Instrument # 801600
BONNER COUNTY, SANDPOINT, IDAHO
11-10-2010 03:49:40 No. of Pages: 6
Recorded for : BONNER COUNTY COMMISSIONERS
MARIE SCOTT Fee: 0.00
Ex-Officio Recorder Deputy CB
Index to: MISC

134

Instrument # 803716
BONNER COUNTY, SANDPOINT, IDAHO
12-28-2010 09:43:30 No. of Pages: 6
Recorded for : SAM OWEN FIRE DISTRICT
MARIE SCOTT Fee: 0.00
Ex-Officio Recorder Deputy
Index to: MISC

RESOLUTION NO. 10 - 70

Re-recording to correct Map of Section "26"

ORDER OF PROPERTY DESCRIBED AS TRESTLE CREEK/EAGEN MOUNTAIN ANNEXED INTO THE SAM OWEN FIRE DISTRICT PER ELECTION

WHEREAS, the Bonner County Board of Commissioners did receive a petition to annex property into the Sam Owen Fire District; and

WHEREAS, notice has been published, pursuant to Idaho Code; and

WHEREAS, a public hearing was held on October 5, 2010 and there being no opposition, verbal or written; and

WHEREAS, after hearing public comment at said hearing the Board of Bonner County Commissioners did order the Bonner County Clerk to hold an election; and

WHEREAS, all the petitions, maps and resolution from the Sam Owen Fire District are all in order as outlined in Idaho Codes §31-1402 – §31-1406; and

WHEREAS, the County Clerk held the election as ordered and the canvass of election was completed on November 5, 2010.

NOW, THEREFORE, BE IT RESOLVED by the Bonner County Board of Commissioners that by the vote of the people on November 2, 2010 the annexation of the property known as Trestle Creek/Eagen Mountain into the Sam Owen Fire District is ordered.

Dated this 9th day of November, 2010.

BONNER COUNTY COMMISSIONERS

Joseph E. Young, Chairman

Cornel Rasor, Commissioner

Lewis Rich, Commissioner

ATTEST by: Pamela J Wagner
Deputy Clerk

COUNTY RECORDER ** SEAL ** BONNER COUNTY IDAHO

STATE OF IDAHO
County of Bonner
I, Marie Scott, County Recorder in and for the county and state aforesaid, do hereby certify that the foregoing instrument is a true and correct copy of the original thereof recorded in my office by instrument number 801600
Witness my hand and seal,
the 21 day of December 20 10.
MARIE SCOTT, COUNTY RECORDER
By Band Flaherty Deputy

In The Matter Of Annexing Certain Property More Commonly Known As
The Trestle Creek / Eagan Mountain Area Into
The Sam Owen Fire District

CANVASS OF ELECTION

The Board of Commissioners for Bonner County, Idaho called for an election on the above entitled manner that was conducted on November 2, 2010. During said election voters were asked whether or not certain property should be annexed into the Sam Owen Fire District.

The boundaries of the area proposed to be annexed into the Sam Owen Fire District are more properly described as follows:

> **The South half of Section 16, All of Sections; 17, 21, 27 and 28; except those lands below the Mean High Water level of Lake Pend Oreille, and those lands within the Corporation limits of the City of Hope. South half of Section 26; except those lands below the Mean High Water level of Lake Pend Oreille, and those lands within the Corporation limits of the City of Hope. East half of the North East quarter of Section 35; except those lands within the Corporation limits of the City of Hope and East Hope. Section 36; except those lands within the Corporation limits of the City of East Hope, Township 57 North, Range 1 East, Boise Meridian, Bonner County, Idaho.**

At said election there were 64 ballots cast and the following accurately reflects the results of those ballots.

SHALL THE ABOVE DESCRIBED PROPERTY BE ANNEXED INTO THE SAM OWEN FIRE DISTRICT?

[55] Yes – the annexation should occur.

[9] No – the annexation should not occur.

This measure needed a simple majority of yes votes to pass. Based on the results of this canvass, it did receive the required majority.

