



099

RESOLUTION NO. 20944

BY THE COUNCIL:

BISTERFELDT, CLEGG, EBERLE,
JORDAN, SHEALY AND THOMSON

A RESOLUTION APPROVING A PETITION TO MODIFY BY ADDITION OF PROPERTY TO THE HARRIS RANCH COMMUNITY INFRASTRUCTURE DISTRICT NO. 1 (CITY OF BOISE, IDAHO) AFTER HOLDING A PUBLIC HEARING REGARDING THE SAME; APPROVING THE DISTRICT DEVELOPMENT AGREEMENT NO. 1 AS AMENDED; PROVIDING FOR RELATED MATTERS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Boise City Council approved its Resolution No. 20895 creating the "Harris Ranch Community Infrastructure District No. 1 (City of Boise, Idaho)" (the "District") on May 11, 2010, pursuant to the Community Infrastructure District Act, §50-3101, et seq. Idaho Code (the "Act"); and,

WHEREAS, on May 21, 2010, there was filed with the Boise City Clerk and the District Clerk a petition (hereinafter referred to as the "*Petition*") requesting the addition of property to the Harris Ranch Community Infrastructure District No. 1 (City of Boise, Idaho), signed by the persons or entities which, on the date of the Petition and on the date hereof, are the owners of all real property as shown in the Petition (hereinafter such owners are collectively referred to as the "*Petitioner*") and described in the Petition by metes and bounds to be added to the community infrastructure district, the addition of which real property is requested by the Petitioner in the Petition, pursuant to Title 50, Chapter 31, Idaho Code, as amended (hereinafter referred to as the "*Act*"); and

WHEREAS, on June 8, 2010, the Boise City Council and District Board did adopt respective separate resolutions ordering a joint public hearing to be held on June 22, 2010 regarding the Petition and the modification of the boundaries of the District; and

WHEREAS, on June 9, 2010, the Boise City Clerk/District Clerk as required in the Act did mail to each District resident and each owner of real property proposed to be added to the boundaries of the District a notice of the public hearing to be held on June 22, 2010, addressed to such person at his or her post office address and did publish the same in The Idaho Statesman, a

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newspaper of general circulation in the City, once on June 10, 2010, (not less than 12 days prior to said public hearing) and again on June 17, 2010, (at least 5 days prior to said hearing); and

WHEREAS, on June 22, 2010, the Boise City Council and District Board held the said joint public hearing, notice (both by publication and mailing to any residents and property owners) of said hearing as given by the Boise City Clerk/District Clerk having been approved, ratified and confirmed as being in the manner and form required by Sections 50-3103(2) and 50-3106(2), Idaho Code, and did hear testimony on the addition of real property to and modification of the boundaries of said District; and no protests having been received against the proposed modification of said District, the Boise City Council and the District Board have now heard any testimony offered and have passed upon any protests made against the proposed modification of said District, said protests numbering 0% of all residents and property owners within the District.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF BOISE CITY, IDAHO:

Section 1. Acceptance of Petition. The Petition is hereby accepted and a public hearing thereon has been held pursuant to the requirements of the Act for a public hearing.

Section 2. Approval of Modification of District Boundaries. The modification of the District boundaries as set forth in the Petition is hereby approved.

Section 3. Approval of the District Development Agreement As Amended. The District Development Agreement No. 1 by and among the City, the District and the owners of the property within the District, in substantially the form as presented to the City and to the District and on file with each Clerk, as amended by the addition of the real property to the District pursuant to this Resolution, is hereby approved. The Mayor is authorized and directed to execute and deliver and the Clerk is authorized and directed to attest, the District Development Agreement No. 1, as amended.

Section 4. Effective Date. This Resolution shall become effective immediately upon its adoption and approval.

ADOPTED by the Council of the City of Boise, Idaho, this 22nd day of June, 2010.

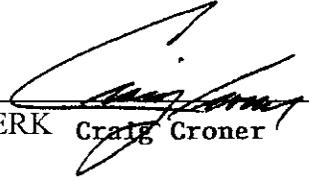
APPROVED by the Mayor of the City of Boise, Idaho this 22nd day of June, 2010.

