

ADA COUNTY RECORDER Christopher D. Rich
BOISE IDAHO 03/14/11 12:27 PM
DEPUTY Lisa Batt
RECORDED - REQUEST OF
Hall Farley

AMOUNT 25.00 6



111021953

Re-record

ADA COUNTY RECORDER J. DAVID NAVARRO
BOISE IDAHO 06/04/08 04:37 PM
DEPUTY Lisa Irby
RECORDED - REQUEST OF
Bench Sewer Dist

AMOUNT 18.00 6

108065332

032

BEFORE THE BOARD OF DIRECTORS

OF THE

BENCH SEWER DISTRICT OF ADA COUNTY, IDAHO

*Re-recorded with corrected
Drawing*

IN THE MATTER OF THE EXCLUSION OF CERTAIN)
PROPERTY FROM THE BENCH SEWER DISTRICT OF ADA) ORDER
COUNTY, IDAHO, OWNED BY STEVE & DIANE COWLES)

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 11th day of September 2007, upon a Petition for Annexation (Inclusion) of property to the Bench Sewer District filed and presented by Steve & Diane Coles, a copy of which Petition marked Exhibit "A" being attached hereto and incorporated herein and made a part hereof by reference and attachment, and pursuant to a Notice of Hearing said Petition for Annexation at this 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 August 14, August 31 and September 7, 2007, proof of which more fully appears in the Affidavit of Publication marked Exhibit "B" being attached hereto and incorporated herein and made a part hereof by incorporation and attachment. No person appeared to protest or object to the annexation (inclusion) of the property owned by the Petitioner.

UPON examining the Petition for Annexation (Inclusion) of Property, hearing and examining the Petitioners and examining all proof (documentary and oral) submitted for the Board's consideration, the Board found and concluded that (i) the Petition for Annexation (Inclusion) of property was in substantial compliance with law and executed by the Petitioner and acknowledged in the manner required by law; (ii) it would be in the best interest of the District and the property affected to annex and include the property of the Petitioners, subject to all conditions enumerated in said Petition and as hereinafter specified, and (iii) the Notice of Hearing of the said Petition was given in the manner required by law.

NOW, THEREFORE, it is ORDERED that it would be in the best interest of the Bench Sewer District of Ada County, Idaho, that the property particularly and specifically described by Exhibit "A" attached hereto and incorporated herein by attachment, 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) all the conditions enumerated and specified in the Petition for Annexation marked Exhibit "A", incorporated herein and made a part hereof by attachment.

It is further ORDERED that the Attorney for the District file a certified copy of this ORDER together with copies of the attachments (Petition for Annexation, Affidavit of Publication and specific description of property annexed) with the Clerk of the District Court and obtain approval of the District Court of the ORDER.

ADOPTED AND APPROVED by the Board of Directors of the Bench Sewer District of Ada County, Idaho, this 11th day of September 2007.

APPROVED:

Lewis C. Duvall
Chairman

ATTEST:

Mary Ellen Kazian
Secretary

Bench Sewer District
4828 Emerald Street
Boise, Idaho 83706
Phone # (208) 345-5363
Fax # (208) 368-0425

~~DRAFT~~

BEFORE
THE
BOARD OF DIRECTORS
OF THE
BENCH SEWER DISTRICT

IN THE MATTER OF THE ANNEXATION) 3111 MALAD ST
OF PROPERTY TO THE BENCH SEWER) PETITION
DISTRICT, a political subdivision of the) TO
State of Idaho) ANNEX
_____) NO. _____

The undersigned property owner (s), i.e., STEVE AND DIANE COWLES

(do) hereby petition the Board of Directors of the Bench Sewer District (hereinafter "District" to annex to, and include within, the boundaries of the District the following described real property, together with (i) all improvements and appurtenances appertaining thereto and (ii) all public streets, roads and alleys, abutting, adjoining and touching the hereinafter described property:

The West 70 feet of Lots 1 and 3 in Block 2 of Home Addition #1
3111 Malad

EXHIBIT A.

