



**Planning & Zoning Commission Staff Report for
Kodiak Subdivision- PH2017-31**

Hearing Date: August 17, 2017

Development Services Department

Applicant:

Phil Horton/Ooda Loop LLC

Representative:

Mason & Stanfield Inc.

Staff:

Kyle McCormick, 455-5958
kmcormick@canyonco.org

Tax ID:

R30430

Zone:

Single Family Residential (R-1)

Comprehensive Plan:

2020 Comprehensive Plan
Future Land Use = Residential

Project Area:

Approximately 4.93 acres

Lots:

Four (4) Residential lots
One (1) Common Lot for Road

Applicable Zoning Regulations: 16-001

- §07-17-09
- §07-07-17
- §07-07-13

Notification

- 7/12/17 - Agency Notice
- 7/12/17- JEPA
- 7/20/17 - Radius Notice
- 8/10/17 (on or before)- Posting

Exhibits:

1. Findings of Fact, Conclusions of Law, Conditions of Approval, & Order
2. Preliminary Plat & Irrigation Plan
3. Final Plat
4. Small Aerial Photo
5. Vicinity Map
6. BOCC FCO's and Ordinance Amendment for PH2017-2&3
7. Keller & Associates Review
8. Nampa Highway District #1
9. City of Nampa Planning Department Comments
10. Private Road Name application
11. Proposed road user's

Request

A request by *Ooda Loop LLC* represented by *Mason & Stanfield Inc.* for approval of a **Preliminary Plat, Final Plat and Irrigation & Drainage Plan** for **Kodiak Subdivision**. The development consists of five lots (4 residential, 1 road lot). The subject properties are zoned Single Family Residential (R-1) and located at 0 Star Road, Nampa ID. They are further described as a portion of the NW¼ of Section 8, T3N, R1W, BM, Canyon County, ID.

Background

The property is zoned "R-1" (Single Family Residential). The property was recently rezoned from Agricultural to R-1 (Single Family Residential) (PH2017-2&3, Exhibit 6). Access has been approved by Nampa Highway District for a private road approach on the southern edge of the parcel.

Analysis

The applicant is requesting approval of a Preliminary Plat, Final Plat, and Irrigation Plan. The Planning and Zoning Commission will make a recommendation on the Preliminary Plat & Irrigation Plan. The applicant has requested approval of the irrigation plan, private road name as well as waivers of subdivision improvements from the City of Nampa.

The Board of County Commissioners will consider and sign the Final Plat at a later date.

Kodiak Subdivision contains four (4) residential lots and one (1) road lot. The subdivision will utilize:

- Individual domestic wells
- Individual septic systems
- Pressurized Irrigation
- One internal private road

Nampa Highway District indicated they have no objection to the plat (s) so long as it meets Highway District Standards (Exhibit 8). The subdivision plat will need to go through a formal review by the Nampa Hwy District.

Nampa and Meridian Irrigation District comments from the approved Comprehensive Plan Map Amendment and Rezone (Exhibit 6) show that the Kennedy Lateral has a 40 ft. easement and, 20 ft. half width (Exhibit 14).

The City of Nampa reviewed the plat and found that is acceptable as long as the meet the conditions as provided in Exhibit 9.

The proposed plat meets the average minimum lot size of one (1) acre in the "R-1" Zone. The subdivision plat meets Idaho Code and CCZO requirements for the preliminary plat and Idaho Code 31-3805 for irrigation.

<p>maintenance agreement</p> <p>12. Plan to Protect Drainage System</p> <p>13. Request to City of Nampa for Subdivision Waivers</p> <p>14. Nampa & Meridian Irrigation District Comments from PH2017-2&3</p> <p>15. Comments from Jerry Williams</p>	<p><u>Preliminary Plat</u></p> <p>Standard of Review for Subdivision Plats</p> <p>A. Idaho Code, Sections 67-6512, 6509 and 6535 (Subdivisions, Hearings, Decisions)</p> <p>B. Idaho Code, Sections 50-1301 through 50-1329 (Platting)</p> <p>C. Canyon County Zoning Ordinance, 12-008, Article 17 (Subdivision Regulations) 07-17-33 (3) C (Appropriateness of Subdivision in the Floodplain).</p> <p>D. Idaho Code 31-3805 (Irrigation)</p> <p>The Final Plat for the subdivision will be considered and signed by the Board at a later date.</p>
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Comments

Public Comments

At the time the staff report was prepared, staff had received no letters stating opposition to the proposed subdivision plat. One letter was submitted from Jerry Williams (Exhibit 15) with questions on sewer system infrastructure.

