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TECHNICAL SUPPORT

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BEFORE THE BOARD OF COUNTY COMMISSIONERS

BOISE COUNTY, IDAHO

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**IN RE SUNCOR PETITION TO ANNEX)
TERRITORY LOCATED IN BOISE)
COUNTY INTO EAGLE FIRE)
PROTECTION DISTRICT)
_____)**

Order

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SunCor Idaho, Inc., holds real property being developed as the "Avimor" development in the vicinity of Idaho State Highway 55, near the intersection of Ada, Boise, and Gem Counties. The real property lies within portions of all three counties, including Boise County. The portion located within Boise County is described in the attached Exhibit B.

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SunCor is seeking fire protection coverage for Avimor through the Eagle Fire Protection District, which is located within Ada County. Idaho Code Section 31-1412 authorizes territory in one county to be annexed into a fire protection district located in an adjacent county. SunCor filed a petition to annex the Boise County and Gem County territory into the Eagle Fire Protection District. The Eagle Fire Protection Board approved that petition on July 15, 2008. In accordance with I.C. § 31-1412(3), SunCor subsequently filed a petition with both Boise and Gem Counties seeking to annex into the Eagle Fire Protection District the territory located within each respective county. A joint hearing was conducted by the Boards of County Commissioners of both Boise and Gem Counties. On November 10, 2008, the Board of County Commissioners of Boise County granted the petition for territory located within Boise County.

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IT IS NOW THEREFORE HEREBY ORDERED THAT the petition filed by SunCor relating to territory located within Boise County is GRANTED, and that the

1 boundaries of the annexed territory located within Boise County shall be as described in
2 the attached Exhibit B. (There is no Exhibit A to this Order.) Under the direction of the
3 Boise County Clerk, a map of the territory shall be prepared. The Boise County Clerk
4 shall transmit to the Ada County Clerk a certified copy of this Order and the map. An
5 election shall be held in Boise County in accordance with Idaho Code Sections 31-
6 1412(5) and (6).

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DATED this 24 day of NOV., 2008.

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BOARD OF COUNTY COMMISSIONERS

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FH Lawson

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Fred H. Lawson, Chair

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Linda W. Zimmer

Linda W. Zimmer, Vice Chair

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Terry C. Day

Terry C. Day, Commissioner

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APR 21 2010

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TECHNICAL SERVICES

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CERTIFICATE OF MAILING

I HEREBY CERTIFY, that on this 1st day of December, 2008, I caused to be mailed a true and correct copy of the foregoing by U.S. Mail, postage prepaid, to the following.


Constance Swearingen, Clerk

Dan Richter, President
SunCorp Idaho, Inc.
485 E. Riverside Dr., Suite 300
Eagle, ID 83616; and

Timothy R. McNeese
Deputy Prosecuting Attorney
Boise County
P.O. Box 186
Idaho City, ID 83631

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EXHIBIT "B"

TECHNICAL SUPPORT

Legal Description of Avimor Property – Boise County

BOISE COUNTY

A tract of land located in Township 5 North, Range 1 East, Boise Meridian, Boise County, Idaho described as follows:

In Section 1, the portions of the Northeast One Quarter which lie within Boise County including Governments Lots 1 and 2, and;

AND ALSO

A tract of land located in Township 6 North, Range 2 East, Boise Meridian, Boise County, Idaho described as follows:

In Section 7, the East One Half of the Southwest One Quarter, and Government Lots 3, 4, 10, and 11, and;

A parcel of land situated in the Southeast One Quarter of the Southeast quarter of Section 17, Township 6 North, Range 2 East, Boise Meridian, Boise County, Idaho, as shown on the Record of Survey filed under Instrument No. 167338 in the Office of the Boise County Recorder, Idaho City, Idaho, said parcel being described as follows:

Beginning at an iron pin with an aluminum cap marking the Southeast corner of said Section 17,

Thence along the East boundary of said Section 17 North $00^{\circ}33'29''$ East a distance of 595.84 feet to a point on a curve on the Easterly right of way boundary of old Highway 55, FAP F 129-(13),

Thence along the said Easterly right of way boundary along the arc of a curve to the right having a radius of 722.96 feet, a central angle of $06^{\circ}37'36''$, a length of 83.62 feet and a long chord which bears South $29^{\circ}27'18''$ West a distance of 83.57 feet to a point of spiral curve,

