

150

Instrument # 803741
 BONNER COUNTY, SANDPOINT, IDAHO
 12-28-2010 12:59:00 No. of Pages: 21
 Recorded for : BOCC
 MARIE SCOTT Fee: 70.00
 Ex-Officio Recorder Deputy *MS*
 Index to: MISC

ORDER OF ANNEXATION

This matter having come before the Bonner County Board of Commissioners during a regularly scheduled business meeting on the 28th day of December, 2010 with regard to a request by the Sam Owen Fire District to approve an annexation of a parcel of property into their district generally described as O'Neill Mountain.

THE BOARD HEREBY ORDERS AS FOLLOWS:

WHEREAS, a Petition for Annexation was filed by residents of a parcel of property located outside the boundaries of the Sam Owen Fire District;

WHEREAS, said property is located entirely within Bonner County, Idaho;

WHEREAS, the Board of Commissioners of Sam Owen Fire District, on the 7th day of December, 2010, held a public hearing regarding this annexation;

WHEREAS, after that public hearing the Sam Owen Fire District's Commissioners signed an order of annexation for said property under Resolution No. 100712-1;

WHEREAS, a certified copy of that order is attached and incorporated herewith;

WHEREAS, an accurate legal description is provided in the attachments to the Sam Owen Fire District's order of annexation;

RECEIVED

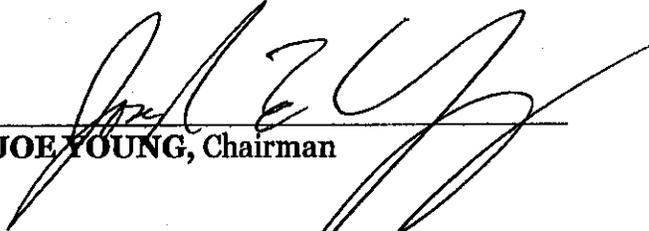
DEC 2 2010

TECHNICAL SUPPORT

NOW, THEREFORE, IT IS HEREBY ORDERED that the above-described property is annexed into the Sam Owen Fire District. This Order shall be recorded and the annexed property shall be included on the tax roles pursuant to Idaho Code, Title 31, Chapter 14.

DATED this 28 day of December, 2010.

BOARD OF BONNER COUNTY COMMISSIONERS



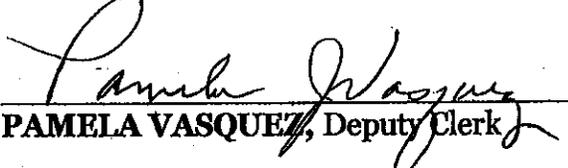
JOE YOUNG, Chairman

LEWIS RICH, Commissioner



CORNEL RASOR, Commissioner

ATTEST:



