdivision- Final Plat
☐ Subdivision- Short Plat
☐ Time Extension
☐ Variance
☐ Other ______________________

STAFF USE ONLY:
File number(s):  Ann-19-00
              Sup-19-16
Project name:  City of Caldwell
Date filed:  6/17/19  Date complete: ______________________
Related files: ______________________

Subject Property Information

Address:  2323 E. Ustick Road  Parcel Number(s):  R3583200000
Subdivision: ______________________  Block: _____  Lot: _____  Acreage: 5  Zoning: Ag
Prior Use of the Property:  Agriculture
Proposed Use of the Property:  Public Park

Applicant Information:

Applicant Name:  City of Caldwell  Phone:  (208) 455-3000
Address:  411 Blaine Street  City: Caldwell  State: ID  Zip: 83605
Email:  ______________________  Cell:  ______________________
Owner Name:  Same  Phone:  ______________________
Address:  ______________________  City:  ______________________  State:  ______________________  Zip:  ______________________
Email:  ______________________  Cell:  ______________________
Agent Name:  (e.g., architect, engineer, developer, representative)  ______________________
Address:  ______________________  City:  ______________________  State:  ______________________  Zip:  ______________________
Email:  ______________________  Cell:  ______________________

Authorization

Print applicant name:  Garret Nancolas
Applicant Signature:  ______________________  Date:  6/11/19

621 Cleveland Boulevard  •  Caldwell, Idaho  83605  •  Phone:  (208) 455-3021  •  www.cityofcaldwell.com/PlanningZoning
**CITY OF Caldwell, Idaho**

Planning & Zoning

ANNEXATION

<table>
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<th>City of Caldwell Westfield</th>
<th>File #:</th>
<th>ANN-19-06</th>
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<th>Please provide the following REQUIRED documentation:</th>
<th>Staff (✓)</th>
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<tr>
<td></td>
<td>Completed &amp; signed Hearing Review Master Application</td>
<td>✓</td>
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<td></td>
<td>Narrative fully describing the proposed use/request, including current potable water supply and current sewage system</td>
<td>✓</td>
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<td>Recorded warranty deed for the subject property</td>
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<td>Signed Property Owner Acknowledgement (if applicable)</td>
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<td>Vicinity map, showing the location of the subject property</td>
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<td>Site Plan</td>
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<td>The following are suggested items that may be shown on the site plan:</td>
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<td>• Property boundaries of the site</td>
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<td>• Existing buildings on the site</td>
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<td>• Parking stalls and drive aisles</td>
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<td>• Sidewalks or pathways (proposed and existing)</td>
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<td>• Fencing (proposed and existing)</td>
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<td>Metes and bounds legal description for the site to be annexed in WORD format</td>
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<td>Landscape Plan (if applicable)</td>
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<td>Neighborhood Meeting sign-in sheet</td>
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<td>All of the above items shall be submitted in 8 1/2 x 11 paper format AND in electronic format (preferably PDF or Word) on either a jump drive or CD. Please be aware the jump drive or CD will become part of the file and will not be returned.</td>
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**STAFF USE ONLY:**

Date Application Received: 6-7-19

Received by: LC

Proposed Hearing Date: 8-13-19

Hearing Body: PD

621 Cleveland Boulevard • Caldwell, Idaho 83605 • Phone: (208) 455-3021 • www.cityofcaldwell.com/PlanningZoning

A1
## Project Name: City of Caldwell Wahluke Park

### Applicant/Agent:

<table>
<thead>
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<td>Floor Plan</td>
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<td>Landscape Plan (if applicable)</td>
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### STAFF USE ONLY:

- Date Application Received: 5/27/19
- Received by: LC
- Proposed Hearing Date: 8-13-19
- Hearing Body: PZ
The City of Caldwell is requesting to annex approximately 5 acres into the city limits with an R-1 zoning designation, along with a Special-Use Permit for a public park. The property was recently donated to the City to be used as a park. The property is adjacent to the existing Brothers Park.
June 10, 2019

Neighborhood Meeting Notice

You are invited to a neighborhood meeting to discuss a proposed annexation and special-use permit for the property located at 2323 E. Ustick Road (see aerial below). The City of Caldwell is requesting to annex this parcel into city limits and to utilize the area as a public city park. The neighborhood meeting will be held on Wednesday June 19th, 2019 at 5:30 pm. We will meet in the driveway of the existing house located at the southeast corner of the property, approximate location indicated by the yellow star on the picture below.