APPROVED:

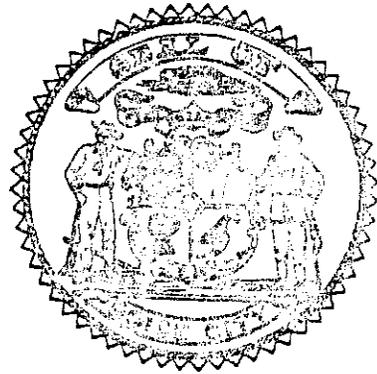


David H. Bieter
MAYOR

ATTEST:



CITY CLERK Craig Croner



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**Description for Dallas Harris Estates Subdivision
Community Infrastructure District No. 1
Property Boundary**

A parcel of land located in Gov't Lot 1 of Section 21, and the Northeast 1/4 of Section 20, Township 3 North, Range 3 East, B.M., and portions of the Southeast 1/4 of Section 20, the Northeast 1/4 of Section 29, and the Northwest 1/4 of Section 28, Township 3 North, Range 3 East, B.M., City of Boise, Ada County, Idaho, more particularly described as follows:

Beginning at the corner common to Sections 16, 17, 20, and 21, Township 3 North, Range 3 East, B.M., from which the 1/4 corner common to said Sections 17 and 20 bears South 89°52'06" West, 2,651.12 feet; Thence along the north line of said Gov't Lot 1 South 89°59'59" East, 1,194.30 feet to the Northeast corner thereof; Thence along the east line of said Gov't Lot 1 South 00°35'29" West, 1,328.81 feet to the Southeast corner thereof; Thence along the south line of said Gov't Lot 1 South 89°55'42" West, 1,195.98 feet to a point on the east line of said Section 20; Thence along the east line of said Section 20 South 00°39'47" West, 1,278.50 feet to the East 1/4 corner of said Section 20; Thence South 00°50'27" East, 51.83 feet to the West 1/4 corner of said Section 21; Thence continuing South 00°50'27" East, 2,638.70 feet to the corner common to said Sections 20, 21, 29 and 28; Thence along the north line of said Section 28 North 89°19'32" East, 2,625.66 feet to the North 1/4 corner of said Section 28; Thence along the north-south mid-section line of said Section 28 South 00°07'12" West, 2,662.52 feet to the Center 1/4 corner of said Section 28; Thence along the east-west mid-section line of said Section 28 North 89°35'25" West, 1,307.93 feet; Thence departing said east-west mid-section line North 00°00'52" East, 37.43 feet to the most southerly corner of Triplett Subdivision as same is recorded in Book 94 of Plats at Pages 11491-11493, Records of Ada County, Idaho; Thence continuing North 00°00'52" East, 846.62 feet along the easterly boundary line of said Triplett Subdivision to an angle point thereon; Thence along the northeasterly boundary line of said Triplett Subdivision North 51°11'24" West, 1,346.20 feet; Thence departing said northeasterly boundary line and along the southeasterly boundary line of that certain parcel as described in Warranty Deed Instrument No. 102060903, Records of Ada County, Idaho North 39°00'06" East, 334.33 feet; Thence along the northeasterly boundary line of said parcel North 50°59'54" West, 71.00 feet to the most southerly corner of that parcel as shown on Record of Survey No. 5911 and recorded as Instrument No. 102097579, Records of Ada County, Idaho; Thence along the boundary lines of said parcel the following three (3) courses and distances:
North 39°00'06" East, 110.00 feet; North 50°59'54" West, 125.00 feet; South 39°00'06" West, 110.00 feet;

Thence departing said boundary lines and along the northwesterly boundary line of that certain parcel as described in said Warranty Deed Instrument No. 102060903, South 39°00'06" West, 434.00 feet; Thence along the southwesterly boundary line of said parcel South 53°51'49" East, 60.54 feet to a point on the northwesterly boundary line of said Triplett Subdivision; Thence along the northwesterly boundary line of said Triplett Subdivision South 38°50'11" West, 168.73 feet to a brass cap monument marking the most westerly corner of said Triplett Subdivision, the northwest corner of Lot 1, Block 1, Barberton Subdivision No. 1 as same is recorded in Book 44 of Plats at Pages 3617-3618, Records of Ada County, Idaho and the most easterly corner of Harris Ranch Subdivision No. 2, as same is recorded in Book 79 of Plats at Pages 8432-8434, Records of Ada County, Idaho; Thence along the north and east boundary lines of said Harris Ranch Subdivision No. 2 the following ten (10) courses and distances:
North 51°12'16" West, 70.00 feet; North 38°45'36" East, 52.08 feet; North 07°07'31" East, 98.73 feet; North 00°05'35" West, 363.81 feet; North 46°22'55" West, 21.73 feet; South

68°36'06" West, 144.08 feet; South 05°47'27" West, 42.52 feet; Thence 27.64 feet along the arc of a non-tangent curve to the left having a radius of 20.50 feet, a central angle of 77°14'20", and a long chord which bears South 68°02'09" West, a distance of 25.59 feet; North 14°49'35" West, 49.09 feet; South 85°16'33" West, 389.36 feet to the Northwest corner of Lot 4, Block 29, of said Harris Ranch Subdivision No. 2;

