

**Instrument # 1028056**  
**Bonner County, Sandpoint, Idaho**  
**11/29/2023 10:52:27 AM No. of Pages: 11**  
**Recorded for: NORTH IDAHO TITLE COMPANY- COEUR D' ALENE- RW**  
**Michael W. Rosedale Fee: \$40.00**  
**Ex-Officio Recorder Deputy nprouty**  
**Index to: EASEMENT**

## **Declaration of Easement**

### **N-64438**

IDAHO DEPARTMENT OF LANDS

MAY 13 2024

PEND OREILLE LAKE AREA

Recorded at the Request of (when recorded return to): Valiant Idaho II, LLC c/o William Haberman The Idaho Club 151 Clubhouse Way Sandpoint, ID 83864	
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**DECLARATION OF EASEMENT  
FOR SHARED ACCESS, CONSTRUCTION AND UTILITIES**

**THIS DECLARATION OF EASEMENT** is made and shall be effective as of 31st day of October, 2023, by Valiant Idaho II, LLC, an Idaho limited liability company authorized to do business in the State of Idaho ("Valiant II"), and, Rock Chalk Lenders, LLC, an Idaho limited liability company authorized to do business in the State of Idaho ("Rock Chalk").

**WHEREAS:**

A. Valiant II is the owner of real property located in Bonner County, Idaho, legally described as follows: Lot 1 and Lot 2 of The Idaho Club North Lake, according to the plat thereof, recorded in Book 13, Page 42, records of Bonner County, Idaho; hereinafter described as the "Valiant II Property", which is being developed as a marina, boat storage and residential community known as "The Idaho Club North Lake PUD" ("Project").

B. Rock Chalk is the owner of real property located in Bonner County, Idaho legally described as follows: Lot 3 of the Idaho Club North Lake, according to the plat thereof, recorded in Book 13, Page 42, records of Bonner County, Idaho herein after described as the "Rock Chalk Property."

C. Due to the point of access from Highway 200 to the Project, and the approved location for utilities to service the properties, and other physical features, and in order to minimize the impact on the environment, a shared access and utility easement across the Valiant II Property and the Rock Chalk Property is required for shared access, public or private utilities, and the restoration of the North Branch of Trestle Creek which traverses the Rock Chalk Property.

D. By this Declaration, both Valiant II and Rock Chalk desire to establish a mutual, nonexclusive easement for access for ingress and egress, and utilities over,

under and across, and burdening for the mutual benefit of the properties, as described more fully below, on the terms and conditions set forth herein.

**NOW, THEREFORE**, in consideration for the foregoing recitals, and for other good and valuable consideration, receipt and sufficiency of which are hereby acknowledged, Declarant does hereby make, constitute, declare and establish a perpetual, mutual, nonexclusive easement to use an easement area over, under and across the Valiant II Property and the Rock Chalk Property, as shown on Exhibit A and Exhibit B attached hereto and incorporated herein ("Easement Areas").

The terms of this Easement are as follows:

1. The Easement Areas shall be used for a roadway in order to provide mutual access to and from the Valiant II Property and the Rock Chalk Property, or any portion thereof. The Easement Areas may further be used for installation and maintenance of such public or private utilities as may be needed to serve the properties, and for community water lines to be operated and maintained by Valiant II, its successors or assigns, for the mutual benefit of the Valiant II Property and the Rock Chalk Property.
2. The Easement Area across the Rock Chalk Property, described on Exhibit B attached hereto, shall be used for the sole purpose of completing and maintaining all necessary improvements related to the redesign and reconfiguration of the North Branch of Trestle Creek, as permitted and required pursuant to a permit from the U. S. Army Corps of Engineers, either obtained or to be obtained subsequent to the date hereof.
3. The owners of the fee interests over which the Easement Areas pass may install and maintain, landscaping or other buffering vegetation or improvements, up to the edge of the Easement Areas, so long as such improvements do not interfere with the integrity or use of the roadway, its maintenance, snow removal or the like, or impede the construction related to the reconfiguration of the North Branch of Trestle Creek.
4. This Easement is established subject to all prior easements or encumbrances of record.
5. This Easement shall be appurtenant to and shall run with the land as to all property burdened or benefited hereby. The rights, covenants and obligations contained herein shall bind, burden and benefit all of the owners of the properties, and their respective families, guests, invitees, licensees, employees, independent contractors, agents, lessees, heirs, successors, representatives, and assigns.
6. Facsimile and electronic signatures and signatures on portable document format ("pdf") copies shall be accepted in lieu of the originals, and this

Declaration of Easement may be signed in multiple parts, without all signatures necessarily having to appear on the same signature page. Moreover, this Declaration of Easement may be signed in one or more counterparts, and each of which shall be deemed an original. This Declaration of Easement contained herein, however, is effective forthwith.

