

ROSS POINT WATER DISTRICT
BOARD OF COMMISSIONERS

ORDER

On the 6th day of October, 2009, Ross Point Water District's Board of Commissioners conducted a public hearing, after duly advertising and conforming to the requirements of Idaho law, to annex into the District the real property owned by ROY ARMSTRONG, more particularly described as:

SEE EXHIBIT "A"

The Ross Point Water District's Board of Commissioners reviewed the records, entertained public comments at said hearing, and after having given full consideration to the matter, unanimously approved the annexation.

Accordingly, it is hereby ordered by the Ross Point Water District's Board of Commissioners, that the above described lands/properties have 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 annexed properties, shall be delivered to the Recorder's Office of Kootenai County, State of Idaho, and the Idaho Tax Commission so that the same can be recorded upon the tax rolls of Kootenai County.

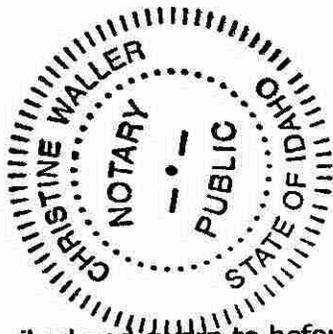
DATED this 6th day of October, 2009.

ROSS POINT WATER DISTRICT
BOARD OF COMMISSIONERS

[Signature]
TOM TAYLOR, President

[Signature]
MAX WILSON, Commissioner

[Signature]
DUANE HANNA, Commissioner



Subscribed and sworn to before me this 6th day of October, 2009 by Tom Taylor, Max Wilson and Duane Hanna, known to me to be the Commissioners of Ross Point Water District.

[Signature]
Notary Public for State of Idaho
Commission Expires: 12-13-2010
Residing At: P.F.

DANIEL J. ENGLISH 8P I 2236337000
KOOTENAI CO. RECORDER Page 1 of 8
AAA Date 10/14/2009 Time 10:11:28
REC-REQ OF ROSS POINT WATER DISTRICT
RECORDING FEE: 24.00
2236337000 XK

RECEIVED

OCT 16 2009

TECHNICAL SUPPORT

NOTICE OF PUBLIC HEARING ON PETITION FOR ANNEXATION

COMES NOW, the Board of Commissioners of Ross Point Water District and hereby gives notice that a Petition for Annexation into Ross Point Water District has been filed by Roy Armstrong, to include within the District the following described real property:

SEE EXHIBITS "A" and "B"

All interested persons should appear at the Office of Ross Point Water District located at 3874 East Primrose, Post Falls, Idaho on the 6th day of October, 2008 at 2:00 pm. and show cause in writing, if any they have, why the petition should not be granted. The failure of any person to show cause in writing shall be deemed as an assent on his part to the inclusion of such lands in the District as prayed in the petition.

DATED this 21 day of October, 2009.

ROSS POINT WATER DISTRICT

By: Chris Waller
CHRIS WALLER, Secretary

RECEIVED
OCT 16 2009
TECHNICAL SUPPORT

AGREEMENT TO CONDITIONS FOR ANNEXATION

COMES NOW, ROY ARMSTRONG, hereinafter referred to as "Petitioner", on behalf of himself and his successors or assigns, and the Board of Commissioners of the ROSS POINT WATER DISTRICT, hereinafter referred to as "District", and hereby enter into this Agreement to Conditions for Annexation.

1. WHEREAS, Petitioner filed a Petition for Annexation of the real property more particularly described on Exhibit "A" and illustrated on Exhibit "B" attached hereto, and by reference made a part hereof, into District; and

2. WHEREAS, District has considered said Petition for Annexation, and determined that certain conditions must be met in order to meet the District's needs; and

3. WHEREAS, Petitioner wishes to meet such terms and conditions and proceed with the Annexation into the District.

NOW THEREFORE, IT IS HEREBY AGREED AS FOLLOWS:

A) Prior to development of the property or the construction of any infrastructure relevant to the transmission of water from the Ross Point Water District to the real property being annexed, Petitioner, or his successors or assigns, shall convey to the District any and all water rights associated with the real property being annexed, including but not limited to IDWR #95-7409, #95-7049 and #95-9179.