DATED this 5th day of November 2010.

BOARD OF COMMISSIONERS FOR BONNER COUNTY, IDAHO

Joseph E Young, Chairman of the Board

Lewis Rich, Commissioner

Cornel Rasor, Commissioner

SAM OWEN FIRE DISTRICT

RESOLUTION NO. 10-7-13-1

ANNEXATION ELECTION FOR THE AREA DESCRIBED AS TRESTLE CREEK/EAGEN MOUNTAIN

WHEREAS, Idaho Code 31-1411provides that the owners or contract purchasers from an area outside of the fire district may submit a petition to the Board of Sam Owen Fire District Commissioners asking to be annexed into the District; and,

WHEREAS, Idaho Code 31-1411provides that if more than twenty-five percent (25%) of the owners or contract purchasers of the land sought to be annexed do not join in said petition, and the Board determines by resolution entered on the minutes of the board, that the annexation would be in the best interests of the Sam Owen Fire District and that an election on the issue should be held, additional the territory may nevertheless be annexed by the affirmative vote of a majority of the qualified electors of such additional territory voting on the question at an election held therefore, which vote may be taken at an election held as provided in section 31-1405, Idaho Code; and,

WHEREAS, Idaho Codes 31-1402 through 31-1406 provide that the Board of Sam Owen Fire District Commissioners may petition the Board of County Commissioners to hold a hearing and order an election on the issue of annexation; and,

NOW, THEREFORE, BE IT RESOLVED by the Sam Owen Fire District Commissioners that after review of the attached petition and legal description of the specified area to be annexed the Board believes that the annexation would be in the best interests of the District; and,

IT IS ALSO RESOLVED that the Sam Owen Fire District Commissioners direct the secretary to submit this resolution along with the petition containing the signatures of owners or contract purchasers and an accurate legal description to the Board of Bonner County Commissioners and the County Clerk so that they proceed with implementing the actions outlined in Idaho Codes 31-1402 through 31-1406.

ADOPTED as a Resolution of the Board of Commissioners upon a Motion made by Commissioner George Gow seconded by Commissioner Jim Holzer, upon which a majority vote was had on the 13th day of July, 2010.

SAM OWEN FIRE DISTRICT BOARD OF COMMISSIONERS

Gary L. Beaner, Commissioner & President

George Gow, Commissioner & Treasurer

Jim Holzer, Commissioner

ACTION TAKEN: 7/13/10

BEFORE THE BOARD OF COUNTY COMMISSIONERS

In the Matter of the Annexation Election For the Area Described as Trestle Creek/ Eagen Mountain	)	ORDER OF ANNEXATION ELECTION

WHEREAS, on August 31, 2010 the Board of County Commissioners for Bonner County, Idaho has received a proposal from the Sam Owen Fire District to consider an annexation election for the area described as Trestle Creek/Eagen Mountain, and

WHEREAS, notification of publications of said hearing dated for Tuesday, October 5, 2010 have been published as per Idaho Code, and

WHEREAS, it appears from the Petition and Order from the Sam Owen Fire District that Idaho Code § 31-1411 and its requirements were followed and an election is hereby called for.

NOW, THEREFORE, IT IS HEREBY ORDERED by the Bonner County Board of Commissioners that the Bonner County Board of Commissioners does hereby order the County Clerk to hold an election.

DATED this 5th Day of October, 2010.

