



129

BEFORE THE BOARD OF DIRECTORS
OF THE
BOISE WARM SPRINGS WATER DISTRICT
OF ADA COUNTY, IDAHO

IN THE MATTER OF THE INCLUSION OF CERTAIN)
PROPERTY IN THE BOISE WARM SPRINGS WATER) ORDER OF
DISTRICT OF ADA COUNTY, IDAHO, owned by) INCLUSION AND
SALLY M. FERGUSON.) ANNEXATION
Organized under the laws of the State of Idaho

THIS MATTER came to be heard before the Board of Directors of the Boise Warm Springs Water District at a regularly called and convened meeting the 12th day of September, 2012, upon a Petition for Annexation (inclusion) of property to the Boise Warm Springs Water District filed and presented by Sally M. Ferguson, organized under the laws of the State of Idaho, Petitioners and Owners of said property, a copy of which Petition marked Exhibit "A" is attached herein and made a part hereof by reference and attachment, and 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 26, 2012, October 3, 2012 and October 10, 2012, the 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 of Annexation (inclusion) of Property, hearing and examining the Petitioners and examining all proof (documentary and oral) submitted to the Board's consideration, the Board found and concluded that (i) the said Petition of 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 and include the property of the Petitioners, subject to all conditions enumerated in the said Petition and as hereinafter specified; (iii) the Notice of Hearing of said Petition was given in the manner required by law; and (iv) there is not good cause to deny the Petition for Annexation.

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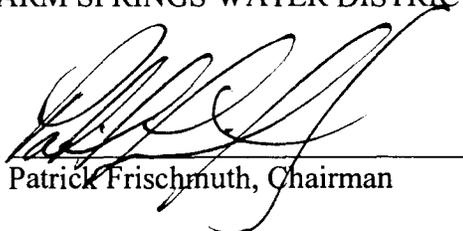
SEP 09 2012

TECHNICAL SUPPORT

NOW, THEREFORE, it is ORDERED that it would be in the best interest of the Boise Warm Springs Water 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 within the boundaries of the Boise Warm Springs Water District, subject to all of the (i) limitations and obligations imposed by Sections 42-3218 and 42-3220, Idaho Code; (ii) all conditions enumerated and specified in the Petition for Annexation marked Exhibit "A", incorporated herein and made a part hereof by attachment; and (iii) subject to all conditions specified in the motion for annexation as passed at the Board meeting of October 17, 2012.

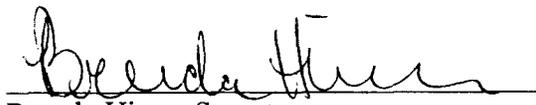
ADOPTED AND APPROVED by the Board of Directors of the Boise Warm Springs Water District of Ada County, Idaho this 17th day of October, 2012.

BOISE WARM SPRINGS WATER DISTRICT



Patrick Frischmuth, Chairman

ATTEST:



Brenda Hines, Secretary



EXHIBIT "A"

BEFORE THE
BOARD OF DIRECTORS OF THE
BOISE WARM SPRINGS WATER DISTRICT

IN THE MATTER OF THE ANNEXATION) PETITION
OF PROPERTY TO THE) TO
BOISE WARM SPRINGS WATER DISTRICT,) ANNEX
a political subdivision of the STATE OF IDAHO.) No2012-05

THE UNDERSIGNED PROPERTY OWNERS:

Sally M. Ferguson

Account No. 1298H

Tax Parcel No. R9227100070

Legal Description: LOTS 7 AND 8, BLOCK 2, WARM SPRINGS AVENUE ADDITION

Property Address: 1317 East Jefferson Street
Boise, Idaho 83712

Do hereby petition the Board of Directors of the Boise Warm Springs Water District (hereinafter "District") to annex to, and include within, the boundaries of the District the following described real property, together with (1) all improvements and appurtenances appertaining thereto and (2) all public streets, roads and alleys, abutting, adjoining and touching the hereinafter described property:

LOTS 7 AND 8 IN BLOCK 2 OF WARM SPRINGS AVENUE ADDITION, ACCORDING TO THE OFFICIAL PLAT THEREOF, FILED IN BOOK 2 OF PLATS AT PAGE 89, RECORDS OF ADA COUNTY, IDAHO LOCATED IN SECTION 11 TOWNSHIP 3 NORTH, RANGE 2 EAST OF THE BOISE MERIDIAD.