Petitioner agrees on behalf of himself and his successors or assigns that the water rights shall not be encumbered, conveyed or otherwise impaired prior to their transfer to the Ross Point Water District.

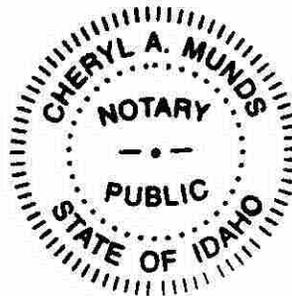
B) Petitioner, and his successors or assigns, shall comply with all rules, regulations and requirements of the District now in effect, or adopted in the future.

RECEIVED
OCT 16 2009
TECHNICAL SUPPORT

STATE OF IDAHO)
)
County of Kootenai)

On this 14th of October, 2009, before me, the undersigned, a Notary Public in and for the State of Idaho, duly commissioned and sworn, personally appeared **Christine Waller**, known or identified to me to be the **Secretary of Ross Point Water District**, the Idaho municipal district that executed the foregoing instrument, and acknowledged said instrument to be the free and voluntary act of said municipal district, for the uses and purposes therein mentioned, and on both stated that he is authorized to execute said instrument by the governing documents of said municipal district.

By: Cheryl Munds
Notary Public for the State of Idaho
Residing at: Ross Point Water District
Commission Expires: 05-29-2014



RECEIVED
OCT 16 2009
TECHNICAL SUPPORT

EXHIBIT "A"
ROSS POINT WATER DISTRICT
ARMSTRONG ANNEXATION DESCRIPTION

A PORTION OF SECTIONS 31 AND 32, TOWNSHIP 51 NORTH, RANGE 4 WEST, B.M., KOOTENAI COUNTY, IDAHO AND A PORTION OF SECTION 5, TOWNSHIP 50 NORTH, RANGE 4 WEST, B.M., KOOTENAI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE EASTERLY BOUNDARY OF SAID SECTION 32 AND THE EASTERLY PROJECTION OF THE SOUTH LINE OF LOT 3, BLOCK TWO OF THE PLAT OF BRICKERT COUNTRY ESTATES 1ST ADDITION, BOOK G, PAGE 443, RECORDS OF KOOTENAI COUNTY, SAID INTERSECTION BEING THE TRUE POINT OF BEGINNING FOR THIS DESCRIPTION;

THENCE SOUTHERLY ALONG THE SAID EASTERLY BOUNDARY TO THE NORTHEAST CORNER OF SAID SECTION 5;

THENCE SOUTHERLY ALONG THE EASTERLY BOUNDARY OF SAID SECTION 5 TO THE INTERSECTION WITH THE EASTERLY PROJECTION OF THE NORTHERLY BOUNDARY LINE OF LOT LINE ADJUSTMENT DEED #1805510, RECORDS OF KOOTENAI COUNTY;

THENCE WESTERLY ALONG THE SAID PROJECTION OF AND THE NORTHERLY BOUNDARY LINE OF SAID LOT LINE ADJUSTMENT DEED #1805510 TO THE NORTHWEST CORNER OF SAID LOT LINE ADJUSTMENT DEED;

THENCE SOUTHERLY ALONG THE WESTERLY BOUNDARY LINE OF SAID LOT LINE ADJUSTMENT DEED TO THE INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF US INTERSTATE 90;

THENCE WESTERLY ALONG THE SAID NORTHERLY RIGHT-OF-WAY LINE TO THE INTERSECTION WITH THE WESTERLY BOUNDARY LINE OF THE PLAT OF LAWRENCE PARK, BOOK B, PAGE 79, RECORDS OF KOOTENAI COUNTY;

THENCE NORTHERLY ALONG THE SAID WESTERLY BOUNDARY LINE TO THE SOUTHWEST CORNER OF LOT 25 OF SAID PLAT;