Thence continuing along the arc of a spiral curve to the right having a long chord which bears South $37^{\circ}37'26''$ West a distance of 169.50 feet to a point of tangent;

Thence South $40^{\circ}16'06''$ West a distance of 220.75 feet to a point of spiral curve,

Thence continuing along the arc of a spiral curve to the left having a long chord which bears South $37^{\circ}56'40''$ West a distance of 130.15 feet to a point of curve,

Thence continuing along the arc of a curve to the left having a radius of 419.52 feet, a central angle of $17^{\circ}08'36''$, a length of 125.52 feet and a

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APR 21 2010

long chord which bears South 24°09'05" West a distance of 412.67 feet to a point on the South boundary of said Section 17,
Thence along the said South boundary, South 89°30'00" East a distance of 412.67 feet, to the point of beginning.

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In Section 18, the West One Half of the Northeast One Quarter, the East One Half of the Northwest One Quarter, the Northeast One Quarter of the Southwest One Quarter and Government Lots 1, 2, 3 and 4, and;

In Section 19, the Southeast One Quarter, the South One Half of the Northeast One Quarter and the Southwest One Quarter, and;

All of Section 20, **Except** that portion thereof lying within the following:

A tract of land situated in the Northeast quarter of Section 20 and the Southeast quarter of the Southeast quarter of Section 17, all in Township 6 North, Range 2 East, Boise Meridian, Boise County, Idaho, said tract being described as follows:

Commencing at a steel pin set to mark the Southwest corner of said Section 17,

Thence along the Southerly line of said Section 17 South 89°10'42" East a distance of 2624.35 feet to a found stone monumenting the South quarter corner of said Section 17;

Thence continuing along the Southerly line of said Section 17 South 89°30'00" East a distance of 1279.86 feet to a steel pin, said steel pin being the point of beginning;

Thence leaving the Southerly line of said Section 17 and following an existing fence South 00°01'36" West a distance of 1397.07 feet to a steel pin on the Westerly right of way of old Highway 55,

Thence following the Westerly right of way of old Highway 55 the following courses and distances:

Thence North 00°00'00" East a distance of 152.83 feet along the arc of a non-tangent circular curve to the right, said curve having a radius of 722.96 feet, a central angle of 12°06'43", a chord bearing of North 53°01'44" East and a chord distance of 152.54 feet to a steel pin,

Thence along the arc of a spiral curve to the right, said spiral having a long chord bearing of North 63°56'27" East and chord distance of 169.52 feet to a right-of-way monument;

Thence North 66°35'06" East a distance of 83.38 feet to a right-of-way monument;

Thence along the arc of a spiral curve to the left, said spiral having a long chord bearing of North 64°29'08" East and chord distance of 132.25 feet to a steel pin,

Thence North 00°00'00" East a distance of 641.23 feet along the arc of a circular curve to the left, said curve having a radius of 486.62 feet, a