This is not a formal hearing, but rather a chance for you to come and ask questions regarding the proposal. A formal hearing for this request is scheduled to go before the Caldwell Planning & Zoning Commission on Tuesday August 13th and before the City Council on Monday September 16th.

If you have any questions prior to the neighborhood meeting please feel free to call me at anytime. I can be reached at (208) 455-4662.

Thank you,

[Signature]

Jarom Wagoner, AICP
Senior Planner
City of Caldwell
RESOLUTION NO. 96-19

APPROVE RESOLUTION AUTHORIZING THE EXECUTION OF A DONATION AGREEMENT WITH CROOKHAM COMPANY FOR A CHARITABLE GIFT TO THE CITY OF CALDWELL FOR THE PURCHASE OF CERTAIN REAL PROPERTY FOR THE SOLE USE AS A PUBLIC PARK.

HEREBY RESOLVED by the Mayor and Council of the City of Caldwell, Idaho, that the Caldwell City Council authorizes the execution of the Donation Agreement with Crookham Company as set forth in full.

PASSED BY THE COUNCIL of the City of Caldwell, Idaho this 15th day of April, 2019.

APPROVED BY THE MAYOR of the City of Caldwell, Idaho this 15th day of April, 2019.

Approved
By  
Garret L. Nancolas, Mayor

ATTEST:

By  
Debbie Geyer, City Clerk
DONATION AGREEMENT

This Donation Agreement ("Agreement"), effective as of the 15TH day of April, 2019 ("Effective Date"), is made and entered into by and between THE CITY OF CALDWELL, an Idaho municipal corporation (the "City"), of 411 Blaine Street, Caldwell, Idaho 83605, and CROOKHAM COMPANY (the "Donor"), of 301 Warehouse Street, Caldwell, 83605, for the use and benefit of the City of Caldwell. Based upon the Recitals below, and in consideration of the mutual promises and benefits hereunder, the parties hereto hereby agree as follows:

RECATILS

WHEREAS, Donor wishes to make a charitable gift to the City for the use and benefit of the City of Caldwell to apply to the purchase of certain real property, as set forth in this Agreement.

WHEREAS, the City desires to accept such gift, subject to the terms and conditions set forth in this Agreement.

NOW, THEREFORE, based on the mutual covenants herein, the Parties agree as follows:

AGREEMENT

1. **Gift.** Donor hereby pledges to the City for its use and benefit the following gift: ONE HUNDRED THOUSAND DOLLARS and NO/100 ($100,000.00) ("Gift").

2. **Payment of the Gift.** The Gift will be paid to the City upon execution of this Agreement.

3. **Use of the Gift.** The Gift shall be applied towards the City’s purchase of the property at 2323 East Ustick Road, Caldwell, Idaho 83605 ("Property"), for which closing took place on March 27, 2019. The Gift shall serve as a reimbursement to the City for its purchase. Parties agree that the Property will be used by the City solely for public park, recreation, or open space purposes, and parties will execute a deed restriction indicating such use. Parties agree that the Property will be developed within two budget years, with completion by the end of the 2021 fiscal year.

4. **Gift Acknowledgment.** City understands, acknowledges, and agrees that Donor may be entitled to claim a charitable deduction under the Internal Revenue Code, and City agrees to take any and all further actions necessary and appropriate for Donor to qualify for and receive such charitable contribution deduction. Donor understands and agrees that City may make any improvements City deems necessary or convenient for the project taking place on the purchased land.

5. **No Partnership; No Fiduciary Duties.** Nothing contained in this Agreement shall be deemed or construed to create or constitute a partnership, joint venture or agency relationship
between the Parties. No Party shall owe any other Party any fiduciary duty of any kind whatsoever, and no Party shall have authority to act for another Party.

6. **Further Assurances.** Each Party shall use reasonable efforts to implement the provisions of this Agreement, and for such purpose each shall, without further consideration, promptly execute and deliver or cause to be executed and delivered to the other Party such consents, documents or other instruments in addition to those required by this Agreement as the other Party may reasonably require to implement any provision of this Agreement.

