

~~033~~  
012

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

In Re: )  
 )  
The Exclusion of Certain Property from the )  
Iona Bonneville Sewer District )

Case No. *CV 11-1025*

**ORDER GRANTING THE  
EXCLUSION OF PROPERTY  
FROM THE IONA BONNEVILLE  
SEWER DISTRICT**

**Instrument # 1357627**

IDAHO FALLS, BONNEVILLE, IDAHO  
3-4-2010 02:39:53 No. of Pages: 7  
Recorded for : IONA BONNEVILLE SEWER DISTRICT  
RONALD LONGMORE Fee: 21.00  
Ex-Officio Recorder Deputy *[Signature]*  
Index to: ORDER

10  
774 JUN 11 10 58 AM  
CLERK OF DISTRICT COURT  
IDAHO  
*Collected*  
*1/25/11*  
*No Ans*

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 § 42-3219. The Court also finds a public hearing was held in compliance with Idaho Code § 42-3219, and that all other relevant requirements of that code section have been complied with.

NOW, THEREFORE, IT IS HEREBY ORDERED that certain property, commonly known as River Bend Manor, and more specifically described as set forth in Exhibit A, attached hereto, be excluded from the Iona Bonneville Sewer District.

DATED this 22 day of February, 2010.

/s/ Jon J. Shindurling

\_\_\_\_\_  
District Judge

*1357627*

RECEIVED  
MAR 26 2010  
TECHNICAL SUPPORT

**CLERK'S CERTIFICATE OF SERVICE**

I hereby certify that on February 16, 2010, 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  
1555 East Lincoln Road  
Idaho Falls, Idaho 83401

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

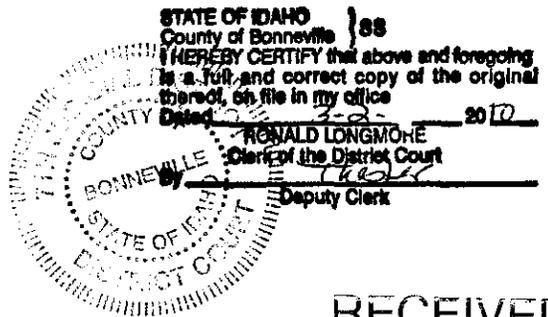
Eileen J. McGovern  
ECHOHAWK LAW OFFICES  
P.O. Box 6119  
Pocatello, ID 83205-6119  
Facsimile: (208) 478-1670

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

*Grace Walters*

Deputy Clerk

H:\WDOX\CLIENTS\0817\0001\00026922.DOC



RECEIVED

MAR 26 2010

**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 Board 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; and

**WHEREAS**, the flow dynamics of the River Bend Manor subdivision render that area best served by a separate Sewer district; now

**THEREFORE, BE IT ORDERED BY THE IONA-BONNEVILLE SEWER DISTRICT BOARD**, that the property known as the River Bend Manor subdivision, more specifically identified by Exhibit A, be, and hereby is, excluded from the Iona Bonneville Sewer District service area.

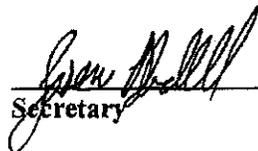
Dated this 21 day of January, 2010.

  
\_\_\_\_\_  
Chairman

S E A L

**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

**RECEIVED**

MAR 26 2010

TECHNICAL SUPPORT

## 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: Mr. Howard Jolcuvar and  
Mrs. Constance Jolcuvar  
Address: 29686 Kimberly Drive  
Agoura Hills, California 91301
- b) Owner: Mr. Charles Ritter and  
Mrs. Sondra Ritter  
Address: 1066 Stovall Blvd.  
Atlanta, Georgia 30319

Property Description: See Exhibit A

2. That the undersigned as owners have given consent to the exclusion 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 excluded from 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.

RECEIVED

MAR 26 2010

TECHNICAL SUPPORT

Dated this 7 day of December, 2009.

[Signature]  
Howard Jolcuvar

STATE OF CALIFORNIA )  
 )S.S.  
COUNTY OF LOS ANGELES )

On this 7<sup>th</sup> day of Dec, 2009, before me, the undersigned, a Notary Public in and for said State, personally appeared, Howard Jolcuvar, 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 7<sup>th</sup> day of Dec, 2009

[Signature]  
Notary Public for the State of California  
Residing at Agoura Hills, California  
Commission Expiration Date: 4/20/12



Dated this 7 day of DEC, 2009.