Thence leaving said north and east boundary lines of said Harris Ranch Subdivision No. 2 and along the northeasterly boundary of Harris Ranch Subdivision No. 4, as same is recorded in Book 81 of Plats at Pages 8807-8809, Records of Ada County, Idaho, North 19°08'59" West, 123.24 feet to the southeasterly corner of Lot 14, Block 29 of Harris Ranch Subdivision No. 4; Thence along the northeasterly boundary line of said Block 29 of Harris Ranch Subdivision No. 4, the following four (4) courses and distances:

North 11°27'21" West, 173.71 feet; North 48°19'05" West, 276.07 feet; North 68°02'48" West, 558.59 feet; North 73°15'33" West, 206.78 feet to the most northerly corner thereof;

Thence along the West boundary line of said Block 29 South 16°47'56" West, 180.77 feet to a point on the northerly boundary line of said Section 29, said point also being the northeasterly corner of Harris Ranch Subdivision No. 3 as same is recorded in Book 81 of Plats at Pages 8799-8804 Records of Ada County; Thence leaving said northerly boundary line of Block 29 and along the northerly boundary lines of said Harris Ranch Subdivision No. 3 and said Section 29, North 89°13'30" West, 45.43 feet to the southeasterly corner of that certain parcel as shown on Record of Survey No. 5558 recorded as Instrument No. 101104281, Records of Ada County; Thence leaving said northerly boundary lines and along said parcel lines the following four (4) courses and distances:

North 12°34'19" East, 115.50 feet; North 62°40'06" West, 203.41 feet; North 68°59'33" West, 607.25 feet; North 51°40'33" West, 228.56 feet to a point on the easterly right-of-way line of East Barber Drive;

Thence along said easterly right-of-way line North 00°11'28" West, 21.30 feet; Thence 100.74 feet along the arc of a curve to the left having a radius of 125.00 feet, a central angle of 46°10'40", and a long chord which bears North 23°16'48" West, a distance of 98.04 feet; Thence North 46°22'08" West, 16.01 feet to a point on the west line of the Southeast 1/4 of said Section 20; Thence along said west line North 00°11'28" West, 1,983.68 feet to the Center 1/4 corner of said Section 20; Thence along the west line of the Northeast 1/4 of said Section 20 North 00°11'35" West, 2,598.54 feet to the 1/4 common to said Sections 17 and 20; Thence along the north line of the Northeast 1/4 of said Section 20 North 89°52'06" East, 2,651.12 feet to the REAL POINT OF BEGINNING. Containing 470.80 acres, more or less.

AND ALSO:

A parcel of land located in a portion of the East 1/2 of Section 29, Township 3 North, Range 3 East, Boise Meridian, City of Boise, Ada County, Idaho being more particularly described as follows:

Commencing at a brass cap monument marking the North 1/4 corner of said Section 29 from which a brass cap monument marking the Northeast corner of said Section 29 bears South 89°14'06" East, 2643.00 feet; Thence along the north-south mid-section line of said Section 29 South 00°28'58" West, 1,387.32 feet to a point on the curved southwesterly right-of-way line of East Warm Springs Avenue said point also being the **REAL POINT OF BEGINNING**; Thence departing said mid-section line and along said right-of-way line 528.01 feet along the arc of a non-tangent curve to the right having a radius of 4735.00 feet, a central angle of 6°23'21", and a long chord which bears South 54°28'28" East, a distance of 527.73 feet; Thence continuing along said right-of-way line South 51°18'42" East, 500.38 feet to a point of intersection with the northwesterly right-of-way line of South Eckert Road; Thence departing said southwesterly right-

of-way line and along said northwesterly right-of-way line South $41^{\circ}14'04''$ West, 1,018.41 feet; Thence 205.11 feet along the arc of a non-tangent curve to the right having a radius of 526.00 feet, a central angle of $22^{\circ}20'30''$, and a long chord which bears South $52^{\circ}25'12''$ West, a distance of 203.81 feet to a point on said north-south mid-section line; Thence departing said right-of-way line and along said mid-section line North $00^{\circ}28'58''$ East, 1509.64 feet to the REAL POINT OF BEGINNING. Containing 15.02 acres, more or less.