County Agency Comments

Staff informed agencies of the proposal and their responses are attached.

Alternatives

The Planning and Zoning Commission may recommend that the Board approve, approve conditionally, modify or deny the preliminary plat.

Significant Impacts

There are no significant fiscal or environmental impacts from this application.

Recommendation

Staff recommends the Planning and Zoning Commission open a public hearing and discuss the proposed plat and irrigation plan.

Staff is recommending **approval** of the application, and have provided findings of fact, conclusions of law, and conditions of approval for the Planning and Zoning Commission’s consideration are found in Exhibit 1.



Findings

1. The property is currently zoned “R-1” Single Family Residential.
2. The property is located within Nampa’s Area of City Impact
3. The subject properties are located at the intersection of Star Road and Cherry Lane, Nampa, Idaho in a portion of the NW ¼ of Section 8, T3N, R1W, BM.
4. The subdivision consists of four (4) residential lots and one (1) road lot.
5. Each residential lot will utilize an individual domestic well.
6. Each residential lot will utilize an individual septic system and drain field.
7. Irrigation water will be provided via a pressurized system.
8. Notice of the public hearing was provided in accordance with CCZO §07-05-01. Agency notice was provided on 7/12/17, Newspaper notice was provided on 7/20/17, property owners within 300’ were notified by mail on 7/20/17, and the property was posted on or before 8/10/17.
9. The proposed plat is in conformance with CCZO Article 17, Idaho Code, Sections §67-6512, 6509 and 6535 (Subdivisions, Hearings, Decisions, and Idaho Code, and Sections §50-1301 through §50-1329 (Platting) and Idaho Code 31-3805 (Irrigation).

Conclusions of Law

The Planning and Zoning Commission has the authority to hear this case and recommend that it be approved, denied or modified. The public notice requirements were met and the hearing was conducted within the guidelines of applicable Idaho Code and County ordinances.

Conditions of Approval

1. All requirements of Nampa Highway District No. 1 shall be met. The applicant must submit the plat to Nampa Highway District for formal review prior to the final plat.
2. All requirements of the City of Nampa (Exhibit 9) shall be met unless waived by Nampa City Council.
 - a. Pave the private land and drive that stems from the same (width determined by the County) and cause the same to otherwise comply with the Nampa Fire Department construction/load bearing standards.
 - b. Prior to final plat emplace a 25’ wide/deep landscape strip via an easement on Lot 1 adjacent to Star Road in accordance with the City of Nampa requirements. The applicant shall submit a landscaping plan to Canyon County DSD prior to final plat that is in accordance with the standards in Chapter 33 of the Nampa Zoning Ordinance (i.e., 1.5” caliper street trees from approved picklist in Chapter 33 planted at 25’ on center intervals).
 - c. Prior to final plat the applicant shall emplace a 6’ high chain link fence along the south side of the Kennedy Lateral, along that waterway easement line wherever said water way adjoins Lots 1-4. The fencing is required along the aforementioned waterway, along its entire length, where any part of it will be left exposed or open. To provide for maintenance (e.g. weed control) the applicant shall develop a maintenance plan of that easement with the Nampa & Meridian Irrigation District and provide Canyon County with a copy prior to final plat.
3. Prior to final plat provide a short term plan that will protect road side swales from disturbance as a result of home construction on individual lots.
4. Prior to final plat provide Canyon County with a long term plan for protection and maintenance of roadside swales and include the long term plan in the subdivision’s Covenants, Codes and Restriction’s (CC&R’s). This document shall be recorded and included as a note on the Final Plat (Keller Comments, Exhibit 7).
5. Prior to final plat provide a recorded road user’s maintenance agreement shall be provided and the instrument # shall be placed on Note 12 of the final plat.
6. All subdivision improvements shall be bonded or completed prior to the Board of County Commissioner’s signature on the final plat.

