

Instrument # 278223

~~064~~ 064

EMMETT, GEM, IDAHO
7-22-2010 04:51:13 No. of Pages: 9
Recorded for : LERMA LAW OFFICE PA
SHELLY GANNON Fee: 0.00
Ex-Officio Recorder Deputy *Diane Wright*
Index to: MISCELLANEOUS

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
GEM COUNTY, IDAHO**

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

Order

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 Gem County. The portion located within Gem County is described in the attached Exhibit C.

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 3, 2008, the Board of County Commissioners of Gem County granted the petition for territory located within Gem County.

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

Order

RECEIVED

JUL 26 2010

TECHNICAL SUPPORT

1 boundaries of the annexed territory located within Gem County shall be as described in
2 the attached Exhibit C. Under the direction of the Gem County Clerk, a map of the
3 territory shall be prepared. The Gem County Clerk shall transmit to the Ada County
4 Clerk a certified copy of this Order and the map. An election shall be held in Gem
5 County in accordance with Idaho Code Sections 31-1412(5) and (6).

6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46

DATED this 24th day of November, 2008.

BOARD OF COUNTY COMMISSIONERS

Michele Sherrer
Michele Sherrer, Chair

Sharon Pratt
Sharon Pratt, Commissioner

Lan Smith
Lan Smith, Commissioner

STATE OF IDAHO) ss.
County of Gem)
I certify that the foregoing is a
true and correct copy of the
original of this in this office.
DATE: July 26, 2010
Sherry Morgan, Clerk
By [Signature] Deputy

RECEIVED

JUL 26 2010

TECHNICAL SUPPORT

Order

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CERTIFICATE OF MAILING

I HEREBY CERTIFY, that on this 24th day of November, 2008, I caused to be mailed a true and correct copy of the foregoing by U.S. Mail, postage prepaid, to the following.

Shelly Gannon
Shelly Gannon, Clerk

Suncor:
Dan Richter, President
485 E. Riverside Dr., Suite # 300
Eagle, ID 83616

Ada County Clerk
200 W. Front St.
Boise, ID 83702

Order

3

RECEIVED
JUL 26 2010
TECHNICAL SUPPORT

State of IDAHO
County of GEM

On November 24, 2010, Michele Sharver
Sharon Pratt
Lan Smith personally
appeared before me, whose identity I proved on the basis of personal knowledge
to be the signer of the above instrument, and he/she acknowledged that he/she signed it.



Shelly Gannon
Notary Public
My Commission Expires 1-11-13
Residing in Emmett, ID

RECEIVED
JUL 26 2010
TECHNICAL SUPPORT

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;

RECEIVED

JUL 26 2010

TECHNICAL SUPPORT

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

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.

RECORD OF SURVEY

OF A PORTION OF THE SOUTHWEST 1/4 OF SECTION 14, AND THE NORTHEAST 1/4 OF SECTION 23, TOWNSHIP 6 NORTH, RANGE 1 EAST, MIDDLE MERIDIAN, COUNTY OF CALIFORNIA, STATE OF CALIFORNIA

BASIS OF BEARINGS:
THE BASIS OF BEARINGS FOR THIS SURVEY IS THE MERIDIAN BEARING OF THE SECTION CORNERS, AS SHOWN ON THE PLAT OF THE SECTION CORNERS, AND THE BEARINGS OF THE SECTION CORNERS, AS SHOWN ON THE PLAT OF THE SECTION CORNERS, AND THE BEARINGS OF THE SECTION CORNERS, AS SHOWN ON THE PLAT OF THE SECTION CORNERS.

