



BEFORE THE EAGLE SEWER DISTRICT
BOARD OF DIRECTORS

In the matter of the Petition of)
DBSI Peacock 129, LLC)
for the annexation of)
Certain real property in Ada)
County, Idaho, by the Eagle)
Sewer District ("District"))
_____)

ORDER OF ANNEXATION

WHEREAS, DBSI Peacock 129, LLC, hereinafter referred to as Petitioner, the owner of certain real property situated in Ada County, State of Idaho, more particularly described on **Exhibit "A"** hereto, on June 5, 2008, 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 11th day of August, 2008, after due and proper notice published in the official newspaper of the District, *The Valley Times*, published on July 28, 2008, and August 4, 2008; 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. 08-15, 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. 08-15, on the 11th day of August, 2008, 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WHEREAS, the Petitioner has not, prior to the date hereof, withdrawn its Petition as provided for in Idaho Code § 42-3218(c);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,

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subject to the terms and conditions set forth in the Petition, including Exhibits "A" and "B" thereto, and Resolution No. 08-15 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 8th day of September, 2008.

EAGLE SEWER DISTRICT

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

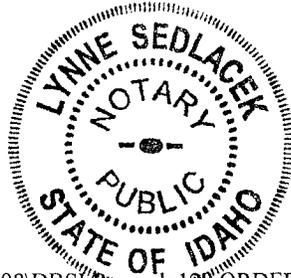
ATTEST:

Lynn Moser
Lynn Moser, Secretary

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

On this 8th day of SEPTEMBER, 2008, 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.



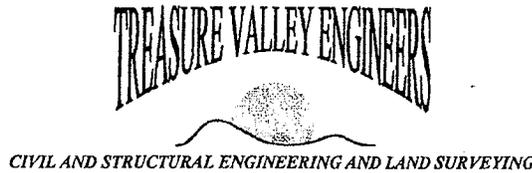
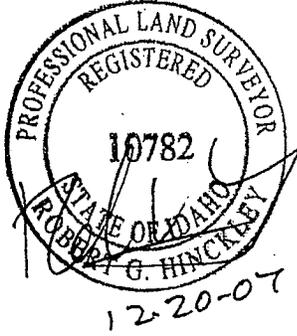
Lynne Sedlack
NOTARY PUBLIC FOR IDAHO
Residing at Eagle
My commission expires 9/13/2012

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EXHIBIT A
Kastera Development
Wildwing Project Description
Job No. 07289 12/20/2007

Land within the SW1/4 of Section 2, T4N, R1W, B.M., Ada County, Idaho, as follows:

BEGINNING at the Northwest Corner of said SW1/4 (W1/4 Corner) of Section 2, marked by a 5/8 inch rebar, as per Record of Survey No. 7178, Ada County Survey Records;

thence along the East-West Centerline of said Section 2, South 89°17'12" East, 2639.15 feet, to the Center 1/4 Corner of said Section 2;

thence along the North-South Centerline of said Section 2, South 01°00'54" West, 13.50 feet;

thence parallel with the East-west Centerline of said Section 2, North 89°17'12" West, 198.00 feet;

thence parallel with the North-South Centerline of said Section 2, South 01°00'54" West, 220.00 feet;

thence parallel with the East-west Centerline of said Section 2, South 89°17'12" East, 198.00 feet, to a point on the North-South Centerline of said Section 2;

thence along said Centerline, South 01°00'54" West, 1891.73 feet;

thence North 89°17'12" West, 2631.59 feet, to a point on the West Line of said Section 2;

thence along said West Line, North 00°48'40" East, 2125.20 feet, to the **POINT OF BEGINNING**.

Containing 127.57 acres, more or less, and subject to any easements or rights-of-way of record, or otherwise existing. This description is based on Record of Survey No. 7178, Ada County Survey Records, and does not represent a Survey by the registrant whose seal is attached to this description.

ATTENTION

THE RECORDING OF THIS RECORD OF SURVEY DOES NOT ENABLE THE OWNERS OF THE PARCELS TO CONVEY OWNERSHIP BASED SOLELY ON THIS MAP. A WRITTEN CONVEYANCE MUST ACCOMPANY SUCH CHANGE IN OWNERSHIP. THIS RECORD OF SURVEY DOES NOT SERVE AS A LEGAL DESCRIPTION FOR THE PROPERTY SHOWN ON THIS MAP.

