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ORDER GRANTING PETITION FOR ANNEXATION
TO NORTH KOOTENAI WATER DISTRICT
Kootenai County, Idaho

CHILCO NO. 2 ANNEXATION

THE BOARD OF DIRECTORS (the "Board") of NORTH KOOTENAI WATER DISTRICT (the "District") makes the following findings relative to a Petition for Annexation presented to the Board:

(1) The District is a validly formed water district under and by virtues of the laws of the State of Idaho.

(2) The owners of certain real property located in Kootenai County, Idaho, generally adjacent to the boundaries of the District, filed a Petition for Annexation with the District which complied with the requirements of Idaho Code §42-3218(a) (a copy of the Petition and attachments thereto are attached hereto as Exhibit "A" as though fully set forth herein).

(3) After a thorough examination and review by the Board and its consultants, it was established that the Petitions were executed by the property owner(s) in the area covered by the annexation. (The area covered by the annexation is set forth in the map attached hereto and incorporated herein by this reference as Exhibit "B".)

(4) The Board set a public hearing on the Petition for Annexation.

(5) The public hearing was set for September 1, 2011, with notice of this hearing ("Notice") given by publication. Notice was published in the *Coeur d'Alene Press* on August 23, 2011. (A copy of the Notice and Affidavit of Publication are attached hereto and incorporated herein by this reference as Exhibit "C".) At this public hearing the Board and its consultants were prepared to respond to any questions or issues raised.

(6) The Board has assumed, pursuant to the provisions of Idaho Code Section 42-3218(b) that the failure of any other individuals to show cause in writing as to the annexation of the property described in Exhibit "B", is deemed as their assent.

(7) The Board, after consideration of the records and files herein and the public health and safety of the current and future residents and businesses in the District and the area proposed for annexation, find it in the best interests of the District its residents and those who are in the area to be annexed into the District, to annex the area covered by the Petition.

(8) Subject to the conditions placed on the annexation by the District, the real property described in the map attached hereto as Exhibit "B" and legally described in Exhibit "D" attached hereto is hereby incorporated into the District as of the date this Order is recorded with the County Recorder.

RECEIVED
SEP 2 1 2011
TECHNICAL SUPPORT

CLIFFORD T. HAYES 10P I 2327391000
KOOTENAI CO. RECORDER Page 1 of 10
BBB Date 09/15/2011 Time 09:19:40
REC-REQ OF NORTH KOOTENAI WATER DIS
RECORDING FEE: 0.00
2327391000 XK

(9) The Secretary of the District is hereby directed to file this Order in the records of the District and transmit this Order and all the attachments thereto to the appropriate Kootenai County offices for filing pursuant to Idaho Code §42-3218(b).

(10) Petitioner(s) agree to pay for their share of a New Facility Plan or Facility Plan Amendment and Preliminary Engineering Report as required by the Idaho Department of Environmental Quality.

(11) Conditions: This annexation is conditioned upon completion of the following:

That the petitioners property owners will complete and pay for certain improvements to the specifications and requirements of the District (at their sole discretion) in order to provide service to the property included in this annexation.

Should it be later determined that one or more of the above conditions has not been satisfactorily achieved, the Board shall have the right to remove or deannex this property from the boundaries of the District.

This Order is adopted by a majority vote of the Board of Directors at a meeting on September 1, 2011.

NORTH KOOTENAI WATER DISTRICT

By: _____
Chairman, Board of Directors

ATTEST:

_____
Secretary

NORTH KOOTENAI WATER DISTRICT CORPORATE SEAL STATE OF IDAHO

LIST OF EXHIBITS

A. Petition requesting annexation

B. Map of the area to be annexed

C. Notice and Affidavit of Publication of Public Hearing

D. Legal Description of real property annexed into District

PETITION FOR ANNEXATION

NORTH KOOTENAI WATER DISTRICT
KOOTENAI COUNTY, IDAHO

COMES NOW Petitioner, Betty Bishop and petitions the Board of Directors of North Kootenai Water District ("District") as follows:

1. Petitioners are the owners of the real property situated within the County of Kootenai, State of Idaho, particularly described in Exhibit "~~A~~" "D", attached hereto, and incorporated herein by reference.