PAMELA VASQUEZ, Deputy Clerk

RECEIVED
DEC 28 2010
TECHNICAL SUPPORT

STATE OF IDAHO,)
)
COUNTY OF BONNER) SS

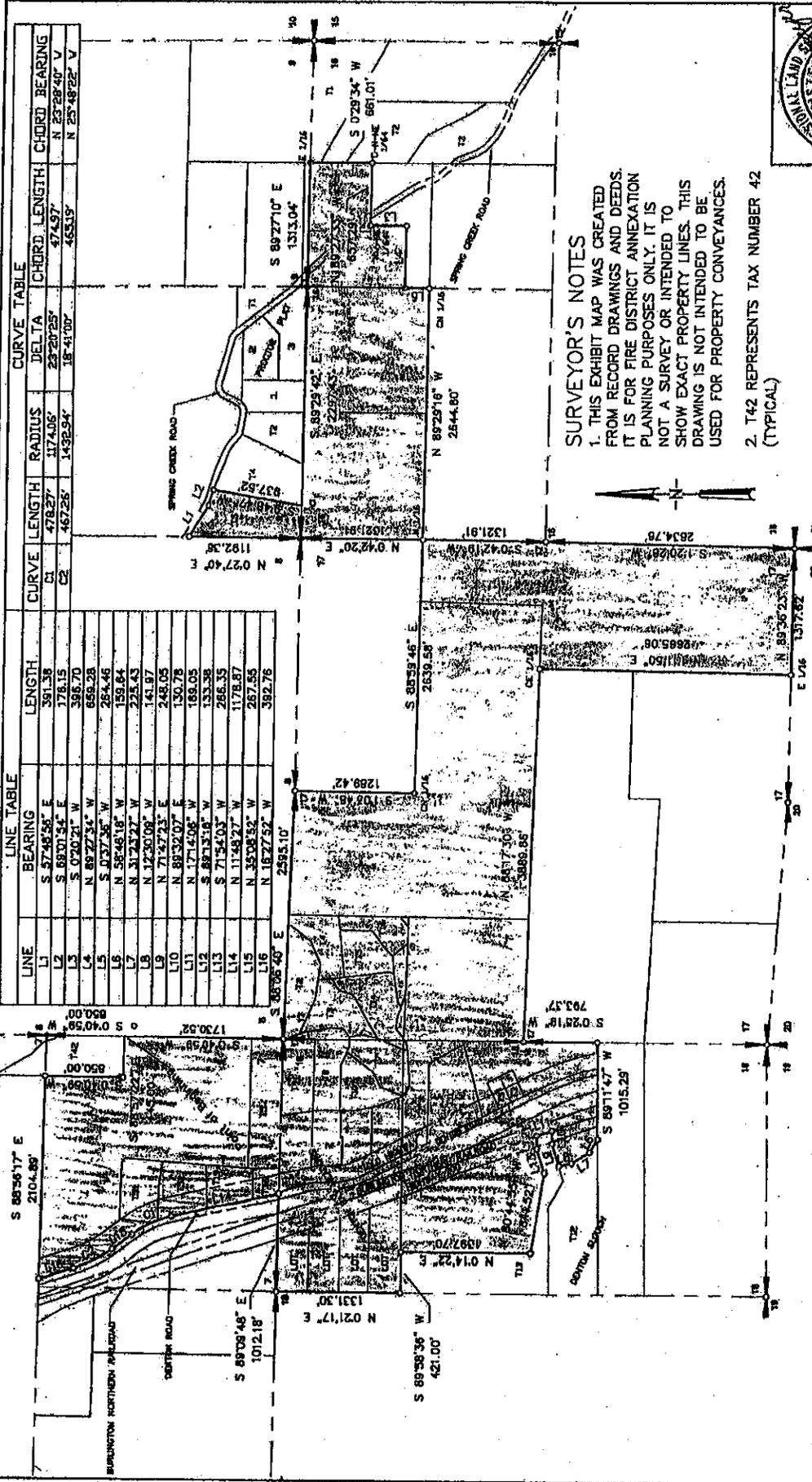
I, Jerry Clemons, County Assessor of Bonner County, hereby certify that 25 signatures of the possible 33 parcels, which represent 76% of the land owners on this petition for annexation into the **Sam Owen Fire District**, are those of qualified property owners within the boundaries of the petition.

Jerry Clemons
Bonner County Assessor

By *Jan Carter*
Deputy Assessor

Dated 12-27-2010

SAM OWEN FIRE DISTRICT ANNEXATION LEGAL DESCRIPTION EXHIBIT "A"

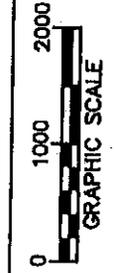


CURVE TABLE			
CURVE	LENGTH	RADIUS	DELTA
C1	478.27	1174.06'	23°20'25"
C2	467.26'	1438.94'	18°41'00"

LINE TABLE		
LINE	BEARING	LENGTH
L1	S 57°48'58" E	391.38
L2	S 69°01'34" E	178.15
L3	S 07°20'21" W	396.70
L4	N 89°27'34" W	659.28
L5	S 07°37'35" W	284.46
L6	N 58°46'16" W	159.84
L7	N 31°23'27" W	225.43
L8	N 17°30'08" W	141.87
L9	N 71°47'23" E	248.05
L10	N 89°32'07" E	130.78
L11	N 17°14'08" W	189.05
L12	S 88°13'16" W	133.38
L13	S 71°54'03" W	266.35
L14	N 11°48'27" W	1178.87
L15	N 35°08'52" W	267.55
L16	N 18°27'52" W	392.76