BONNER COUNTY BOARD OF COMMISSIONERS

JOSEPH R. YOUNG, Chairman

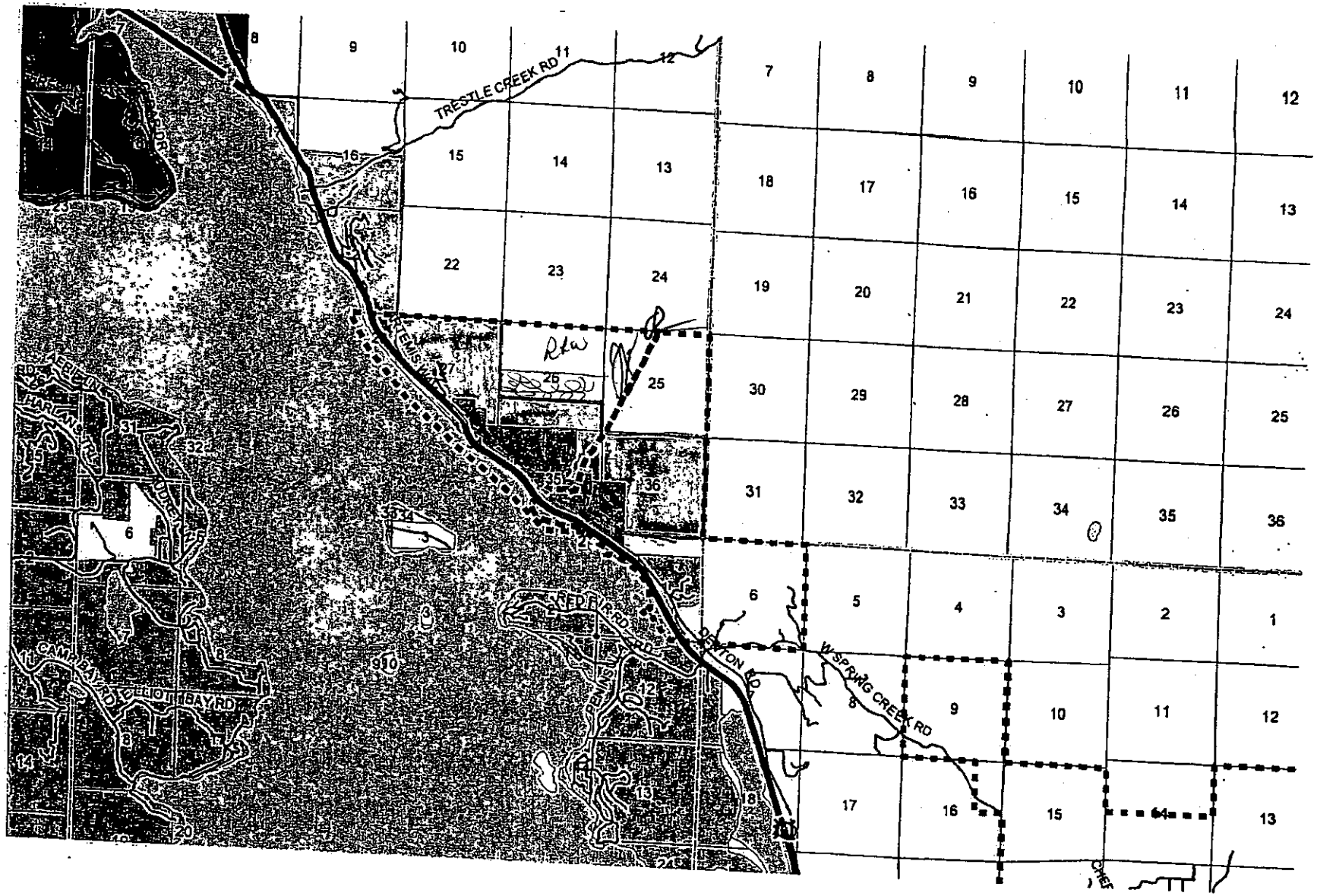
CORNEL RASOR, Commissioner

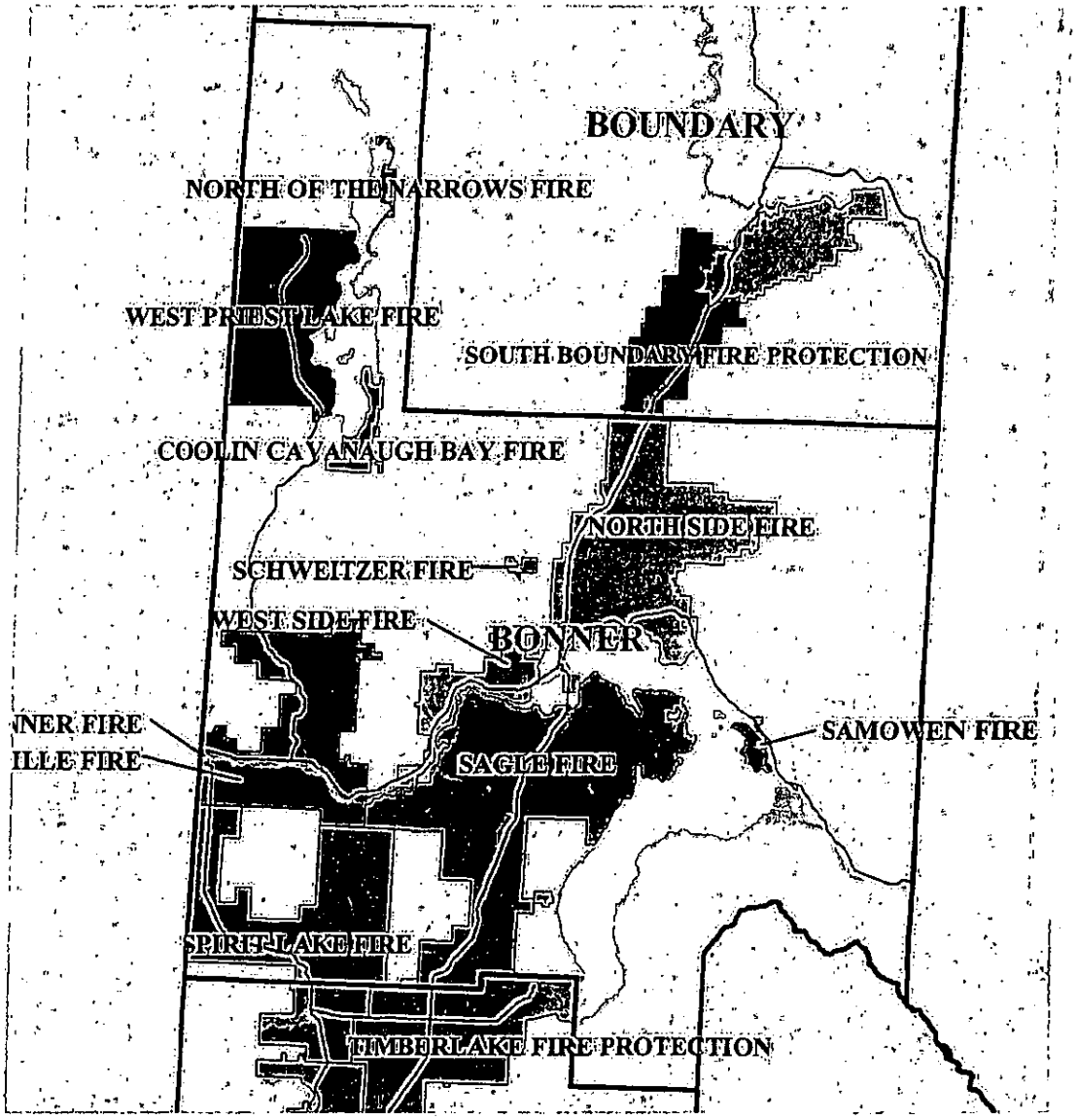
LEWIS RICH, Commissioner

ATTEST: MARIE SCOTT

By: _____
Pamela J. Vasquez, Deputy Clerk

EXHIBIT B MAP




BOUNDARY
NORTH OF THE NARROWS FIRE
WEST PRIEST LAKE FIRE
SOUTH BOUNDARY FIRE PROTECTION
COOLIN CAVANAUGH BAY FIRE
NORTH SIDE FIRE
SCHWEITZER FIRE
WEST SIDE FIRE
BONNER
NER FIRE
ILLE FIRE
SAMOWEN FIRE
SAGLE FIRE
SPIRIT LAKE FIRE
TIMBERLAKE FIRE PROTECTION