

**Minutes of Meeting  
November 10, 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 November, with Deputy Clerk Teri Johnston present. Also present was Civil Deputy Prosecuting Attorney John Cafferty.

**Fire District Annexation/Harrington dba WFMS Corporation/  
Kootenai County Fire & Rescue**

The Board met to consider a Petition for Annexation from Patrick Harrington submitted by Kootenai County Fire & Rescue. The petitioner is requesting annexation of a parcel of real property approximately 4.77 acres in size located at 6955 N. Pleasant View Road, Post Falls, Idaho into the Kootenai County Fire & Rescue District. The parcel is within the bounds of Kootenai County, and runs contiguous to the southeast boulder of the District. Pursuant to Idaho Code §31-1411, proper legal notice was given and on October 12, 2009, 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 for Annexation. Commissioner Tondee seconded the motion.

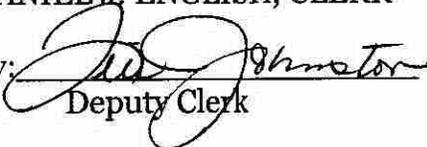
There being no discussion, Deputy Clerk Teri Johnston called the roll:

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

The motion carried.

Respectfully submitted,

DANIEL J. ENGLISH, CLERK

By:   
Deputy Clerk

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

**ORDER**

A petition has been filed by property owner Patrick Harrington, dba WFMS Corporation to annex certain real property known as Parcel No. 51N05W300550 into the Kootenai County Fire & Rescue District. Notice of said hearing has been given by publication within the District on September 30, 2009 as provided for by law;

The Public Hearing was held on October 12, 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 into 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.

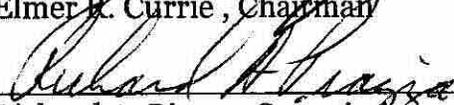
NOW, THEREFORE, IT IS HEREBY ORDERED that the annexation petitioned for by the owners be and hereby is granted.

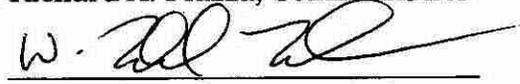
IT IS FURTHER ORDERED that the boundaries of the Kootenai County Fire & Rescue District be amended so as to include the real property which is described in the attached Exhibit A.

Dated this 10<sup>th</sup> day of November, 2009 by order of the Kootenai County Board of Commissioners.

KOOTENAI COUNTY  
BOARD OF COMMISSIONERS

  
Elmer B. Currie, Chairman

  
Richard A. Piazza, Commissioner

  
W. Todd Tondee, Commissioner

CLERK OF 1ST DISTRICT  
JUDICIAL DISTRICT-KOOTENAI CO.  
OFFICE  
AUDITOR  
AND  
RECORDER  
ATTEST:  
DANIEL J. ENGLISH, CLERK

By:   
Deputy Clerk

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DANIEL J. ENGLISH 11P I 2240943000  
KOOTENAI CO. RECORDER Page 1 of 11  
BBB Date 11/13/2009 Time 14:39:24  
REC-REQ OF KC COMMISSIONERS  
RECORDING FEE: 0.00  
2240943000 XK  8

# 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 12th day of October 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 and hear as a consolidated petition for the annexation of approx. 10 contiguous acres belonging to *Petitioners Mike and Barbara Moen*, DBA Panhandle Concrete, located at 6285 N. Pleasant View Rd. Post Falls, ID 83854, Parcel #0573300A0020 for approx. 5.5 acres. The property's legal description is Lot 2, Block A, Section 30, Township 51N, Range 05W, Boise Meridian, Kootenai County, Idaho and Petitioner *Patrick Harrington*, DBA WFMS Corporation, located at 6955 N. Pleasant View Rd. Post Falls, ID 83854, Parcel #51N05W300550, for approx. 4.77 acres that are contiguous to existing Fire District boundaries. The property's legal description is Section 30, Township 51N, Range 05W, Boise Meridian, Kootenai County, Idaho. This property is contiguous with existing Kootenai County Fire & Rescue boundaries.

