

**Minutes of Meeting
June 30, 2009
2:00 p.m.**

The Kootenai County Board of Commissioners, Chairman Currie, Commissioner Piazza and Commissioner Tondee met in continuation of the regular meeting of the second Monday of June, with Deputy Clerk Teri Johnston present. Also present was Civil Deputy Prosecuting Attorney Jethelyn Harrington.

Fire District Annexation/Waldo/Kootenai County Fire & Rescue

The Board met to consider a Petition for Annexation submitted by Kootenai County Fire & Rescue for Richard and Carol Waldo. The petitioners are requesting annexation of two parcels of real property identified as Parcel Nos. 3520 and 3600 located in Section 30, Township 51 North, Range 5 WBM, approximately 30 acres in size into the Kootenai County Fire & Rescue District. Pursuant to Idaho Code 31-1411, proper legal notice was given, and on June 8, 2009 at 6 p.m., the Board of Commissioners of the Fire District conducted a public hearing in which the Petition for Annexation was unanimously approved. Prosecuting Attorney's Office, Civil Division has reviewed the Petition and finds it legally sufficient for its intended purpose.

Commissioner Piazza moved that the Board approve the Petition. Commissioner Tondee seconded the motion.

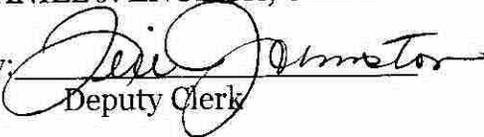
There being no discussion, Deputy Clerk Teri Johnston called the roll:

Commissioner Tondee: Aye
Commissioner Piazza: Aye
Chairman Currie: Aye

The motion carried.

Respectfully submitted,

DANIEL J. ENGLISH, CLERK

By: 
Deputy Clerk

C: Auditor; Assessor; Elections; State Tax Commission; Fire District; Petitioners

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THE MATTER OF THE PETITION TO ANNEX)
CERTAIN PROPERTY INTO THE)
KOOTENAI COUNTY FIRE & RESCUE DISTRICT)

ORDER

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A petition has been filed by property owners Richard & Carol Waldo to annex certain real property known as Parcel Nos. 51N05W-30-3600 and 51N05W-30-3520 into the Kootenai County Fire & Rescue District. Notice of said hearing has been given by publication within the District as provided for by law;

The Public Hearing was held on June 8, 2009 at which time the Fire District Commissioners entertained public comment and after having given full consideration to the matter, unanimously approved the petition; and

The Board of Commissioners of Kootenai County Fire & Rescue District has certified the results of said hearings in the form of an Order containing the attached legal description of the property to be annexed to the Kootenai County Fire & Rescue District and has forwarded said order to the County Commissioners of Kootenai County; and

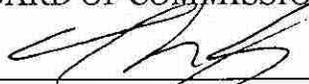
Further, it appears that the Kootenai County Fire & Rescue District has complied with all requirements of the law for annexation of the described real property;

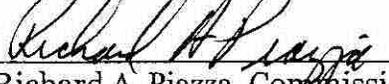
NOW, THEREFORE, IT IS HEREBY ORDERED that the annexation petitioned for by the owners be and hereby is granted.

IT IS FURTHER ORDERED that the boundaries of the Kootenai County Fire & Rescue District be amended so as to include the real property which is described in the attached Exhibit A.

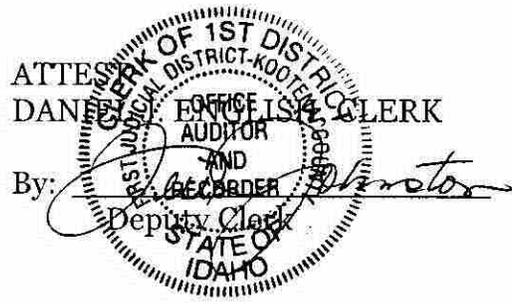
Dated this 30th day of June, 2009 by order of the Kootenai County Board of Commissioners.