THENCE EASTERLY ALONG THE SOUTHERLY BOUNDARY LINES OF SAID LOT 25 AND LOTS 26, 27, AND 28 OF SAID PLAT TO THE SOUTHWEST CORNER OF LOT 29 OF SAID PLAT;

THENCE NORTHERLY ALONG THE WESTERLY BOUNDARY LINE OF SAID LOT 29 AND ITS PROJECTION TO THE INTERSECTION WITH THE NORTHERLY BOUNDARY OF SAID SECTION 5;

THENCE WESTERLY ALONG THE SAID NORTHERLY BOUNDARY OF SECTION 5 TO THE INTERSECTION WITH THE PROJECTION OF THE EASTERLY BOUNDARY LINE OF THE PLAT OF ROYAL HIGHLANDS 2ND ADDITION, BOOK E, PAGE 249, RECORDS OF KOOTENAI COUNTY;

THENCE NORTHERLY ALONG THE SAID PROJECTION OF AND THE

RECEIVED

OCT 16 2009

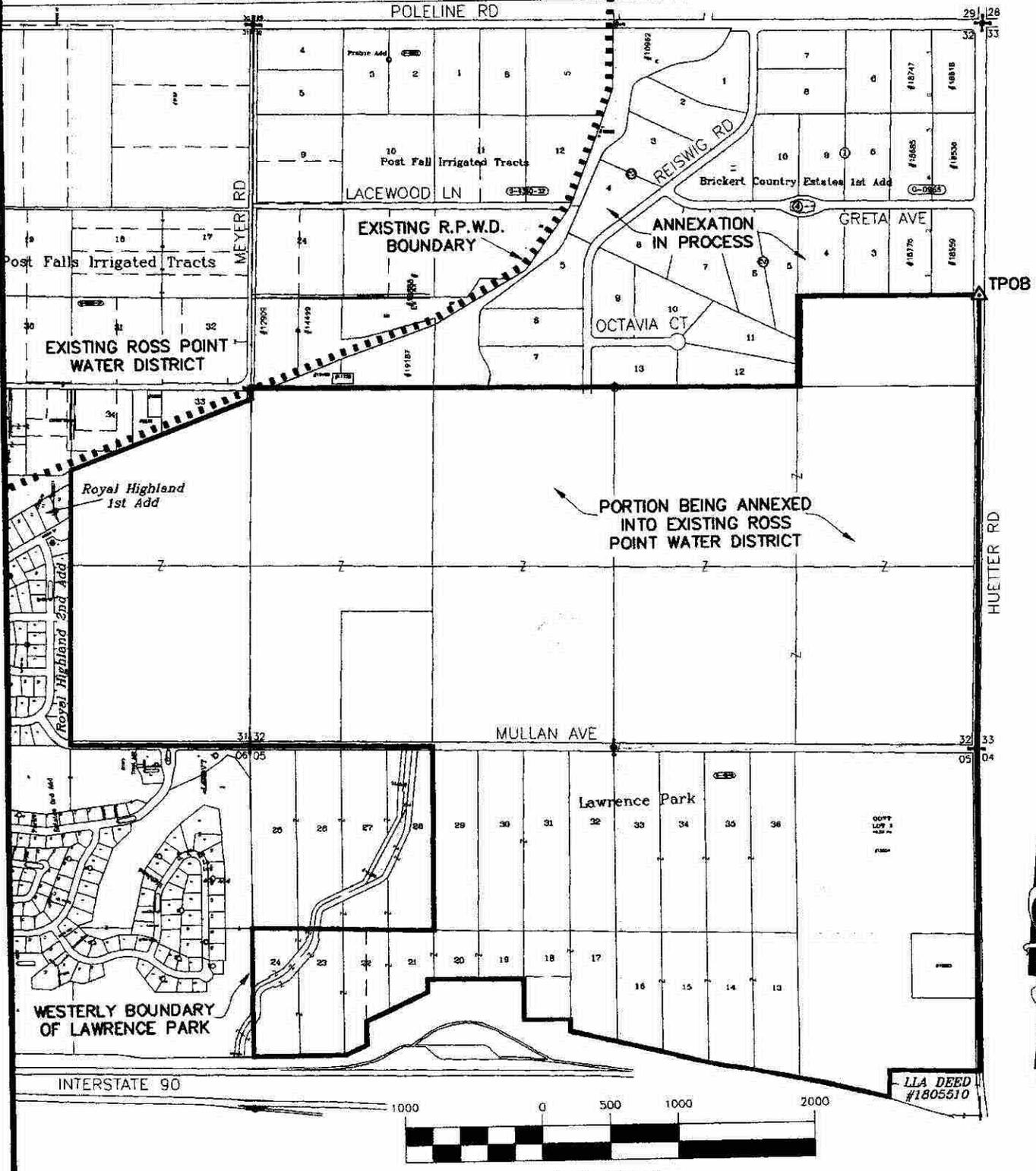
TECHNICAL SUPPORT

EASTERLY BOUNDARY LINE OF SAID PLAT TO THE SOUTHEAST CORNER OF BLOCK 8 OF THE PLAT OF ROYAL HIGHLAND 1ST ADDITION, BOOK E, PAGE 243, RECORDS OF KOOTENAI COUNTY;
 THENCE NORTHERLY ALONG THE EASTERLY BOUNDARY OF SAID PLAT AND ITS PROJECTION TO THE SOUTHWEST CORNER OF TRACT 34 OF THE PLAT OF POST FALLS IRRIGATED TRACTS, BOOK C, PAGE 80, RECORDS OF KOOTENAI COUNTY;
 THENCE NORTHEASTERLY ALONG THE SOUTHEASTERLY BOUNDARY LINES OF SAID TRACT 34 AND THE SOUTHEASTERLY BOUNDARY OF TRACT 33 AND ITS PROJECTION TO THE WESTERLY BOUNDARY OF SAID SECTION 32;