SURVEYOR'S NOTES

1. THIS EXHIBIT MAP WAS CREATED FROM RECORD DRAWINGS AND DEEDS. IT IS FOR FIRE DISTRICT ANNEXATION PLANNING PURPOSES ONLY. IT IS NOT A SURVEY OR INTENDED TO SHOW EXACT PROPERTY LINES. THIS DRAWING IS NOT INTENDED TO BE USED FOR PROPERTY CONVEYANCES.
2. T42 REPRESENTS TAX NUMBER 42 (TYPICAL)



RUEN-YEAGER & ASSOCIATES, INC.
 CONSULTING ENGINEERS - LAND SURVEYORS - PLANNERS
 300 N. HETTER RD. STE. #102, CEDAR BLVD. IDAHO 83814 (208)282-0820
 219 PINE ST. SANDPOINT, IDAHO 83864 (208)285-4628

NO.	REVISION	BY	DATE	REASON FOR

P:\2010\101503034_SamOwenFireDistrict\03_Mapping\DWG\SV_Bontak.dwg, 12/15/2010 1:32:11 PM, 1:1



Sam Owen Fire District

17 Old Sam Owen Drive

P.O. Box 344

Hope, ID 83836

Phone - 208.264.5745

Fax - 208.264.5746

Public Hearing for the O'Neill Mtn annexation by petition
Tuesday, December 7, 2010

Hearing was called to order by President Gary Deaner at 8:00 AM.

In attendance: Commission President Gary Deaner, Commissioner George Gow, Commissioner Jim Holzer and Chief Bob Wathen

See sign-in sheet for public attendance.

Mr. Deaner gave a brief description of the process that lead to the petition to annex into the district. The petition to annex was presented to Chief Bob Wathen on November 23, 2010, by James R. Davis a resident on O'Neill Mountain.

The meeting was then opened to public comment.

Debbie Ferguson stated that fire protection was needed in the area and was happy to support the petition. Mr. Davis had the same comments.

Bill Gollin asked whether this petition included his residence on Spring Creek. Chief Wathen told him that it did not. It covered a specific area on O'Neill Mountain and upper Spring Creek Road by Spring Creek Ranch. Mr. Gollin asked if we would be annexing more areas up Spring Creek. The Commissioners stated that the District would be working on other areas next year.

Kimberly Schendel affirmed her interest continuing her contract for fire protection and would be in favor of a petition to annex.

With no further public comment the public hearing was closed at 8:30 AM.

President Deaner then called a special meeting of the Sam Owen Fire District Commissioners to approve the resolution for annexation election for the area described as O'Neill Mountain. Commissioner Gow made a motion to accept the resolution No. 100712-1. Commissioner Holzer seconded the motion. All were in favor.

Special meeting was adjourned at 9:00 AM.

Minutes taken and prepared by:

Chief Bob Wathen

Bob Wathen

Date: 12/7/2010

Sam Owen Fire District
Tuesday Dec 7, 2010
O'Neill Mtn. Annexation
Public Hearing

Name (Print)
Debbie Ferguson
2415 Denton Road
Hope Idaho 83836

Signature
Debbie Ferguson

BILL GOLLIN
432 SPR CRK RD
HOPE

Bill Gollin

JAMES R. DAVIS
801 O'NEILL MTD RD
HOPE, IDAHO, 83836

James Davis

Elaine T. DAVIS
801 O'NEILL MTD RD
HOPE ID 83836

Elaine T. Davis

Kimberley Schandel
1207 Denton Rd
Hope, ID 83836

Kimberley J. Schandel



RUEN-YEAGER & ASSOCIATES, INC.
ENGINEERS ♦ PLANNERS ♦ SURVEYORS

12/27/2010

Sam Owen Fire District Annexation Legal Description

A parcel of land located in Sections 7, 9, 16, 17 and 18, Township 56 North, Range 2 East, Boise Meridian, Bonner County, Idaho; more particularly described as follows:

COMMENCING at the East ¼ corner of said Section 7;

Thence South 0°40'59" West, 850.00 feet along the east line of said section 7 to the POINT OF BEGINNING;

Thence continuing along said east line South 0°40'59" West, 1730.52 feet to the corner common to Sections 7, 8, 17 and 18 of said Township and Range;

Thence along the north line of said Section 17, South 88°06'40" East, 2595.10 feet to the North ¼ corner of said Section 17;

Thence along the North-South mid Section line of said Section 17, South 1°03'48" West, 1289.42 feet to the Center North 1/16 corner of said Section 17;

Thence along the south line of the N ½ of the NE ¼ of said Section 17, South 88°59'46" East, 2639.58 feet to the North 1/16 corner common to said Sections 16 and 17;

Thence along the east line of said Section 17, North 0°42'20" East, 1321.91 feet to the Section corner common to Sections 8, 9, 16 and 17;

Thence along the west line of said Section 9, North 0°27'40" East, 1192.38 feet to the southerly right of way line of Spring Creek Road;

Thence along said Spring Creek Road the following 2 courses:

1. South 57°48'56" East, 391.38 feet;
2. Thence South 69°01'54" East, 176.15;

Thence South 9°48'47" West, 937.52 feet to the south line of said Section 9;

Thence along the south line of said Section 9, South 89°29'42" East, 2297.43 feet to the South ¼ corner of said Section 9;

Thence continuing along the south line of said Section 9, South 89°27'10" East, 1313.04 feet to the East 1/16th corner common to said Sections 9 and 16;

Thence along the east line of the NE ¼ of the NW ¼ of the NE ¼ of said Section 16, South 0°29'34" West, 661.01 feet to the C-N-NE 1/64th corner of said Section 16;

Page 2

Thence along the south line of said NE ¼ of the NW ¼ of the NE ¼, North 89°27'33" West, 657.29 feet to the NW-NE 1/64th corner of said Section 16;

Thence along the west line of the SE ¼ of the NW ¼ of the NE ¼ of said Section 16, South 0°20'21" West, 396.70 feet to the southerly line of the North 396.70 feet of the SW ¼ of the NW ¼ of the NE ¼ of said Section 16;

Thence along said southerly line North 89°27'34" West, 659.28 feet to the North-South mid Section line of said Section 16;

Thence along said North-South mid Section line, South 0°37'36" West, 264.46 feet to the Center North 1/16 corner of said Section 16;

Thence along the southerly line of the N ½ of the NW ¼ of said Section 16, North 89°29'16" West, 2644.80 feet to said North 1/16 corner common to Sections 16 and 17;

Thence along the west line of said Section 16, South 0°42'19" West, 1321.91 feet to the West ¼ corner of said Section 16;

Thence continuing along the west line of said Section 16, South 1°20'28" West, 2634.76 feet to the corner common to said sections 16 and 17 and Sections 20 and 21 of said Township and Range;

Thence along the south line of said Section 17, North 89°36'23" West, 1317.62 feet to the East 1/16 corner common to said Sections 17 and 20;

Thence along the west line of the E ½ of the SE ¼ of said Section 17, North 1°11'50" East, 2665.06 feet to the Center-East 1/16 corner of said Section 17;

Thence along the East-West mid section line of said Section 17, North 88°17'30" West, 3889.86 feet to the West ¼ corner of said Section 17;

Thence along the west line of said Section 17, South 0°25'19" West, 793.37 feet;

Thence South 89°11'47" West, 1015.29 feet to the shoreline of Denton Slough;

Thence along said shoreline the following 3 courses:

1. North 58°46'18" West, 159.64 feet;
2. Thence North 31°23'27" West, 225.43 feet;
3. Thence North 12°30'09" West, 141.97 feet;

Thence North 71°47'23" East, 248.05 feet;

Thence North 89°32'07" East, 130.78 feet;

Thence North 17°14'06" West, 169.05 feet;

Thence South 89°13'18" West, 133.38 feet;

Thence South 71°54'03" West, 266.35 feet;