2. Petitioners are desirous that the above-described property be included in, made or part of, and be served with water system improvements in North Kootenai Water District, Kootenai County, Idaho.

3. Petitioners request that, in accordance with the provisions of Section 42-3218, Idaho Code, notice of the filing of this petition be given and published in the official newspaper of the District in Kootenai County, Idaho, said notice to give all persons interested an opportunity to appear and show cause in writing, if any they have, why this petition should not be granted at the hearing, time and place to be set by this Board; that further, assuming that no valid objections are made to the inclusion of the above-described property within the boundaries of the District, the Board enter its order that the above-described property be included within the boundaries of the District, and that such order be recorder and filed with Kootenai County, Idaho and filed with the State of Idaho Tax Commission.

That Petitioners are aware that, as a condition of annexation, the District may require that the land described in this petition be subjected to the following requirements:

(a) The Petitioners shall pay for the actual costs incurred by the District for District administration, engineering, legal, inspection, and preparation of any necessary documents that are required by the District for annexation of the property. Such District costs shall include, but are not limited to, preparation of conditions of annexation, any needed water system master planning, design consultations, plan reviews, and final approval of the Petitioner's construction plans and specifications for water facilities.

(b) The Petitioner shall be responsible for all water facilities that will be necessary to serve the Petitioner's annexed property. These water facilities will include those required within the annexed property as well as all necessary water facilities needed to extend water service from the District's existing facilities to those proposed to serve the annexed property. The District shall have the right to dictate where and how the Petitioner's water facilities that serve his annexed area may be connected to the District's water facilities. Upon completion of installation and approval by the District of all water facilities the Petitioner shall dedicate such facilities to the District.

EXHIBIT A

(c) The District shall not be obligated to serve any property annexed within the District where the District has determined there is not sufficient water system capacity to adequately serve such property. There shall arise no right to service or obligation by the District for service upon annexation and as among other properties annexed to the District, and there shall be no priority for service until each water connection permit has been obtained. If construction is not completed within two (2) years from the date the water connection permit was issued, any priority for service shall become null and void. The District may extend the time for completion upon a request by the property owner and a showing of good cause why such extension should be granted.

(d) At the time each water connection permit is issued and prior to connection of the water system to each private facility, a service availability fee of no less than Fifteen and 75/100 Dollars ($_15.75) per lot or equivalent dwelling unit shall be paid each month to repay the District for the cost of developing the District's core water collector lines, and treatment facilities including the debt retirement of such facilities committed to prior to inclusion of the annexed property into the District. Such service availability fees may increase at such time as the District determines such fees are not adequate to reimburse the District for the cost incurred in developing the water system. The service availability fee shall be in addition to actual costs required for connecting to the actual main water line.

(e) The District shall form a local improvement district pursuant to title 50, chapter 17 of the Idaho Code for the purpose of financing the acquisition, construction and installation of improvements to water system of the District to serve the real property described in Exhibit "~~A~~" "D".

(f) And such other conditions as the District may prescribe.

WHEREFORE, Petitioners pray that this petition be set for hearing at the earliest practicable time, and that the Board grant the petition including the conditions as set forth in Paragraph 3above.

DATED: 8-3-2011

Petitioner: Betty Bishop

Address: 3629 E Chilco Rd

Signature: Betty Bishop

Petitioner: _____

Address: _____

Signature: _____

Petitioner: _____

Address: _____

Signature: _____

Petitioner: _____

Address: _____

Signature: _____

STATE OF IDAHO)
) ss.
County of Kootenai)

On this 3rd day of August, before me, a Notary Public in and for the State of Idaho, personally appeared Betty Bishop, known to be the person or persons whose names are subscribed to the foregoing instrument, and acknowledged to be 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.

JUDY M. BROOKS
Notary Public
State of Idaho

Judy M Brooks
Notary Public for Idaho
Print Name: Judy M Brooks
My commission expires: 4/11/2014

EXHIBIT B

North Kootenai Water District - Betty Bishop

SEGREGATION REVISIONS

The revision dates below represent the file save sates for the posting of the listed revisions.
The archive dates for these revisions are posted within the ARCHIVE REVISIONS box in the drawing title block.