KOOTENAI COUNTY
BOARD OF COMMISSIONERS


Elmer R. Currie, Chairman


Richard A. Piazza, Commissioner


W. Todd Tondee, Commissioner



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**DOCUMENTS FOR
ANNEXATION INTO THE
KOOTENAI COUNTY
FIRE & RESCUE DISTRICT**

PROPERTY DESCRIPTIONS FOR ANNEXED PARCEL:

Parcel Description: (approx. 30 Acres) Parcels #3520 & 3600, portions of
Sect 1-2, 3 & 34, Township 51N, Range 05W, Boise Meridian,
Kootenai County, Idaho.

ORIGINAL SIGNATURES

KOOTENAI COUNTY

PROPERTY OWNER:

Richard & Carol Waldo

**DATE OF ANNEXATION
INTO FIRE DISTRICT**

June 8, 2009



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Kootenai County Fire & Rescue

KOOTENAI COUNTY FIRE & RESCUE BOARD OF COMMISSIONERS

P.O. Box 2200
Post Falls, ID 83877
Bus. Tel. (208) 676-8739
Fax # (208) 676-0558
kootenaifire.com

In Re:)
)
)
)

ORDER

On the 8th day of June 2009, at 6:00P.M., the Kootenai County Fire & Rescue District's Board of Commissioners conducted a Public Hearing, after duly advertising and conforming to the requirements of Idaho Code 31-1411, to consider one (1) Petition of a certain property located within the County of Kootenai, to annex real property into the Kootenai County Fire & Rescue District.

The property owner requesting Annexation into the Fire District is: (1) *Petitioner Richard Waldo*, Parcels# 3520 and 3600 for approx. 30 acres that are contiguous to existing Fire District boundaries, located in portions of Government Lots 1-2, Section 30, Township 51 North, Range 5 West, Boise Meridian, Kootenai County, Idaho. The land sought to be annexed is located in Kootenai County, Idaho, and more particularly described on "Petition for Annexation" attached hereto, and by this reference incorporated herein.

The Kootenai County Fire & Rescue District's Board of Commissioners reviewed the "Petition for Annexation," which was found to be conforming with respect to Idaho Code Section 31-1411, entertained public comments at said hearing, and after having given full consideration to the matter, unanimously approved the presented "Petitions for Annexation".

Accordingly, it is hereby ordered by the Kootenai County Fire & Rescue District's Board of Commissioners, that the above-described land/property has been unanimously approved for annexation. It is further ordered, that a certified copy of this Order, along with an accurate and complete legal description of the one (1) annexed property, shall be delivered to the Board of County Commissioners, Kootenai County, State of Idaho, so that the same can be recorded upon the tax rolls of Kootenai County.

DATED this 8th Day of June 2009.

JACKIE L. SHARP
Notary Public
State of Idaho

Keith Hutcheson
Keith Hutcheson-Chairman of the Board
Kootenai County Fire & Rescue

Subscribed and sworn to before me
this 8th day of June 2009 personally
known to me: *Keith Hutcheson, Jack Knox,
Joe Doellefeld, Richard Nordstrom and
Michael Hunt.*

Jack Knox
Jack Knox, Commissioner
Kootenai County Fire & Rescue

Joe Doellefeld
Joe Doellefeld, Commissioner
Kootenai County Fire & Rescue

R.A. Nordstrom
Richard Nordstrom, Commissioner
Kootenai County Fire & Rescue

Michael Hunt
Michael Hunt, Commissioner
Kootenai County Fire & Rescue

Jackie L Sharp
Notary Public for State of Idaho

MY COMMISSION EXPIRES
September 1, 2013
BONDED THRU NOTARY PUBLIC UNDERWRITERS

D reside in Kootenai County, Idaho

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AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Kootenai, } ss.