The consolidated petition for annexation is located in Kootenai County, Idaho, and more particularly described on each of the "Petition for Annexation" for both property owners attached hereto, and by this reference incorporated herein.

The Kootenai County Fire & Rescue District's Board of Commissioners reviewed the consolidated 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 "Petition 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 12<sup>th</sup> Day of October 2009.

Subscribed and sworn to before me  
this 12th day of October personally  
known to me: *Keith Hutcheson, Jack Knox,  
Joe Doellefeld, Richard Nordstrom and  
Michael Hunt.*

JACKIE L. SHARP  
Notary Public  
State of Idaho

*Jackie Sharp*  
Notary Public for State of Idaho  
*Dreside in Kootenai County, Idaho.*

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

*Jack Knox*  
Jack Knox, Commissioner  
Kootenai County Fire & Rescue

*Joe Doellefeld*  
Joe Doellefeld, Commissioner  
Kootenai County Fire & Rescue

*Richard Nordstrom*  
Richard Nordstrom, Commissioner  
Kootenai County Fire & Rescue

*Michael Hunt*  
Michael Hunt, Commissioner  
Kootenai County Fire & Rescue

# 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

**NOTICE IS HEREBY GIVEN** that a Public Hearing will be held on October 12, 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 two (2) parcels for annexation into Kootenai County Fire & Rescue Fire District.

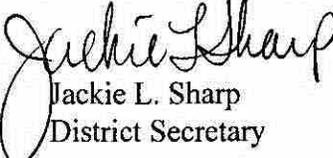
Those property owners requesting Annexation into the Fire District are: (1) *Petitioners* Mike and Barbara Moen, DBA Panhandle Concrete, located at 6285 N. Pleasant View Rd. Post Falls, ID 83854, Parcel #0573300A0020 for approx. 5.5 acres. The property's legal description is Lot 2, Block A, Section 30, Township 51N, Range 05W, Boise Meridian, Kootenai County, Idaho.

(2) Petitioner Patrick Harrington, DBA WFMS Corporation, located at 6955 N. Pleasant View Rd. Post Falls, ID 83854, Parcel #51N05W300550, for approx. 4.77 acres. The property's legal description is Section 30, Township 51N, Range 05W, Boise Meridian, Kootenai County, Idaho. View Rd. This property is contiguous with existing Kootenai County Fire & Rescue boundaries.

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. Both properties to be annexed are situated in Kootenai County, State of Idaho.

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

Dated this 30<sup>th</sup> day of September 2009.

  
Jackie L. Sharp  
District Secretary

# 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:**

6955 N Pleasant View Rd

Post Falls, ID

**PLEASE PRINT MEETS AND BOUNDS DESCRIPTION:**

Parcel # 51N05W300550

4.77 acres

Sec 30, T 51N R 05W

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.

Pleasant View LLC  
Attn: Patrick Harrington  
6041 E. Frazier  
Post Falls, ID 83854

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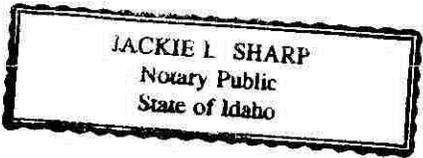
TECHNICAL SUPPORT



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



(Notary Commission Expiration Date)

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

Owner: Pleasant View LLC  
Mailing Address: 6041 E. Frazier  
Post Falls, ID 83854  
  
Phone #: 208-691-6225

Kootenai Co. Assessment    Map    Property Description    Physical Address    Mailing Address    Check

DATE OF ANNEXATION: Oct. 13, 2009

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# AFFIDAVIT OF PUBLICATION

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

Kelli Buley 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.

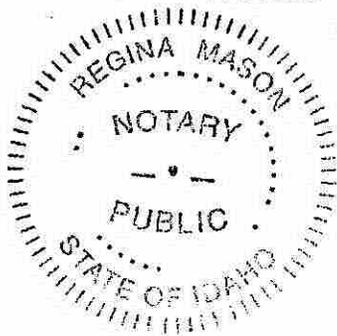
2. I am now and at all times hereinafter mentioned was the printer (principal clerk) of the "Coeur d'Alene Press," a newspaper printed and published daily except Sunday in Coeur d'Alene, Kootenai County, Idaho, and having a general circulation in said county.