In support of this Petition to Annex, the Petitioners covenant and agree as follows:

(1) That the undersigned are the lawful owners of record of the above described real property (or are the purchasers by an unrecorded contract of sale with the authority to petition for annexation).

(2) That the undersigned have paid, at the time of filing this petition with the District, the Annexation Fee of \$ (WAIVED) fixed and established by the pertinent Resolution of the District, the receipt of which is hereby acknowledged. It is further acknowledged that, upon inclusion (annexation), a fee of \$350 will be charged to cover the costs incurred in the administrative process of annexing the above described property.

(3) That the undersigned have contracted, at their cost and expense, a main line and a service line from a building or structure to the District's water line, together with all the necessary appurtenances and machinery, in a manner and at the place designated and directed by the District, and in accordance with the plans, specifications and drawings approved by the District, its officers, agents and employees.

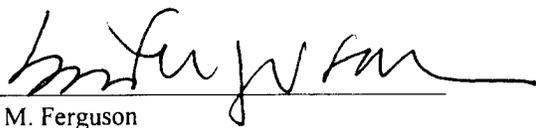
(4) That the undersigned hereby assign, transfer and set over to the District all rights, title, and interest in and to that portion of the main line and service line extending from the Petitioner's property line to the District's water line together with all necessary appurtenances and machinery thereto.

(5) The above described property is improved. It is now being used as:
A Single Family Residence

(6) It is understood by the undersigned that this petition is made pursuant to Section 42-3218, Idaho Code, as amended, and that the setting of a time and place for hearing of said petition and publication of notice of said hearing pursuant to law does not construe acceptance of said petition by the District. Pursuant to the aforesaid statute, the Board of Directors may impose such terms and conditions under which said property may be included within the District as the Board sees fit, said conditions, however, to be announced prior to the hearing. After said announcement, petitioners may have the right to withdraw said petition, but shall have the right to reimbursement of the annexation fee or additional charges as above set forth.

WHEREFORE, your petitioners pray that the said Board of Directors of the Boise Warm Springs Water District accept this Petition and set a time for the hearing and publish notice thereof in accordance with law, and upon hearing, order the inclusion of the above described property within the boundaries of the Boise Warm Springs Water District in accordance with the terms of this Petition.

Dated this 11 day of 9, 2012.



Sally M. Ferguson

STATE OF IDAHO)

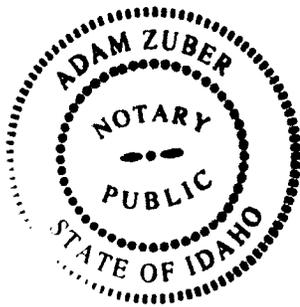
) SS.

COUNTY OF ADA

On this 11th day of September, 2012, before me a Notary Public in and for the State of Idaho, personally appeared Sally M. Ferguson known to me to be the persons whose names are subscribed to the within instrument, 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 in the certificate first above written.

SEAL)





Notary Public for Idaho

Residing at Boise Idaho

My Commission expires: 6/8/15

The following description of the land being added to the city of Boise, Idaho, is taken from the original plat of the same, and is hereby certified to be correct and true.

The location of the land is shown on the plat of the same, and is hereby certified to be correct and true.

The location of the land is shown on the plat of the same, and is hereby certified to be correct and true.

WARM SPRINGS AVENUE ADDITION

BOISE, IDAHO.

SCALE 200 FT. TO 1 INCH.

