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BEFORE THE STATE DEPARTMENT OF EDUCATION

In RE: Boundary Change Between	)	<b>SUPERINTENDENT OF PUBLIC</b>
	)	<b>INSTRUCTION'S ORDER</b>
Independent School District of Boise City No. 1	)	<b>UNDER SECTION 33-307,</b>
	)	<b>IDAHO CODE, FOR</b>
And	)	<b>ALTERATION OF SCHOOL</b>
	)	<b>DISTRICT BOUNDARIES</b>
Meridian Joint School District No. 2	)	
_____	)	

1. Independent School District of Boise City No. 1 initially petitioned pursuant to Section 33-308, Idaho Code, for the excision from that district and the annexation to Meridian Joint School District No. 2 of certain lands in the Avimor subdivision development so that patrons moving to the Avimor development would be served by a single district.

2. The Petition was assigned to a hearing officer, who conduct a hearing and who, on May 29, 2009, entered Findings of Fact, Conclusions of Law and Recommended Order.

3. On August 20, 2009, the Idaho State Board of Education approved the excision and annexation.

4. Subsequent to the State Board of Education's approval of the excision and annexation, Independent School District of Boise City No. 1 informed the Elections Division of the Ada County Clerk's Office of the State Board's action in order to initiate the conducting of an election.

5. On September 11, 2009, prior to the conducting of any election, Independent School District of Boise filed with the Idaho State Department of Education a Petition for Reconsideration of its original Petition on the grounds that the proposed boundary change should proceed under Section 33-307, Idaho Code, which does not required an election, rather than Section 33-308, Idaho Code, which does require an election, since there were no persons residing in the affected area and,

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thus, no persons who could qualify to vote were the district to hold an election.

6. Simultaneous with the filing of its Petition for Reconsideration, Independent School District of Boise City No. 1 informed the Ada County Clerk in writing of its Petition for Reconsideration and requested that the Clerk stop all activities and preparations for a boundary election.

7. On October 15, 2009, the Petition for Reconsideration and supporting evidence came before the State Board of Education, which found that the Petition for Reconsideration to be in the best interest of the school children who would reside in the affected areas of each district and which approved the excision of the property at issue from Independent School District of Boise City No. 1 and its annexation to Meridian School District No. 2 under Section 33-307, Idaho Code.

THEREFORE, IT IS HEREBY ORDERED THAT:

1. That the following property (Avimor Parcel 1) be excised from Independent School District of Boise City No. 1 and annexed to Meridian Joint School District No. 2:

A parcel of land situated the north half of Section 19, Township 5 North, Range 2 East, Boise Meridian, Ada County, Idaho; being those portions of Lots 2 and 13, Block 1, Avimor Subdivision No. 1, Book 100 of Plats at Pages 13049 through 13069, records of Ada County, lying in said Section 19; and being more particularly described as follows:

Commencing at a brass cap marking the north quarter-section corner of Section 19, Township 5 North, Range 2 East, Boise Meridian, the POINT OF BEGINNING:

Thence S87°17'17"E, 522, 86 feet along the north line of Section 19 to the boundary of Avimor Subdivision No. 1;

Thence S02°42'43"W, 330.00 feet along the boundary of Avimor Subdivision No. 1;

Thence N87°17'17"W, 919.72 feet along the boundary of Avimor Subdivision No. 1 to the easterly right-of-way line of N. Horseshoe Bend Road (SH-55);

Thence 238.92 feet on a non-tangent curve to the left, concave westerly, having a radius of 1225.92 feet, a central angle of 11°09'58", a chord bearing of N02°39'30"E, and a chord length of 238.54 feet, along the easterly right-of-way line of N. Horseshoe Bend Road (SH-55) and the boundary of Avimor Subdivision No. 1;

Thence S87°04'31"W, 15.00 feet along the easterly right-of-way line of N. Horseshoe Bend Road (SH-55) and the boundary of Avimor Subdivision No. 1;

