

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF THE STATE OF
IDAHO, IN AND FOR THE COUNTY BONNEVILLE

In Re:)
)
The Inclusion of Certain Property)
into the Iona Bonneville Sewer)
District)
)
)

Case No. CV-11-6191

170

**ORDER GRANTING THE
INCLUSION OF PROPERTY
INTO THE IONA
BONNEVILLE SEWER
DISTRICT**

The Court having reviewed the Petition filed in this matter, the relevant agency record, Affidavits of parties, and being fully advised in the premises, and good cause appearing, the Court finds that the Petition in this matter was filed as provided by Idaho Code § 42-3218. The Court also finds a public hearing was held in compliance with Idaho Code § 42-3218, and that all other relevant requirements of that code section have been complied with.

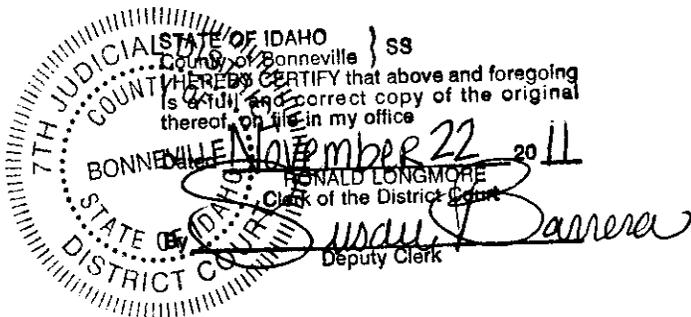
NOW, THEREFORE, IT IS HEREBY ORDERED that certain property, owned by Catherine Linderman, and more specifically described as set forth in Exhibit A, attached hereto, be included from the Iona Bonneville Sewer District.

DATED THIS 28 day of September, 2011.

Instrument # 1403771
IDAHO FALLS, BONNEVILLE, IDAHO
11-22-2011 03:24:29 No. of Pages: 7
Recorded for : DONNA BRIDGES
RONALD LONGMORE Fee: 28.00
Ex-Officio Recorder Deputy
Index to: ORDER

/s/ JON J. SHINDURLING

DISTRICT JUDGE



CLERK'S CERTIFICATE OF SERVICE

I hereby certify that on this 11^r day of ~~September~~^{Oct}, 2011, I caused to be served a true and correct copy of the foregoing by the method indicated below, and addressed to the following:

Iona Bonneville Sewer District
3395 East Leihm Lane
Idaho Falls, ID 83401

- U.S. Mail
- Hand Delivered
- Overnight Mail
- Telecopy (Fax)

M. Anthony Sasser
SASSER LAW OFFICE
2043 East Center Street
Pocatello, ID 83201

- U.S. Mail
- Hand Delivered
- Overnight Mail
- Telecopy (Fax)

al
COURT CLERK

PETITION

To: Iona Bonneville Sewer District

The undersigned do hereby Petition the Board of Directors of the Iona Bonneville Sewer District, a quasi-municipal corporation of the State of Idaho, located within Bonneville County, Idaho and do state and represent as follows:

- 1. That the Petitioners are the owners of the property described.
 - a) Owner: CATHERINE L. LINDERMAN
 - Address: 5559 N. YELLOWSTONE
IDAHO FALLS, IDAHO 83401
 - Property Description: See Exhibit A
- 2. That the undersigned as owners have given consent to the inclusion of the property described herein from said District.
- 3. That the petitioners have submitted the filing fee of \$800.00.

WHEREFORE, the undersigned do request that notice be given and published stating the filing of the Petition, the names of the Petitioners, the description of the lands and the request to be included in the District: that the Board set a time, and give notice, that at the office of the Board at said time that any and all persons interested may appear and show cause in writing, if any they have why the Petition should not be granted and that the failure of any person to appear and show cause shall be deemed as a consent on his part to the inclusion of such lands in the District.

Dated this 14 day of FEBRUARY, 2011.