Order

Based upon the Findings of Fact, Conclusions of Law and Conditions of Approval contained herein the Planning & Zoning Commission **recommends approval** to the Board of County Commissioners for Case # PH2017-31, a request by Philip Horton/ Ooda Loop LLC for approval of a Preliminary Plat and Irrigation Plan for Kodiak Subdivision subject to the conditions of approval.

APPROVED this 17st day of August 2017

**PLANNING AND ZONING COMMISSION
CANYON COUNTY, IDAHO**

Richard Hall, Chairman

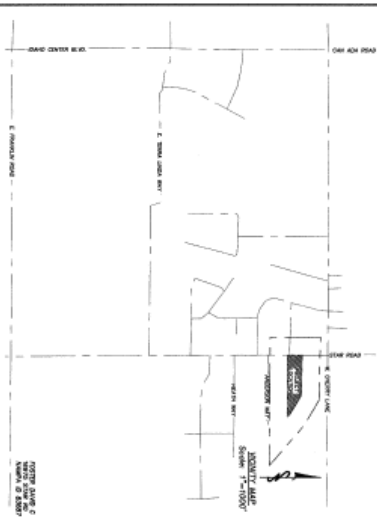
State of Idaho)
) SS
County of Canyon County)

On this ____ Day of _____ in the year of 2017, before me _____, a notary public, personally appeared Richard Hall personally known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