3. The Legal Notice

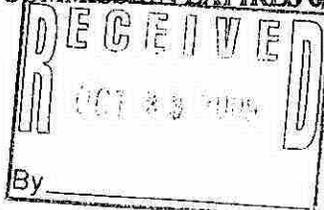
of which the annexed is a printed copy, was published in the regular Wednesday issue of said newspaper for 1 consecutive Day commencing on the 30 day of September 2009 and ending on the 30 day of September 2009 and such publication was made as often during said period as said Daily newspaper was regularly 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 Kelli Buley. On this 30 day of September in the year of 2009, before me, a Notary Public, personally appeared Kelli Buley, 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

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

Dated this 30th day of September 2009.

Jackie L. Sharp  
District Secretary  
Legal 7830

September 30, 2009

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**SECREGATION REVISIONS**

The following table shows the date of the revision, the name of the person who made the revision, and the date of the revision. The date of the revision is the date that the revision was made.

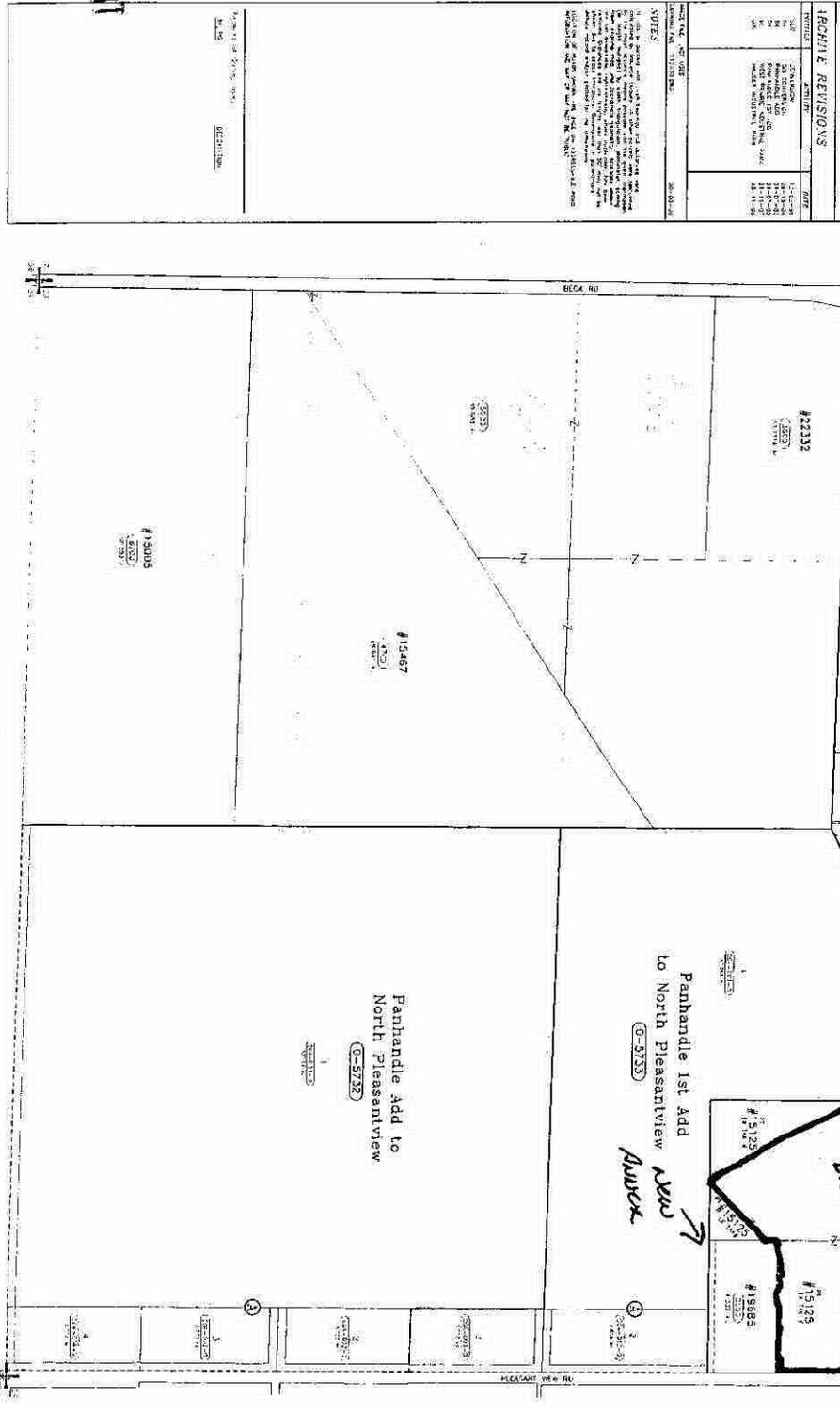
11/27/95	- VMC	Red Pt. Amendment # 1, set at 5105W-13, 5231 and 5232 (24)
12/02/95	- SUW	Red Pt. Amendment # 2, set at 5105W-13, 5231 and 5232 (24)
03/23/99	- SUW	Red Pt. Amendment # 3, set at 5105W-13, 5231 and 5232 (24)