central angle of $75^{\circ}30'00''$, a chord bearing of North $22^{\circ}05'06''$ East and a chord distance of 395.83 feet to a steel pin,
Thence along the arc of a spiral curve to the left, said spiral having a long chord bearing of North $20^{\circ}18'55''$ West and a chord distance of 132.23 feet to a right-of-way monument,
Thence along the arc of a spiral curve to the right, said spiral having a long chord bearing of North $19^{\circ}45'14''$ West and a chord distance of 169.62 feet to a steel pin,
Thence North $00^{\circ}00'00''$ West a distance of 302.58 feet along the arc of a circular curve to the right, said curve having a radius of 719.52 feet, a central angle of $24^{\circ}05'40''$, a chord bearing of North $02^{\circ}49'21''$ West and a chord distance of 300.35 feet to a point,
Thence North $00^{\circ}00'00''$ East a distance of 295.09 feet along the arc of a circular curve to the right, said curve having a radius of 719.52 feet, a central angle of $23^{\circ}29'54''$, a chord bearing of North $20^{\circ}58'26''$ East and a chord distance of 293.03 feet to a steel pin,
Thence along the arc of a spiral curve to the right, said spiral having a long chord bearing of North $37^{\circ}36'26''$ East and a chord distance of 169.62 feet to a right of way monument;
Thence North $40^{\circ}16'06''$ East a distance of 220.75 feet to a steel pin,
Thence along the arc of a spiral curve to the left, said spiral having a long chord bearing of North $37^{\circ}57'25''$ East and a chord distance of 130.27 feet to a steel pin,
Thence North $00^{\circ}00'00''$ East a distance of 303.89 feet along the arc of a circular curve to the left, said curve having a radius of 422.96 feet, a central angle of $41^{\circ}10'00''$, a chord bearing of North $12^{\circ}11'06''$ East and a chord distance 297.40 feet to a steel pin,
Thence along the arc of a spiral curve to the left, said spiral having a long chord bearing of North $13^{\circ}35'13''$ West and a chord distance of 130.27 feet to a right-of-way monument,
Thence North $15^{\circ}53'54''$ West a distance of 2.38 feet to a right-of-way monument,
Thence along the arc of a spiral curve to the right, said spiral having a long chord bearing of North $13^{\circ}15'14''$ West and a chord distance of 169.50 feet to a steel pin,
Thence North $00^{\circ}00'00''$ West a distance of 43.29 feet along the arc of a circular curve to the right, said curve having a radius of 722.96 feet, a central angle of $03^{\circ}25'52''$, a chord bearing of North $06^{\circ}40'58''$ West and a chord distance of 43.29 feet to a point on the Northerly line of the Southeast quarter of the Southeast Quarter of said Section 17,
Thence leaving said Westerly right-of-way and following the Northerly line of the Southeast quarter of the Southeast quarter of said Section 17 North $89^{\circ}20'25''$ West a distance of 981.45 feet to a steel pin monumenting the Northwest corner of the said Southeast One Quarter of the Southeast One Quarter,

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Thence along the Easterly line of the said Southeast One Quarter of the Southeast One Quarter South 00°14'18" West a distance of 1313.12 feet to a steel pin monumenting the Southeast corner of the Southeast One Quarter of the Southeast One Quarter,
Thence North 89°30'00" West a distance of 7.16 feet to a steel pin, said pin being the point of beginning.

And Except that portion conveyed to the State of Idaho by the Deed recorded under Instrument No. 126533.

In Section 21, the Northwest One Quarter of the Northwest One Quarter, and;
In Section 28, the North One Half, the North One Half of the South One Half and the Southeast One Quarter of the Southeast One Quarter, and;

All portions of Section 29, **Except** those portions conveyed to the State of Idaho by the Deeds recorded under Instrument No's 116461 and 126533.

All portions of Section 30, **Except** that portion thereof conveyed to the State of Idaho by the Deed recorded under Instrument No. 116461.

In Section 31, the East One Half, the East One Half of the Southwest One Quarter, the East One Half of the Northwest One Quarter, and Government Lots 2, 3, and 4, **Except** that portion conveyed to the State of Idaho by the Deed recorded under Instrument No. 116461.

In Section 32, the North One Half, the Southwest One Quarter, the North One Half of the Southeast One Quarter and the Southwest One Quarter of the Southeast One Quarter, and;

In Section 33, the West One Half of the West One Half, and the Southeast One Quarter of the Southwest One Quarter.

AND ALSO

A tract of land located in Township 5 North, Range 2 East, Boise Meridian, Boise County, Idaho described as follows:

In Section 4, Government Lots 1, 2 and 3, the South One Half of the Northeast One Quarter, the Southwest One Quarter and the South One Half of the Northwest One Quarter, and ;

In Section 5, Government Lots 2, 3 and 4, the South One Half of the North One Half and the South One Half, and ;

In Section 6, all portions which lie within Boise County including but not limited to that portion of abandoned highway right of way as evidenced by Instrument

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No. 134123, **Except** those portions conveyed for road right-of-way by deeds recorded under Instrument Numbers 46769 and 116461.