Page 3

Thence North $80^{\circ}44'55''$ West, 841.52 feet;

Thence North $0^{\circ}14'22''$ East, 1397.70 feet to the south line of Lot 4 of Denton Bay Meadows as shown on the official plat recorded as instrument number 581215 and filed in Book 6 of plats at Page 134;

Thence along said south line South $89^{\circ}58'36''$ West, 421.00 feet to the southwest corner of said Lot 4 on the North-South mid Section line of said Section 18;

Thence along said North-South mid Section line North $0^{\circ}21'17''$ East, 1331.30 feet to the north $\frac{1}{4}$ corner of said Section 18;

Thence along the north line of said Section 18, South $89^{\circ}09'48''$ East, 1012.18 feet to a point on the easterly right of way line of Denton Road;

Thence along said easterly right of way line the following 5 courses:

1. North $11^{\circ}48'27''$ West, 1178.87 feet to a point of curvature to the left;
2. Thence along the arc of said curve left 478.27 feet with said curve having a radius of 1174.06 feet and a delta angle of $23^{\circ}20'25''$ (chord North $23^{\circ}28'40''$ West, 474.97 feet);
3. Thence North $35^{\circ}08'52''$ West, 267.55 feet to a point of curvature right;
4. Thence along the arc of said curve right 467.26 feet with said curve having a radius of 1432.94 feet and a delta angle of $18^{\circ}41'00''$ (chord North $25^{\circ}48'22''$ West, 465.19 feet);
5. Thence North $16^{\circ}27'52''$ West, 392.76 feet to the East-West mid Section line of said Section 7;

Thence along said East-West mid Section line, South $88^{\circ}56'17''$ East, 2104.89;

Thence South $0^{\circ}40'59''$ West, 850.00 feet;

Thence South $88^{\circ}57'22''$ East, 445.00 feet to the Point of Beginning.

This legal description was prepared from record drawings and deeds. It is for fire district annexation planning purposes only. It was written without the benefit of an actual survey and is not intended to determine exact property boundary line. This legal description is not intended to be used for property conveyances.

See attached exhibit "A"



PETITION TO ANNEX LANDS LOCATED IN BONNER COUNTY,

STATE OF IDAHO, INTO THE SAM OWEN FIRE PROTECTION DISTRICT

LOCATED IN BONNER COUNTY, STATE OF IDAHO.

290-6707

(85)

Pursuant to Idaho Code section 31-1411, we, the below signed holders of the title to lands in Bonner County, State of Idaho, and aggregating not less than forty (40) acres of contiguous territory, do hereby request and petition the Board of Commissioners for the Sam Owen Fire Protection District, State of Idaho, County of Bonner, to annex said lands located: (See attached EXHIBITS A & B Legal Descriptions and Map)

NAME (PRINTED)	SIGNATURE	ADDRESS	CITY/POST OFFICE	DATE
Paul Fritz	<i>[Signature]</i>	700 O'NEILL HT RD	HOPE ID	10/11/10
WIMORY Z FEEDERSON	<i>[Signature]</i>	2415 DENVER RD	HOPE ID	10/12/10
JERRY MYERS - Jerry Myers	<i>[Signature]</i>	67 O'NEILL HT RD	HOPE ID	10/12/10
ROBERT KESSLER - Robert Kessler	<i>[Signature]</i>	81 O'NEILL HT RD	HOPE ID	10/12/10
William Jossitt	<i>[Signature]</i>	470 O'NEILL HT RD	HOPE ID	10/12/10
ELAINE T DAVIS	<i>[Signature]</i>	801 O'NEILL HT RD	HOPE ID	10/12/2010
James R. Davis	<i>[Signature]</i>	801 O'NEILL HT RD	HOPE, ID	10/12/2010
Bernice H MICH	<i>[Signature]</i>	419 O'NEILL HT RD	HOPE ID	10/12/2010
MUSSELD MUSBROW	<i>[Signature]</i>	4139 DENVER	HOPE,	10/18/10
Louis Wintzer	<i>[Signature]</i>	2485 Denton Rd.	HOPE	10/18/10
STANLEY A. MYERS	<i>[Signature]</i>	2081 DENTON RD.	HOPE	10/18/10
PHILIP R. BENVIST	<i>[Signature]</i>	1785 DENTON RD	HOPE	11/9/10
ROBERT DEZELL	<i>[Signature]</i>	837 O'NEILL HT RD	HOPE	11-13-10
Debbie DEZELL	<i>[Signature]</i>	837 O'NEILL HT RD	HOPE	11-13-10

