

Recording requested by and when recorded return to:

Blaine County Land Use & Building Services
219 1st Avenue South, Suite 208
Hailey, ID 83333

(Space above this line for Recorder's Use)

Blaine County Development Right Easement
For Transfer of Development Rights Program

THIS INDENTURE dated _____, 2019

Made by: First Last Name
 Address
 Town, State, Zip

Hereinafter referred to as GRANTOR

WHEREAS, _____ own in fee simple all that certain lands as described as follows:

WHEREAS, the described land is located in an area designated under the Title 10, Ch. 10, Blaine County Code, Voluntary Transfer of Development Rights Program, as a sending area eligible for the use right known as a Development Right; and

WHEREAS, Blaine County has certified that the following (_insert #_) Transferrable Development Rights are attached to the described land:

WHEREAS, the GRANTOR (Pursuant to the Deed of Transfer of Development Right; Instrument #: _____) has transferred the following (_) Transferrable Development Rights attached to the described Land: # _____, # _____, # _____ and therefore (_) Transfer Development Rights are no longer attached to the land;

NOW, THEREFORE, consistent with the recitals set forth above; and the mutual covenants, terms, conditions and restrictions contained herein; the GRANTOR hereby grants and conveys, a development right easement upon, over, and across the land with the following conservation restrictions:

<<THESE RESTRICTIONS ARE UNIQUE TO EACH PARCEL OF LAND PLEASE CHANGE SPECIFICS TO MATCH THE PROPERTY. CALL THE LAND USE DEPARTMENT 788-5570 IF YOU NEED ASSISTANCE CRAFTING THE CONSERVATION RESTRICTIONS>>

1. The land, which is located in a County Designated Sending Area, may not be subdivided or developed in any manner and except for the following in perpetuity:

- A. the construction, maintenance, and repair of one single family residence; and
- B. the other permitted, accessory or conditional uses listed in the applicable zoning districts pursuant to Title 9, Blaine County Code; and
- 2. All conditional use permits, including the permit necessary for access across wetland areas are subject to review and approval pursuant to Title 9, Blaine County Code.
- 3. Nothing herein contained shall be construed to convey to the public any right of access to or use of the Land, and GRANTOR, for itself, its successors and assigns shall retain the exclusive right of access to and use of the land.
- 4. This Development Right Easement shall be fully enforceable under the provisions set forth in Titles 9 & 10 of Blaine County Code as well as Idaho Code Section 67-6515A.
- 5. Nothing herein contained shall be construed to interfere with the right of the GRANTOR, its successors, assigns, licenses, and any party claiming under GRANTOR to utilize the land in such manner as they may deem desirable within the scope of the uses reserved to GRANTOR herein.
- 6. This instrument shall run with the land and be binding upon the GRANTOR, and its successors and assigns.

IN WITNESS WHEREOF, and intending to be legally bound, the GRANTOR has executed this indenture on the day and year set forth above.

GRANTOR: _____

Date: _____

First, Last Name

State of Idaho)

S.S.

County of Blaine)

On this ____ day of _____, 2019, before me _____, a notary public, personally appeared _____, **known to me** to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same.

SEAL

Notary Public

My Commission Expires on: _____