OF THE

The undersigned, J. H. Cox and Emma J. Cox, Charles H. Fisher and Eric Fisher do hereby certify that the owners of the following described property, to wit: Beginning at a point which is 50.03 feet from the 1/4 corner between Sec. 10 and 12, T. 34 N., R. 2 E., S. 35 E.; 586 ft., thence N. 89° 51' W., thence S. 89° 51' W., 251.14 ft., thence S. 89° 51' W., 251.14 ft., to the place of beginning; continuing S. 89° 51' W., 251.14 ft., and thence west to the place of beginning; premises on the accompanying plat, and we hereby declare that the streets and alleys thereon shown to be in the public use.

J. H. Cox
 Emma J. Cox
 Charles H. Fisher
 Eric Fisher

State of Oregon) ss.
 County of Douglas) ss.
 On this 11th day of July, in the year 1905 before me, J. B. Hamilton a Notary Public in and for said county, personally appeared Charles H. Fisher known to me to be the person whose name is subscribed to the above certificate and acknowledged to me that he executed the same. He witness whereof I have on this 11th day of July and affixed my seal the day and year first above written.

J. B. Hamilton
 Notary Public for Oregon

State of Oregon) ss.
 County of Douglas) ss.
 On the day of 1905 before me, J. B. Hamilton, a Notary Public in and for said county, personally appeared Eric Fisher, known to me to be the person whose name is subscribed to the above certificate, described as a married woman and upon examination without the hearing of her husband, made her acknowledgment with the contents of the above certificate and thereupon she acknowledged to me that she executed the same, and that she does not wish to retract such acknowledgment. She witness whereof I have here on this 11th day of July and affixed my official seal the day and year first above mentioned.

J. B. Hamilton
 Notary Public for Oregon

I Charles H. Fisher, do hereby certify that the following is a correct description of the land indicated on the accompanying plat to wit: Beginning at a point which is 50.03 ft. from the 1/4 corner between Sec. 10 and 12, T. 34 N., R. 2 E., S. 35 E.; 586 ft., thence N. 89° 51' W., thence S. 89° 51' W., 251.14 ft., to the place of beginning; and thence west to the place of beginning; and thence west to the place of beginning; and thence west to the place of beginning.

Charles H. Fisher
 Notary Public

State of Idaho) ss.
 County of Blaine) ss.
 Personally appeared before me, J. H. Fisher, a Notary Public in and for the county and state aforesaid, Charles H. Fisher who making affidavit that the accompanying map is a true and correct copy of the property being added to the city of Boise, Idaho.

J. H. Fisher
 Notary Public

State of Idaho) ss.
 County of Blaine) ss.
 On this 30th day of June, 1905 before me, J. H. Fisher, a Notary Public in and for said county, personally appeared J. H. Fisher, known to me to be the person whose name is subscribed to the above certificate, and acknowledged to me that he executed the same. He witness whereof I have here on this 30th day of June and affixed my official seal the day and year first above written.

J. H. Fisher
 Notary Public

State of Idaho) ss.
 County of Blaine) ss.
 On the 30th day of June, 1905 before me, J. H. Fisher, a Notary Public in and for said county, personally appeared J. H. Fisher, known to me to be the person whose name is subscribed to the above certificate, and acknowledged to me that he executed the same. He witness whereof I have here on this 30th day of June and affixed my official seal the day and year first above written.

J. H. Fisher
 Notary Public

I J. H. Fisher, City Clerk of Blaine, Idaho, do hereby certify that the following plat of Warm Springs Avenue Addition in the City of Blaine, Idaho, was adopted by the City Council on the 25th day of August, 1905.

