

Recording Requested By and
When Recorded Return to:

Instrument # 285179 # Pages: 3
LEMHI COUNTY, Idaho
Feb 11, 2011 11:50:58 am Fee: \$ 16.00
For: THOMSEN STEPHENS LAW OFFICE
TERRI J. MORTON, Recorder
ECARDIN Deput

SPACE ABOVE THIS LINE FOR RECORDERS USE ONLY

TERMINATION OF DECLARATION OF RESTRICTIONS

On July 27, 2005, a Declaration of Restrictions (Declaration) was executed by Paul Chartrand and the Idaho Department of Environment Quality ("Department") and recorded as the instrument number 264720. The Declaration set forth restrictions on use of real property designed to protect human health and natural resources. Based upon evidence submitted to the Department, the Department hereby issues this **TERMINATION OF DECLARATION OF RESTRICTIONS** as follows:

1. WHEREAS, the Declaration concerned certain real property located at 102 Main Street, in the city of Salmon, County of Lemhi, State of Idaho. The Declaration imposed restrictions on use of the real property legal described in Exhibit A, attached hereto (the "Property").
2. WHEREAS, the Declaration provided that termination may be made upon demonstration to the Department that certain conditions as enumerated in the Termination clause of the Declaration have been met.
3. WHEREAS, on January 11, 2011, owners of the Property submitted to the Department a report demonstrating that the Property does not contain petroleum hydrocarbons in the soils or groundwater exceeding concentrations acceptable for unrestricted use and therefore does not pose a risk to human health pursuant to the Department's standards as described in the Termination clause of the Declaration.
4. WHEREAS, the owners of the Property have adequately demonstrated to the Department that conditions in the Termination clause of the Declaration have been met, and therefore the restrictions imposed on the Property pursuant to the Declaration are no longer required.
5. **THEREFORE by the execution and the recording of this instrument the Declaration of Restrictions dated July 27, 2005 for real property located at 102 Main Street, Salmon, Idaho, and recorded as instrument number 264720, is hereby TERMINATED.**
6. RECORDING. The owners of the Property shall record this instrument in the county recorder's office where the Property is located and return a copy of the recorded instrument to the Department within ten (10) days of the recording of this instrument.

EXHIBIT A

Legal Description of the Property:

A TRACT OF LAND LYING AND BEING IN LOTS 1, 2 AND 4, BLOCK 1 OF THE SALMON CITY TOWNSHIP, ACCORDING TO THE OFFICIAL PLAT THEREON; AND DESCRIBED AS FOLLOWS, TO-WIT:

BEGINNING AT THE SOUTHWESTERLY CORNER OF SAID LOT 1, RUN THENCE S. $61^{\circ}14'48''$ E., ALONG THE NORTHERLY LINE OF MAIN STREET A DISTANCE OF 55.17 FEET; THENCE N. $28^{\circ}45'20''$ E., 168.34 FEET; THENCE N. $61^{\circ}14'40''$ W., 22.0 FEET, MORE OR LESS TO A POINT ON THE EASTERLY BANK OF THE SALMON RIVER; THENCE ROUGHLY ALONG THE EASTERLY BANK OF THE SALMON RIVER 183.5 FEET, MORE OR LESS TO THE POINT OF BEGINNING.

TOGETHER WITH:

AN EASEMENT 20 FEET IN WIDTH FOR VEHICULAR INGRESS AND EGRESS FROM NORTH TERRACE STREET TO THE SALMON VALLEY CHEESE COMPANY BUILDING IN THE CITY OF SALMON, LEMHI COUNTY, IDAHO, OVER THE FOLLOWING DESCRIBED REAL PROPERTY OWNED BY THE CITY OF SALMON:

A PARCEL OF LAND LOCATED IN LOT 4, LOT 7 AND LOT 8, BLOCK 1, ORIGINAL SALMON CITY TOWNSHIP, U.S. GOVERNMENT LOT 13, SECTION 6, TOWNSHIP 21 N., RANGE 22 E., BOISE MERIDIAN, LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF LOT 7, BLOCK 1, SALMON CITY TOWNSHIP AND BEING THE REAL POINT OF BEGINNING, A DISTANCE OF 21.98 FEET ON A BEARING OF N. $77^{\circ}45'$ W.; THENCE N. $65^{\circ}30'00''$ W., 102.16 FEET; THENCE E. $85^{\circ}42'36''$ W., 2.24 FEET; THENCE N. $61^{\circ}14'20''$ W., 156.00 FEET TO A POINT ON THE EAST BANK OF THE SALMON RIVER; THENCE N. $58^{\circ}18'58''$ E., 152.07 FEET ALONG SAID BANK; THENCE N. $30^{\circ}20'49''$ E., 50.25 FEET ALONG SAID BANK; THENCE S. $71^{\circ}14'00''$ E., 169.00 FEET; THENCE S. $18^{\circ}45'20''$ W., 179.00 FEET TO THE REAL POINT OF BEGINNING.