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December 13, 1995

Steven J. Schuster
Deputy Attorney General
Department of Lands
State of Idaho
1215 W. State Street
P.O. Box 83720
Boise, Idaho 83720

Re: State of Idaho v. Idaho Forest Industries

Dear Steve:

After our meeting by the Boise River on November 13th, the Board of Directors of the Riverside Village Homeowners Association had an opportunity to review the various issues raised by the possible settlement of the above-entitled litigation.

As a result of the discussion among the board members, we wish to communicate to you and Idaho Forest Industries the association's position with regard to the proposed settlement:

1. It is necessary that Garden City adopt a greenbelt ordinance in order to address the various security and management issues that may arise from the use of the Green Belt. The association would like to work closely with the city to adopt an ordinance that will deal with the various concerns of the association. We feel that it is appropriate that the adoption of the ordinance be a requirement in the settlement stipulation.

2. The association will consider paying for a survey in order to prepare an accurate metes and bounds description for the Green Belt area, with all excess area being conveyed to the association. Obviously, it is necessary for us to know the final terms of the stipulation before we can commit to paying for the survey.

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3. The Green Belt should be for pedestrian traffic only. The intent of the Green Belt should be to provide a naturalistic Green Belt free of vehicle and bicycle traffic. This seems to be particularly appropriate since the Green Belt located south of the Boise River is specifically designed for bicycle and other types of non-pedestrian transportation. Riparian and nesting areas must remain as undisturbed as possible.

4. The gravel portion of the Green Belt would not exceed 8' and we presume that the association would have the right to participate with the other parties in deciding the exact location of the Green Belt and its dimensions.


5. The final settlement stipulation should also make it clear that the Garden City will maintain the Green Belt at its own expense and will provide adequate police protection to the extent reasonably necessary.

In the event additional matters arise between now and the final settlement, we will notify you of any additional conditions which the association feels are important. Nevertheless, please be assured of the association's continued desire to work with the State of Idaho, Garden City, and Idaho Forest Industries in resolving the litigation on a mutually satisfactory basis.

Yours truly,

DAVISON, COPPLE, COPPLE & COPPLE

By: _____


Terry C. Copple

TCC/dlg

c: Stephen R. Thomas, Esq.
John G. Evans

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