TEALEY'S LAND SURVEYING, ASSUMES NO LIABILITY FOR PRESENT OR FUTURE COMPLIANCE OR NON-COMPLIANCE WITH BOISE CITY PLANNING AND ZONING ORDINANCE RESTRICTION AS IT PERTAINS TO BUILDING PERMITS AND THE ISSUANCE THEREOF.

RECORD OF SURVEY NO. 7178
INSTRUMENT NO. 105193940

**RECORD OF SURVEY
FOR
KASTERA HOMES**

A PORTION OF THE SW 1/4, SECTION 2,
T.4N., R.1W., B.M.,
ADA COUNTY, IDAHO

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SCALE: 1" = 200'

LEGEND

- BOUNDARY LINE
- - - BOUNDARY OF RECORD OF SURVEY NO. 6692
- EDGE OF ASPHALTIC PAVEMENT
- ⊕ FOUND BRASS CAP
- ⊙ FOUND ALUMINUM CAP
- FOUND 5/8" IRON PIN
- ⊠ SET 5/8" X 30" IRON PIN w/CAP
- CALCULATED POINT
- (NORTH 32.20 CHAINS) DATA OF RECORD

CERTIFICATE OF SURVEYOR

I, PATRICK A. TEALEY, PLS NO. 4347, STATE OF IDAHO, DO HEREBY CERTIFY THAT THE SURVEY REPRESENTED ON THIS PLAT WAS PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION AND IS IN CONFORMITY WITH THE STATE OF IDAHO CODES RELATING TO PLATS AND SURVEYS AND THE CORNER PERPETUATION AND FILING ACT.



RECORDER'S CERTIFICATE

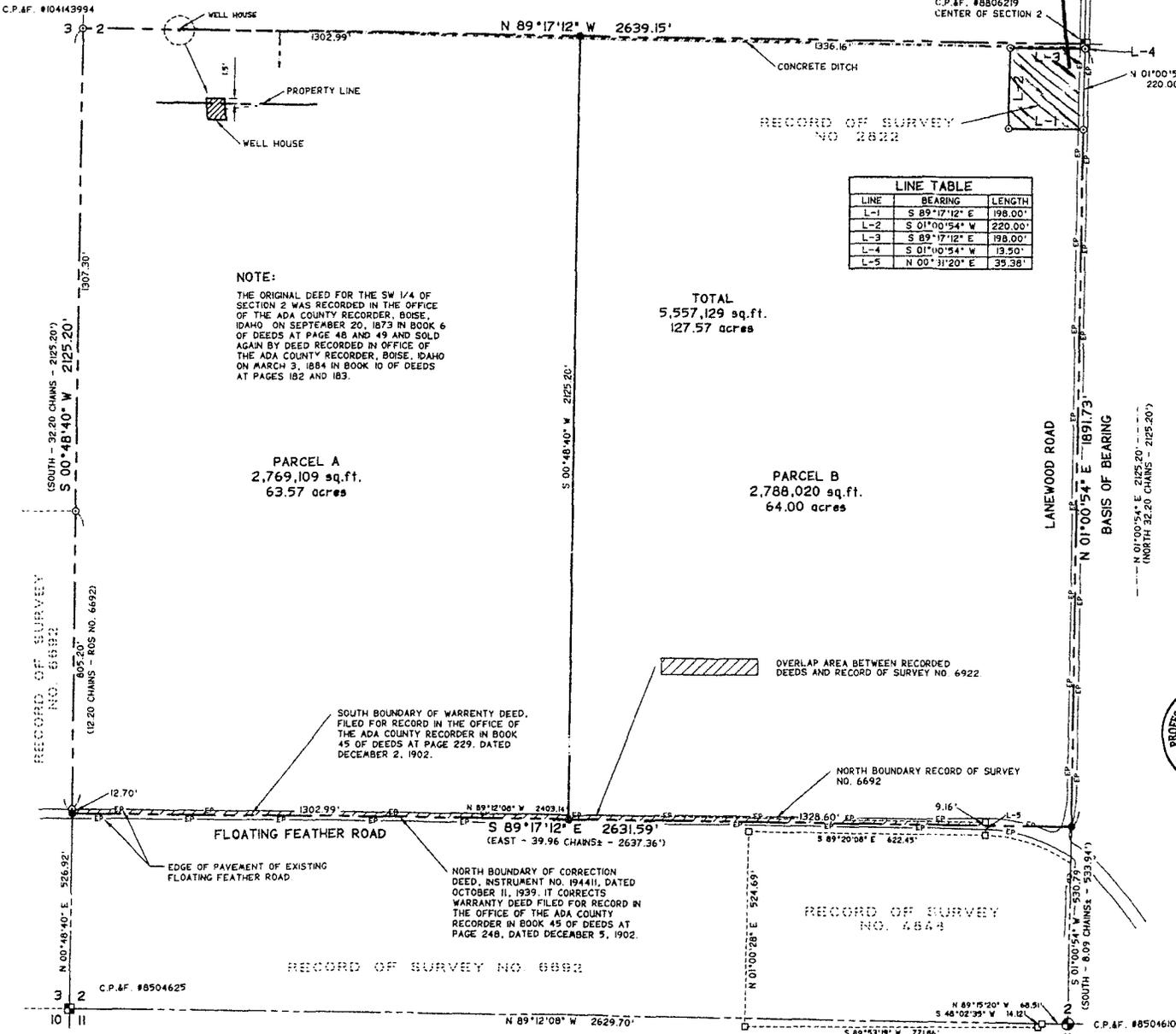
STATE OF IDAHO) SS
COUNTY OF ADA)
FILED FOR RECORD AT THE REQUEST OF KASTERA HOMES
21 MIN. PAST 2 O'CLOCK P.M. THIS 20 DAY OF SEPTEMBER, 2008
Jessica Haddock, RECORDER
BY ALAN HADDOCK, DEPUTY
FEE \$5.00