IN WITNESS WHEREOF, both parties have executed this Declaration of Easement as of the day and year indicated below and it shall be effective as of the date indicated herein.

VALIANT IDAHO II, LLC



By: William Haberman

Its: Manager

Date: 10/9/23

ROCK CHALK LENDERS, LLC

By: Kevin Pritchard

Its: Managing Member

Date: \_\_\_\_\_

IDAHO DEPARTMENT OF LANDS

MAY 13 2024

PEND OREILLE LAKE AREA

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IN WITNESS WHEREOF, both parties have executed this Declaration of Easement as of the day and year indicated below and it shall be effective as of the date indicated herein.

**VALIANT IDAHO II, LLC**

By: William Haberman  
Its: Manager

Date: \_\_\_\_\_

**ROCK CHALK LENDERS, LLC**

  
By: Kevin Pritchard  
Its: Managing Member

Date: 10/9/23

STATE OF Idaho )  
COUNTY OF BONNER ) : ss.

On this 9 day of October, 2023, before me MARISA RAINS, the undersigned Notary Public, personally appeared William Haberman, known or identified to me to be the Manager of Valiant Idaho II, LLC, the person who executed the instrument on behalf of said limited liability company as manager.



Marisa Rains  
Notary Public for

Residing at BONNER ID  
Commission Expires: 12/21/2027

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ ) : ss.

On this \_\_\_\_ day of October, 2023, before me \_\_\_\_\_, the undersigned Notary Public, personally appeared Kevin Pritchard, known or identified to me to be the Managing Member of Rock Chalk Lenders, LLC, the person who executed the instrument on behalf of said limited liability company as managing member.

(SEAL)

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

Residing at \_\_\_\_\_  
Commission Expires: \_\_\_\_\_

IDAHO DEPARTMENT OF LANDS

MAY 13 2024

PEND OREILLE LAKE AREA

STATE OF \_\_\_\_\_)

: ss.

COUNTY OF \_\_\_\_\_)

On this \_\_\_\_ day of October, 2023, before me \_\_\_\_\_, the undersigned Notary Public, personally appeared William Haberman, known or identified to me to be the Manager of Valiant Idaho II, LLC, the person who executed the instrument on behalf of said limited liability company as manager.

(SEAL)

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

Residing at \_\_\_\_\_  
Commission Expires: \_\_\_\_\_

STATE OF Indiana )

: ss.

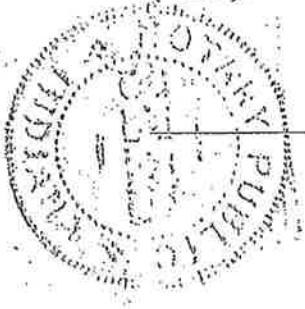
COUNTY OF Marion )

On this 9 day of October, 2023, before me \_\_\_\_\_, the undersigned Notary Public, personally appeared Kevin Pritchard, known or identified to me to be the Managing Member of Rock Chalk Lenders, LLC, the person who executed the instrument on behalf of said limited liability company as managing member.

(SEAL)

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

Residing at 125 S. Pennsylvania, Indpls In  
Commission Expires: 6/24/24



IDAHO DEPARTMENT OF LANDS

MAY 13 2024

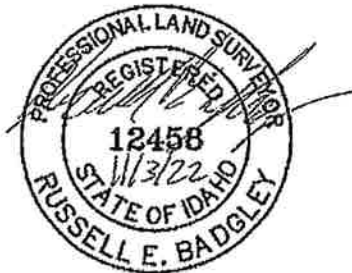
PEND OREILLE LAKE AREA

**EXHIBIT "A"**

That portion of Lots 1 and 2 of the plat of The Idaho Club North Lake, Bk. 13, Pg. 42, located in Sections 16 and 17, Township 57 North, Range 1 East, Boise Meridian, Bonner County, Idaho, more particularly described as follows:

**BEGINNING** at the Southeast Corner of said Lot 2;  
thence along the South line of said Lot 2 S67°07'55"W, 72.00 feet;  
thence N23°01'14"W, 52.86 feet;  
thence S66°58'46"W, 36.00 feet;  
thence N23°01'14"W, 60.00 feet;  
thence N66°58'46"E, 36.00 feet;  
thence N23°01'14"W, 528.32 feet;  
thence N66°58'46"E, 20.00 feet;  
thence N23°01'14"W, 130.00 feet;  
thence S66°58'46"W, 10.07 feet;  
thence 34.09 feet along a 20.00 foot radius non-tangent curve to the left, having a central angle of 97°40'01", with a chord bearing N76°32'52"W, 30.11 feet;  
thence 111.15 feet along a 60.00 foot radius curve to the right, having a central angle of 106°08'30", with a chord bearing N72°18'37"W, 95.93 feet;  
thence 20.36 feet along a 20 foot radius curve to the left, having a central angle of 58°19'54", with a chord bearing N48°24'19"W, 19.49 feet;  
thence N77°34'17"W, 42.14 feet;  
thence N8°15'43"W, 13.50 feet;  
thence N69°15'40"E, 32.24 feet;  
thence N49°35'49"E, 4.32 feet;  
thence N36°38'21"W, 32.59 feet;  
thence N28°37'45"E, 8.25 feet to the North line of said Lot 1;  
thence along said North line S88°05'38"E, 179.86 feet to the Northeast Corner of said Lot 1;  
thence along the East line of said Lot 1 and Lot S23°01'14"E, 867.94 feet to the  
**POINT OF BEGINNING;**

Containing 75,413 square feet or 1.73 acres more or less.