08/12/99 - VMC
D-7520 089-999-C out of 089-999 B (now 096-999-B) (99)

01/21/04 - bc
Ptn 52N03W-07-6200 out to R/W (C4)

09/29/10 - ET
Vacated road combined w/ D 7520 096 999-A (11)

THIS DRAWING IS TO BE USED FOR REFERENCE PURPOSES ONLY. ANY THE COUNTY IS NOT RESPONSIBLE FOR ANY INACCURACIES HEREIN CONTAINED.

N
W E
S

KOOTENAI COUNTY
IDAHO

ARCHIVE REVISIONS

INITIALS	ACTIVITY	DATE
TH	INITIAL CONVERSION	06-17-97
bc	CIS CONVERSION	08 21 03

MAGE FILE \HOT USEX
DRAWING FILE \523W07.DWG 06-17-97

NOTES:

All lots or parcels with given bearings and distances were calculated by traverse closure. All other parcels were calculated by the most accurate means possible with the given information (e.g. length multiplied by width, triangulation, planimeter, scaling from existing map, and coordinate geometry). Acreages shown are not assessable, right of way, where applicable, has been removed. Distances and arc lengths less than 50' may not be shown due to space limitations. Dimensions in parentheses denote record rent/or omitted lot line dimensions.

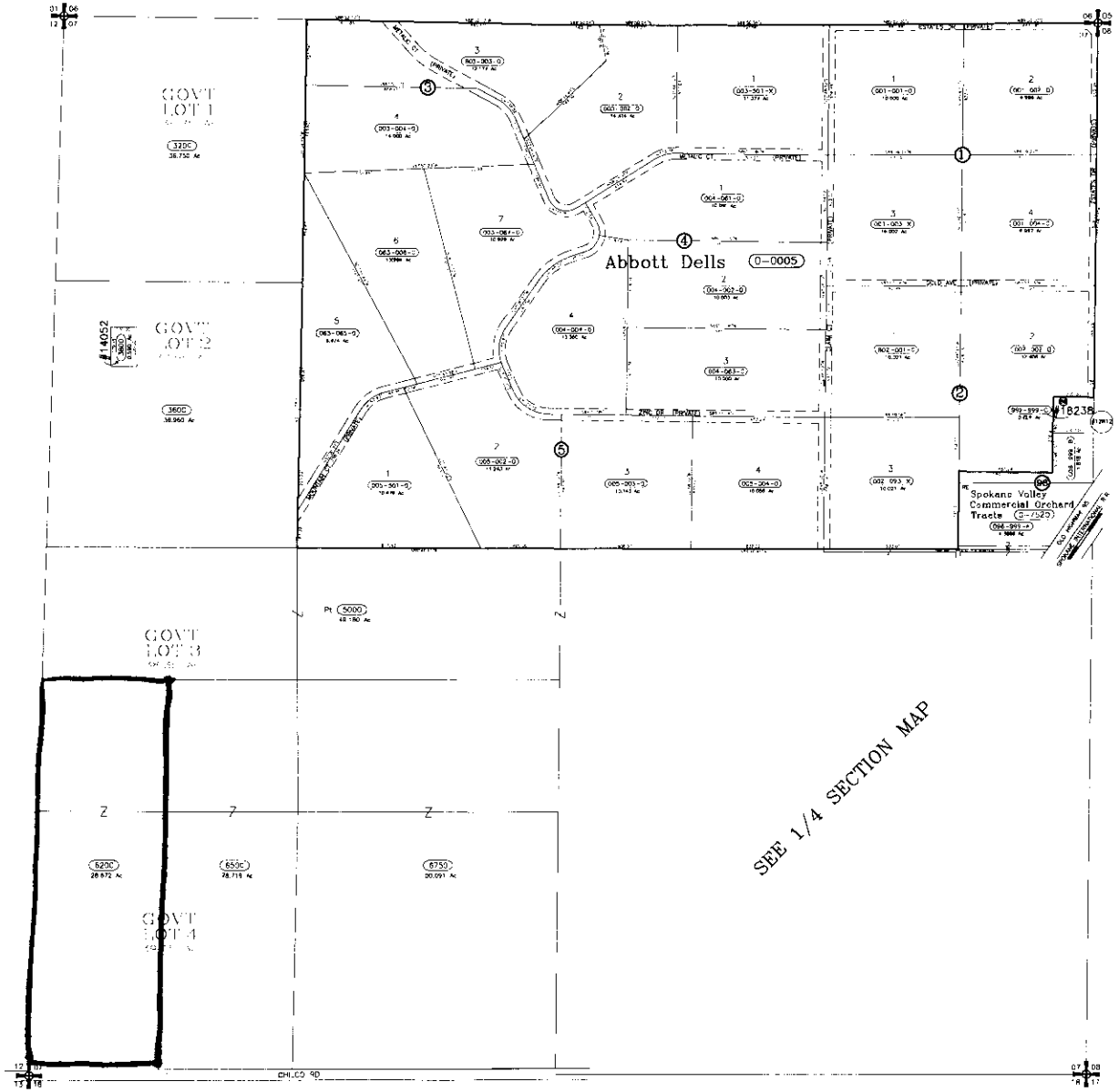
LOCATION OF ROADS SHOWN ARE BASED ON ADDRESSABLE ROAD INFORMATION AND MAY OR MAY NOT BE PUBLIC