Thence 93.78 feet on a non-tangent curve to the left, concave westerly, *(a 65-foot offset of a spiral curve to the left having a radius of 1145.92 feet, a deflection angle of 6°15', an arc length of 250.00 feet, a chord bearing of N7°05'29"W, and a chord length of 249.87 feet, as shown on State of Idaho Department of Highways construction plans for Federal Aid Project No. F-3271 (9))* having a chord bearing of N04°53'28"W, and a chord length of 93.76 feet, along the easterly right-of-way of N. Horseshoe Bend Road (SH-55) and the boundary of Avimor Subdivision No. 1 to the north line of Section 19;

Thence S87°17'17"E, 424.41 feet along the north line of Section 19 to the POINT OF BEGINNING.

The above-described parcel contains 6.99 acres, more or less.

2. That the following property (Avimor Parcel 2) be excised from Independent School District of Boise City No. 1 and annexed to Meridian Joint School District No. 2:

The southeast quarter of the southwest quarter of Section 17, Township 5 North, Range 2 East, Boise Meridian;

AND the northwest quarter of the southwest quarter of Section 17, Township 5 North, Range 2 East, Boise Meridian;

AND the southwest quarter of the southwest quarter of Section 17, Township 5 North, Range 2 East, Boise Meridian, INCLUDING those portions within Avimor Subdivision No. 1, Book 100 of Plats at Pages 13049 through 13069, records of Ada County;

AND the northwest quarter of the northwest quarter of Section 17, Township 5 North, Range 2 East, Boise Meridian;

AND the southwest quarter of the northwest quarter of Section 17, Township 5 North, Range 2 East, Boise Meridian;

AND the northwest quarter of the southwest quarter of Section 8, Township 5 North, Range 2 East, Boise Meridian, lying south of the Ada-Boise County Line;

AND the southwest quarter of the southwest quarter of Section 8, Township 5 North, Range 2 East, Boise Meridian;

AND the southwest quarter of the northwest quarter of Section 8, Township 5 North, Range 2 East, Boise Meridian, lying south of the Ada-Boise County Line.

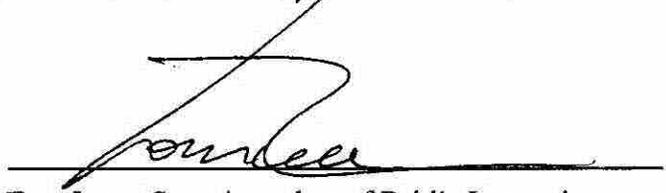
3. The Board of Trustees of Independent School District of Boise City No. 1 and the Board of Trustees of Meridian Joint School District No. 2 shall notify the Idaho State Tax Commission and the Ada County Assessor and the Ada County Recorder, in accordance with the provisions of Section 63-215, Idaho Code, of the alteration pursuant to this Order of the districts' boundaries.

4. This Order is effective as of October 15, 2009.

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DATED this 2 day of November, 2009.



Tom Luna, Superintendent of Public Instruction  
State Department of Education

**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that on this 3<sup>RD</sup> day of November, 2009, I caused a true and correct copy of the foregoing SUPERINTENDENT OF PUBLIC INSTRUCTION'S ORDER UNDER SECTION 33-307, IDAHO CODE, FOR ALTERATION OF SCHOOL DISTRICT BOUNDARIES to be forwarded with all required charges prepaid, by the method(s) indicated below, to the following person(s).

**Dr. Stan Olson**  
**Superintendent, Boise School District**  
**8169 West Victory Road**  
**Boise, ID 83709**

Hand Delivered  
 U.S. Mail  
 Certified Mail (# 7003 0500 0003 1874 9586)  
 Facsimile

**AJ Balukoff**  
**President, Boise School District Board of Trustees**  
**4621 Hillcrest View**  
**Boise, ID 83705**

Hand Delivered  
 U.S. Mail  
 Certified Mail (# 7003 0500 0003 1874 9593)  
 Facsimile

**Dr. Linda Clark**  
**Superintendent, Meridian Joint School District**  
**1303 E Central Drive**  
**Meridian, ID 83642**