 THENCE NORTHERLY ALONG THE SAID WESTERLY BOUNDARY OF SECTION 32 TO THE WEST QUARTER CORNER OF SAID SECTION 32;
 THENCE EASTERLY ALONG THE CENTER QUARTER LINE OF SAID SECTION 32 TO THE SOUTHEAST CORNER OF BLOCK TWO OF THE SAID PLAT OF BRICKERT COUNTRY ESTATES 1ST ADDITION;
 THENCE NORTHERLY ALONG THE SAID BOUNDARY LINE OF SAID PLAT TO THE SOUTHWESTERLY CORNER OF LOT 4 OF SAID BLOCK TWO;
 THENCE CONTINUING ALONG THE SAID BOUNDARY LINE OF BLOCK TWO, EASTERLY TO THE TRUE POINT OF BEGINNING, CONTAINING APPROXIMATELY 602 NET ACRES.

RECEIVED
 OCT 16 2009
 TECHNICAL SUPPORT

197

**ROSS POINT WATER DISTRICT
ARMSTRONG ANNEXATION EXHIBIT
PORTION OF SECTION 31 AND 32, T.51N., R.4W., B.M.,
AND PORTION OF SECTION 5, T.50N., R.4W., B.M.,
KOOTENAI COUNTY, IDAHO**



(IN FEET)
1 inch = 1000 ft.

TITLE: ROSS POINT WATER DISTRICT ARMSTRONG ANNEXATION EXHIBIT		
SCALE: 1"=1000'	DATE: 8/6/09	FILE: R129-ANX EX.dwg

FRAME & SMETANA, PA
Consulting Engineers
603 North 4th Street, Coeur d'Alene, Idaho, 83814
Ph. (208)664-2121/Fax: 765-5502/ Email: asm@frameandsmetana.com

ES
SHEET OF 1

RECEIVED

OCT 16 2009

TECHNICAL SUPPORT