In Section 7, all portions which lie within Boise County, and;

In Section 8, the North One Half of the Northwest One Quarter, the Southeast One Quarter of the Northwest One Quarter, the South One Half of the Northeast One Quarter, the Northeast One Quarter of the Northeast One Quarter, the East One Half of the Southeast One Quarter, those portions of the Southwest One Quarter of the Southeast One Quarter and the Southwest One Quarter lying in Boise County, and;

In Section 9, the North One Half of the Northwest One Quarter and the West One Half of the Northeast One Quarter, and;

In Section 15, the South One Half of the Southwest One Quarter, and;

In Section 16, the Southeast One Quarter of the Southeast One Quarter, and;

In Sections 17, those portions of the North One Half of the Northeast One Quarter which lie within Boise County, and;

In Sections 21 and 22, all those portions which lie within Boise County.

Subject to all existing easements and rights-of-way, recorded or prescriptive.

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EXHIBIT "C"

Legal Description of Avimor Property – Gem County

GEM COUNTY

A tract of land located in Township 6 North, Range 1 East, Boise Meridian, Gem County, Idaho described as follows:

In Section 12, Lots 1, 2, 3, 4, 5, and 6, and;

In Section 13, Lots 1, 2, 3, 4, 5, 6, 7, and 8, the Southeast One Quarter, the East One Half of the Southwest One Quarter and the Southwest One Quarter of the Southwest One Quarter, and;

In Section 14, Lots 5 and 6, **except** any portion of the Independence and Santiago Mines, and;

In Section 22, the Southeast One Quarter, the North One Half of the Southwest One Quarter and the Southeast One Quarter of the Southwest One Quarter, and;

In Section 23; lots 2, 3, 5 and 6, **except** any portion of the Independence and Santiago Mines, the Southeast One Quarter, the Southwest One Quarter, and the Southeast One Quarter of the Northwest One Quarter, and;

All portions of Sections 24, 25, and 26;

In Section 27, the East One Half, the East One Half of the West One Half and the Southwest One Quarter of the Southwest one Quarter, and;

In Section 28, the Southeast One Quarter and the Southeast One Quarter of the Northeast One Quarter, and;

In Section 33, the East One Half, and;

In Section 34, the Northeast One Quarter, the South One Half, the South One Half of the Northwest One Quarter and the Northeast One Quarter of the Northwest One Quarter, and;

In Section 35, the North One Half, and the Southwest One Quarter;

In Section 36, the South one Half of the Southeast One Quarter and the Northeast One Quarter of the Southeast One Quarter, and;

Except the portions lying within the following 3 Legal Descriptions:

A tract of land situated in portions of Sections 13, 14, 23, and 24, Township 6 North, Range 1 East, Boise Meridian, Gem County, Idaho, described as follows:

Re: Amended Record of Survey filed as Instrument No. 170762, records of Gem County, Idaho.

Commencing at the section corner common to Sections 13, 14, 23, and 24, Township 6 North, Range 1 East, marked by a found 5/8" iron pin and aluminum cap monument stamped P.L.S. 4108;

Thence South 57°06'16" West, a distance of 656.51 feet to the Northeast corner of the Santiago Claim of the Black Pearl Group marked by a found 5/8" iron pin P.L.S. 4108 and the real point of beginning;

Thence along the Northeast boundary of the Santiago and the Easterly boundary of the Independence and the Deserter Claims of the Black Pearl Group the following courses and distances:

Thence North 79°40'40" West, a distance of 629.68 feet to a found 5/8" iron pin P.L.S. 4108,

Thence North 07°38'56" West, a distance of 598.85 feet to a found 5/8" iron pin P.L.S. 4108,

Thence North 21°58'55" West, a distance of 696.95 feet to the Northeast corner of the Deserter Claim of the Black Pearl Group marked by a found 5/8" iron pin P.L.S. 4108;

Thence leaving the Black Pearl Group, South 79°44'14" East, a distance of 2273.98 feet to a set 5/8" iron pin P.L.S. 4108,

Thence South 19°13'10" West, a distance of 1806.00 feet to a set 5/8" iron pin P.L.S. 4108,

Thence North 78°09'12" West, a distance of 829.25 feet to the Southeast corner of the Santiago Claim of the Black Pearl Group,

Thence North 12°20'33" East, a distance of 601.51 feet, along the Easterly boundary line of the Santiago Claim to the real point of beginning.