LEGEND:

- 1. 1/4 CORNER
- 2. 1/4 CORNER
- 3. 1/4 CORNER
- 4. 1/4 CORNER
- 5. 1/4 CORNER
- 6. 1/4 CORNER
- 7. 1/4 CORNER
- 8. 1/4 CORNER
- 9. 1/4 CORNER
- 10. 1/4 CORNER
- 11. 1/4 CORNER
- 12. 1/4 CORNER
- 13. 1/4 CORNER
- 14. 1/4 CORNER
- 15. 1/4 CORNER
- 16. 1/4 CORNER
- 17. 1/4 CORNER
- 18. 1/4 CORNER
- 19. 1/4 CORNER
- 20. 1/4 CORNER
- 21. 1/4 CORNER
- 22. 1/4 CORNER
- 23. 1/4 CORNER
- 24. 1/4 CORNER
- 25. 1/4 CORNER
- 26. 1/4 CORNER
- 27. 1/4 CORNER
- 28. 1/4 CORNER
- 29. 1/4 CORNER
- 30. 1/4 CORNER
- 31. 1/4 CORNER
- 32. 1/4 CORNER
- 33. 1/4 CORNER
- 34. 1/4 CORNER
- 35. 1/4 CORNER
- 36. 1/4 CORNER
- 37. 1/4 CORNER
- 38. 1/4 CORNER
- 39. 1/4 CORNER
- 40. 1/4 CORNER
- 41. 1/4 CORNER
- 42. 1/4 CORNER
- 43. 1/4 CORNER
- 44. 1/4 CORNER
- 45. 1/4 CORNER
- 46. 1/4 CORNER
- 47. 1/4 CORNER
- 48. 1/4 CORNER
- 49. 1/4 CORNER
- 50. 1/4 CORNER
- 51. 1/4 CORNER
- 52. 1/4 CORNER
- 53. 1/4 CORNER
- 54. 1/4 CORNER
- 55. 1/4 CORNER
- 56. 1/4 CORNER
- 57. 1/4 CORNER
- 58. 1/4 CORNER
- 59. 1/4 CORNER
- 60. 1/4 CORNER
- 61. 1/4 CORNER
- 62. 1/4 CORNER
- 63. 1/4 CORNER
- 64. 1/4 CORNER
- 65. 1/4 CORNER
- 66. 1/4 CORNER
- 67. 1/4 CORNER
- 68. 1/4 CORNER
- 69. 1/4 CORNER
- 70. 1/4 CORNER
- 71. 1/4 CORNER
- 72. 1/4 CORNER
- 73. 1/4 CORNER
- 74. 1/4 CORNER
- 75. 1/4 CORNER
- 76. 1/4 CORNER
- 77. 1/4 CORNER
- 78. 1/4 CORNER
- 79. 1/4 CORNER
- 80. 1/4 CORNER
- 81. 1/4 CORNER
- 82. 1/4 CORNER
- 83. 1/4 CORNER
- 84. 1/4 CORNER
- 85. 1/4 CORNER
- 86. 1/4 CORNER
- 87. 1/4 CORNER
- 88. 1/4 CORNER
- 89. 1/4 CORNER
- 90. 1/4 CORNER
- 91. 1/4 CORNER
- 92. 1/4 CORNER
- 93. 1/4 CORNER
- 94. 1/4 CORNER
- 95. 1/4 CORNER
- 96. 1/4 CORNER
- 97. 1/4 CORNER
- 98. 1/4 CORNER
- 99. 1/4 CORNER
- 100. 1/4 CORNER

NOTE:

IN EVERY INSTANCE, THE SURVEYOR HAS TAKEN THE PRECAUTIONS TO BE TAKEN IN THE CONDUCT OF A SURVEY OF THIS NATURE, AND THE RESULTS OF HIS SURVEY ARE HEREBY CERTIFIED TO BE TRUE AND CORRECT.

SURVEY FOR:

THE COUNTY OF CALIFORNIA
SACRAMENTO COUNTY
SACRAMENTO COUNTY
SACRAMENTO COUNTY
SACRAMENTO COUNTY

THE COUNTY SURVEYOR, INC.
SACRAMENTO COUNTY
SACRAMENTO COUNTY
SACRAMENTO COUNTY
SACRAMENTO COUNTY

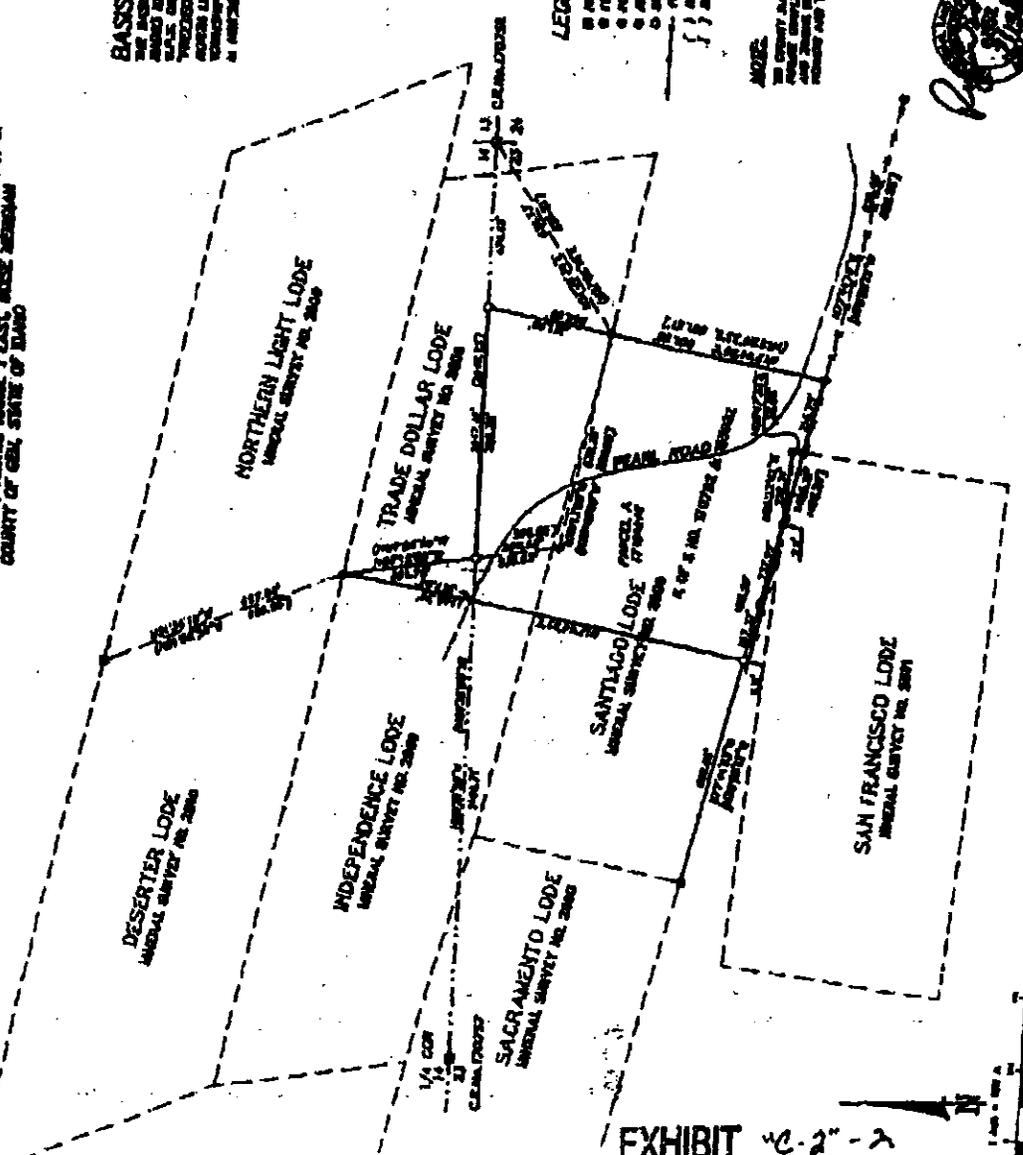
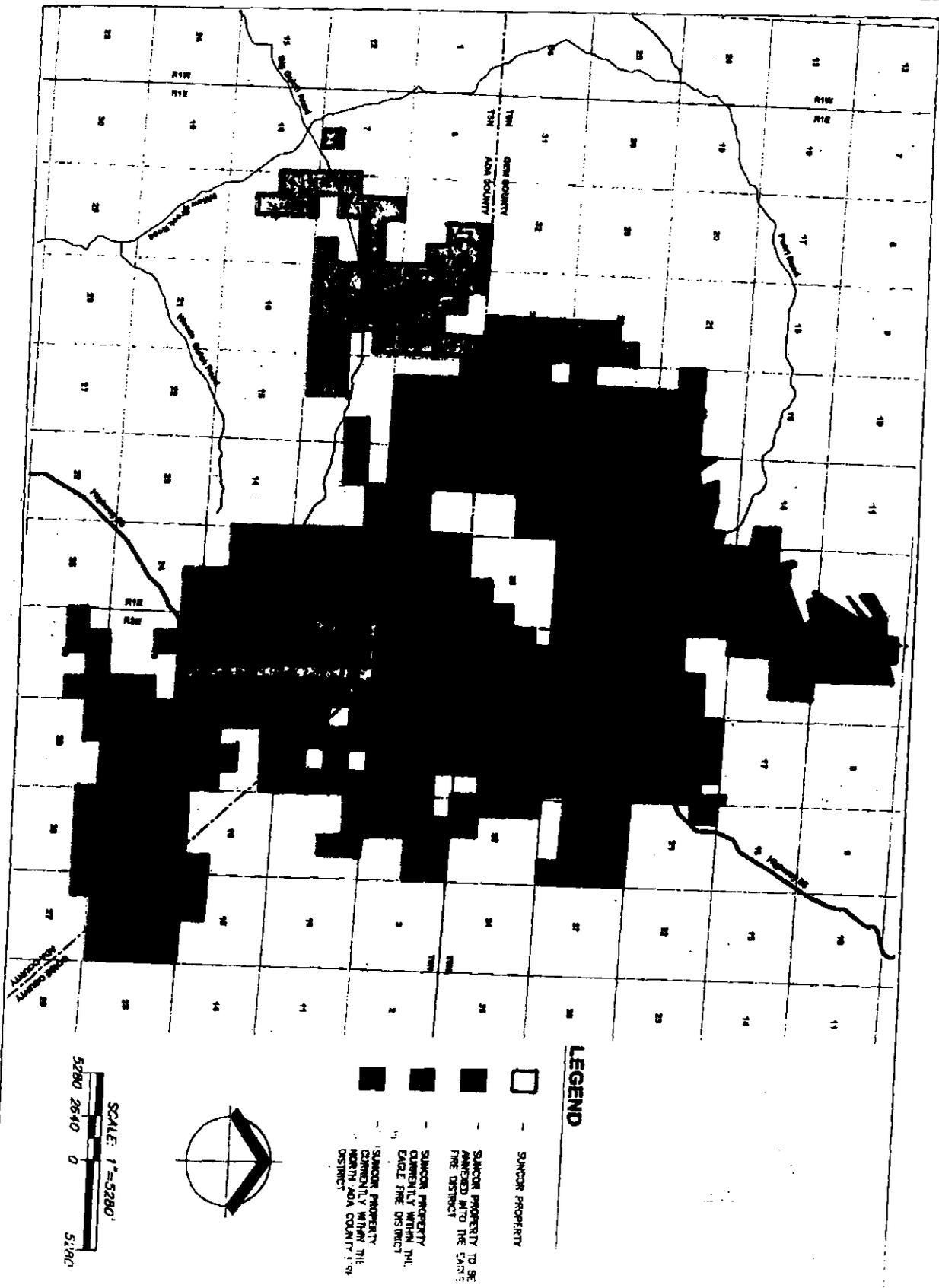


EXHIBIT "C-2"-2



RECORD OF SURVEY NO. 182786



LEGEND

- ☐ SUNCOR PROPERTY
- SUNCOR PROPERTY TO BE ANNEXED INTO THE EAST FIRE DISTRICT
- SUNCOR PROPERTY CURRENTLY WITHIN THE EAST FIRE DISTRICT
- SUNCOR PROPERTY CURRENTLY WITHIN THE NORTH ADA COUNTY FIRE DISTRICT

SCALE: 1"=5280'
 5280 2640 0 5280

PROJECT NO. SCR7336
 DATE 04/25/08
 BY: MLG
 SHEET NO. 2 of 2

**EAGLE FIRE DISTRICT ANNEXATION EXHIBIT
 SUNCOR PROPERTY**

SunCor Idaho, Inc.
 Attn: Brian & Gabe Cousins, Idaho


 W & W Engineering, Inc.
 100 S. 10th Street, Suite 100
 Boise, ID 83725
 Tel: 208-333-1111
 Fax: 208-333-1112