[Signature]  
Constance Jolcuvar

STATE OF CALIFORNIA )  
 )S.S.  
COUNTY OF LOS ANGELES )

On this 7<sup>th</sup> day of Dec, 2009, before me, the undersigned, a Notary Public in and for said State, personally appeared, Constance Jolcuvar, 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 7<sup>th</sup> day of Dec, 2009

[Signature]  
Notary Public for the State of California  
Residing at Agoura Hills, California  
Commission Expiration Date: 4/20/12



RECEIVED  
MAR 26 2010  
TECHNICAL SUPPORT

Dated this 4 day of DEC, 2009.

Charles Ritter

Charles Ritter

STATE OF GEORGIA )  
 )S.S.  
COUNTY OF DEKALB )

On this 4 day of DEC, 2009, before me, the undersigned, a Notary Public in and for said State, personally appeared, Charles Ritter 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 4 day of DEC., 2009

Annette D'Arcy Georgia

Notary Public for the State of ~~California~~ Georgia  
Residing at Atlanta, Georgia  
Commission Expiration Date: Jan 16, 2012  
ANNETTE B. DARCY  
NOTARY PUBLIC  
DEKALB COUNTY, GA  
MY COMMISSION EXPIRES JAN. 16, 2012

Dated this 4 day of DEC., 2009.

Sandra Ritter  
Sandra Ritter

STATE OF GEORGIA )  
 )S.S.  
COUNTY OF DEKALB )

On this 4 day of DEC, 2009, before me, the undersigned, a Notary Public in and for said State, personally appeared, Sandra Ritter 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 4 day of DEC, 2009

Annette D'Arcy Georgia

Notary Public for the State of ~~California~~ Georgia  
Residing at Atlanta, Georgia  
Commission Expiration Date: Jan 16, 2012

ANNETTE B. DARCY  
NOTARY PUBLIC  
DEKALB COUNTY, GA  
MY COMMISSION EXPIRES JAN. 16, 2012

RECEIVED  
MAR 26 2010  
TECHNICAL SUPPORT

## Exhibit A

### *Exclusion Description for River Bend Manor*

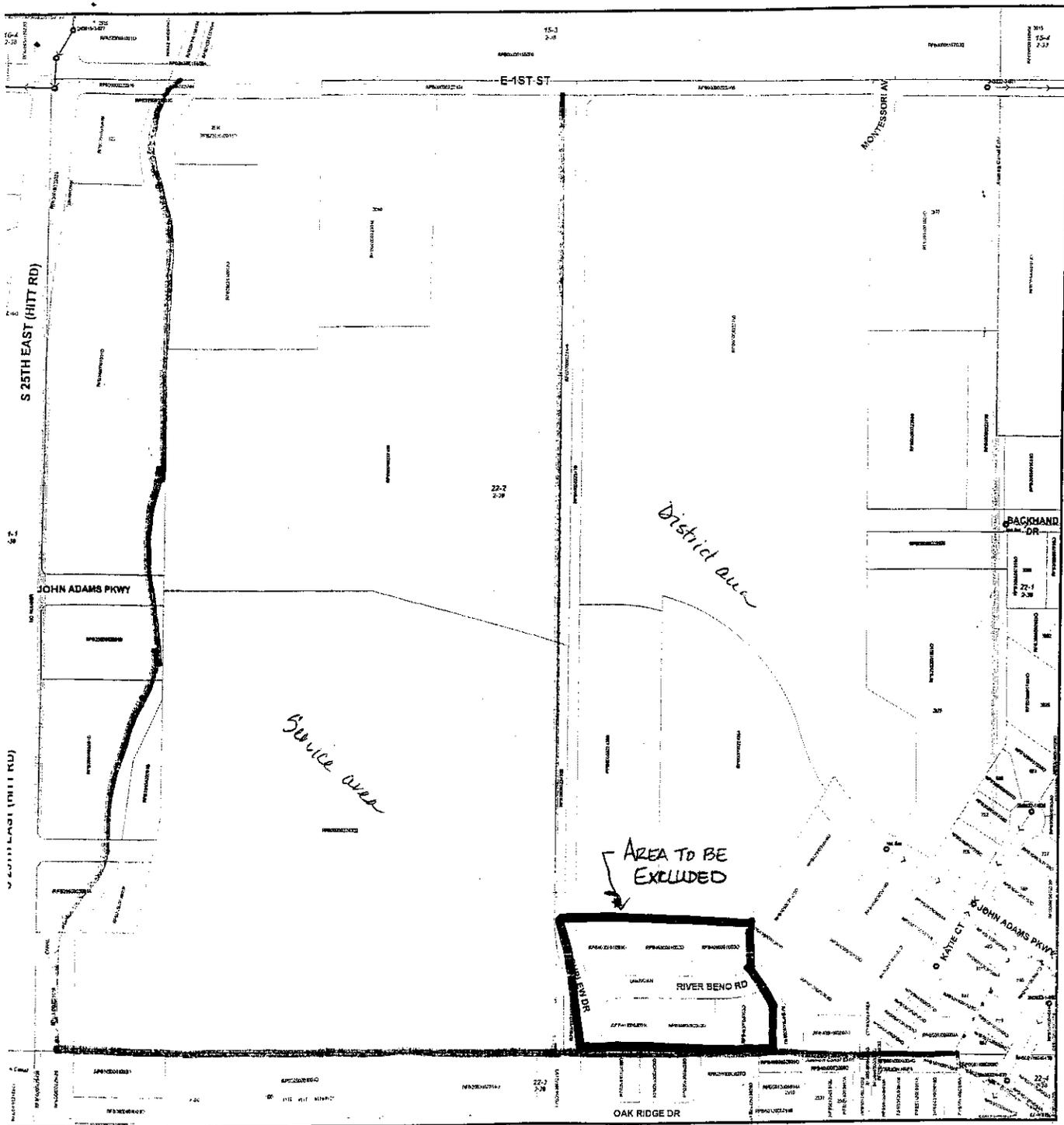
Part of River Bend Manor Division No. 1, being part of Section 22, Township 2 North, Range 38 East of the Boise Meridian, Bonneville County, Idaho, described as:

Commencing at the Northeast corner of lot 3 block 1; thence S 01°41'27" E 137.40 feet to a point on the Northerly right of way of River Bend Road; thence S 37°52'07" E 63.05 feet to the Southerly right of way of said River Bend Road, said point being the Northeasterly corner of lot 3 block 2; thence along the Easterly line of said lot 3 following two (2) courses: (1) S 29°23'40" E 46.61 feet; (2) S 00°39'10" W 133.06 feet, said point being the Southeast corner of said lot 3; thence N 89°20'54" W 526.44 feet along the Southerly boundary of said block 3 to a point on the Westerly right of way of Curlew Drive; thence along said Westerly right of way the following three (3) courses: (1) N 00°12'00" E 6.40 feet to the point of curvature of a horizontal curve to the left; (2) thence Northwesterly along said curve 180.35 feet with the following curve data: Delta=23°29'05", Radius=440.00 feet, Chord Bearing=N 11°32'32" W and Chord Distance 179.09 feet to a point of reverse curve; (3) thence Northwesterly 184.59 feet along a horizontal curve to the right with the following curve data: Delta=21°09'08", Radius=500.00 feet, Chord Bearing=N 12°42'30" W and Chord Distance=183.54 feet to the point of tangency; thence leaving said Westerly right of way S 89°20'52" E 538.51 feet along the Northerly line of Block 1 to the Point of Beginning.

RECEIVED

MAR 26 2010

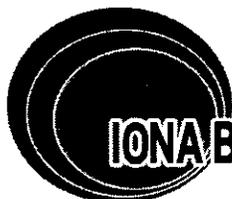
TECHNICAL SUPPORT



RECEIVED

MAR 26 2010

TECHNICAL SUPPORT



# IONA BONNEVILLE SEWER DISTRICT

033

## MAILING

P.O. Box 2557  
Idaho Falls, Idaho.  
83403-2557

## OFFICE

1555 East Lincoln Road  
Idaho Falls, Id. 83401  
(208) 524- 4545

## OTHER

Fax (208) 524- 4646  
Email - [ibsd@sewerdistrict.com](mailto:ibsd@sewerdistrict.com)  
Website - [www.sewerdistrict.com](http://www.sewerdistrict.com)

March 23, 2010

Craig Johnson - GIS Analyst  
Technical Support Bureau  
Idaho State Tax Commission  
800 Park Blvd. Plaza IV  
Boise; ID. 83722

RECEIVED

MAR 26 2010

TECHNICAL SUPPORT

Subject: De-Annexation for River Bend Manor  
Recording Instrument No. 1357627, Bonneville County

Mr. Johnson,

Attached are copies of the documents relating to the exclusion of River Bend Manor from the Iona Bonneville Sewer District. As requested, I have included the Petition, Legal Description and a map of the area as well as the court order. This information has been recorded with Bonneville County as noted above.