AND

The following described portion of Deserter, Independence and Santiago Mining Claims:

Beginning at the Southwest corner of the Southeast One Quarter of the Southeast One Quarter of Section 14, Township 6 North, Range 1 East, Boise Meridian, Gem County, Idaho;

Thence south 0°0'00", a distance of 800.1 feet

Thence South 78°12'00" East, a distance of 227.3 feet

Thence South 85°57'00" East, a distance of 213.67 feet

Thence South 8°50'00" West, a distance of 28.85 feet

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Thence South 78°12'00" East, a distance of 216.88 feet,
Thence North 12°22'00" East a distance of 600 feet
Thence North 79°49'00" West, a distance of 631.1 feet
Thence North 7°30'00" West, a distance of 600 feet,
Thence North 21°52'00" West, a distance of 194.4 feet,
Thence South 0°0'00", a distance 538.4 feet to the real point of beginning.

Subject to all existing easements and rights-of-way, recorded or prescriptive.

AND

That portion of the Southeast ¼ of Section 14, and the Northeast ¼ of Section 23, Township 6 North, Range 1 East, Boise Meridian, Gem County, Idaho, described as follows:

Commencing at the northeast corner of the Northeast ¼ of Section 23, Township 6 North, Range 1 East, Boise Meridian;
Thence North 89°59'59" West, 474.13 feet, along the north line of said Northeast ¼, **to the Point of Beginning**;
Thence continuing North 89°59'59" West, 728.35 feet, along said north line, to a point on the west line of the Trade Dollar Lode (Mineral Survey No. 2800);
Thence North 07°15'09" West, 361.75 feet, along said west line, to the northwest corner of said Trade Dollar Lode;
Thence South 12°44'55" West, 1149.39 feet to a point on the south line of the Santiago Lode (Mineral Survey No. 2800);
Thence South 77°44'52" East, 405.29 feet, along said south line, to a point on the north line of the San Francisco Lode (Mineral Survey No. 2391);
Thence South 85°32'42" East, 212.34 feet, along the said north line, to the northeast corner thereof;
Thence South 08°47'22" West 28.86 feet, along the east line of said San Francisco Lode, to a point on the south line of said Santiago Load;
Thence South 77°44'52" East, 216.75 feet, along said south line to the southeast corner of said Santiago Lode;
Thence North 12°44'55" East, 962.96 feet, along the east line of said Santiago Load and the northerly prolongation thereof, to the **Point of Beginning**.

Said tract of land containing therein, a calculated area of 17.154 acres, more or less, includes all water and ditch rights appurtenant to or used in connection with the properties being sold or conveyed hereby, and is subject to rights-of-way or easements of record or in use.

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RECORD OF SURVEY

OF A PORTION OF THE SOUTHWEST 1/4 OF SECTION 16, AND THE NORTHEAST 1/4 OF SECTION 21, TOWNSHIP 6 NORTH, RANGE 1 EAST, ROOSE MERIDIAN, COUNTY OF CEDAR, STATE OF IOWA

BASIS OF BEARINGS:
THE BASIS OF BEARINGS FOR THIS SURVEY IS THE RADIAL BEARING COGNOMINE SYSTEM, WEST ZONE, PER G.P.S. OBSERVATIONS TO CONTROL STATION "FREEDCOURT". THE MERIDIAN CORRECTION BEARING ON THE NORTH LINE OF THE NORTHEAST 1/4 OF SECTION 21, TOWNSHIP 6 NORTH, RANGE 1 EAST, ROOSE MERIDIAN IS: $1489^{\circ}29'29.77''$

LEGEND:

- || FOUND 5/4" IRON PIN W/ALUMINUM CAP PER R. OF S. No. 27062
- || FOUND 5/8" IRON PIN PER R. OF S. No. 17063
- || FOUND 1/2" IRON PIN -- NO RECORD
- || FOUND 5/8" IRON PIN PER R. OF S. No. 26242
- || SET 1/2" IRON PIN W/ALUMINUM CAP PLS. 4822
- FENCE LINE
- || RECORD DATA PER R. OF S. No. 17063
- || RECORD DATA PER R. OF S. No. 18262

NOTE:

THE COUNTY SURVEYOR, INC. ASSUMES NO LIABILITY FOR PRESENT OR FUTURE COMPLIANCE OR NONCOMPLIANCE WITH LOCAL ORDINANCES AND ZONING REGULATIONS AS THEY PERTAIN TO RECORDING PERMITS AND THE ACCURACY HEREOF.