Notary: _____

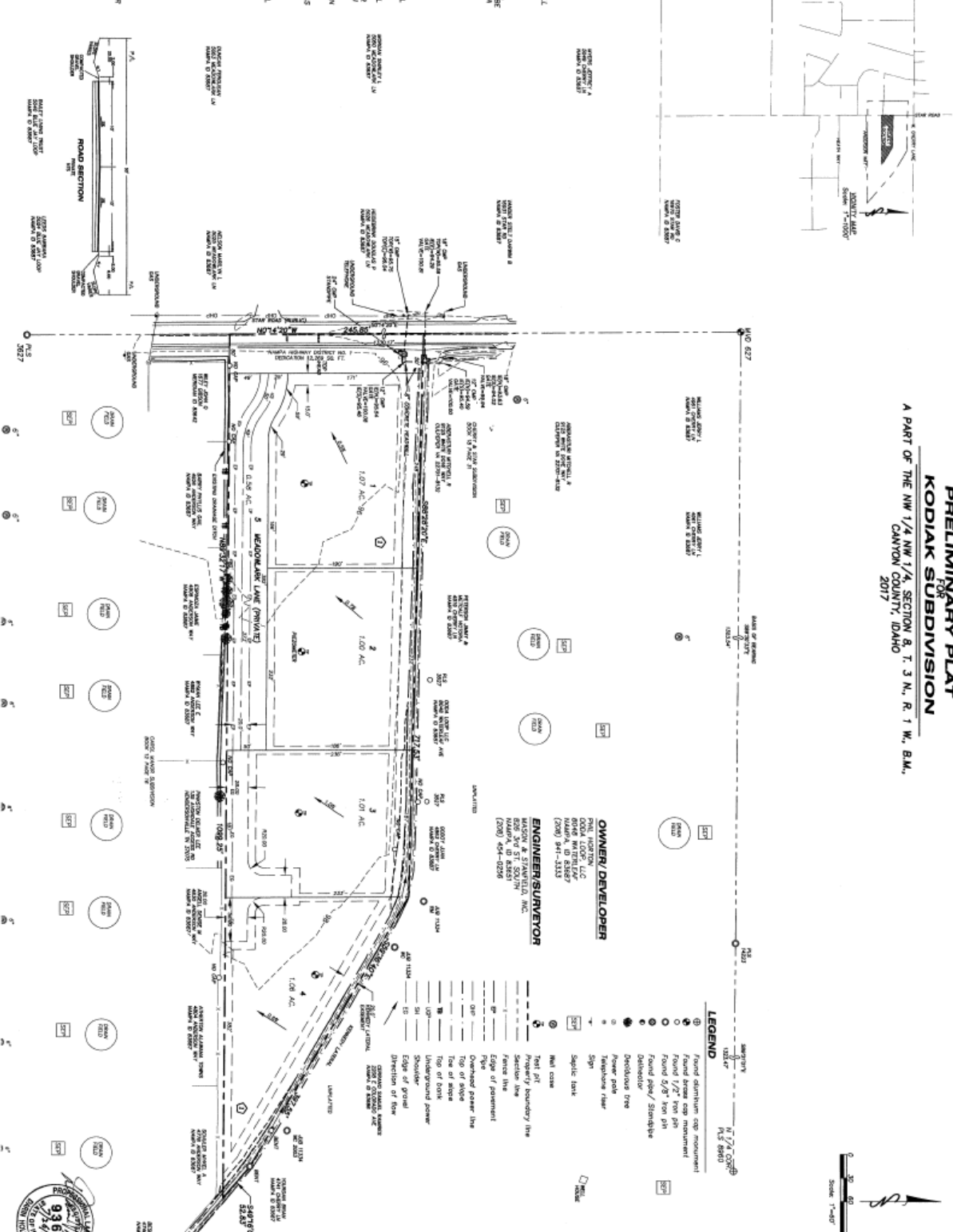
My Commission Expires: _____

**PRELIMINARY PLAT FOR
KODIAK SUBDIVISION**
A PART OF THE NW 1/4 NW 1/4 SECTION 8, T. 3 N., R. 1 W., B.M.,
CANYON COUNTY, IDAHO
2017