TEALEY'S LAND SURVEYING
2501 BOGUS BASIN RD. BOISE, IDAHO 83702
208-385-0636

DATE: DEC., 2005 DRAWING NO.: 2955

*Not part of
Assessment*



LINE	BEARING	LENGTH
L-1	S 89°17'12" E	198.00'
L-2	S 01°00'54" W	220.00'
L-3	S 89°17'12" E	198.00'
L-4	S 01°00'54" W	13.50'
L-5	N 00°31'20" E	39.38'

TOTAL
5,557,129 sq.ft.
127.57 acres

NOTE:
THE ORIGINAL DEED FOR THE SW 1/4 OF SECTION 2 WAS RECORDED IN THE OFFICE OF THE ADA COUNTY RECORDER, BOISE, IDAHO ON SEPTEMBER 20, 1873 IN BOOK 6 OF DEEDS AT PAGE 48 AND 49 AND SOLD AGAIN BY DEED RECORDED IN OFFICE OF THE ADA COUNTY RECORDER, BOISE, IDAHO ON MARCH 3, 1884 IN BOOK 10 OF DEEDS AT PAGES 182 AND 183.

PARCEL A
2,769,109 sq.ft.
63.57 acres

PARCEL B
2,788,020 sq.ft.
64.00 acres

OVERLAP AREA BETWEEN RECORDED DEEDS AND RECORD OF SURVEY NO. 6922

SOUTH BOUNDARY OF WARRENTY DEED, FILED FOR RECORD IN THE OFFICE OF THE ADA COUNTY RECORDER IN BOOK 45 OF DEEDS AT PAGE 229, DATED DECEMBER 2, 1902.

NORTH BOUNDARY RECORD OF SURVEY NO. 6692

NORTH BOUNDARY OF CORRECTION DEED, INSTRUMENT NO. 194411, DATED OCTOBER 11, 1939. IT CORRECTS WARRANTY DEED FILED FOR RECORD IN THE OFFICE OF THE ADA COUNTY RECORDER IN BOOK 45 OF DEEDS AT PAGE 248, DATED DECEMBER 5, 1902.

RECORD OF SURVEY NO. 6592

Robertson & Slette, p.l.l.c.
ATTORNEYS AT LAW



J. EVAN ROBERTSON
GARY D. SLETTE

Robin L. Moore, PLS - Paralegal

134 Third Avenue East
P.O. BOX 1906
TWIN FALLS, IDAHO 83303-1906
TELEPHONE (208) 933-0700
FAX (208) 933-0701

J. EVAN ROBERTSON

September 22, 2008

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

RE: Eagle Sewer District Annexation - DBSI Peacock 129, LLC

Dear Sir or Madam:

Enclosed please find a recorded copy of the Order of the Eagle Sewer District in the above-referenced matter, together with 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, PLS
Legal Assistant to
J. EVAN ROBERTSON

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