In support of this Petition to Annex, the Petitioner(s) covenant and agree as follows:

1. That the undersigned are the lawful owners(s) of record of the above described real property (or are the purchaser(s) by an unrecorded contract of sale with authority to petition for annexation).
2. That the undersigned have paid, at the time of filing this Petition with the District, the annexation fee of \$550.00 as fixed and established by the pertinent Resolution of the District, the receipt of which is hereby acknowledged. It is further acknowledged that in unforeseen and extraordinary circumstances, it may be necessary to impose an additional charge to cover costs incurred in the administrative process of annexing the above - described property.
3. That the undersigned will construct, at (his) (her) (Their) (its) cost and expense, a Service Line extending from a building or structure to the District's sewer line, together with all Necessary appurtenances and machinery, in a manner and at the place(s) designated and directed by the District, and in accordance with plans, specifications and drawings approved by the District, its officers, agents and employees.
4. The above described property is improved or unimproved (). It is now being Used , or will be used for: (In the space below, if improved, describe the present use. If unimproved describe the future or intended uses in detail, i.e., single family constructed, etc., sufficient to determine use). Provide the street address of the property to be annexed.

5. It is understood by the understood that this Petition is made pursuant to Section 42-3218, Idaho Code as amended, and that the setting of a time for the hearing of said hearing of said Petition and publication of notice of said hearing pursuant to law does not constitute acceptance of said Petition by the District. Pursuant to the aforesaid statute, the Board of Directors of the District may impose such terms and conditions under which said property may be included within the District as the Board sees fit, said conditions, have the right to withdraw said Petition, but shall have no right to reimbursement of the annexation fee or additional charges made as above set fourth.

WHEREFORE, your Petitioner(s) pray that the said Board of Directors of the Bench Sewer District accept the Petition, set a time for the hearing and publish notice thereof in accordance with law; and upon hearing, order the inclusion of the above described property within the boundaries of the Bench Sewer District in accordance with the terms of this Petition.

Dated this 16TH day of August, 2007

Steve Cowles
Deane Cowles

STATE OF IDAHO)

) SS.

COUNTY OF ADA)

On this 16TH day of August, 2007, before me a notary
Public in and for said State personally appeared Steve and
Diane Cowles

known to me to be the person(s) whose name(s) are/is subscribed to the within instrument, and
acknowledgement to me that He/She executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed by official seal the day
And year in this certificate first above written.