IDAHO DEPARTMENT OF LANDS

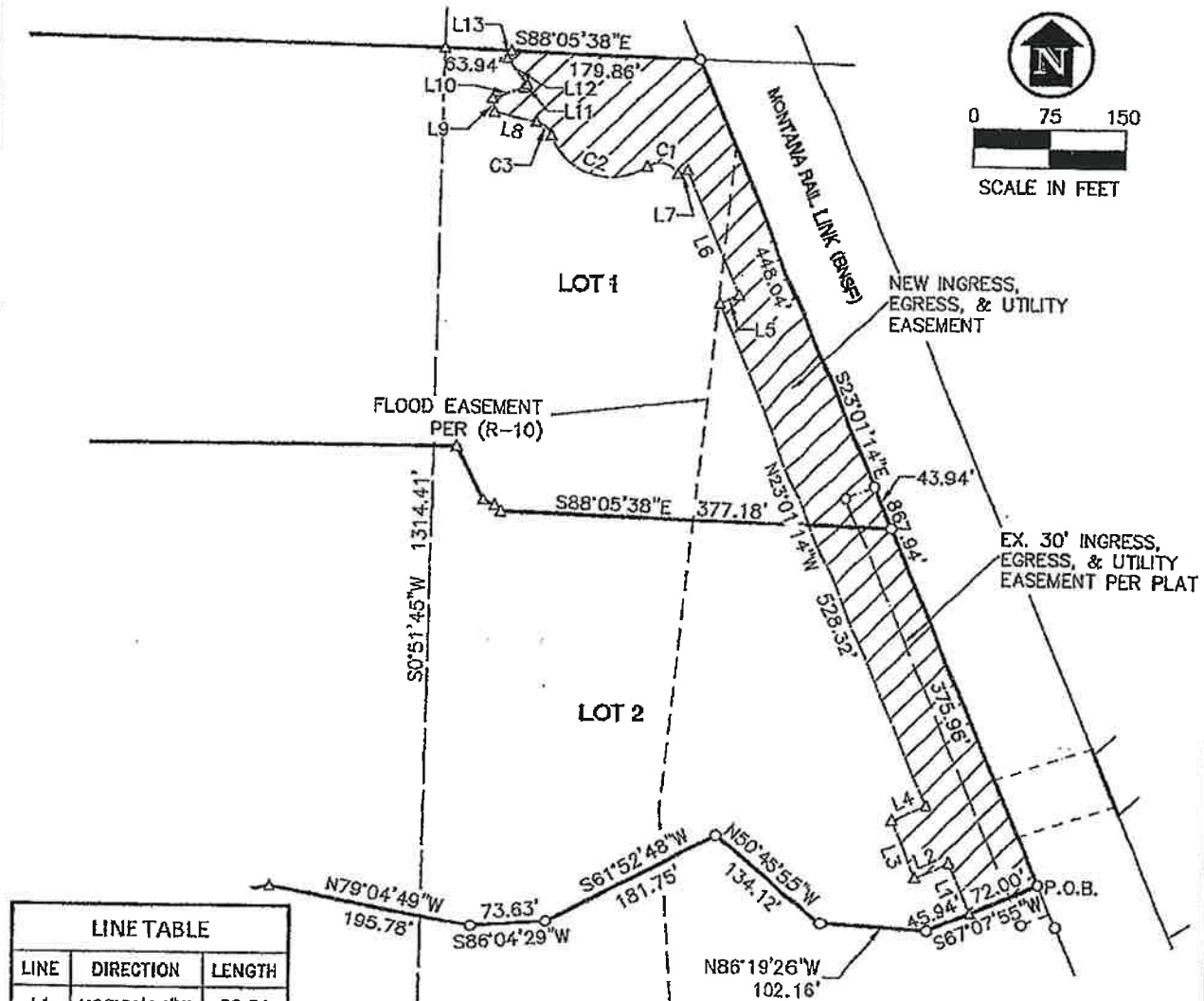
MAY 13 2024

PEND OREILLE LAKE AREA



# EXHIBIT A

LOTS 1 AND 2, THE IDAHO CLUB NORTH LAKE, BOOK 13, PAGE 42  
SECTIONS 16 AND 17, TOWNSHIP 57 NORTH, RANGE 1 EAST, BOISE MERIDIAN, BONNER COUNTY, IDAHO



LINE TABLE

LINE	DIRECTION	LENGTH
L1	N23°01'14"W	52.86
L2	S66°58'46"W	38.00
L3	N23°01'14"W	60.00
L4	N66°58'46"E	36.00
L5	N66°58'46"E	20.00
L6	N23°01'14"W	130.00
L7	S66°58'46"W	10.07
L8	N77°34'17"W	42.14
L9	N8°15'43"W	13.50
L10	N69°15'40"E	32.24
L11	N49°35'49"E	4.32
L12	N36°38'21"W	32.59
L13	N28°37'45"E	8.25

CURVE TABLE

CURVE	LENGTH	RADIUS	DELTA	CHORD
C1	34.09	20.00	97°40'01"	N76°32'52"W 30.11
C2	111.15	60.00	106°08'30"	N72°18'37"W 95.93
C3	20.36	20.00	58°19'54"	N48°24'19"W 19.49



SHEET TITLE:

EXHIBIT "B"



**James A. Sewell and Associates, LLC**

1319 NORTH DIVISION AVENUE  
SANDPOINT, IDAHO 83864, (208) 263-4160

DATE: 11-03-22  
SCALE: 1"=150'  
DRAWN: REB  
CHECKED: REB  
PROJ. NO.: 22043-20-001  
CDD FILE:  
SHEET NO.: 1 OF 1

IDAHO DEPARTMENT OF LANDS

MAY 13 2024

PEND OREILLE LAKE AREA

**EXHIBIT B**

That portion of Lot 3 of the plat of The Idaho Club North Lake, Bk. 13, Pg. 42, located in Sections 16 and 17, Township 57 North, Range 1 East, Boise Meridian, Bonner County, Idaho, lying westerly of the following described line:

**COMMENCING** at the Northeast Corner of said Lot 3; thence along the East line of said Lot 3 S23°01'14"E, 75.00 feet to the **POINT OF BEGINNING**;  
thence S66°05'39"W, 102.14 feet;  
thence S70°35'55"W, 47.49 feet;  
thence S82°00'30"W, 52.51 feet;  
thence N86°53'34"W, 89.17 feet;  
thence S62°38'43"E, 58.83 feet;  
thence S57°26'09"E, 48.33 feet;  
thence S46°30'13"E, 125.86 feet;  
thence S49°05'55"E, 79.14 feet;  
thence S31°00'23"E, 30.00 feet;  
thence S50°38'12"E, 54.55 feet;  
thence S59°29'24"E, 28.03 feet;  
thence S70°03'47"E, 115.32 feet to said East line, and to the **POINT OF ENDING**;