Records of Survey used:

XK/PC	DESCRIPTION

Sec.7 Twp. 52 N. R.3 W.B.M.

52N03W-07



SCALE: 1 INCH = 400 FEET

FILENAME 523W07(extension)

Sec.7 Twp.52N. R.3W.B.M.

NOTICE OF PUBLIC HEARING
OF ANNEXATION OF PROPERTY INTO
NORTH KOOTENAI WATER DISTRICT
Kootenai County, Idaho

CHILCO NO. 2 ANNEXATION

The Board of Directors (the "Board") of the North Kootenai Water District (the "District") will be holding a public hearing on the annexation of property into the District. The public hearing will be held as follows:

Day: Thursday
Date: September 1, 2011
Time: 12:30 p.m.
Location: 1841 West Hayden Avenue, Hayden, Idaho

The annexation hearing is based upon petitions filed by the following parties for the properties identified in such petitions: Dale L. Morris (Parcel No. 52N03W182700); Betty Bishop (Parcel No. 52N03W076200); Western Lands LLC (Parcel No. 52N03W182400); John Arbeeny (Parcel No. 013000000010); Richard and Janet Burkey (Parcel No. 012980010020); and Larry D. Done (Parcel No. 52N03W180800 and Parcel No. 013000000020). A copy of the petitions and additional description of the area covered by the petitions can be obtained from the District by sending a request to:

North Kootenai Water District
P.O. Box 2290
Hayden, Idaho 83835

All persons interested in appearing at the time and place of the hearing may show cause in writing why any petition for annexation should not be granted. The Board shall consider, at the hearing, any objection presented in writing. The failure of any person to show cause in writing shall be deemed as an assent to include their property within the boundaries of the District.

Anyone wishing to provide written comments, who is unable to attend the hearing, may provide them in advance of the hearing by sending them, first class mail, postage pre-paid, to:

North Kootenai Water District
P.O. Box 2290
Hayden, Idaho 83835

Failure to have your written comments to the Board in advance of the public hearing means they will not be considered by the Board at the public hearing.

DATED this 18th day of August, 2011.

NORTH KOOTENAI WATER DISTRICT,
Kootenai County, Idaho

EXHIBIT C

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Kootenai, } SS.

Jen Jeffers being first duly sworn upon oath deposes and says:

1. I am now and at all times hereinafter mentioned was a citizen of the United States, resident of the State of Idaho, over the age of twenty-one years and not a party of the above entitled action.

2. I am now and at all times hereinafter mentioned was the printer (principal clerk) of the "Coeur d'Alene Press," a newspaper printed and published daily except Sunday in Coeur d'Alene, Kootenai County, Idaho, and having a general circulation in said county.