Please contact me at the number above if you have any questions or require additional information.

Thank you,

Donna Bridges  
Field Coordinator



## IONA BONNEVILLE SEWER DISTRICT

### MAILING

3395 E. Leihm Lane  
Idaho Falls, Idaho  
83401

### OFFICE

3395 E. Leihm Lane  
Idaho Falls, Idaho 83401  
(208) 524-4545

### OTHER

Fax (208) 524-4646  
Email - [ibsd@sewerdistrict.com](mailto:ibsd@sewerdistrict.com)  
Website - [www.sewerdistrict.com](http://www.sewerdistrict.com)

February 29, 2012

Craig Johnson - GIS Analyst  
Technical Support Bureau  
Idaho State Tax Commission  
800 Park Blvd. Plaza IV  
Boise; ID. 83722

Subject: De-Annexation for River Bend Manor  
Recording Instrument No. 1357627, Bonneville County

Mr. Johnson,

Attached are copies of the plat for the exclusion of River Bend Manor from the Iona Bonneville Sewer District. I had sent this previously via email but the scanned copy is difficult to read so I am forwarding a blue print of the plat which is the most legible copy given to us by the engineer for this project and also the copy with signatures showing the plat was recorded.

Please contact me at the number above if you have any questions or require additional information.

Thank you,

Donna Bridges  
Field Coordinator

RA

### AFFIDAVIT OF CORRECTION

To correct the subdivision plat of the River Bend Manor, Division No. 1 Subdivision in Bonneville County, recorded February 9, 2009 as instrument no. 1322080.

I, Kim H. Leavitt, a Professional Land Surveyor, licensed by the State of Idaho, being first duly sworn on oath, do hereby depose and say:

1. That I am the Professional Land Surveyor responsible for the filing of said Plat.
2. The name of the new road that will be created as part of this plat was inadvertently left off and shall be called "Gray Fox Lane"
3. The spelling of the existing road as shown "John Addams Parkway" should be corrected to read "John Adams Parkway".

Dated this 23<sup>rd</sup> day of February, 2009.

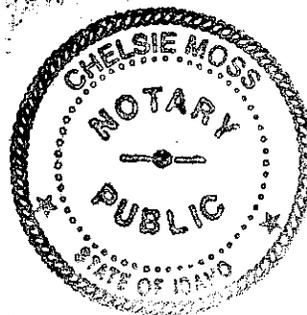


State of Idaho:  
County of Bonneville County:

On this 23<sup>rd</sup> day of February, in the year 2009, before me, the undersigned Notary Public in and for said State, personally appeared Kim H. Leavitt know to me to be the President of Harper Court that executed the within instrument acknowledged to me that by the filing of this instrument hereby constitutes the appropriate correction on the subdivision plat stated herein.

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

Chelsie Moss  
Notary Public for the State of Idaho  
Residing in Bonneville County  
Commission Expiration Date: 8-31-2012





HEALTH DEPT. CERTIFICATE

I hereby certify that sanitary restrictions required by Idaho Code Title 50 - Chapter 13 Section 50-1326 have been satisfied and this plat is hereby approved for recording by filing of this certificate herewith.  
EASTERN IDAHO PUBLIC HEALTH DISTRICT

Date: \_\_\_\_\_  
Environmental Health Specialist

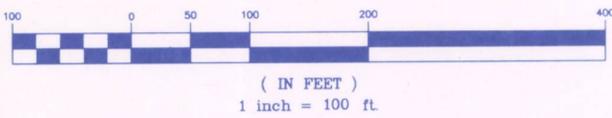
SURVEYOR'S CERTIFICATE

I, Kim H. Leavitt, a registered professional surveyor in the State of Idaho do hereby certify that the survey of this subdivision, designated as RIVER BEND MANOR DIVISION NO. 1 AN ADDITION TO THE CITY OF AMMON, BONNEVILLE COUNTY, IDAHO, was made by me or under my direction, and that said subdivision is truly and correctly staked as provided by law and in accordance with the accompanying plat as described in the Owner's Dedication.



Date: \_\_\_\_\_  
Kim H. Leavitt, P.L.S.