Kattie Hay

being first duly sworn

upon oath deposes and says:
1. I am now and at all times hereinafter mentioned was a citizen of the United States, resident of the State of Idaho, over the age of twenty-one years and not a party of the above entitled action.

2. I am now and at all times hereinafter mentioned was the printer (principal clerk) of the "Coeur d'Alene Press," a newspaper printed and published daily except Sunday in Coeur d'Alene, Kootenai County, Idaho, and having a general circulation in said county.

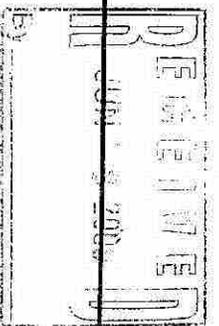
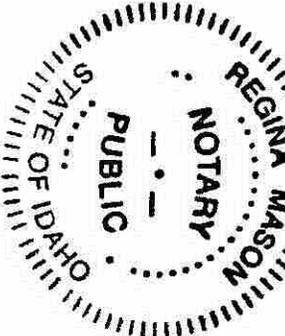
3. The *Legal Notice*

of which the annexed is a printed copy, was published in the regular *Wednesday* issue of said newspaper for *27* *one* day of *May* *consecutive* days *2009*, and ending on the *27* day of *May* *2009* and such publication was made as often during said period as said *Daily* newspaper was regularly issued.

4. That said newspaper has been continuously and uninterruptedly published in said Kootenai County, during a period of more than seventy-eight consecutive weeks immediately prior to the first publication of said notice *Kattie Hay*. On this *27* day of *May* in the year of *2009*, before me, a Notary Public, personally appeared *Kattie Hay*, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Regina Mason
Notary Public for the State of Idaho,
residing at Coeur d'Alene, Idaho.

MY COMMISSION EXPIRES 6/18/15



NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a Public Hearing will be held on June 8, 2009 @6:00pm, at the Kootenai County Fire & Rescue Fire Station #1, location of 404 N. Idaho St., Post Falls, Idaho, for the purpose of considering one (1) parcel for annexation into Kootenai County Fire & Rescue Fire District.

The property owner requesting Annexation into the Fire District is: (1) Petitioner Richard Waldo, Parcel# 3520 and 3600 for approx. 30 acres that are contiguous to existing Fire District boundaries, located in portions of Government Lots 1-2, Section 30, Township 51 North, Range 5 West, Boise Meridian, Kootenai County, Idaho.

Maps and further details are available at Kootenai County Fire & Rescue Administration office, address of 5271 E. Seltice Way, Post Falls, during regular business hours of 8-5pm, Monday thru Friday. The property requesting to be annexed is situated in Kootenai County, State of Idaho.

Any interested person may appear and show cause, if any, why such annexation into the Kootenai County Fire & Rescue District should not be made.

Dated this 27th day of May 2009,
Jackie L. Sharp
District Secretary
Legal 6617
May 27, 2009

Kootenai County Fire & Rescue

Administration Office

P.O. Box 2200
Post Falls, ID 83877
Bus. Ph # (208) 676-8739
Fax # (208) 676-0558

NOTICE OF PUBLIC HEARING

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The property owner requesting Annexation into the Fire District is: (1) *Petitioner Richard Waldo*, Parcels# 3520 and 3600 for approx. 30 acres that are contiguous to existing Fire District boundaries, located in portions of Government Lots 1-2, Section 30, Township 51 North, Range 5 West, Boise Meridian, Kootenai County, Idaho.

Maps and further details are available at Kootenai County Fire & Rescue Administration office, address of 5271 E. Seltice Way, Post Falls, during regular business hours of 8-5pm, Monday thru Friday. The property requesting to be annexed is situated in Kootenai County, State of Idaho.

Any interested person may appear and show cause, if any, why such annexation into the Kootenai County Fire & Rescue District should not be made.

Dated this 27th day of May 2009.