NAME (PRINTED)

SIGNATURE

ADDRESS

CITY/POST OFFICE

DATE

ALAN V. KIEBERT

Alan V. Kiebert

2691 DENVER RD.

HOPE, IDAHO

83836

11/14/2011

Robert Ruck
WILLIAM H SEAY JR

2791 ~~Stanton Rd~~
2161 DENVER RD.

~~Hope~~ *Idaho*
HOPE IDAHO 83836

11/14/11
11/15/10 18

STATE OF IDAHO)
) :SS.
COUNTY OF BONNER)

I, Robert L. Withers, being first duly sworn, say: That every person who signed this sheet of the foregoing petition signed his or her name thereto in my presence: I believe that each has stated his or her name, Post Office address and residence correctly, that each signer is property owner in the State of Idaho, County of Bonner.

Address: 129 Sun Rav Dr

Hepp, ID 83836

Signed: Robert L. Withers

SUBSCRIBED AND SWORN to before me this 19th day of November, 2010

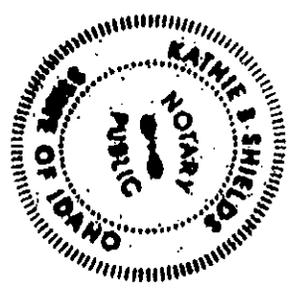
(notary seal)

Signed: Kathie E. Shields

Notary Public - State of Idaho

Residing at: Chick Fork

My Commission Expires: 11/3/14



PETITION TO ANNEX LANDS LOCATED IN BONNER COUNTY,
STATE OF IDAHO, INTO THE SAM OWEN FIRE PROTECTION DISTRICT
LOCATED IN BONNER COUNTY, STATE OF IDAHO.

In pursuance to Idaho Code section 31-1411, we, the below signed holders of the title to lands in Bonner County, State of Idaho, and aggregating not less than forty (40) acres of contiguous territory, do hereby request and petition the Board of Commissioners for the Sam Owen Fire Protection District, State of Idaho, County of Bonner, to annex said lands located: (See attached EXHIBITS A & B Legal Descriptions and Map)

NAME (PRINTED)	SIGNATURE	ADDRESS	CITY/POST OFFICE	DATE
Donald A. Kline	<i>[Signature]</i>	4000 N. Neil Houston Rd.	Hayes ID 83832	11/11/10
Nicki L. Nitzsberg	<i>[Signature]</i>	" "	(Parcel lot # 9)	
		Both parcels residing at 700 West Tuleen Ave Spokane WA 99224 509 270-8908 donald.kline@gmail.com		

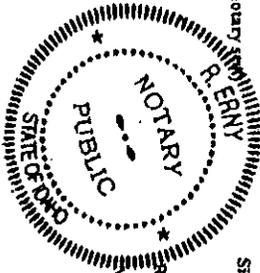
STATE OF IDAHO)
COUNTY OF BONNER)
SS: _____
I, R. ERNLY, being first duly sworn, say: That every person who signed this sheet of the foregoing petition signed his or her name thereto in my presence; I believe that each has stated his or her name, Post Office address and residence correctly, that each signed as property owner in the State of Idaho, County of Bonner.

Signed: *[Signature]*
Address: 8109 E Solstice Way
Post Falls ID 83854

SUBSCRIBED AND SWORN to before me this 11 day of NOV, 2010

(Notary Public - State of Idaho)
Notary Public - State of Idaho
Signed: *[Signature]*
Residing at Post Falls
My Commission Expires: June 10, 2014

MY COMMISSION EXPIRES
June 10, 2014
BONDED THRU NOTARY PUBLIC UNDERWRITERS



:SS.