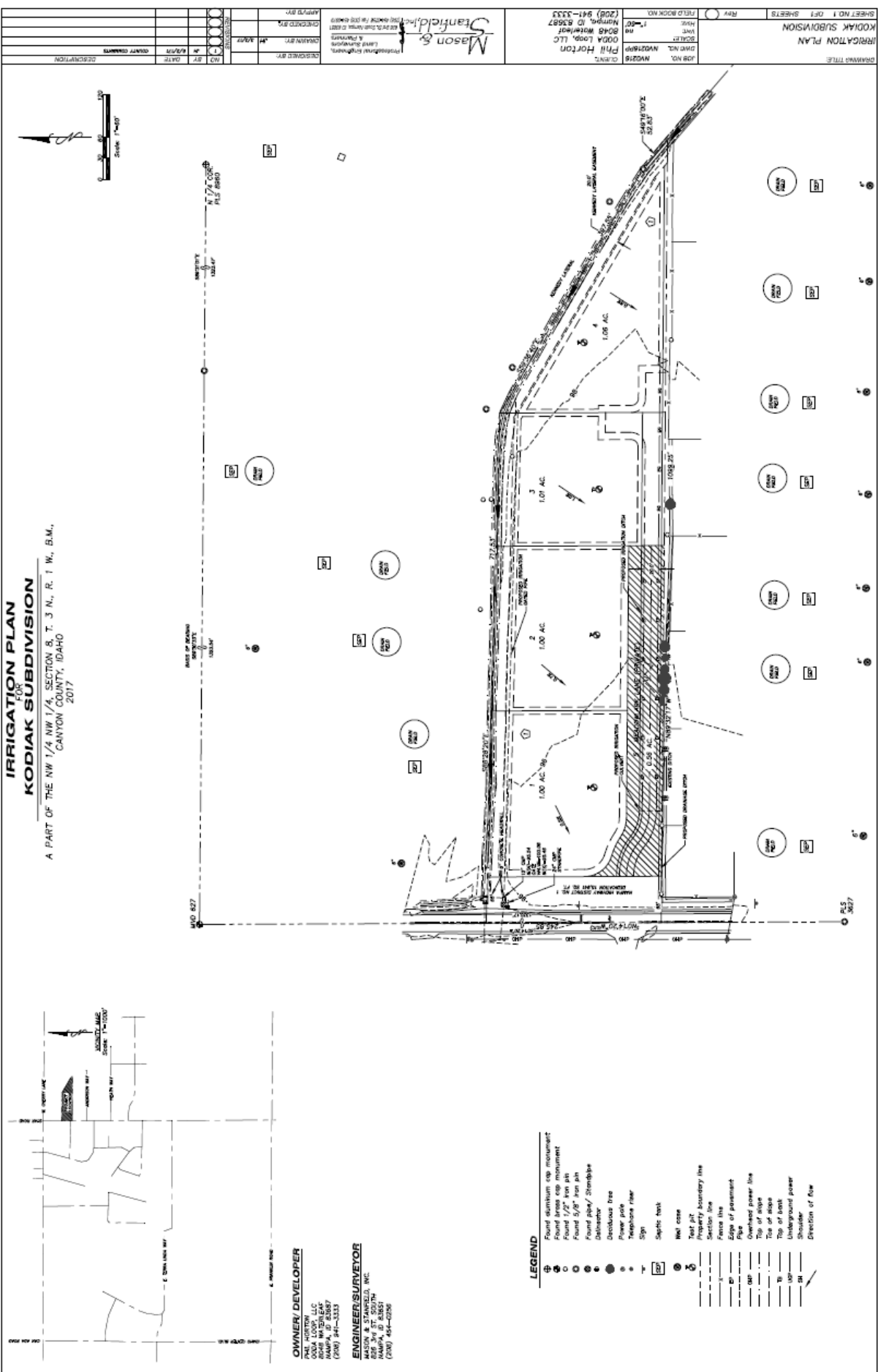


PROJECT NARRATIVE

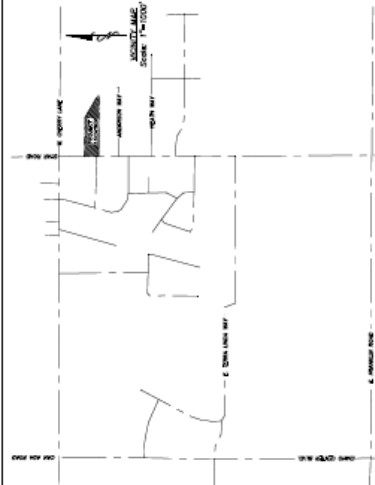
1. CURRENT CANYON COUNTY ZONE R-1;
2. NO. OF RESIDENTIAL LOTS 54
3. TOTAL NUMBER OF LOTS IS 54
4. MINIMUM LOT SIZE 1 ACRE
5. PROPOSED DEVELOPMENT FOR THIS ZONE SHALL BE CONSISTENT WITH THE CITY OF HAMILTON ZONING REGULATIONS IN EFFECT TO THE TIME OF THE RE-SUBDIVISION.
6. THIS DEVELOPMENT RECOGNIZES THE RIGHT TO FARM ACT WHICH STRESSES AGRICULTURE, COUNTRY, ARCHITECTURAL, AND ENVIRONMENTAL CHARACTERISTICS. EXCEPT FOR THE FACILITY OR EXPANSION THEREOF SHALL BE OR BECOME A RESIDENT, PRIVATE OR PUBLIC USE OF ABOUT THE SURROUNDING AGRICULTURAL ACTIVITIES. THE OPERATIONAL ACTIVITIES SHALL BE LIMITED TO ONE (1) YEAR, WHEN THE OPERATIONAL ACTIVITIES ARE LIMITED TO THE FACILITY OR EXPANSION THEREOF. THE PROVISIONS OF THIS ZONING REGULATIONS IN EFFECT TO THE TIME OF THE RE-SUBDIVISION SHALL BE APPLIED TO THE FACILITY OR EXPANSION THEREOF.
7. ANY RE-SUBDIVISION OF THIS PLAT SHALL BE IN COMPLIANCE WITH THE CITY OF HAMILTON ZONING REGULATIONS IN EFFECT TO THE TIME OF THE RE-SUBDIVISION.
8. THIS DEVELOPMENT RECOGNIZES THE RIGHT TO FARM ACT WHICH STRESSES AGRICULTURE, COUNTRY, ARCHITECTURAL, AND ENVIRONMENTAL CHARACTERISTICS. EXCEPT FOR THE FACILITY OR EXPANSION THEREOF SHALL BE OR BECOME A RESIDENT, PRIVATE OR PUBLIC USE OF ABOUT THE SURROUNDING AGRICULTURAL ACTIVITIES. THE OPERATIONAL ACTIVITIES SHALL BE LIMITED TO ONE (1) YEAR, WHEN THE OPERATIONAL ACTIVITIES ARE LIMITED TO THE FACILITY OR EXPANSION THEREOF. THE PROVISIONS OF THIS ZONING REGULATIONS IN EFFECT TO THE TIME OF THE RE-SUBDIVISION SHALL BE APPLIED TO THE FACILITY OR EXPANSION THEREOF.
9. EXEMPTS TO BE PROVIDED:
10. MINIMUM LOT SIZE 1 ACRE
11. MINIMUM LOT AREA 1 ACRE
12. APPROVEMENTS SHOULD NOT BE REQUIRED FOR THIS SUBDIVISION.
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DRAWING TITLE: PRELIMINARY PLAT KODIAK SUBDIVISION		JOB NO.: NV0216	CLIENT: Phil Horton OODA Loop, LLC 604 N. Main Street Nampa, ID 83687 (208) 941-3333	DESIGNED BY: [Signature]		NO. 1	DATE 6/5/17	DESCRIPTION COUNTY COMMENTS
SHEET NO. 1 OF 1 SHEETS		SCALE: AS SHOWN	FIELD BOOK NO.:	DRAWN BY: [Signature]		2	DATE 6/5/17	DESCRIPTION COUNTY COMMENTS
				CHECKED BY: [Signature]		3	DATE 7/26/17	DESCRIPTION RAMPAL HIGHWAY DISTRICT NO 1 COMMENTS
				APPROVED BY: [Signature]		4	DATE	DESCRIPTION



