

162

BEFORE THE ELMORE COUNTY BOARD OF COUNTY COMMISSIONERS
PUBLIC ELECTION TO DISSOLVE TIPANUK RURAL FIRE PROTECTION
DISTRICT

ELMORE COUNTY, IDAHO

FINDINGS OF FACT AND ORDER
FOLLOWING PUBLIC ELECTION TO DISSOLVE THE TIPANUK RURAL
FIRE PROTECTION DISTRICT

WHEREAS, A petition to dissolve the Tipanuk Rural Fire Protection District has been presented to the Elmore County Board of Commissioners ("Board"). The Board having examined the petition and, finding it to be in proper form and containing sufficient signatures, held a public hearing on February 9, 2009, pursuant to Idaho Code Section 31-1434, issued its finding of fact and order ("Order") on March 11, 2009, and ordered an election to be held on May 26, 2009, in which qualified electors who are residents of the Tipanuk Rural Fire Protection District will be able to vote to determine whether the fire protection district shall be maintained or dissolved.

WHEREAS, the district boundaries and legal description are attached to this Findings of Fact and Order Following Public Election to Dissolve the Tipanuke Rural Fire Protection District ("Findings of Fact and Order").

WHEREAS, following receipt of the Order, the Elmore County Clerk caused a notice of election to be held in the Tipanuk Rural Fire Protection District for the purpose of determining whether or not the Tipanuk Rural Fire Protection District shall be dissolved. Such notice designated the boundaries of the Tipanuk Rural Fire Protection District and was published in the Mountain Home News, a newspaper published within the county in which said district is situated, on May 6, May 13 and May 20, 2009.

WHEREAS, on May 26, 2009, the Elmore County Clerk held an election for qualified voters located with in the Tipanuk Rural Fire Protection District for the purpose of determining whether or not the Tipanuk Rural Fire Protection District shall be maintained or dissolved.

WHEREAS, the election ballot read as follows:

- Yes, I want to dissolve the Tipanuk Rural Fire Protection District
- No, I do not want to dissolve the Tipanuk Rural Fire Protection District.

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JUL 27 2009

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TECHNICAL SUPPORT

(162)

WHEREAS, on July 8, 2009 the Elmore County Clerk and the Elmore County Assessor, certified that all of the persons casting ballots in the election were residents of the Tipanuk Rural Fire Protection District and otherwise complied with the requirements set forth in Idaho Code § 31-1406 and 31-1407.

WHEREAS, the Elmore County Clerk on May 29, 2009 certified that there were 73 total ballots cast with 62 voting yes to dissolve the Tipanuk Rural Fire Protection District and 11 ballots cast voting no to dissolve the Tipanuk Rural Fire Protection District.

NOW THEREFORE, in accordance with I.C. § 31-1434, the Board makes the following findings of fact:

1. The notice of election was duly given as it: 1) stated the purpose of the election was to determine whether or not to dissolve the Tipanuk Rural Fire Protection District; 2) plainly and clearly designated the boundaries of the Tipanuk Rural Fire Protection District; 3) was published once in each week for three successive publications prior to such election in a newspaper published within the Tipanuk Rural Fire Protection District.
2. The ballot by containing the words "yes, I want to dissolve the Tipanuk Rural Fire Protection District" and "no, I do not want to dissolve the Tipanuk Rural Fire Protection District" complied with the requirements of I.C. § 31-1434.
3. All voters in the election were qualified electors and residents of the Tipanuk Rural Fire Protection District.
4. The election qualifications of electors and canvass of ballots complies with Idaho Code § 31-1406 and 31-1407.
5. The Board determined that 62 votes cast in favor of dissolution of the Tipanuk Rural Fire Protection District out of 73 total ballots casts (85%) is a majority of those electors voting to be in favor of dissolving the Tipanuk Rural Fire Protection District.

BASED ON THE FOREGOING FINDINGS OF FACT, the Board enters the following Order:

Upon execution of these Findings of Fact and Order, the Tipanuk Rural Fire Protection District shall be dissolved effective December 31, 2009.

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APPROVAL OF ORDER

The Elmore County Board of County Commissioners hereby adopts and approves the findings of fact and order herein.