ANDREW, being first duly sworn, say: That every person who
in my presence: I believe that each has stated his or her name, Post ()
in the State of Idaho, County of Bodner.

Signed: Michael W. Kunkopf

Address: 4600 Millermuir Dr.

Bellevue, MD 211

ORN to before me this 28th day of September 2010

Signed: Michael W. Kunkopf

Notary Public - State of Idaho - MD

Residing at: 4100 Millermuir

My Commission Expires: September



PETITION TO ANNEX LANDS LOCATED IN BONNER COUNTY,
STATE OF IDAHO, INTO THE SAM OWEN FIRE PROTECTION DISTRICT
LOCATED IN BONNER COUNTY, STATE OF IDAHO.

Pursuant to Idaho Code section 31-1411, we, the below signed holders of the title to lands in Bonner County, State of Idaho, and aggregating not less than forty (40) acres of contiguous territory, do hereby request and petition the Board of Commissioners for the Sam Owen Fire Protection District, State of Idaho, County of Bonner, to annex said lands located: (See attached EXHIBITS A & B Legal Descriptions and Map)

NAME (PRINTED)

SIGNATURE

ADDRESS

CITY/POST OFFICE

DATE

✓ Donald Hillman

D Hillman

2000 Park Hill Rd, Lot 1

Bonner County, ID

15/11/2008

c/o M.A.D Consulting Ltd

PETITION

AT
JUN

5 01
ZNE

101

STATE OF))
COUNTY OF)) :SS.

I, Kristen H. Dick, being first duly sworn, say: That every person who signed this sheet of the foregoing petition signed his or her name thereto in my presence: I believe that each has stated his or her name, Post Office address and residence correctly, that each signer is property owner in the State of Idaho, County of Bonne

Address: 805 1088 6th Ave SW

Calgary AB Canada T2P 5N3

Signed: [Signature]

SUBSCRIBED AND SWORN to before me this 15th day of November, 2010

(notary seal)

Signed:

[Signature]

KRISTEN HOPE DICK
A Commissioner for Oaths/Notary Public
in and for the Province of Alberta

Notary Public - State of Idaho Province of Alberta

Residing at: 805 1088 6th Ave SW Calgary, AB, Canada T2P 5N3

My Commission Expires: N/A

SAM OWEN FIRE DISTRICT

RESOLUTION NO. 100712-1

ANNEXATION ELECTION FOR THE AREA DESCRIBED AS O'NEILL MOUNTAIN

WHEREAS, Idaho Code 31-1411 provides 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,

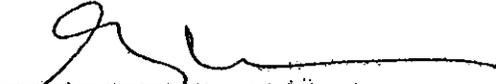
WHEREAS, Idaho Code 31-1411 provides that if at least seventy-five percent (75%) or more of the owners or contract purchasers of the land sought to be annexed petition the fire protection board and request annexation of the territory particularly described in said petition; the board will publish notice and hold a public hearing at least ten (10) days after the reception of the petition and after the public hearing determine 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 the Board of County Commissioners therefore, shall thereupon enter an order of annexation and cause the same to be recorded so as to include the annexed property on the tax rolls.

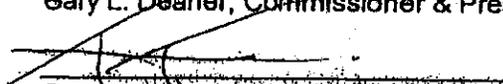
NOW, THEREFORE, BE IT RESOLVED by the Sam Owen Fire District Commissioners that after review of the attached petition and legal description of the specified area to be annexed and conducting a public hearing in accordance with the law, the Board believes that the annexation would be in the best interests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

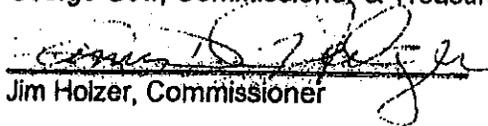
IT IS ALSO RESOLVED that the Sam Owen Fire District Commissioners direct the secretary to submit this resolution along with the petition containing the signatures of owners or contract purchasers and an accurate legal description to the Board of Bonner County Commissioners and the County Clerk so that Board of County Commissioners will thereupon enter an order of annexation and cause the same to be recorded so as to include the annexed property on the tax rolls as outlined in Idaho code 31-1411.

