

**RESOLUTION NUMBER 03-014**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KETCHUM, IDAHO AUTHORIZING THE MAYOR TO EXECUTE A MEMORANDUM OF DEED RESTRICTION FOR BIKE PATH PROPERTY BEING HELD IN PERPETUITY FOR OUTDOOR RECREATION UNDER THE LAND AND WATER CONSERVATION FUND ACT OF 1965.

WHEREAS, Atkinson Park and portions of the Hemingway Elementary School property are restricted in perpetuity under the Land and Water Conservation Fund Act of 1965 and are known as "6-f" land and must be used solely for recreational purposes;

WHEREAS, in 2002, the City of Ketchum and the Blaine County School District collaborated in a 6-f conversion to swap the 6-f restriction from School District property to property owned by Ketchum so that the School District could construct a child care center, said exchange is depicted as shown on map attached as Exhibit B;

WHEREAS, the City of Ketchum has agreed to execute the attached Memorandum of Deed Restriction for the new bike path parcel to complete the land exchange restriction.

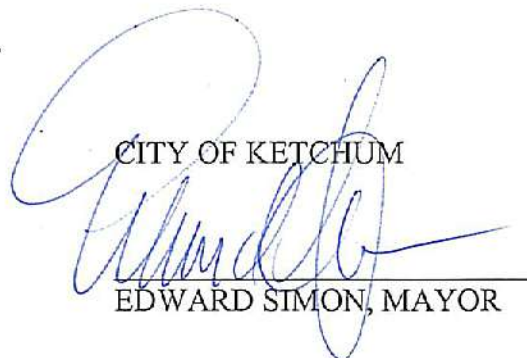
NOW THEREFORE, BE IT RESOLVED by the Ketchum City Council that the Mayor is authorized to execute a Memorandum of Deed Restriction for the bike path property described on Exhibit A.

DATED this 3<sup>rd</sup> day of March 2003.



ATTEST:

  
Sandra E. Cady, City Clerk

  
CITY OF KETCHUM  
EDWARD SIMON, MAYOR

THE STATE OF IDAHO  
COUNTY OF BLAINE  
I, the undersigned, Clerk of the County of Blaine, do hereby certify that the within and foregoing is a true and correct copy of the original as the same appears in the files of the County Clerk.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of said County at Blaine, Idaho, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_  
Clerk of the County of Blaine

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Notary Public



RECORDING REQUESTED BY AND  
WHEN RECORDED MAIL TO:

Margaret J. Simms  
City Attorney  
City of Ketchum, Idaho  
P.O. Box 2315  
480 East Avenue  
Ketchum, Idaho 83340

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(Space Above This Line For Recorder's Use)

### MEMORANDUM OF DEED RESTRICTION

BE IT KNOWN BY ALL that the following Deed Restriction, consented and agreed to by the City of Ketchum, Idaho, whose address is P.O. Box 2315, 480 East Avenue, Ketchum, Idaho, 83340, applies to the property described herein on the attached Exhibit "A," which is fully incorporated herein by reference. The beneficiary of this Deed Restriction is the Idaho Department of Parks and Recreation, P.O. Box 83720, Boise, Idaho 83720-0065.

Ownership of the property described on Exhibit "A" is restricted as follows:

This property is being held in perpetuity for outdoor recreation under the Land and Water Conservation Fund Act of 1965, as the same may be amended from time to time. With approval from the Idaho Department of Parks and Recreation and the National Park Service, the property may be replaced with land of equal or higher fair market value, recreation utility and location.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2003.

ATEST:

The City of Ketchum, Idaho

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Sandra E. Cady, City Clerk

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Edward Simon, Mayor

STATE OF Idaho            )  
                                  ) ss.  
County of Blaine         )

On this \_\_\_\_ day of \_\_\_\_\_, 2003, before me, a Notary Public in and for said State, personally appeared EDWARD SIMON, known or identified to me to be the Mayor of the City of Ketchum that executed the said instrument, and acknowledged to me that such City of Ketchum executed the same.