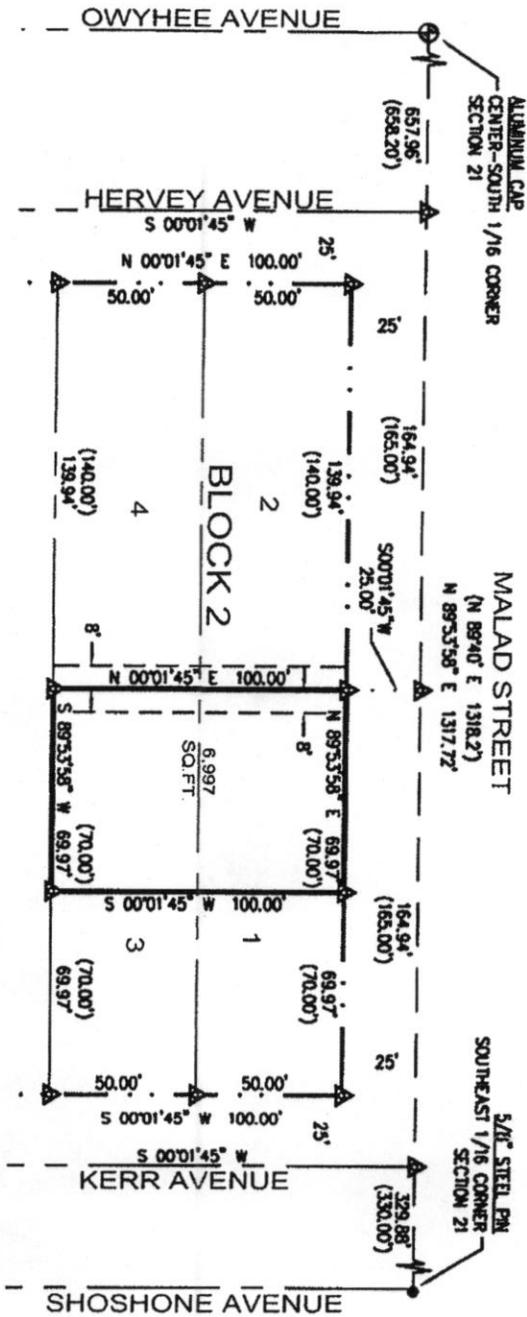


Mary Ellen Kazian
Notary Public for Idaho

Residing at Buna, Idaho

My commission expires: 3-22-2010

SITUATED IN THE WEST 70 FEET OF LOTS 1 AND 3, IN BLOCK 2 OF HOME ADDITION NUMBER ONE SUBDIVISION, LOCATED IN THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 21, TOWNSHIP 3 NORTH, RANGE 2 EAST, B.M. CITY OF BOISE, ADA COUNTY, IDAHO



NOTE: THE ABOVE EXHIBIT IS BASED ON INFORMATION SHOWN ON RECORD OF SURVEY NO. 1777 AND THE PLAT OF HOME ADDITION NUMBER ONE SUBDIVISION, AND IS NOT BASED ON ACTUAL FIELD SURVEY INFORMATION. THE LAND GROUP THEREFORE CANNOT BE HELD RESPONSIBLE FOR ANY ERRORS THAT AN ACTUAL FIELD SURVEY MAY REVEAL.

Legend

- BRASS CAP
- ▲ 5/8" STEEL PIN
- CALCULATED POINT
- PROPERTY LINE
- STREET CENTERLINE
- RIGHT-OF-WAY LINE
- SUBDIVISION LOT LINE
- PUBLIC UTILITY EASEMENT
- TIE LINE
- (150.51) DATA OF RECORD HOME ADDITION NUMBER ONE SUBDIVISION



ENGINEER/SURVEYOR	PROJECT INFORMATION	SCALE: 1"=60'
 <p>THE LAND GROUP, INC. - Landscape Architecture - Civil Engineering - Site Planning - Golf Course Irrigation & Engineering - Graphic Communication - Land Surveying 462 E. Shore Dr., Eagle ID, 83616 Phone (208) 939-4941 Fax (208) 939-4445 www.thelandgroupinc.com</p>	<p>EXHIBIT "A" BENCH SEWER DISTRICT 3111 W. MALAD ANNEXATION</p>	06/13/08
		06065
		10F1

HALL | FARLEY

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

702 WEST IDAHO STREET, SUITE 700
KEY FINANCIAL CENTER
BOISE, IDAHO 83702

POST OFFICE BOX 1271
BOISE, IDAHO 83701

TELEPHONE (208) 395-8500
FACSIMILE (208) 395-8585
WEB PAGE: www.hallfarley.com

BART W. HARWOOD

E-MAIL: bwh@hallfarley.com
DIRECT FAX: (208) 383-6705

March 14, 2011

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

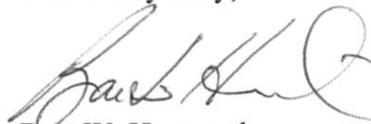
Ada County Assessor
200 W. Front Street, Room 2210
Boise, ID 83702

RE: *Bench Sewer District Order of Inclusion of Property
3111 Malad, Boise*

Ladies and Gentlemen:

Pursuant to Idaho Code Section 63-215, enclosed for each of your records is a copy of the re-recorded (with corrected drawing) 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.)

RECEIVED

MAR 16 2011

TECHNICAL SUPPORT