Jackie L. Sharp

Jackie L. Sharp
District Secretary

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Kootenai County Fire & Rescue

Administration Office

P.O. Box 2200
Post Falls, ID 83877
Ph # (208) 676-8739
Fax # (208) 676-0558

PETITION FOR ANNEXATION INTO KOOTENAI COUNTY FIRE & RESCUE

TO: THE COMMISSIONERS OF KOOTENAI COUNTY FIRE & RESCUE

WHEREAS, the Kootenai County Fire & Rescue Fire Protection District is now and has since its inception, been charged with providing fire protection to the property owners within its' designated district bounds; and

WHEREAS, the real property hereinafter described is not within that district but adjoins the same; and

WHEREAS, your Petitioner(s) is/are the legal owner(s) or contract purchaser(s) of all the land described herein below.

NOW, THEREFORE, your Petitioner(s) respectfully submits this Petition in accordance with the provisions of Title 31, Chapter 14, Idaho Code and specifically, Section 31-1411 thereof, requesting that the same be heard to consider the annexation of the following described real property into Kootenai County Fire & Rescue Fire Protection District.

LEGAL DESCRIPTION:

PLEASE PRINT PHYSICAL ADDRESS: (Parcels # 3520 & 3600
for approx. 30 acres, Lots 1-2.) on Beck Rd, Post Falls, ID.

PLEASE PRINT MEETS AND BOUNDS DESCRIPTION: Lot 1 & portion of Lot 2
Section 30, Township 51 North, Range 5 West Boise Meridian, Kootenai
County, Idaho

and upon final hearing thereof, your Petitioner(s) prays that the same be approved and the real property as hereinbefore described be annexed into Kootenai County Fire & Rescue.

Richard & Carol Waldo
Parcels#3520 & 3600
30 acres +
S30,T51N, R5w

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DATED this 20 day of May, 2009.

R.G. Waldo
PETITIONER SIGNATURE

Carol A. Waldo
PETITIONER SIGNATURE

R.G. Waldo
PRINTED NAME

Carol A. Waldo
PRINTED NAME

STATE OF IDAHO)
) SS.

County of Kootenai)

On this 20 day of May, 2009, before me, a Notary Public in and for said state, personally appeared R.G. Waldo (and) Carol A. Waldo known to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

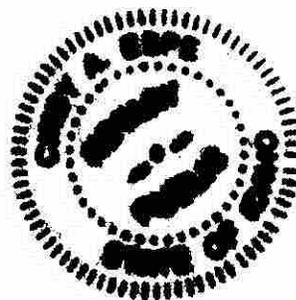
IN WITNESS THEREOF, I have hereunto set my hand and official seal the day and year first above written.

Clara R. Egan
Notary Public for Idaho

Residing at 4617 Deerfield Dr.
Coeur d'Alene, ID 83815

12-10-2009

(Notary Commission Expiration Date)



KOOTENAI COUNTY FIRE & RESCUE:

[Signature] President

[Signature] Commissioner

R.A. Nordstrom Commissioner

[Signature] Commissioner

K Commissioner

ATTEST:
Jackie Sharp
Secretary of Kootenai County Fire & Rescue

STATE OF IDAHO)
) SS.

County of Kootenai)

On this 8th day of June, 2009, before me, a Notary Public in and for said State, personally appeared the Board of Commissioners of Kootenai County Fire & Rescue, a corporation authorized by the laws of the State of Idaho that executed the

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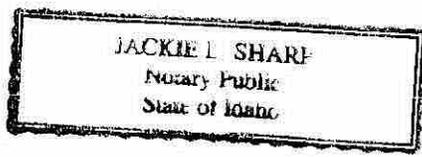
TECHNICAL SUPPORT

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foregoing instrument and acknowledged to me that said corporation authorized by the laws of the State of Idaho executed the same.

IN WITNESS THEREOF, I have hereunto set my hand and official seal the day and year above written.