08/16/99	- SUW	Red Pt. Amendment # 4, set at 5105W-13, 5231 and 5232 (24)
10/05/99	- VMC	Red Pt. Amendment # 5, set at 5105W-13, 5231 and 5232 (24)
12/20/99	- SUW	Red Pt. Amendment # 6, set at 5105W-13, 5231 and 5232 (24)
06/19/02	- BE	Red Pt. Amendment # 7, set at 5105W-13, 5231 and 5232 (24)
07/08/02	- BE	Red Pt. Amendment # 8, set at 5105W-13, 5231 and 5232 (24)
08/19/03	- BE	Red Pt. Amendment # 9, set at 5105W-13, 5231 and 5232 (24)
03/12/04	- VMC	Red Pt. Amendment # 10, set at 5105W-13, 5231 and 5232 (24)
04/01/04	- SUW	Red Pt. Amendment # 11, set at 5105W-13, 5231 and 5232 (24)
08/28/04	- SUW	Red Pt. Amendment # 12, set at 5105W-13, 5231 and 5232 (24)
01/07/05	- TH	Red Pt. Amendment # 13, set at 5105W-13, 5231 and 5232 (24)
04/12/06	- BE	Red Pt. Amendment # 14, set at 5105W-13, 5231 and 5232 (24)
01/11/07	- BE	Red Pt. Amendment # 15, set at 5105W-13, 5231 and 5232 (24)
03/11/08	- GAC	Red Pt. Amendment # 16, set at 5105W-13, 5231 and 5232 (24)
07/19/08	- ET	Red Pt. Amendment # 17, set at 5105W-13, 5231 and 5232 (24)
03/02/09	- WMM	Red Pt. Amendment # 18, set at 5105W-13, 5231 and 5232 (24)
08/12/09	- JB	Red Pt. Amendment # 19, set at 5105W-13, 5231 and 5232 (24)

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**NOV 18 2009**  
**TECHNICAL SUPPORT**