GRAPHIC SCALE



LEGEND

- Section control corners.
- Set 5/8"x30" iron rod with plastic-cap marked P.L.S. 4563.
- Set 1/2"x24" iron rod with plastic-cap marked P.L.S. 4563.
- Set 5/8"x24" iron rod with 2" Alum. Cap P.L.S. 4563.

P.O.B. Point of Beginning.

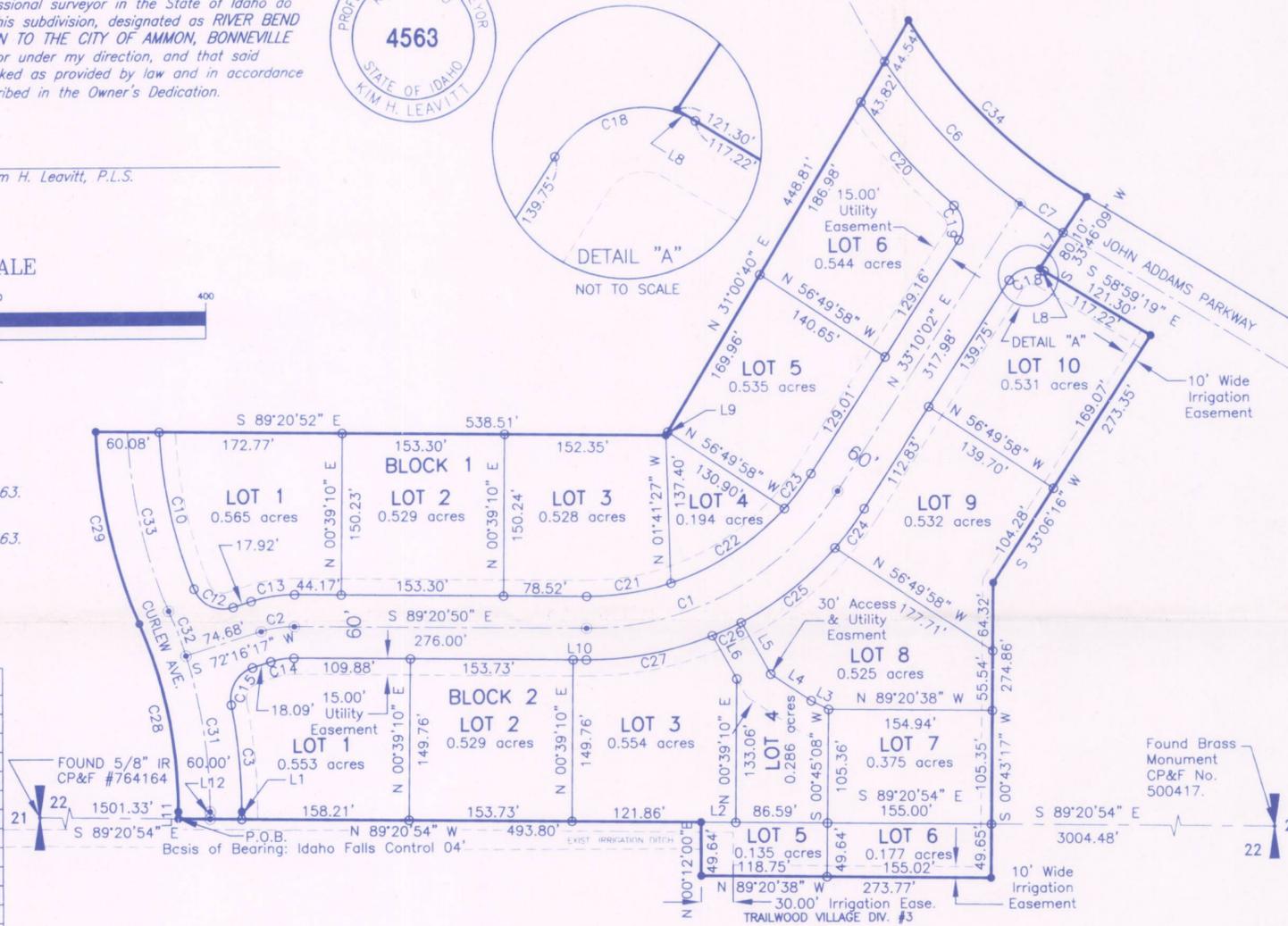
LINE	LENGTH	BEARING
L1	6.40'	N 00°12'00" E
L2	32.64'	S 89°20'54" E
L3	18.23'	S 63°27'24" E
L4	45.63'	N 56°49'58" W
L5	55.95'	N 29°23'40" W
L6	46.61'	N 29°23'40" W
L7	40.05'	N 33°46'09" E
L8	4.08'	S 58°47'14" E
L9	3.61'	N 31°00'40" E
L10	12.45'	S 89°20'50" E
L11	6.40'	N 00°12'00" E
L12	6.40'	N 00°12'00" E