Jackie L Sharp
Notary Public for Idaho
Residing at Kootenai County, Idaho



MY COMMISSION EXPIRES
(Notary Commission Expiration Date)
BONDED THRU NOTARY PUBLIC UNDERWRITERS

Owner: Richard Waldo
Mailing Address: 27769 W. Highway 53
Post Falls, ID 83854

Phone #: 208-659-2667

Map Property Description Physical Address Mailing Address

DATE OF ANNEXATION: June 8, 2009

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EXHIBIT A

PARCEL I:

That portion of Government Lot 1, lying Southeasterly of a line drawn parallel to and distant 100.0 feet Southeasterly of, as measured at right angles to, the hereinafter described Burlington Northern Railroad Company (formerly Northern Pacific Railway Company) Main Tract centerline in Section 30, Township 51 North, Range 5 West, Boise Meridian, Kootenai County, Idaho.

MAIN TRACT CENTERLINE DESCRIPTION:

COMMENCING at the Southwest corner of Government Lot 2 in Section 30; thence

Northerly along the Westerly line extended of said Government Lot 2, a distance of 1834.0 feet to the **POINT OF BEGINNING** of the main Tract Centerline to be described; thence

Northeasterly deflecting at an angle of 57°35' to the right to the point of intersection with the Northerly line of Government Lot 1 of said Section and there terminating.

EXCEPT Beck Road Right of Way as described in Quitclaim Deed recorded November 5, 1998 as Instrument No. 1562151.

PARCEL II:

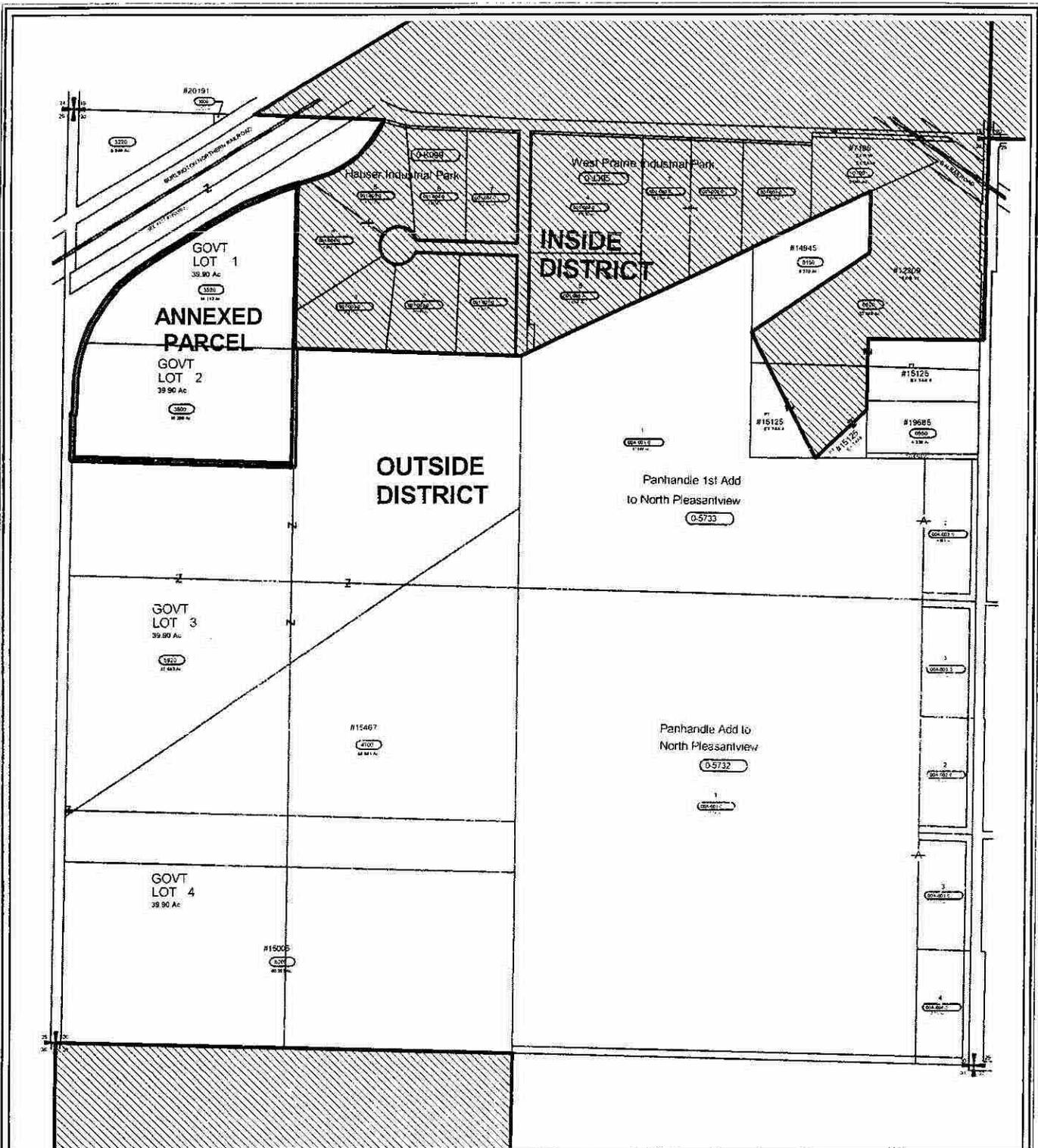
The North half of Government Lot 2, Section 30, Township 51 North, Range 5 West, Boise Meridian, Kootenai County, State of Idaho.