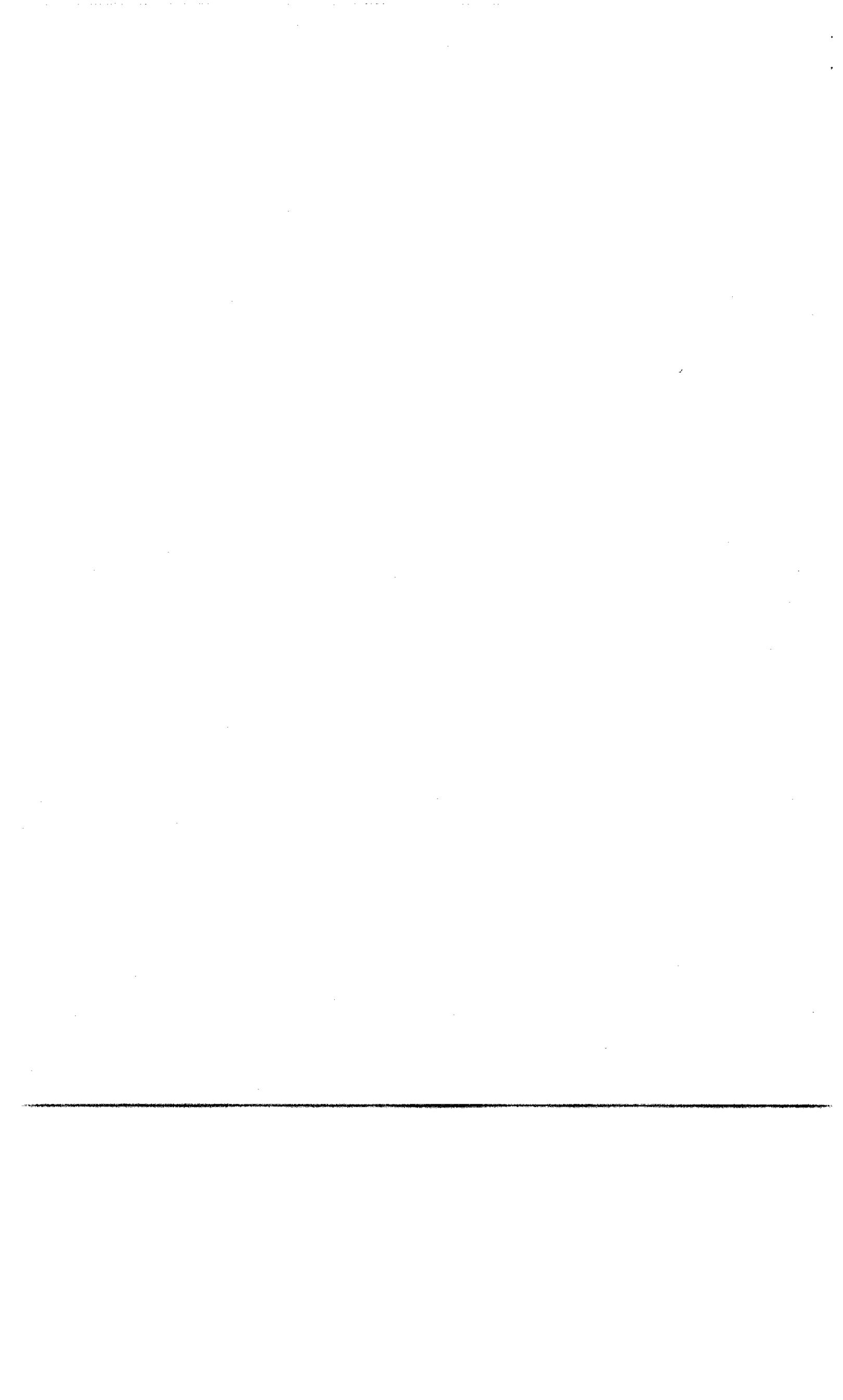


Exhibit B

Harris Ranch Community Infrastructure District No. 1
Additional Property Legal Description



Department of Finance and Administration

Shawn Miller
Interim Director

**Division of
Financial Services**

Boise City Hall
150 N. Capitol Boulevard

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Mayor
David H. Bieter

**City Council
President**
Maryanne Jordan

Council Pro Tem
Alan W. Shealy

Vernon L. Bisterfeldt
Elaine Clegg
David Eberle
TJ Thomson

July 23, 2010

Alan Dornfest
Idaho Tax Commission
800 Park Blvd
Boise, Idaho 83712

Dear Mr. Dornfest:

On June 22, the Board of Commissioners of the Harris Ranch Community Infrastructure District No. 1 (City of Boise, Idaho) approved annexation of additional property into the District. Pursuant to Idaho Code 50-3104 and 63-215, attached herewith please find a copy of the related resolution, boundary map and legal description of the boundaries of area annexed into the District.

If you have any questions, please feel contact me by telephone at 384-3784 or by email at krock@cityofboise.org.

Sincerely,

Kent Rock
City Treasurer

Encl.

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