IRRIGATION PLAN
KODIAK SUBDIVISION
 A PART OF THE NW 1/4 NW 1/4, SECTION 8, T. 3 N., R. 1 W., B.M.,
 CANYON COUNTY, IDAHO
 2017



OWNER/ DEVELOPER
 PHIL HORTON
 OODA LOGS, LLC
 MADISON, ID 83667
 (208) 841-3333

ENGINEER/SURVEYOR
 MASON & STAMPFLI, INC.
 829 S.W. ST. SOUTHWEST
 MADISON, ID 83601
 (208) 844-0286

- LEGEND**
- ⊕ Found aluminum cap monument
 - ⊙ Found iron cap monument
 - Found 5/8" iron pin
 - Found pipe/ Standpipe
 - ⊙ Delimitary
 - ⊙ Deciduous tree
 - ⊙ Power pole
 - ⊙ Telephone riser
 - ⊙ Sign
 - ⊙ Siphon tank
 - ⊙ Well case
 - ⊙ Test pit
 - Property boundary line
 - Section line
 - Canal line
 - Edge of pavement
 - Pipe
 - Overhead power line
 - Top of slope
 - Top of bank
 - Shoulder power
 - Direction of flow

DRAMA TITLE	IRRIGATION PLAN
SHEET NO. 1 OF 1 SHEETS	
FIELD BOOK NO.	
DATE	1-2017
DRAWN BY	PHIL HORTON
CHECKED BY	ODDA LOGS, LLC
DATE	MADISON, ID 83667
SCALE	(208) 841-3333
JOB NO.	PHIL HORTON
PROJECT NO.	000A LOGS, LLC
DATE	MADISON, ID 83667
BY	
CHECKED BY	
DATE	
DESCRIPTION	

KODIAK SUBDIVISION

OWNERS CERTIFICATE

KNOW ALL PERSONS BY THESE PRESENTS THAT THE UNDERSIGNED, JO HENRY CONROY, THAT THEY ARE THE OWNERS OF THE REAL PROPERTY AS DESCRIBED BELOW AND IT IS THEIR INTENTION TO INCLUDE SAID PROPERTY IN THIS SUBDIVISION PLAN.

A PORTION OF LAND BEING A PORTION OF THE NW 1/4 NW 1/4 OF SECTION 8, TOWNSHIP 3 NORTH, RANGE 48 WEST, CANYON COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NW 1/4 NW 1/4

THENCE S 90° 14' 20" E A DISTANCE OF 437.81 FEET ALONG THE WEST BOUNDARY OF THE NW 1/4 NW 1/4 TO THE POINT OF BEGINNING.

THENCE ALONG THE APPROXIMATE CENTERLINE OF THE KENNEDY LATERAL THE FOLLOWING COURSES AND DISTANCES:

THENCE S 88° 28' 20" E A DISTANCE OF 717.63 FEET;

THENCE S 59° 36' 40" E A DISTANCE OF 397.25 FEET;

THENCE S 49° 45' 00" E A DISTANCE OF 52.63 FEET;

THENCE LEAVING THE APPROXIMATE CENTERLINE OF THE KENNEDY LATERAL N 80° 37' 17" W A DISTANCE OF 1093.25 FEET ALONG THE NORTHERLY BOUNDARY OF CAROL MANUZO SUBDIVISION.