EXCEPT 25 feet for Beck Road, and except Beck Road right of way as described in Quitclaim Deed recorded November 13, 1998 as Instrument No. 1563238.

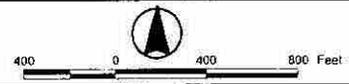
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Annexed Property by parcel ID: 51N05W-30-3520
 51N05W-30-3600
 From TCA 071-000 to TCA 045-000



Annexation Map

Section 30, Township 51N, Range 05 W.B.M.
 District: Kootenai County Fire & Rescue
 BOCC ORDER/ Date:
 Year Effective: 2010

This map is to be used for reference purposes only, and the County is not responsible for any inaccuracies contained herein.

Kootenai County
 Geographic Information Services
 P O Box 9000
 N 451 Government Way
 Coeur d'Alene, ID 83816-9000
 e-mail: kcmag@kcgov.us
 www.kcgov.us

Prepared by: Tony Harbison
 Project Filename: Kootenai_Fire_Rescue_51N05W-30-3520-3600
 Plot File:

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Exhibit A

Property Descriptions for Parcels Annexed into Kootenai County Fire & Rescue on 06/08/09

1. WALDO, RICHARD & CAROL PROPERTY (51N05W-30-3520, TCA 071-000)
TAX #22333 [IN GOVT LT 1]
In Section 30, Township 51 North, Range 5 W.B.M
(see attached metes and bounds description for Tax #)

2. WALDO, RICHARD & CAROL PROPERTY (51N05W-30-3600, TCA 071-000)
TAX #22332 [IN GOVT LTS 1 & 2]
In Section 30, Township 51 North, Range 5 W.B.M
(see attached metes and bounds description for Tax #)

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TAX # 22332 PAGE 1 OF 2
DOCUMENT TYPE QCD FOR BLA
INSTRUMENT # 2207645
RECORDING DATE 04/24/09

A parcel of land located in a portion of Government Lots 1 and 2, Section 30, Township 51 North, Range 5 West, Boise Meridian, Kootenai County, Idaho. More particularly described as follows:

Commencing at the Northwest corner of said Section 30 from which the North Quarter Corner of said Section 30 bears South 88° 26' 42" East, 2588.81 feet; Thence from said point of commencement, South 88° 26' 42" East, 1292.79 feet to the Northeast corner of said Government lot 1; Thence Southerly along the East line of said Government Lot 1, South 00° 18' 47" West, 390.51 feet to a point on the South right-of-way line for Beck Road marked by a 5/8" rebar & cap stamped "RYA PLS 10699". Said point also being the true POINT-OF-BEGINNING for this described parcel of land;

Thence from said true POINT-OF-BEGINNING, Southerly along the said East line of Government Lots 1 and 2, South 00° 18' 47" West, 1594.77 feet to the Southeast corner of the north half of said Government lot 2. Said Southeast corner marked by a 5/8" rebar & cap stamped "RYA PLS 10699";

Thence leaving said East line of Government Lot 2, North 88° 33' 13" West, 1275.92 feet along the south line of said north half of Government lot 2 to a point of intersection with the Easterly right-of-way line for Beck Road as described on the Highway Right-of-Way Plat recorded as Book "H" of plats at Page 2, Kootenai County Records. Said point of intersection marked with a 5/8" rebar & cap stamped "RYA PLS 10699";

Thence Northerly along said platted Easterly right-of-way line the following five courses:

- (1) North 00° 32' 54" East, 260.19 feet to a 2" aluminum cap stamped "RYA PLS 1969;
- (2) South 89° 27' 10" East, 15.03 feet to a 2" aluminum cap stamped "RYA PLS 1969;
- (3) North 00° 32' 56" East, 50.00 feet to a 2" aluminum cap stamped "RYA PLS 1969;
- (4) North 02° 16' 08" East, 160.30 feet to a 2" aluminum cap stamped "RYA PLS 1969, said aluminum cap being the point of curvature of a non-tangent curve, concave to the East, a radius of 860.00 feet, a central angle of 15° 17' 10" and a chord bearing North 13° 24' 37" East, 228.76 feet;
- (5) Northerly along said Platted right-of-way curve, 229.44 feet to a point;

Thence leaving said platted right-of-way, South 88° 33' 20" East, 589.95 feet to a point;

THIS TAX # REPLACES _____
DEPUTY INITIALS JB DATE 06/12/09

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TAX # 22332 PAGE 2 OF 2
DOCUMENT TYPE QCD FOR BLA
INSTRUMENT # 2207645
RECORDING DATE 04/24/09

Thence North $02^{\circ} 52' 37''$ East, 13.40 feet to the point of curvature of a tangent curve, concave to the East, a radius of 1000.00 feet, a central angle of $13^{\circ} 23' 11''$ and a chord bearing North $09^{\circ} 34' 12''$ East, 233.11 feet;

Thence Northerly along said curve, 233.64 feet to a point;

Thence North $16^{\circ} 15' 47''$ East, 152.72 feet to the point of curvature of a tangent curve, concave to the West, a radius of 200.00 feet, a central angle of $48^{\circ} 23' 08''$ and a chord bearing North $07^{\circ} 55' 47''$ West, 163.92 feet;

Thence Northerly along said curve, 168.90 feet to a point;

Thence North $32^{\circ} 07' 21''$ West, 61.22 feet to a point on the aforementioned Platted Easterly right-of-way line for Beck Road;

Thence Northeasterly along said Platted right-of-way, North $58^{\circ} 12' 18''$ East, 111.61 feet to the point of curvature of a tangent curve, concave to the Southeast, a radius of 1928.50 feet, a central angle of $12^{\circ} 29' 04''$ and a chord bearing North $64^{\circ} 26' 50''$ East, 419.38 feet;

Thence Northeasterly along said Platted right-of-way curve, 420.21 feet to a point;

Thence continuing along said Platted right-of-way, North $70^{\circ} 41' 22''$ East, 123.78 feet to the true POINT-OF-BEGINNING for this described parcel of land.



