



034

BEFORE THE BOARD OF DIRECTORS  
OF THE

BENCH SEWER DISTRICT OF ADA COUNTY, IDAHO

IN THE MATTER OF THE INCLUSION OF CERTAIN )  
PROPERTY TO THE BENCH SEWER DISTRICT OF ADA ) ORDER  
COUNTY, IDAHO, OWNED BY SCOTT & BONNIE PATRICK )  
AND BRADLEY STRENG )

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 13th day of July 2010, upon a Petition for Annexation (Inclusion) of property to the Bench Sewer District filed and presented by, Scott & Bonnie Patrick and Bradley Streng, 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 September 13, September 20 and September 27, 2010, 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 Petitioners.

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 Petitioners 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 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 12<sup>th</sup> day of October 2010.

APPROVED:

Chairman

ATTEST:

Secretary

SECRETARY'S CERTIFICATE

STATE OF IDAHO )  
                  ) ss  
County of Ada   )

I, Mary Ellen Kazian, the duly appointed, qualified and acting Secretary of the Bench Sewer District of Ada County, Idaho, do hereby certify that the attached is a full, true and correct copy of the ORDER approving and granting the Petition for inclusion of Lands filed by Scott & Bonnie Patrick and Bradley Streng, approved by Resolution 2010-03, of the said Bench Sewer District adopted at a regular meeting of the Board of Directors held October 12, 2010, all as appears from the records on file in my office.

IN WITNESS WHEREOF, I have set my hand and affixed the official seal of the Bench Sewer District of Ada County, Idaho this 12th day of October 2010.



Mary Ellen Kazian  
Secretary

(SEAL)



EXHIBIT A

Patrick & Streng Annexation  
Bench Sewer District

Lots 7, 9, 11, and 13 of Block 4 in Home Addition Number One Sub. As described on the 2 attached deeds and as depicted on the attached drawing.