Hand Delivered  
 U.S. Mail  
 Certified Mail (# 7003 0500 0003 1874 9609)  
 Facsimile

**Mike Vuittonet**  
**Chairman, Meridian Joint School District Board of Trustees**  
**1303 E Central Drive**  
**Meridian, ID 83642**

Hand Delivered  
 U.S. Mail  
 Certified Mail (# 7003 0500 0003 1874 9616)  
 Facsimile

**Dan Skinner**  
**Cantrill, Skinner, Sullivan & King, LLP**  
**P.O. Box 359**  
**Boise, ID 83701**

Hand Delivered  
 U.S. Mail  
 Certified Mail (# 7003 0500 0003 1874 9623)  
 Facsimile



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Camille Wells, Program Specialist  
State Department of Education

**Boundary Description  
Avimor Parcel 1  
Boise – Meridian School District Exchange**

A parcel of land situated the north half of Section 19, Township 5 North, Range 2 East, Boise Meridian, Ada County, Idaho; being those portions of Lots 2 and 13, Block 1, Avimor Subdivision No. 1, Book 100 of Plats at Pages 13049 through 13069, records of Ada County, lying in said Section 19; and being more particularly described as follows:

Commencing at a brass cap marking the north quarter-section corner of Section 19, Township 5 North, Range 2 East, Boise Meridian, the POINT OF BEGINNING:

Thence  $S87^{\circ}17'17''E$ , 522.86 feet along the north line of Section 19 to the boundary of Avimor Subdivision No. 1;

Thence  $S02^{\circ}42'43''W$ , 330.00 feet along the boundary of Avimor Subdivision No. 1;

Thence  $N87^{\circ}17'17''W$ , 919.72 feet along the boundary of Avimor Subdivision No. 1 to the easterly right-of-way line of N. Horseshoe Bend Road (SH-55);

Thence 238.92 feet on a non-tangent curve to the left, concave westerly, having a radius of 1225.92 feet, a central angle of  $11^{\circ}09'58''$ , a chord bearing of  $N02^{\circ}39'30''E$ , and a chord length of 238.54 feet, along the easterly right-of-way line of N. Horseshoe Bend Road (SH-55) and the boundary of Avimor Subdivision No. 1;

Thence  $S87^{\circ}04'31''W$ , 15.00 feet along the easterly right-of-way line of N. Horseshoe Bend Road (SH-55) and the boundary of Avimor Subdivision No. 1;

Thence 93.78 feet on a non-tangent curve to the left, concave westerly, (a 65-foot offset of a spiral curve to the left having a radius of 1145.92 feet, a deflection angle of  $6^{\circ}15'$ , an arc length of 250.00 feet, a chord bearing of  $N7^{\circ}05'29''W$ , and a chord length of 249.87 feet, as shown on State of Idaho Department of Highways construction plans for Federal Aid Project No. F-3271 (9)) having a chord bearing of  $N04^{\circ}53'28''W$ , and a chord length of 93.76 feet, along the easterly right-of-way of N. Horseshoe Bend Road (SH-55) and the boundary of Avimor Subdivision No. 1 to the north line of Section 19;

Thence  $S87^{\circ}17'17''E$ , 424.41 feet along the north line of Section 19 to the POINT OF BEGINNING.

The above-described parcel contains 6.99 acres, more or less.



LAND  
PLANNING



CIVIL  
ENGINEERING



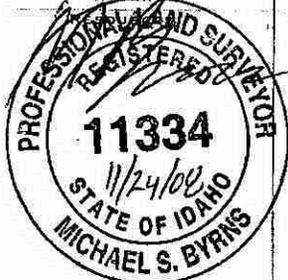
LANDSCAPE  
ARCHITECTURE



LAND  
SURVEY



WATER



1173 East Winding Creek Drive  
Eagle, ID  
83616

PH 208/246.8300  
FX 208/246.8320

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**Boundary Description**  
**Avimor Parcel 2**  
**Boise – Meridian School District Exchange**