**LEGEND**

REVISIONS

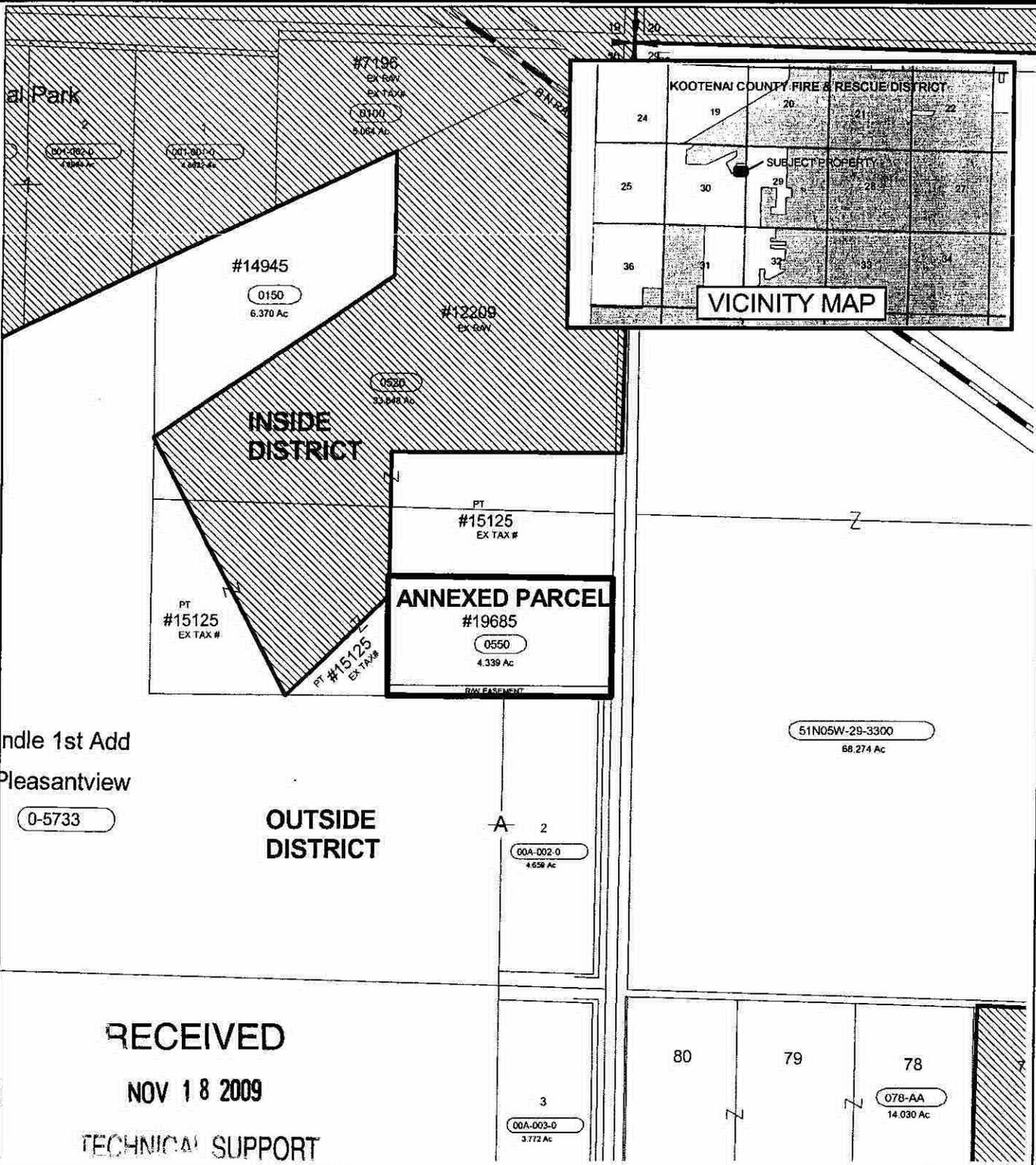
NO.	DATE	BY	DESCRIPTION
1	11/27/95	VMC	Red Pt. Amendment # 1, set at 5105W-13, 5231 and 5232 (24)
2	12/02/95	SUW	Red Pt. Amendment # 2, set at 5105W-13, 5231 and 5232 (24)
3	03/23/99	SUW	Red Pt. Amendment # 3, set at 5105W-13, 5231 and 5232 (24)
4	08/16/99	SUW	Red Pt. Amendment # 4, set at 5105W-13, 5231 and 5232 (24)
5	10/05/99	VMC	Red Pt. Amendment # 5, set at 5105W-13, 5231 and 5232 (24)
6	12/20/99	SUW	Red Pt. Amendment # 6, set at 5105W-13, 5231 and 5232 (24)
7	06/19/02	BE	Red Pt. Amendment # 7, set at 5105W-13, 5231 and 5232 (24)
8	07/08/02	BE	Red Pt. Amendment # 8, set at 5105W-13, 5231 and 5232 (24)
9	08/19/03	BE	Red Pt. Amendment # 9, set at 5105W-13, 5231 and 5232 (24)
10	03/12/04	VMC	Red Pt. Amendment # 10, set at 5105W-13, 5231 and 5232 (24)
11	04/01/04	SUW	Red Pt. Amendment # 11, set at 5105W-13, 5231 and 5232 (24)
12	08/28/04	SUW	Red Pt. Amendment # 12, set at 5105W-13, 5231 and 5232 (24)
13	01/07/05	TH	Red Pt. Amendment # 13, set at 5105W-13, 5231 and 5232 (24)
14	04/12/06	BE	Red Pt. Amendment # 14, set at 5105W-13, 5231 and 5232 (24)
15	01/11/07	BE	Red Pt. Amendment # 15, set at 5105W-13, 5231 and 5232 (24)
16	03/11/08	GAC	Red Pt. Amendment # 16, set at 5105W-13, 5231 and 5232 (24)
17	07/19/08	ET	Red Pt. Amendment # 17, set at 5105W-13, 5231 and 5232 (24)
18	03/02/09	WMM	Red Pt. Amendment # 18, set at 5105W-13, 5231 and 5232 (24)
19	08/12/09	JB	Red Pt. Amendment # 19, set at 5105W-13, 5231 and 5232 (24)



