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BEFORE THE EAGLE SEWER DISTRICT
BOARD OF DIRECTORS

In the matter of the Petition of)
Bodily-Bunderson, LLP; and)
Harold R. Bunderson and Mary K.)
Bunderson; and Merlyn R. Bodily)
and Sandra L. Bodily)
for the annexation of)
Certain real property in Ada)
County, Idaho, by the Eagle)
Sewer District ("District"))
_____)

ORDER OF ANNEXATION

WHEREAS, Bodily-Bunderson, LLP, an Idaho limited partnership; Harold R. Bunderson and Mary K. Bunderson, husband and wife; and Merlyn R. Bodily and Sandra L. Bodily, husband and wife, hereinafter collectively referred to as Petitioners, the owners of certain real property situated in Ada County, State of Idaho, more particularly described on **Exhibit "A"** hereto, on January 7, 2011, duly petitioned for annexation and inclusion of said real property, within the boundaries of the Eagle Sewer District ("Petition"); and

WHEREAS, a public hearing on said Petition was called for and held in the manner provided for in § 42-3218(a) of the Idaho Code on the 14th day of February, 2011, after due and proper notice published in the official newspaper of the District, *The Valley Times*, published on January 31, 2011, and February 7, 2011; and no person having appeared in writing, or at said meeting, to protest the granting of said Petition; and

WHEREAS, originals of the Petition, exhibits thereto, proof of publication, and Resolution No. 10-04, are all on file at the offices of the Eagle Sewer District, 44 N. Palmetto Ave., Eagle, Idaho, 83616; and

WHEREAS, the Board of Directors of the Eagle Sewer District has, by adoption of its Resolution No. 11-03, on the 14th day of March, 2011, after due consideration of all relevant evidence and testimony, approved said Petition and set forth the terms and conditions pursuant to which said real property shall be annexed by, and included within, the District; and

WHEREAS, the Petitioners have not, prior to the date hereof, withdrawn their Petition as provided for in Idaho Code § 42-3218(c);

NOW, THEREFORE, IT IS HEREBY ORDERED by the Board of Directors of the Eagle

Sewer District that, pursuant to the provisions of Idaho Code § 42-3218, the following described real property shall be, and hereby is, annexed by, and included within the Eagle Sewer District, subject to the terms and conditions set forth in the Petition, including Exhibits "A" and "B" thereto, and Resolution No. 11-03 adopted by this Board of Directors.

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE.

BE IT FURTHER ORDERED that this annexation shall be and become effective upon the execution of this Order and its recordation in the official records of Ada County, Idaho.

DATED this 24th day of MARCH, 2011.

EAGLE SEWER DISTRICT

By: James S. Brooks
James S. Brooks, Chairman

ATTEST:

Lynn Moser
Lynn Moser, Secretary

STATE OF IDAHO)
)
) ss.
County of Ada)

On this 24th day of MARCH, 2011, before me, a Notary Public for the State of Idaho, personally appeared JAMES S. BROOKS and LYNN MOSER, known or identified to me, to be the Chairman and Secretary, respectively, of EAGLE SEWER DISTRICT, and the persons who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

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

Lynae Sedlaco
NOTARY PUBLIC FOR IDAHO
Residing at Eagle
My commission expires 9/13/2012

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Date: 12/15/10
Project No.: 10-068

EXHIBIT 'A' LEGAL DESCRIPTION FOR AN EAGLE SEWER DISTRICT ANNEXATION

A parcel of land being Lot 23, Block 1, of Bodily and Bunderson Springs Subdivision No.2, as recorded in Plat Book 60 at Pages 5936 and 5937, official records of Ada County, Idaho, and Parcel 1 of Record of Survey No. 2448, and situated in the NW1/4 of the SW1/4 of Section 24, Township 4 North, Range 1 West, Boise Meridian, Ada County, Idaho and being more particularly described as follows:

Commencing at a brass cap monument marking the northwest corner of said NW1/4 of the SW1/4 (W1/4 Corner) of Section 24, thence along the west line of said Section 24 $S00^{\circ}20'11''W$ a distance of 300.00 feet to a point from which an aluminum cap monument marking the southwest corner of said Section 24 bears $S00^{\circ}20'11''W$ a distance of 2347.04 feet, thence leaving said west line $N89^{\circ}58'33''E$ a distance of 33.00 feet to a point marking the northwest corner of said Lot 23 and the **POINT OF BEGINNING**;

Thence along the northerly line of said Lot 23 the following six courses:

$N89^{\circ}58'33''E$ a distance of 435.60 feet to a point;

Thence $S00^{\circ}20'11''W$ a distance of 30.47 feet to a point;

Thence $S89^{\circ}59'16''E$ a distance of 160.19 feet to a point;

Thence $S35^{\circ}10'10''E$ a distance of 192.72 feet to a point;

Thence $S89^{\circ}37'46''E$ a distance of 265.53 feet to a point;

Thence $S78^{\circ}17'12''E$ a distance of 332.99 feet to a point marking the northeast corner of said Lot 23;

Thence leaving said northerly line and along the east line of said Lot 23 $S00^{\circ}16'45''W$ a distance of 766.63 feet to a point making the southeast corner of said Lot 23;

Thence leaving said east line and along the south line of said Lot 23 $N89^{\circ}59'17''W$ a distance of 714.86 feet to a point marking the southwest corner of said Lot 23;

Thence leaving said south line and along the west line of said Lot 23 $N00^{\circ}24'36''E$ a distance of 669.39 feet to a point marking the southeast corner of said Parcel 1;

Thence leaving said west line and along the south line of said Parcel 1 the following three courses:

$N69^{\circ}16'42''W$ a distance of 531.21 feet to a point;

Thence along the arc of a curve to the left having a radius of 100.00 feet, an arc length of 35.52 feet, a central angle of $20^{\circ}21'11''$, and a chord bearing $N79^{\circ}27'17''W$ a distance of 35.34 feet to a point;

Thence $N89^{\circ}37'53''W$ a distance of 53.74 feet to a point marking the southwest corner of said Parcel 1;

Thence leaving said south line $N00^{\circ}20'11''E$ a distance of 159.50 feet to the **POINT OF BEGINNING**.

Said parcel contains 16.86 acres more or less and is subject to all existing easements and/or rights-of-way of record or implied.

Attached hereto is Exhibit 'A-1' and by this reference made a part hereof.



Robertson & Slette, p.l.l.c.

ATTORNEYS AT LAW



J. EVAN ROBERTSON
GARY D. SLETTE

Robin L. Moore, PLS - Paralegal

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J. EVAN ROBERTSON

April 19, 2011

State Tax Commission
GIS Staff
P.O. Box 36
Boise, ID 83722

RE: Eagle Sewer District Annexation - Bodily-Bunderson, LLP, et al.

Dear Sir or Madam:

Enclosed please find a recorded copy of the Order of Annexation in the above-referenced matter, which includes a copy of the map identifying the subject real property.

Thank you for your courtesies. Please don't hesitate to call should there be any questions, comments or need of further information.

Sincerely,

A handwritten signature in cursive script that reads "Robin L. Moore".

Robin L. Moore
Paralegal to
J. EVAN ROBERTSON

Encls.

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APR 22 2011

TECHNICAL SUPPORT

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