3. The Legal Notice

of which the annexed is a printed copy, was published in the regular Tuesday issue of said newspaper for 1 ~~consecutive~~ Day commencing on the 23 day of August 20 11, and ending on the 23 day of August 20 11, and such publication was made as often during said period as said Daily newspaper was regularly issued.

4. That said newspaper has been continuously and uninterruptedly published in said Kootenai County, during a period of more than seventy-eight consecutive weeks immediately prior to the first publication of said notice Jen Jeffers

On this 23 day of August in the year of 2011 before me, a Notary Public, personally appeared Jen Jeffers, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Regina Mason
Notary Public for the State of Idaho, residing at Coeur d'Alene, Idaho.

REGINA MASON NOTARY PUBLIC STATE OF IDAHO

MY COMMISSION EXPIRES 6/18/15

NOTICE OF PUBLIC HEARING OF ANNEXATION OF PROPERTY INTO NORTH KOOTENAI WATER DISTRICT
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North Kootenai Water District
P.O. Box 2290
Hayden, Idaho 83835

Failure to have your written comments to the Board in advance of the public hearing means they will not be considered by the Board at the public hearing.

DATED this 18th day of August, 2011.
NORTH KOOTENAI WATER DISTRICT, Kootenai County, Idaho
Legal 3625
August 23, 2011

1015996 **WARRANTY DEED** BOOK 338 PAGE 264

For Value Received FRANK GUERRA and CAROLYN L. GUERRA, husband and wife,

the grantors do hereby grant, bargain, sell and convey unto A. E. BISHOP and

ELIZABETH W. BISHOP, husband and wife, whose address is 1226 Dakota, Wenatchee, Washington 98801,

the grantees, the following described premises in Kootenai County Idaho, to wit:

All that portion of Government Lots 3 and 4, Section 7, Township 52 North, Range 3 W.B.M., Kootenai County, State of Idaho, described as follows:

Commencing at the Southwest corner of said Section 7; thence North 1°21'34" East, along the West line of said Section 7, 25 feet to the point of beginning of this description; thence continuing North 1°21'34" East 1974.78 feet to the Westerly extension of the North line of vacated Block 103, Spokane Valley Commercial Orchard Tracts; thence North 88°50'42" East along said extension of the North line of said vacated Block 103, 628.08 feet; thence South 0°37'05" West, along the East line of vacated Blocks 103, 114 and 115 of said Tracts, 1950.59 feet; thence South 89°00'00" West 643.59 feet to the point of beginning.

Subject to the Real Property Contract dated the 17th day of July 1973, whereby Philip G. Steffen and Wanda J. Steffen are Sellers, and Grantors herein are Purchasers, which Real Property agreement Grantees herein, A. E. Bishop and Elizabeth W. Bishop assume and agree to pay. The property deeded herein will revert to Grantor in the event Grantee defaults under the terms of this assumed contract.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that they are free from all incumbrances except the easements and other encumbrances in view and of record, and taxes for the year 1977,

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: June 17, 1977

Frank Guerra — FRANK GUERRA

Carolyn L. Guerra — CAROLYN L. GUERRA

STATE OF IDAHO, COUNTY OF Kootenai

On this 17th day of June, 1977, before me, a notary public in and for said State, personally appeared FRANK GUERRA and CAROLYN L. GUERRA, husband and wife,

known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Mary E. Tetzer
Notary Public

Residing at Coeur d'Alene Idaho

Comm. Expires 12/1/77

STATE OF IDAHO, COUNTY OF Kootenai

I hereby certify that this instrument was filed for record at the request of KOOTENAI COUNTY TITLE CO.

at 0 minutes past 4 o'clock p.m., this JUL 23 1985 day of 19 , in my office, and duly recorded in Book of Deeds at page

Jeanne Loomer
Acting Ex-Officio Recorder

By Dorothy Kaestner Deputy.

Fees $2.00

Mail to First Interstate Bank Hayden Lake

NO change in tax

EXHIBIT D