THENCE N 00° 14' 20" W A DISTANCE OF 245.80 FEET TO THE POINT OF BEGINNING.

THIS PARCEL CONTAINS 5.00 ACRES MORE OR LESS.

THE PRIVATE ROAD AND THE EASEMENTS SHOWN ON THIS PLAT ARE NOT DEDICATED TO THE PUBLIC, BUT THE RIGHTS TO USE SAID PRIVATE ROAD AND EASEMENTS IS HEREBY GRANTED TO THE OWNERS OF THE REAL PROPERTY SHOWN ON THIS PLAT. THE PRIVATE ROAD AND EASEMENTS ARE TO BE USED FOR UTILITY, IRRIGATION, OR DRAINAGE PURPOSES IS TO BE EXERCISED WITHIN THE LIMITS OF SAID EASEMENTS. ALL LOTS IN THIS SUBDIVISION WILL RECEIVE DOMESTIC WATER FROM INDIVIDUAL WELLS.

PHIL E. HOPKIN
GOVERNOR, OGDEN LOOP, LLC

ACKNOWLEDGMENT

STATE OF IDAHO } SS
COUNTY OF CANYON }

Do I, undersigned, on this _____ day of _____, 20____, before me, the undersigned, a notary public in and for said state, personally appeared PHIL E. HOPKIN, who is known or identified to me to be a GOVERNOR of the OGDEN LOOP, LLC, who acknowledged to me that he executed the instrument or the person who executed the instrument on behalf of said LLC, and acknowledged to me that such LLC, executed the same.

In witness whereof, I have hereunto set my hand and notarial seal the day last above written.

Notary Public for _____
My Commission expires _____

CERTIFICATE OF SURVEYOR

I, Dawn Holshay do hereby certify that I am a Professional Land Surveyor licensed by the State of Idaho. I have personally surveyed and reduced to writing the plat attached hereto, and the same is a true and correct representation of the ground shown on the attached plat, and drawn from an actual survey made on the ground under my direct supervision and responsibility. The points plotted thereon are in conformity with the actual measurements and computations made by me and the corner perpetuation and duty act, Idaho code 25-1001 through 25-1012.



Dawn Holshay
P.L.S. License No. 9366

KODIAK SUBDIVISION

CERTIFICATE OF COUNTY SURVEYOR

I, THE UNDERSIGNED PROFESSIONAL LAND SURVEYOR FOR CANYON COUNTY, hereby certify that I have examined this plat and find that it complies with the STATE OF IDAHO code relating to Plots and Votations.

Canyon County Surveyor _____ Date _____

APPROVAL OF NAMPA HIGHWAY DISTRICT No. 1

Nampa Highway District No. 1 does hereby accept this plat in accordance with the provisions of I.C. § 30-1312. Private streets depicted on this plat are not to be dedicated to the public highway district. There is no legal obligation or assurance that the private streets will be accepted as public streets in the future.

District Chairman _____ Date _____

HEALTH CERTIFICATE

SANITARY RESTRICTIONS AS REQUIRED BY IDAHO CODE, TITLE 50, CHAPTER 13 HAVE BEEN SATISFIED. SANITARY RESTRICTIONS MAY BE REMOVED IN ACCORDANCE WITH SECTION 50-1326, IDAHO CODE, BY THE ISSUANCE OF A CERTIFICATE OF DISAPPROVAL.

SOUTHWEST DISTRICT HEALTH DEPARTMENT, RHHS _____ DATE _____

APPROVAL OF CANYON COUNTY COMMISSIONERS

ACCEPTED AND APPROVED THIS _____ DAY OF _____ 20____ BY THE BOARD OF COUNTY COMMISSIONERS OF CANYON COUNTY, IDAHO.

CHAIRMAN _____ CLERK _____

APPROVAL OF CITY ENGINEER

I, the Undersigned, City Engineer, in and for the City of Nampa, Canyon County, Idaho have reviewed this plat.