7. **General.**

   a. **Governing Law.** This Agreement will be governed in all respects by the laws of the state of Idaho.

   b. **Entire Agreement.** This Agreement sets forth the full and complete understanding and agreement of the Parties relating to its subject matter, and supersedes any prior or contemporaneous negotiations, agreements, understandings and representations.

   c. **Amendment.** This Agreement may only be amended by a document signed by each Party affected thereby.

   d. **Severability.** If any provision of this Agreement is, or is deemed, invalid, illegal or unenforceable in any respect under applicable law, the validity and enforceability of the remaining provisions of this Agreement shall not be affected thereby.

   e. **Interpretation.** Where the context requires, words importing the singular will include the plural and vice versa, and words importing persons will include entities. Headings are for convenience of reference only.

   f. **Attorneys’ Fees.** If any action is filed or instituted by a Party to interpret or enforce the terms of this Agreement, the prevailing party will be entitled to receive from the other party its reasonable attorneys’ fees and costs.

   g. **Counterparts.** This Agreement may be executed in two or more counterparts and each counterpart will be deemed an original and both of which will constitute one and the same instrument.

---

**CROOKHAM COMPANY**

George Crookham  
CEO Crookham  
Company

---

**CITY OF CALDWELL**

Dennis Callan  
Mayor  
Caldwell City Council President

Attest:

Caldwell City Clerk
Jarom Wagoner

From: Debbie Geyer  
Sent: Wednesday, May 08, 2019 12:52 PM  
To: Jarom Wagoner, Jerome Mapp  
Cc: Garret Nancolas  
Subject: NEW PARK SITE -- Expansion of Brother's Park -- SPECIAL USE PERMIT  

Jarom & Jerome:

Has a file been started concerning a Special Use Permit on the new property recently purchased for the expansion of Brother's Park?

Please see the attached resolutions -- accepting the deed as well as the Donation Agreement with Crookham Company.

Thank you for your assistance!

CITY CLERK
Debbie Geyer, CMC  
City of Caldwell  
PO Box 1179  
411 Blaine Street  
Caldwell, ID  83606  
(208) 455-4856 (phone)  
(208) 455-3003 (fax)

"A good example is the best sermon." Benjamin Franklin

NOTICE: All communications transmitted with the City of Caldwell email system may be a public record and may be subject to disclosure under the Idaho Public Records Act (Idaho Code 74-101 et. seq.) and as such may be copied and reproduced by members of the public.
RESOLUTION NO. 95-19

A RESOLUTION BY THE CITY OF CALDWELL, IDAHO APPROVING A WARRANT DEED FROM EMILY L. RAINLEY.

Be it Resolved that the City of Caldwell, Idaho hereby accepts and approves a “WARRANTY DEED” from Emily L. Rainey. This deed conveys a 5 acre parcel of ground located on the north side of E. Ustick Road adjacent to and west of Brothers Park and is intended for park expansion.

The City Clerk of the City of Caldwell is hereby directed to forward a copy of the above described deed to the Mapping Department of said City of Caldwell for preservation in an index of deeds.

PASSED BY THE COUNCIL of the City of Caldwell, Idaho, this 15th day of April, 2019.

APPROVED BY THE MAYOR of the City of Caldwell, Idaho, this 15th day of April, 2019.

Approved By:  

[Signature]

Garret L. Nanocolas, Mayor

Attest:

[Signature]
MEMORANDUM
TO: Caldwell City Council
Meeting Date: April 15, 2019

AGENDA ITEM INFORMATION

<table>
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<tr>
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<th>Initials</th>
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COST IMPACT: Parks and Recreation

FUNDING SOURCE: Airport

INFORMATION SYSTEMS

TIMELINE: Golf Course

OTHER:

SUMMARY STATEMENT:
This deed conveys 5 acres currently addressed as 2323 E. Ustick Road. The subject property is located adjacent to and west of Brother’s Park and is intended for an expansion of the park.

The following are attached:

1. Resolution approving deed
2. Warranty Deed from Emily L. Rainey
3. Map showing parcel location

RECOMMENDED ACTION:
It is the recommendation of the Mapping Department that Council approve the deed as submitted.
WARRANTY DEED

For Value Received  Emily L. Rainey, an unmarried person
hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

The City of Caldwell, Idaho, an Idaho municipal corporation
hereinafter referred to as Grantee, whose current address is 411 Blaine Street Caldwell, ID 83605

The following described premises, to-wit:

The West Half of the Southeast Quarter of the Southwest Quarter of the Southwest Quarter of Section 35, Township 4 North, Range 3 West of the Boise Meridian, in Canyon County, Idaho.

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantee(s) heirs and assigns forever. And the said Grantor(s) does (do) hereby covenant to and with the said Grantee(s), the Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to U.S. Patent reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and current years taxes, levies, and assessments, includes irrigation and utility assessments, (if any) which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: March 20, 2019

Emily L. Rainey

State of Idaho, County of Canyon

This record was acknowledged before me on 3/27/2019 by Emily L. Rainey

Signature of notary public
Commission Expires: 2/3/2022