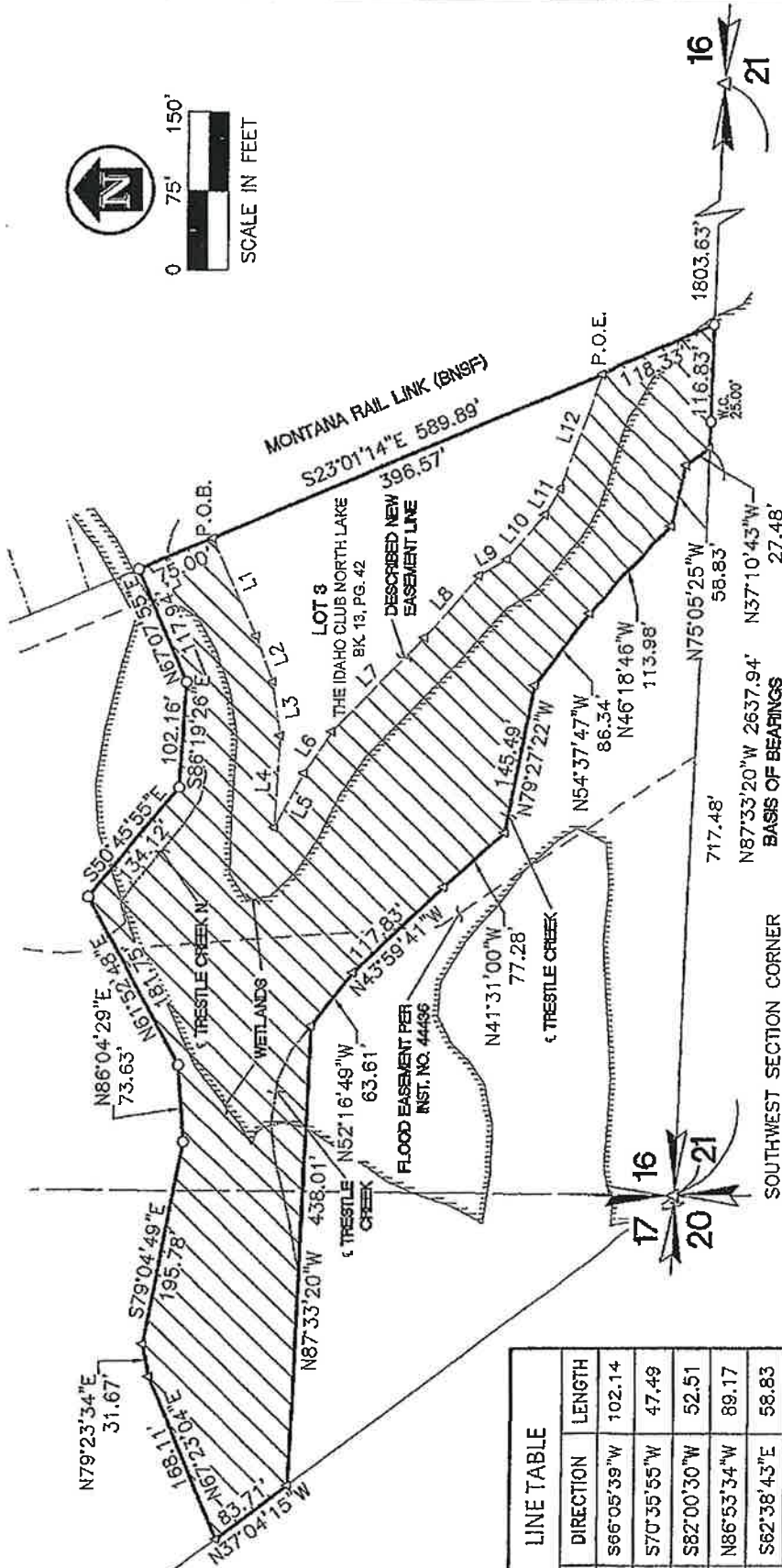
Containing 196,407 square feet or 4.51 acres more or less.



IDAHO DEPARTMENT OF LANDS

MAY 13 2024

PEND OREILLE LAKE AREA



LINE TABLE			
LINE	DIRECTION	LENGTH	
L1	S66°05'39"W	102.14	
L2	S70°35'55"W	47.49	
L3	S82°00'30"W	52.51	
L4	N86°53'34"W	89.17	
L5	S62°38'43"E	58.83	
L6	S57°26'09"E	48.33	
L7	S46°30'13"E	125.86	
L8	S49°05'55"E	79.14	
L9	S31°00'23"E	30.00	
L10	S50°38'12"E	54.55	
L11	S59°29'24"E	28.03	
L12	S70°03'47"E	115.32	

SOUTH 1/4 CORNER  
3.25" U.S.F.S.  
ALUMINUM CAP

SOUTHWEST SECTION CORNER  
2.5" ALUMINUM CAP  
STAMPED "AVK PLS 974"



SHEET TITLE:

EXHIBIT "B"

**James A. Sewell and Associates, LLC**

1319 NORTH DIVISION AVENUE

SANDPOINT, IDAHO 83864, (208) 263-4160

5-4160

5-4160