Catherine L. Linderman

STATE OF IDAHO)
)S.S.
COUNTY OF BONNEVILLE)

On this 14 day of February, 2011, before me, the undersigned, a Notary Public in and for said State, personally appeared, Catherine L. Linderman, known to me or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

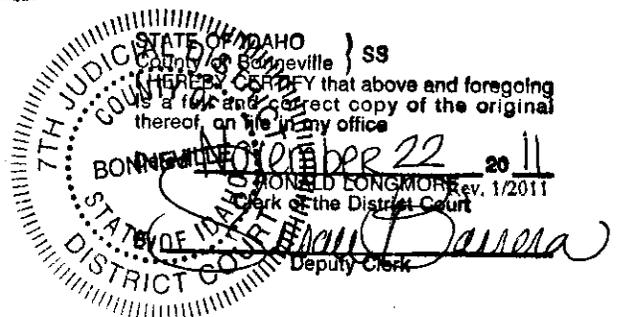
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

Dated this 14 day of February, 2011

Wendy Nenni
Notary Public for the State of Idaho
Residing at Idaho Falls, Idaho
Commission Expiration Date: 10-06-2016



Exhibit A



**IONA BONNEVILLE SEWER DISTRICT BOARD
ORDER**

WHEREAS, the Iona-Bonneville Sewer District is a sewer district and political subdivision of the State of Idaho organized pursuant to Idaho Code Title 42, Chapter 32;

WHEREAS, the Iona-Bonneville Sewer District has a duty and responsibility to serve a public use and promote the health, safety, prosperity, security, and general welfare of the inhabitants of the Iona-Bonneville Sewer District;

WHEREAS, it is in the best interest of the Iona-Bonneville Sewer District and its patrons to maintain a service area that allows for efficient service; now

THEREFORE, BE IT ORDERED BY THE IONA-BONNEVILLE SEWER DISTRICT BOARD, that the property owned by Catherine L. Linderman, more specifically identified by Exhibit A, be, and hereby is, included into the Iona Bonneville Sewer District service area.

DATED this 2nd day of September, 2011.





Chairman

CERTIFICATION

I HEREBY CERTIFY, that the foregoing Order was passed while a quorum of the Board was present by a vote of 4 in favor (Mike Klingler, Glen Clark, Jason Blundell, Kelly Howell), 0 opposed, 0 absent, and 1 not voting (John Price) on the date this bears.



Secretary

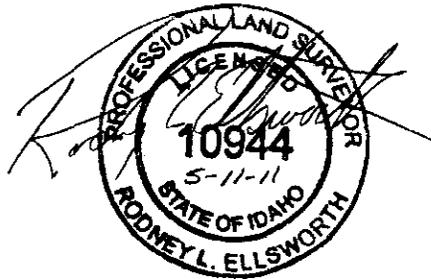


April 19, 2011

LEGAL DESCRIPTION

Commencing at the Southeast corner of Section 34, Township 3 North, Range 38 East of the Boise Meridian, Bonneville County, Idaho; running thence S.88°32'50"W. along the Section line 591.07 feet to the TRUE POINT OF BEGINNING, said TRUE POINT OF BEGINNING being on the Southeasterly Rights-of-Way line of North Yellowstone Highway; running thence S.88°32'50"W. 1286.73 feet; thence N.01°27'10"W. 421.38 feet; thence N.88°32'50"E. 933.22 feet; thence N.49°07'00"E. 377.17 feet; thence N.00°51'54"W. 1576.22 feet; thence S.84°18'09"E. 664.36 feet to the East line of said Section 34; thence S.00°51'54"E. along said East line 1664.29 feet to said Southeasterly Rights-of-Way line; thence S.49°07'00"W. along said Rights-of-Way line 771.75 feet to the TRUE POINT OF BEGINNING.

CONTAINING: 1,853,048 Sq. Ft. or 42.540 acres



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Ellsworth & Associates, Pllc
253 1st Street P.O. Box 1822
Idaho Falls, Idaho 83403
(208) 522 5414 Fax (208) 523 2614



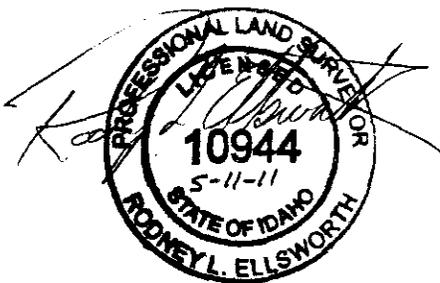
April 16, 2011

LEGAL DESCRIPTION

(Area to be added)

Commencing at the Southeast corner of Section 34, Township 3 North, Range 38 East of the Boise Meridian, Bonneville County, Idaho; running thence S.88°32'50"W. along the Section line 1457.02 feet to the TRUE POINT OF BEGINNING; running thence S.88°32'50"W. 420.78 feet; thence N.01°27'10"W. 421.38 feet; thence N.88°32'50"E. 933.22 feet; thence S.49°07'00"W. 663.44 feet to the TRUE POINT OF BEGINNING.