The southeast quarter of the southwest quarter of Section 17, Township 5 North, Range 2 East, Boise Meridian;

AND the northwest quarter of the southwest quarter of Section 17, Township 5 North, Range 2 East, Boise Meridian;

AND the southwest quarter of the southwest quarter of Section 17, Township 5 North, Range 2 East, Boise Meridian, INCLUDING those portions within Avimor Subdivision No. 1, Book 100 of Plats at Pages 13049 through 13069, records of Ada County;

AND the northwest quarter of the northwest quarter of Section 17, Township 5 North, Range 2 East, Boise Meridian;

AND the southwest quarter of the northwest quarter of Section 17, Township 5 North, Range 2 East, Boise Meridian;

AND the northwest quarter of the southwest quarter of Section 8, Township 5 North, Range 2 East, Boise Meridian, lying south of the Ada-Boise County Line;

AND the southwest quarter of the southwest quarter of Section 8, Township 5 North, Range 2 East, Boise Meridian;

AND the southwest quarter of the northwest quarter of Section 8, Township 5 North, Range 2 East, Boise Meridian, lying south of the Ada-Boise County Line.

The above-described parcel contains 285 acres, more or less.



LAND  
PLANNING



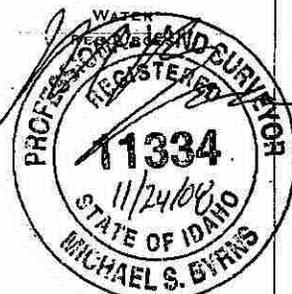
CIVIL  
ENGINEERING



LANDSCAPE  
ARCHITECTURE



LAND  
SURVEY

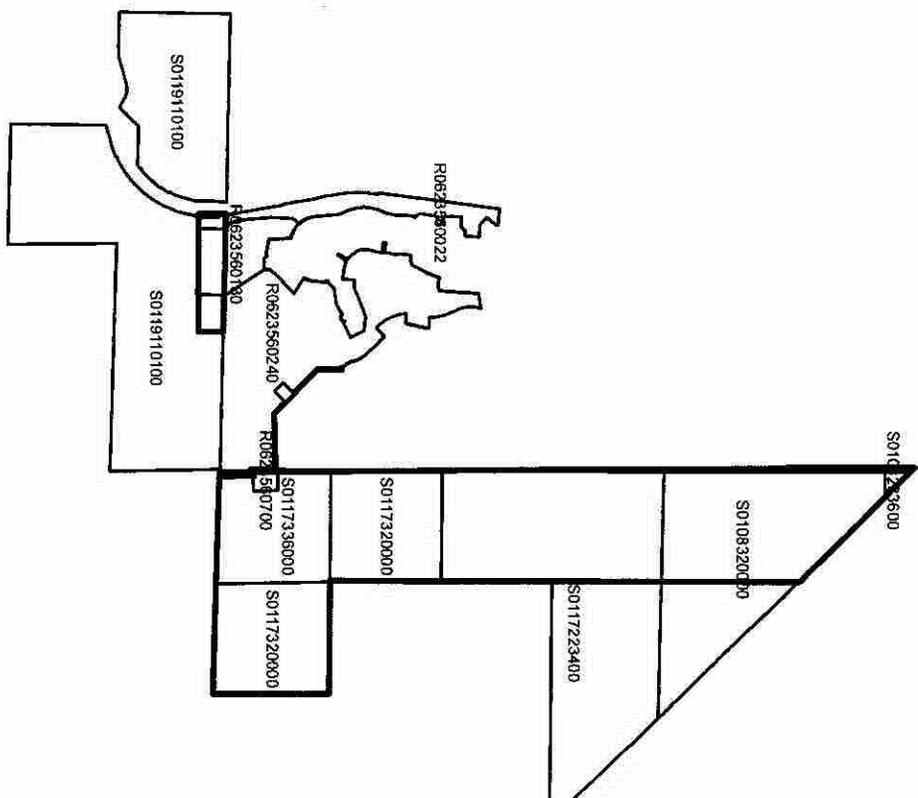


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