SURVEY FOR:

CLAYTON CLAWSON
5728 W. ARNOLD ROAD
BOONE, IOWA 52714
PHONE (562)-8129

THE COUNTY SURVEYOR, INC.
PROFESSIONAL LAND SURVEYORS
510 SW Washington Ave., P.O. Box 574
Emmett, Iowa 52017-0574
Phone: (562) 305-2170

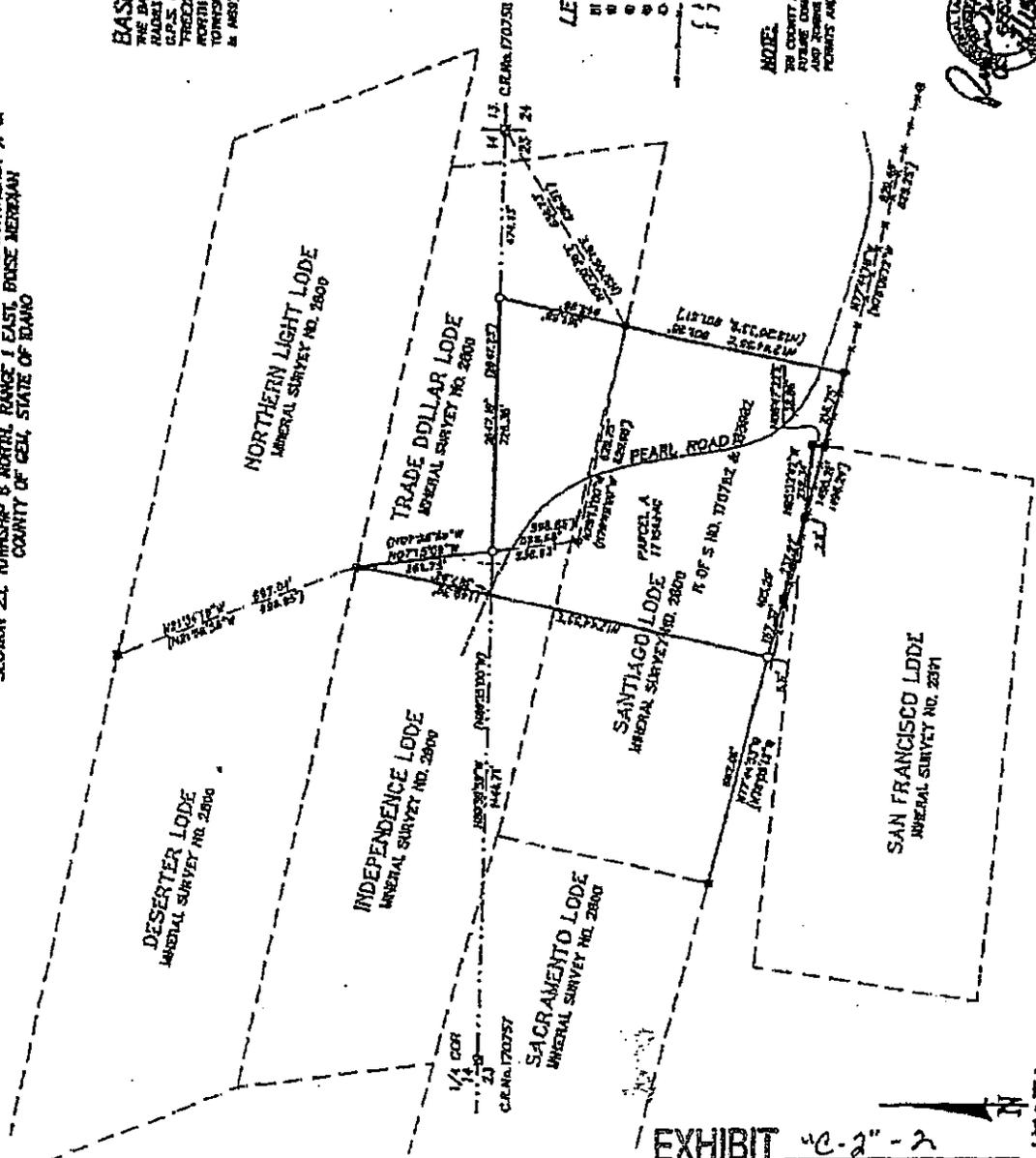