CONTAINING: 285,267 Sq. Ft. or 6.549 acres.

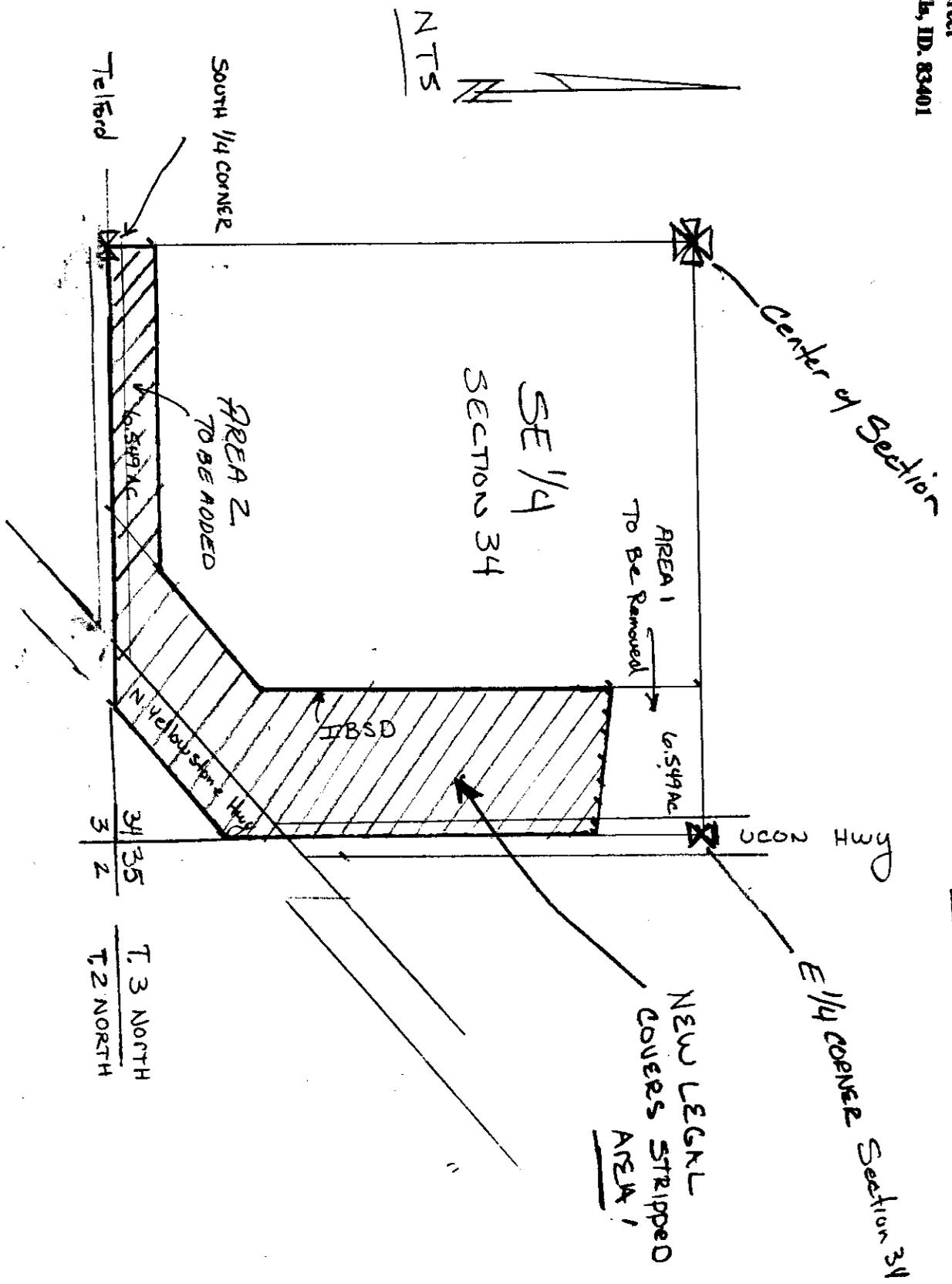


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Range 38 E 8M



S67 SKETCH