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THIS TAX # REPLACES _____
DEPUTY INITIALS JB DATE 06/12/09

TAX # 22333 PAGE 1 OF 2
DOCUMENT TYPE QCD FOR BLA
INSTRUMENT # 2207646
RECORDING DATE 04/24/09

A parcel of land located in a portion of Government Lot 1, Section 30, Township 51 North, Range 5 West, Boise Meridian, Kootenai County, Idaho. More particularly described as follows:

Commencing at the Northwest corner of said Section 30 from which the North Quarter Corner of said Section 30 bears South 88° 26' 42" East, 2588.81 feet; Thence from said point of commencement, South 88° 26' 42" East, 1292.79 feet to the Northeast corner of said Government lot 1; Thence Southerly along the East line of said Government Lot 1, South 00° 18' 47" West, 390.51 feet to the point of intersection with the South right-of-way line for Beck Road as described on the Highway Right-of-Way Plat recorded as Book "H" of plats at Page 2, Kootenai County records and marked by a 5/8" rebar # cap stamped "RYA PL5 10699"; Thence Southwesterly along said Platted right-of-way line, South 70° 41' 22" West, 123.78 feet to the point of curvature of a tangent curve, concave to the Southeast, a radius of 1928.50 feet a central angle of 12° 29' 04" and a chord bearing South 64° 26' 50" West, 419.38 feet; Thence Southwesterly along said Platted right-of-way curve, 420.21 feet to a point; thence South 58° 12' 18" West, 111.61 feet to the true POINT-OF-BEGINNING for this described parcel of land;

Thence from said true POINT OF BEGINNING, South 32° 07' 21" East, 61.22 feet to the point of curvature of a tangent curve, concave to the West, a radius of 200.00 feet, a central angle of 48° 23' 08" and a chord bearing South 07° 55' 47" East, 163.92;

Thence Southerly along said curve, 168.90 feet to a point;

Thence South 16° 15' 47" West, 152.72 feet to the point of curvature of a tangent curve, concave to the East, a radius of 1000.00 feet, a central angle of 13° 23' 11" and a chord bearing South 09° 34' 12" west, 233.11 feet;

Thence Southerly along said curve, a distance of 233.64 feet to a point;

Thence South 02° 52' 37" West, 13.40 feet to a point;

Thence North 88° 33' 20" West, 589.95 feet to a point on the aforementioned Platted right-of-way line for Beck Road, said point also being the point of curvature of a non-tangent curve, concave to the Southeast, a radius of 860.00 feet, a central angle of 31° 55' 53", and a chord bearing North 37° 01' 09" East, 473.11 feet;

Thence Northeasterly along said Platted right-of-way curve, 479.28 feet to a point;

Thence continuing along said Platted right-of-way line, North 56° 29' 05" East, 160.30 feet to a point;

THIS TAX # REPLACES _____
DEPUTY INITIALS JB DATE 06/12/09

TAX # 22333

PAGE 2 OF 2

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DOCUMENT TYPE

QCD FOR BLA

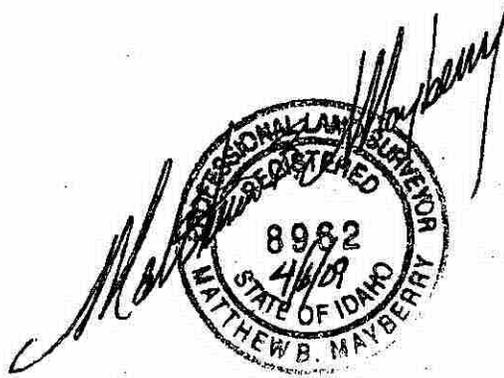
INSTRUMENT #

2207646

RECORDING DATE

04/24/09

Thence North 58°12'18" East, 233.30 feet along said Platted right-of-way to the true POINT-OF-BEGINNING for this described parcel of land;



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DEPUTY INITIALS JB

DATE _____

06/12/09