EXHIBIT "C-2" - 2

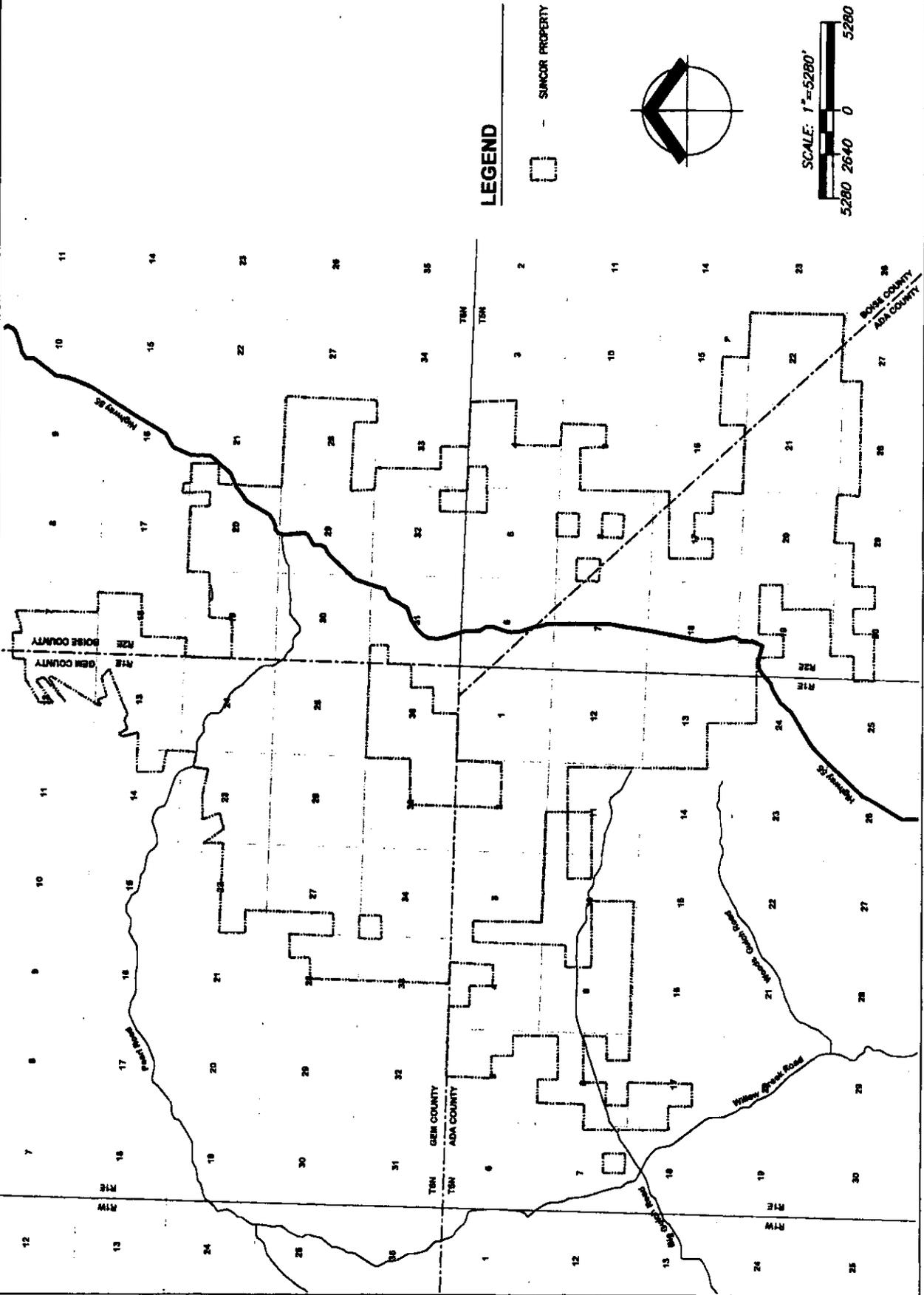
RECORD OF SURVEY NO. 189786

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REC'D NO. 911-1-1-0-0
REC'D NO. 911-23-1-0-0
COT. NO. 01-004



LEGEND

— SUNCOR PROPERTY