# HOME ADDITION NUMBER ONE

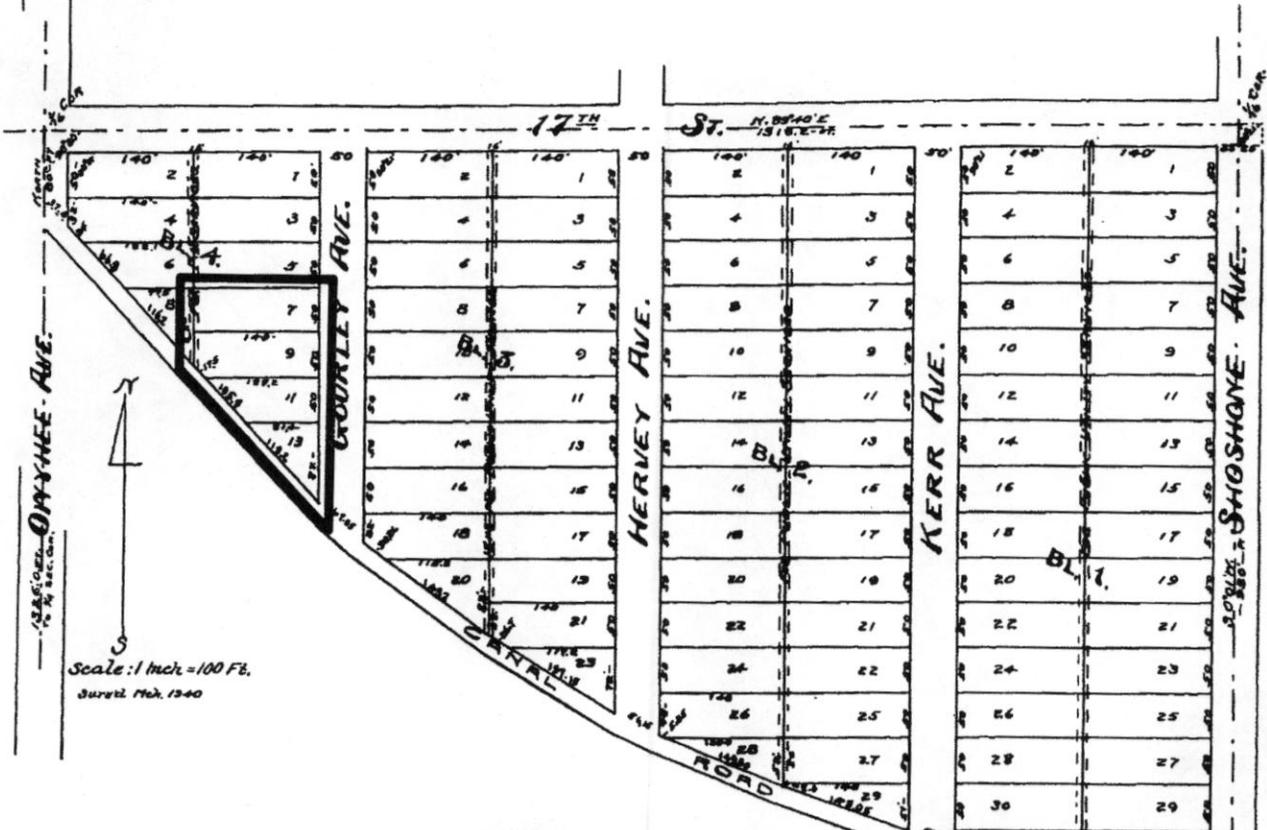
BEING

ALL THAT PART OF THE SW<sup>1/4</sup> OF SEC'TN 21, T3N, R2E, BB & M. IN ADA COUNTY, IDAHO, THAT LIES NORTH OF THE NEW YORK CANAL RIGHT OF WAY, AND CONTAINING - 18, ACRES.



I, Charles H. Eagleson, a registered engineer, hereby certify that I have prepared the within plat of the HOME ADDITION NUMBER ONE, from actual surveys made by me and marked upon the ground; and that the said plat and surveys are correct.

Charles H. Eagleson  
REGISTERED ENGINEER



KNOW ALL MEN BY THESE PRESENTS: That I, George G. Atkinson, do hereby certify that I am the owner of the following described property, to wit: all that part of the SW<sup>1/4</sup> of Sec. 21, T3N, R2E, BB & M, ADA County, Idaho, lying north of the New York Canal right of way, containing 18 acres; and that I hereby subdivide and plat the said tract as shown herein as the HOME ADDITION NUMBER ONE; and that I also hereby dedicate the roads and streets to the public use, forever, but alleyways are reserved for public utility services.

George G. Atkinson

STATE OF IDAHO }  
COUNTY OF ADA }

On this 21 day of March 1940, before me L. N. Kallbas a Notary Public in and for the STATE OF IDAHO, personally appeared George G. Atkinson, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF: I have hereunto set my hand and affixed my seal the day and year in this instrument first above written.

196975

L. N. Kallbas  
NOTARY PUBLIC, RESIDING IN BRASE, IDAHO.

I, Stephen Utter, COUNTY RECORDER FOR ADA COUNTY, IDAHO, hereby certify that this instrument was filed for record at the request of Mutual Finance Co. at 3:25 o'clock P.M. this 24 day of April 1940, in my office and duly recorded in Book page of the PLAT RECORDS of ADA COUNTY, IDAHO.

Steph. P. Peterson  
RECORDER  
BY: W. J. ...  
DEPUTY RECORDER

FEES PAID \$ 3.50

# 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](http://www.hallfarley.com)

**BART W. HARWOOD**

E-MAIL: [bwh@hallfarley.com](mailto: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

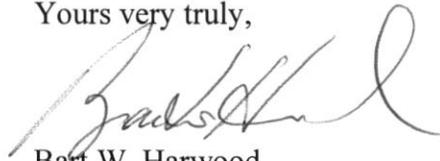
Ada County Assessor  
200 W. Front Street, Room 2210  
Boise, ID 83702

RE: *Bench Sewer District Order of Inclusion of Property  
Lots 7, 9, 11, and 13 of Block 4 in Home Addition Number One Sub., Boise  
(Gourley Avenue)*

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.)

RECEIVED

MAR 16 2011

TECHNICAL SUPPORT