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 7th day of December, 2010

SAM OWEN FIRE DISTRICT BOARD OF COMMISSIONERS

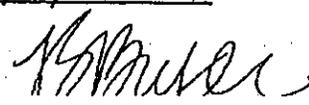

Gary L. Deaner, Commissioner & President


George Gow, Commissioner & Treasurer


Jim Holzer, Commissioner

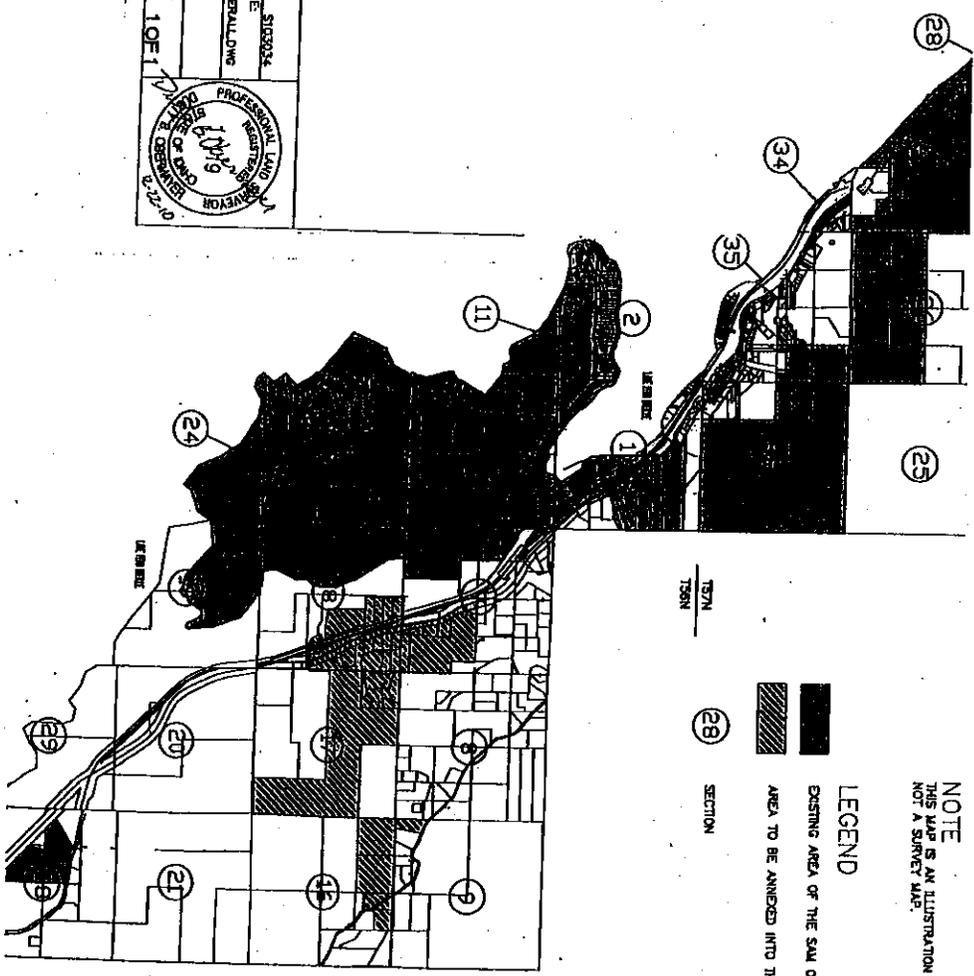
ACTION TAKEN:

12/7/2010

by 

SAM OWEN FIRE DISTRICT MAP

PROJECT: _____
 CAD FILE NAME: S10B034
 SV FIRE DIST OVERALL DWG
 PLOT DATE: _____
 SHEET NUMBER: 1 OF 1



NOTE
 THIS MAP IS AN ILLUSTRATION &
 NOT A SURVEY MAP.

LEGEND
 [Solid Black Box] EXISTING AREA OF THE SAM OR
 [Hatched Box] AREA TO BE ANNEXED INTO THE

1/8" = 75'
 SECTION