Sec. 30 Twp. 51 N. R. 5 W. B. M.

5105W-30

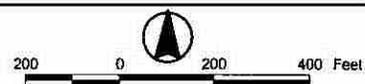
Sec. 30 Twp. 51 N. R. 5 W. B. M.



ndle 1st Add  
Pleasantview  
0-5733

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Annexed Property by Parcel ID: 51N05W-30-0550  
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: kcmmap@co.kootenai.id.us  
www.co.kootenai.id.us

Prepared by: Tony Harbison  
Project Filename: Kootenai\_Fire\_rescue\_515W30\_A.apr  
Plot File:

## **Exhibit A**

### Property Description for Parcel Annexed into Kootenai County Fire & Rescue on 10/12/09

1. WFMS CORPORATION PROPERTY

(51N05W-30-0550, TCA 071-000)

TAX# 19685 [IN E2-NE]

In Section 30, Township 51 North, Range 5 W.B.M.  
(see attached metes and bounds description for Tax #)

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TAX# 19685 PAGE 1 OF 1  
INSTRUMENT REFERENCE WD  
RECORDING INFO: INSTRMT # 1796667  
REC.DATE 04/28/03

A tract of land being a portion of Tax Number 15125 as described under Instrument Number 1255205 situated in the Northeast Quarter of Section 30, Township 51 North, Range 5 West, Boise Meridian, Kootenai County, Idaho, more particularly described as follows:

Commencing at the Northeast corner of said Section 30, monumented according to corner perpetuation and filing record form on file under Instrument Number 1543673, from which the East Quarter corner monumented according to corner perpetuation and filing form on file under Instrument Number 1593446 of said Section 30, bears, South 00°28'06" East, a distance of 2639.46 feet;

thence along the East line of said Section 30, South 00°28'06" East, a distance of 1499.61 feet to the Point of Beginning;

thence continuing along the East line of said Section 30, South 00°28'06" East, a distance of 330.00 feet;

thence leaving the East line of said Section 30, South 89°31'54" West, a distance of 660.00 feet;

thence North 00°28'06" West, a distance of 330.00 feet;

thence North 89°31'54" East, a distance of 660.00 feet to the Point of Beginning, containing 5.00 acres of land more or less;

Except the East 30 feet thereof deeded to Post Falls Highway District.

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THIS TAX# ~~REPLACES~~ OVERLAPS #15125  
DEPUTY INITIALS bc DATE 06/19/03