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

WITNESS my hand and official seal.

\_\_\_\_\_  
Notary Public for \_\_\_\_\_  
Residing at \_\_\_\_\_  
Commission expires \_\_\_\_\_

RECORDING REQUESTED BY AND  
WHEN RECORDED MAIL TO:

Sandra E. Cady  
City Treasurer/Clerk  
City of Ketchum, Idaho  
P.O. Box 2315  
480 East Avenue  
Ketchum, Idaho 83340

**Instrument # 578985**

HAILEY, BLAINE, IDAHO

7-13-2010 05:17:13 No. of Pages: 4

Recorded for : CITY OF KETCHUM

JOLYNN DRAGE

Fee: 0.00

Ex-Officio Recorder Deputy

Index to: MISCELLANEOUS DOCUMENTS

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**MEMORANDUM OF DEED RESTRICTION**

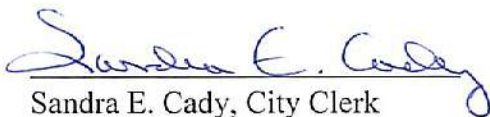
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DATED this 13<sup>th</sup> day of July, 2010.

ATTEST:

  
Sandra E. Cady, City Clerk

The City of Ketchum, Idaho

  
Randy Hall, Mayor

State of Idaho                    )  
  ) ss.  
County of Blaine                )

On this 13<sup>th</sup> day of July, 2010, before me, a Notary Public in and for said State, personally appeared RANDY HALL, known or identified to me to be the Mayor of the City of Ketchum that executed the said instrument, and acknowledged to me that such City of Ketchum executed the same.

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

WITNESS my hand and official seal.

Sandra E. Casey

Notary Public for Idaho

Residing at Hailey

Commission expires 11-20-2013





A parcel of land located within Section 13, Township 4 North, Range 17 East, Boise Meridian, Ketchum Townsite, Blaine County, Idaho, more particularly described as follows:

Commencing at the northwest corner of Lot 1, Block 31, Ketchum Townsite, being the TRUE POINT OF BEGINNING;  
thence North 45°16'00" East 30.29 feet along the southeasterly right of way of Tenth Street to a point;  
thence 62.49 feet along a curve to the right with a radius of 109.00 feet, a central angle of 32°50'58" and a long cord of 61.64 feet that bears South 21°33'46" East to a point;  
thence South 05°08'17" East 166.82 feet to a point;  
thence 60.06 feet along a curve to the right with a radius of 100.00 feet, a central angle of 34°24'41" and a long chord of 59.16 feet that bears South 12°04'04" West to a point;  
thence 60.06 feet along a curve to the left with a radius of 100.00 feet, a central angle of 34°24'41" and a long chord of 59.16 feet that bears South 12°04'04" West to a point;  
thence 60.06 feet along a curve to the left with a radius of 100.00 feet, a central angle of 34°24'41" and a long chord of 59.16 feet that bears South 12°04'04" West to a point;  
thence South 05°08'17" East 110.40 feet to a point along the northeasterly boundary of Lot 1A, Block 1, Hemingway School Subdivision Amended 1997;  
thence North 44°46'23" West 47.03 feet along said boundary to a point;  
thence North 05°08'17" West 74.18 feet to a point on the easterly boundary of Lot 8A, Desnoyers Subdivision;  
thence 78.08 feet along a curve to the right with a radius of 130.00 feet, a central angle of 34°24'41" and a long chord of 76.91 feet that bears North 12°04'04" East to a point;  
thence 42.04 feet along a curve to the left with a radius of 70.00 feet, a central angle of 34°24'41" and a long chord of 41.41 feet that bears North 12°04'04" East to a point;  
thence North 05°08'17" West 166.82 feet to a point;  
thence 41.73 feet along a curve to the left with a radius of 79.00 feet, a central angle of 30°16'05" and a long chord of 41.25 feet that bears North 20°16'19" West, to the TRUE POINT OF BEGINNING.

EXHIBIT "A"