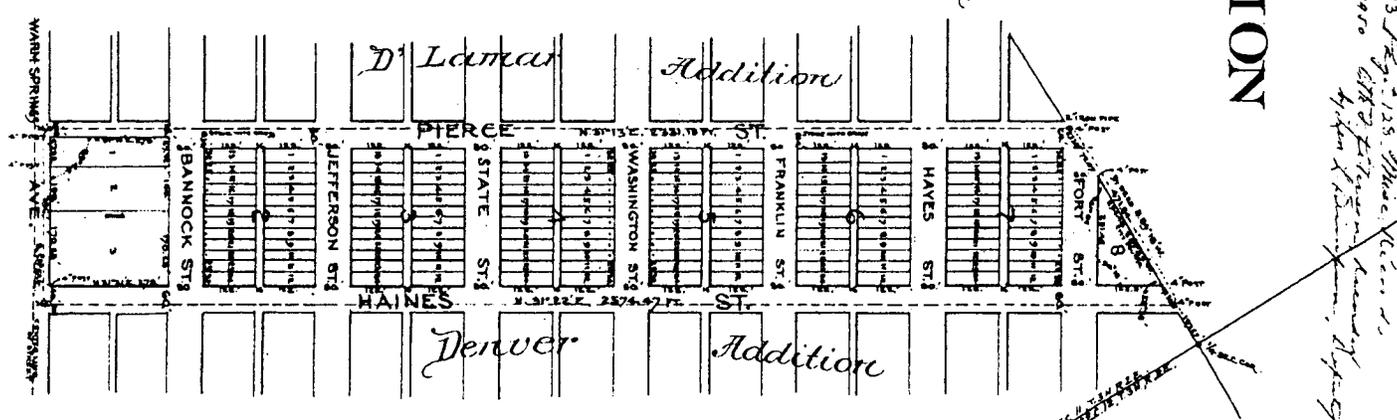
J. H. Fisher
 City Clerk

State of Idaho) ss.
 County of Blaine) ss.
 I hereby certify that the instrument was filed for record at the office of J. H. Fisher & Co. at 877 Main Street, Boise, Idaho, on this 29th day of July, 1905, in my official duty recorded in book 2 of said records, at page 89.

J. H. Fisher
 City Clerk

State of Idaho) ss.
 County of Blaine) ss.
 Personally appeared before me, J. H. Fisher, a Notary Public in and for the county and state aforesaid, Otto H. Peterson who making affidavit that the accompanying map is a true and correct copy of the property being added to the city of Boise, Idaho.

Otto H. Peterson
 Notary Public

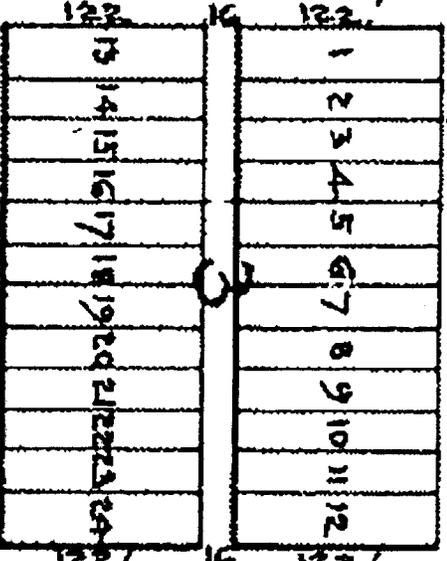


D' Lane

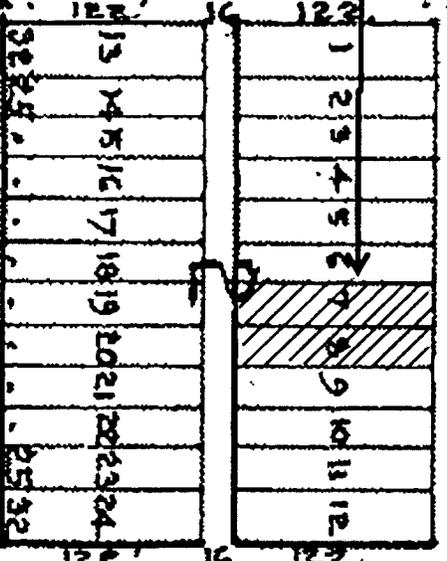
1317 East Jefferson
Street
Lots 7 & 8, Block 2
Warm Springs Ave.
Addition

PIERCE

STATE ST. 8



JEFFERSON ST. 8



BANNOCK ST. 8



HAINES
Detta