ROLL CALL

COMMISSIONER ROSE	VOTED	<i>Cye</i>
COMMISSIONER CRUSER	VOTED	<i>Alge</i>
COMMISSIONER SHAW	VOTED	<i>Alge</i>

ATTEST:

Marsa Plummer

Marsa Plummer, Elmore County Clerk



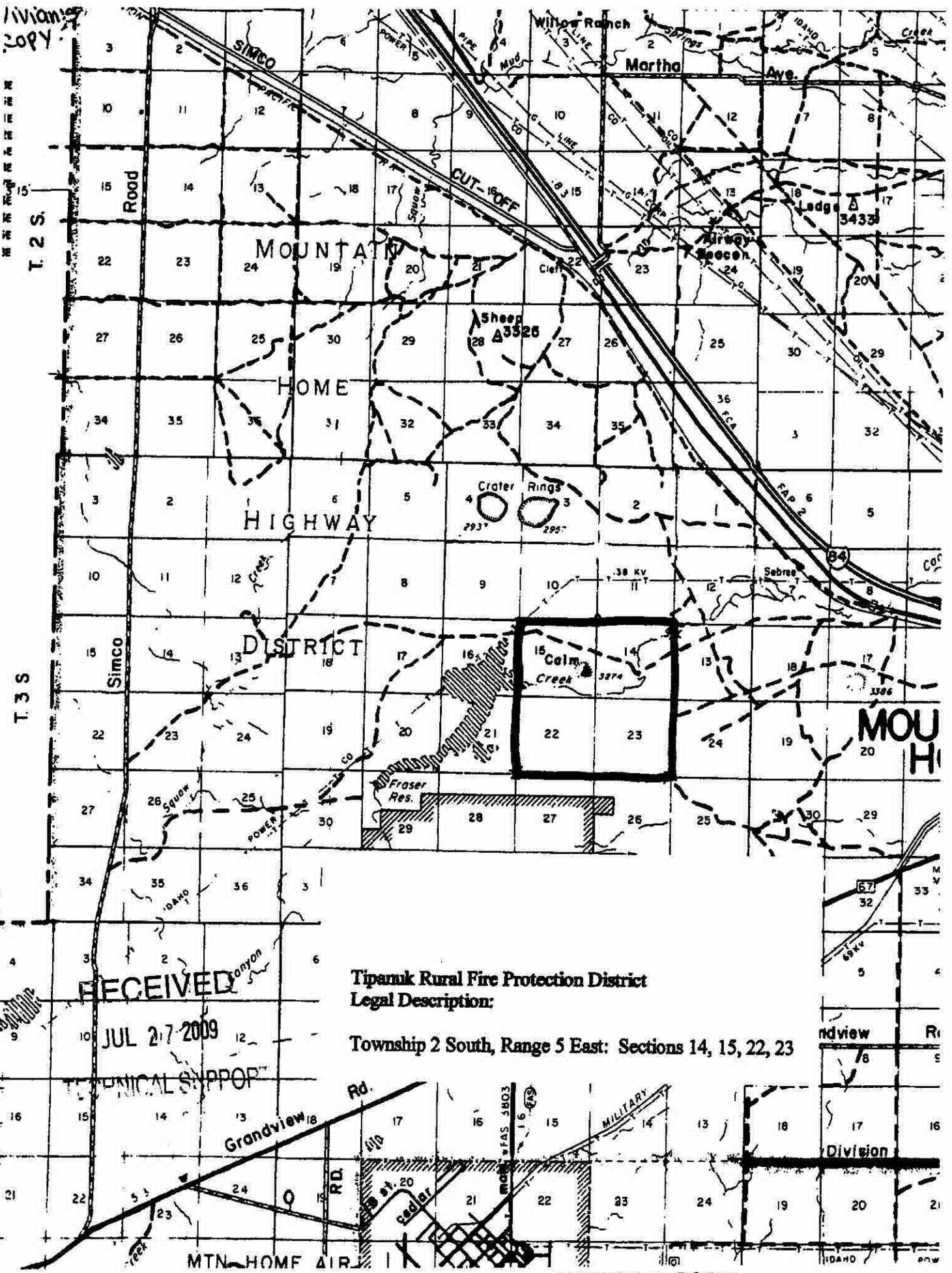
STATE OF IDAHO)
COUNTY OF ELMORE) ss
I hereby certify that this instrument is a true and correct copy of the original now on file or of record in this office.
Dated July 14, 2009
MARSALUMMER, CLERK
Deputy Auditor and Recorder
By *[Signature]* Deputy



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TECHNICAL SUPPORT

Tipamuk Rural Fire Protection District
Legal Description:

Township 2 South, Range 5 East: Sections 14, 15, 22, 23

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Ordinance Tipanuk Creation

56

162

4

From: 4
To: 55

1:24000

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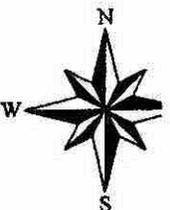
JUL 27 2009

TECHNICAL SERVICES

Elmore County
Tipanuk Fire Protection
Ordinance Tipanuk Creation, 12/31/07
Sec 14-15, 22-23 T2S R5E BM

Legend

-  Tipanuk Creation
-  Parcels
-  Tax Code Area



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[this document along with the map and legal description needs to be recorded in the county land records]