Curve	Radius	Delta	Length	Chord Bearing	Chord Distance
C1	280.00'	57°29'08"	280.93'	N 61°54'36" E	269.29'
C2	100.00'	18°22'53"	32.08'	S 81°27'43" W	31.94'
C3	500.00'	11°25'42"	99.73'	N 05°30'51" W	99.57'
C6	540.00'	19°37'42"	184.99'	S 43°46'27" E	184.09'
C7	540.00'	5°10'17"	48.74'	S 56°10'29" E	48.72'
C10	440.00'	19°33'13"	150.16'	S 12°17'21" E	149.43'
C12	30.00'	85°39'46"	44.85'	S 64°53'50" E	40.79'
C13	130.00'	18°22'53"	41.71'	S 81°27'43" W	41.53'
C14	70.00'	18°22'53"	22.46'	S 81°27'43" W	22.36'
C15	30.00'	83°29'59"	43.72'	S 30°31'17" W	39.95'
C18	25.00'	86°04'29"	37.56'	S 76°12'16" W	34.12'
C19	25.00'	81°52'11"	35.72'	N 07°46'04" W	32.76'
C20	580.00'	12°54'39"	130.70'	S 42°14'50" E	130.42'
C21	250.00'	18°31'46"	80.85'	N 81°23'17" E	80.50'
C22	250.00'	29°33'23"	128.96'	N 57°20'42" E	127.54'
C23	250.00'	9°23'59"	41.01'	N 37°52'01" E	40.97'
C24	310.00'	8°28'55"	45.89'	N 37°24'29" E	45.85'
C25	310.00'	20°55'15"	113.19'	N 52°06'34" E	112.57'
C26	310.00'	5°33'58"	30.12'	N 65°21'11" E	30.10'
C27	310.00'	22°31'00"	121.83'	N 79°23'40" E	121.04'
C28	440.00'	23°29'05"	180.35'	N 11°32'32" W	179.09'
C29	500.00'	21°09'08"	184.59'	S 12°42'30" E	183.54'
C31	470.00'	17°55'44"	147.07'	N 08°45'52" W	146.47'
C32	470.00'	5°33'21"	45.57'	N 20°30'24" W	45.56'
C33	470.00'	20°58'28"	172.05'	S 12°47'51" E	171.09'
C34	500.00'	27°09'45"	237.04'	S 45°22'54" E	234.82'

RIVER BEND MANOR

DIVISION NO. 1

AN ADDITION TO THE CITY OF AMMON  
Section 22, Township 2 North, Range 38 East, B.M.  
BONNEVILLE COUNTY, IDAHO



ACKNOWLEDGMENT

State of Idaho:  
County of Bonneville:

On this \_\_\_\_\_ day of \_\_\_\_\_, 2008 before me the undersigned, a Notary Public in and for said State, personally appeared Robert D. Suitter known or identified to me to be a Member of Eastern Idaho Commerce Center, that executed the same as the free act and deed of said limited liability partnership.

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

Notary Public for the State of Idaho  
Residing at \_\_\_\_\_  
Commission Expiration Date: \_\_\_\_\_

ACKNOWLEDGMENT

State of Idaho:  
County of Bonneville:

On this \_\_\_\_\_ day of \_\_\_\_\_, 2008 before me, a Notary Public in and for said State, personally appeared Bruce Ard and Leslie Folsom, known or identified to me, to be the MAYOR and CITY CLERK of the CITY of AMMON, and acknowledged that they executed the same.