Nampa City Engineer _____ Date _____

CERTIFICATE OF COUNTY TREASURER

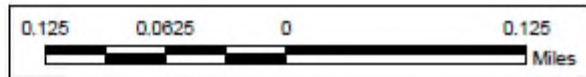
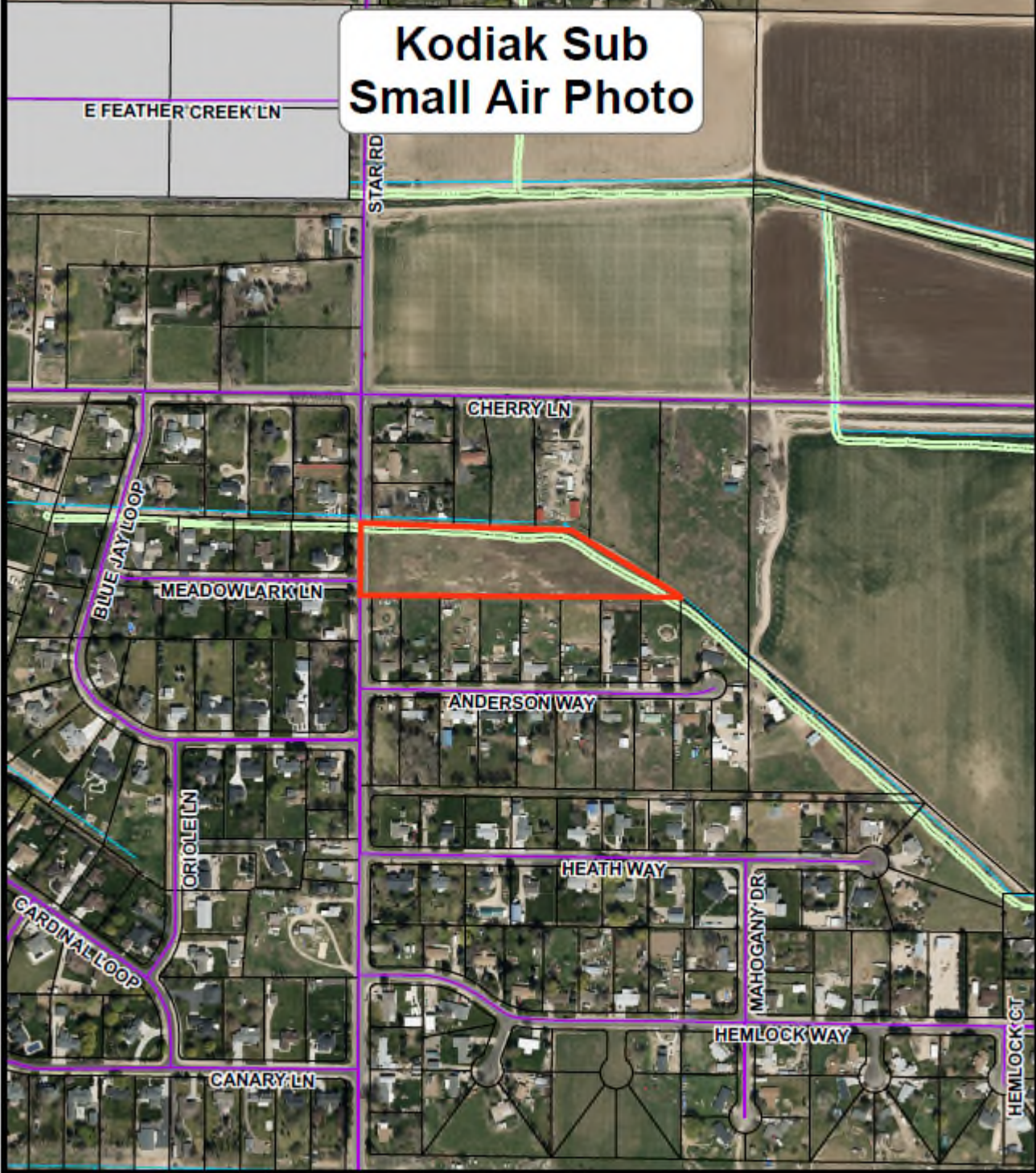
I, Jesse Lloyd, County Treasurer in and for the County of Canyon, State of Idaho, per the requirements of I.C. 50-1308, do hereby certify that any and all current and/or delinquent County Property Taxes for the property included in this proposed subdivision have been paid in full. This certificate is valid for the next thirty (30) days only.

County Treasurer _____ Date _____



IMAGES WERE FLOWN IN THE FALL OF 2016.

Kodiak Sub Small Air Photo



Kodiak Sub Small Vicinity Map

