



049

BEFORE THE BOARD OF DIRECTORS  
OF THE

BENCH SEWER DISTRICT OF ADA COUNTY, IDAHO

RECEIVED

MAY 03 2011

TECHNICAL SUPPORT

IN THE MATTER OF THE INCLUSION OF CERTAIN )  
PROPERTY TO THE BENCH SEWER DISTRICT OF ADA )  
COUNTY, IDAHO, OWNED BY CATHLEEN BIDEGANETA )

ORDER

This matter came on regularly to be heard before the Board of Directors of the Bench Sewer District at a regularly called and duly convened meeting 12<sup>th</sup> day of April, 2011, upon a Petition for Annexation (Inclusion) of property to the Bench Sewer District filed and presented by Cathleen Bideganeta, and pursuant to a Notice of Hearing said Petition at the time and place published in the Idaho Statesman, a newspaper published in Boise, Idaho, and of general circulation in the District, on the dates of March 21, 28 and April 4, 2011, proof of which more fully appears in the Affidavit of Publication on file in the District offices. No person appeared to protest or object to the annexation of the property owned by the Petitioner.

The Board finds and concludes that (i) the Petition for Annexation of property is in substantial compliance with law and was executed and acknowledged by the Petitioners in the manner required by law, (ii) the Notice of Hearing of the said Petition was given in the manner required by law, and (iii) it is in the best interest of the District and the property affected to annex the property of the Petitioner, subject to all conditions enumerated in said Petition and as hereinafter specified.

NOW, THEREFORE, it is ORDERED that the property particularly and specifically described on Exhibit "A" and depicted on Exhibit "B" attached hereto and incorporated herein by reference, be, and the same hereby is, annexed and included to the boundaries of the Bench Sewer District, subject to all of the (i) limitations and obligations imposed by Section 42-3218 and 42-3220, Idaho Code, and (ii) the following conditions:

1. The private sewer service line will run directly from the property being annexed (1619 North Bluff Street), through 1612 North Howry Street pursuant to a sewer service easement satisfactory to the District, and connect to Bench Sewer District lateral D-17, located in North Howry Street, at the closest accessible location on the lateral to the western-most end of the described easement,
2. The Bench Sewer District will not be responsible for the operation or maintenance of any portion of the service line other than that portion which is directly between the connection point on lateral D-17 and the edge of the right-of-way at the end of the described sewer service easement, and
3. In the event that the service connection cannot be made as described above, the District shall not be obligated to provide service to the subject property.

Failure to follow all Bench Sewer District regulations and the connection conditions as set forth above shall be grounds for rescission of the annexation of the subject property.

ADOPTED AND APPROVED by the Board of Directors of the Bench Sewer District of Ada County, Idaho, this 12<sup>th</sup> day of April 2011.

ATTEST:

*Mary Ellen Kazian*  
Mary Ellen Kazian, Secretary



APPROVED:  
*Lewis C Duvall*  
Lewis C Duvall, Chairman

**Bench Sewer District Annexation  
1619 N. Bluff Street**

**EXHIBIT A**

Lots 7 and 8, and a portion of Lot 6, in Block 1 of CRUZEN MOUNTAIN VIEW ADDITION, according to the AMENDED plat thereof, filed in Book 9 of Plats at Page 421, Official Records of Ada County, Idaho, more particularly described as follows:

Commencing at the Southwest corner of said Lot 6; thence

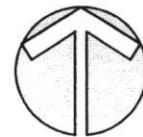
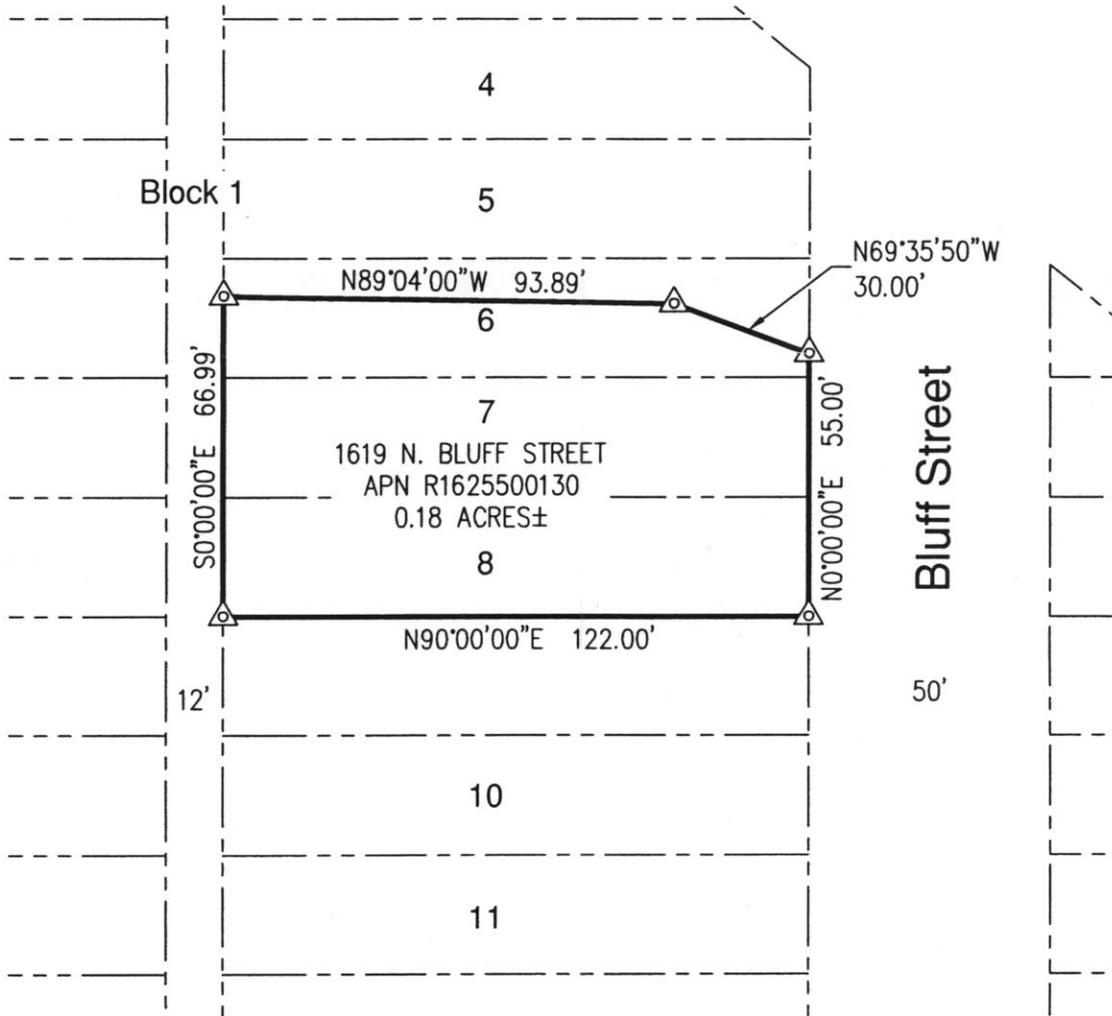
East along the South line thereof, to the Southeast corner of Lot 6; thence  
North 5 feet; thence

North 69°35'50" West a distance of 30.0 feet; thence

North 89°04' West a distance of 94 feet to the West line of Lot 6; thence

South along the West line of Lot 6, a distance of 15 feet, more or  
less, to the Southwest corner thereof, the REAL POINT OF BEGINNING.

Lot 7, 8 and a portion of Lot 6, Block 1,  
 Cruzen Mountain View Addition, Situated in a portion of the SE 1/4,  
 Section 5, Township 3 North, Range 2 East, B.M.  
 Ada County, Idaho  
 2011



plotted on Saturday, April 23, 2011

ENGINEER/SURVEYOR	PROJECT INFORMATION	Scale: 1" = 40'
 <p><b>THE LAND GROUP, INC.</b>  <i>- Landscape Architecture</i>  <i>- Civil Engineering</i>  <i>- Site Planning</i>  <i>- Golf Course Irrigation &amp; Engineering</i>  <i>- Graphic Communication</i>  <i>- Land Surveying</i>      462 E. Shore Dr., Eagle ID. 83616      Phone (208) 939-4041 Fax (208) 939-4445      www.thelandgroupinc.com</p>	<p>Exhibit "B"          1619 N. Bluff St. Annexation          Bench Sewer District</p>	<p>4/23/2011          06065  <b>1 of 1</b></p>

# HALL | FARLEY

**HALL, FARLEY, OBERRECHT & BLANTON, P.A.**

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**BART W. HARWOOD**

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DIRECT FAX: (208) 383-6705

April 28, 2011

Idaho State Tax Commission  
P.O. Box 36  
Boise, ID Boise, ID 83722-0410

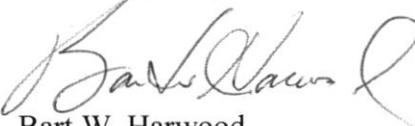
Ada County Assessor  
200 W. Front Street, Room 2210  
Boise, ID 83702

RE: *Bench Sewer District Order of Inclusion of Property  
1619 North Bluff Street, Boise*

Ladies and Gentlemen:

Pursuant to Idaho Code Section 63-215, enclosed for each of your records is a copy of the recorded annexation order referenced above including a legal description and map designating the relevant boundaries of the District being altered by this annexation.

Yours very truly,



Bart W. Harwood

BWH:cmc  
Enclosures  
cc: Bench Sewer District (w/enc.)