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

Notary Public for the State of Idaho  
Residing at \_\_\_\_\_  
Commission Expiration Date: \_\_\_\_\_

BOUNDARY DESCRIPTION

Part of West 1/2 of Section 22, Township 2 North, Range 38 East, B.M., Bonneville County, Idaho described as:

Beginning at a point that is S89°20'54"E 1,501.33 feet along the east-west center line of said Section 22 from the West 1/4 corner of said Section 22 to a point on the west right-of-way of Curlew Ave. extended and running thence along said right-of-way the following three (3) courses thence (1) thence N00°12'00"E 6.40 feet; (2) to a point of curve to the left having a radius of 440.00 feet and a central angle of 23°29'05"; thence north along the arc a distance of 180.35 feet, having a Chord Bearing of N 11°32'32" W and Chord Distance of 179.09 feet (3) to a point of reverse curve to the right having a radius of 500.00 feet and a central angle of 21°09'08"; thence north along the arc, a distance of 184.59 feet with a Chord Bearing of N 12°42'30" W and Chord Distance of 183.54 feet; thence S89°20'52"E 538.51 feet; thence N31°00'40"E 448.81 feet to the point of curve of a non tangent curve to the left, of which the radius point lies N58°13'40"E, a radial distance of 500.01 feet; thence southeast along the arc, through a central angle of 27°09'45", a distance of 237.04 feet with a Chord Bearing of S 45°22'54" E and Chord Distance of 234.82 feet to the SW corner of Lot 1 Block 1 of Eastern Idaho Commerce Division No. 3; thence S33°46'09"W 80.10 feet; thence S58°59'19"E 121.30 feet to the NW corner of Lot 1 Block 5 of Trailwood Village Division No. 2; thence S33°06'16"W 273.35 feet; thence S00°43'17"W 274.86 feet to a point on the north line of Trailwood Village Division No. 3; thence N89°20'38"W 273.77 feet along said north line; thence N00°12'00"E 49.64 feet to the east-west center line of said Section 22; thence N89°20'54"W 493.80 feet along said center line to the POINT OF BEGINNING.

Parcel Contains 9.301 acres.

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS, that we, the undersigned are the lawful owners of the tract of land included within the boundary description shown hereon and have caused the same to be platted and divided into blocks, lots, and streets, which plat shall hereafter be known as the RIVER BEND MANOR DIVISION NO. 1 AN ADDITION TO THE CITY OF AMMON, BONNEVILLE COUNTY, IDAHO.

BE IT FURTHER KNOWN, that we do hereby dedicate to the public, all streets and rights-of-way shown hereon, that we also grant and convey to the City of Ammon all easements shown on the plat and that we hereby warrant and shall defend the estate subject to such dedication and conveyances in the quiet and peaceful possession of the public or the City, as the case may be, against said owners and their heirs and assigns, and against every person whomsoever who lawfully holds or who later claims to have lawfully held any rights in said estate as of the date hereof. Owners, and their heirs and assigns, agree they will construct no permanent structure within or upon any public utility easement shown hereon, and the City and its successors, assigns or permittees shall also have the right, at Owners' or their heirs' successors' or assigns' expense, to remove, cut or trim any trees, brush, ornamental shrubbery or plant which may injure or interfere with the use thereof for its intended purposes. We also certify that these lots are eligible to receive water from the City of Ammon Municipal Water System and the City has agreed in writing to serve said lots.

IN WITNESS WHEREOF, we have hereunto set our signature this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

\_\_\_\_\_  
Brian Hymel

\_\_\_\_\_  
Robert D. Suitter, Managing Member  
Eastern Idaho Commerce Center

\_\_\_\_\_  
Bruce Ard, Mayor  
City of Ammon

\_\_\_\_\_  
Leslie Folsom, Clerk  
City of Ammon

\_\_\_\_\_  
Sondra H. Ritter

\_\_\_\_\_  
Charles D. Ritter

\_\_\_\_\_  
Howard A. Jolcuvar

\_\_\_\_\_  
Constance M. Jolcuvar

ACKNOWLEDGMENT

State of Utah  
County of Salt Lake

On this \_\_\_\_\_ day of \_\_\_\_\_, 2008 before me, a Notary Public in and for said State, personally appeared Sondra H. Ritter, Charles D Ritter Sr., Howard A. Jolcuvar, Constance M. Jolcuvar and Brian M. Hymel, proved to me on the basis of satisfactory evidence to be the persons whose names is subscribed to the within instrument, and acknowledged that they executed the same.

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

Notary Public for the State of Idaho  
Residing at \_\_\_\_\_  
Commission Expiration Date: \_\_\_\_\_



HARPER-LEAVITT ENGINEERING, INC.  
PROFESSIONAL ENGINEERS AND LAND SURVEYORS

985 N. CAPITAL AVE., P.O. BOX 50691, IDAHO FALLS, IDAHO 83405 (208) 524-0212