

2013-015008

RECORDED

04/08/2013 11:28 AM



CHRIS YAMAMOTO  
CANYON COUNTY RECORDER  
Pgs=13 RECORD1  
MISC  
CANYON COUNTY  
NO FEE

043

**ORDER  
OF  
ANNEXATION**

The Board of Commissioners of the **UPPER DEER FLAT FIRE PROTECTION DISTRICT** (hereinafter "**DISTRICT**"), having certified a copy of its ORDER, dated March 20, 2013, approving the petition to annex certain property, Parcel No. R3007200A, more fully described below, to said **DISTRICT**, and it appearing such action is consistent with applicable law;

IT IS HEREBY ORDERED that the real property described in the **DISTRICT'S** ORDER, which is attached and incorporated herein, shall become a part of the **UPPER DEER FLAT FIRE PROTECTION DISTRICT**.

This **ORDER OF ANNEXATION** shall be recorded so as to include the annexed property on the tax rolls as provided by law.

ORDERED THIS 8 DAY OF APRIL, 2013.

CANYON COUNTY BOARD OF COMMISSIONERS

Chairman Steven J. Rule

Commissioner Kathryn Alder

Commissioner Craig Hanson

ATTEST: CHRIS YAMAMOTO, CLERK  
  
Deputy Clerk



Copy: Assessor  
Treasurer  
~~Clerk~~  
Steve Martineau, Upper Deer Flat Fire Protection District  
Idaho State Tax Commission, P.O. Box 36, Boise, ID 83722  
*Brad Goodsell*  
*Lee Mayer*

RECEIVED

APR 09 2013

TECHNICAL SUPPORT

UPPER DEER FLAT FIRE DEPT.



9500 Missouri Ave. • Nampa, ID 83686 • (208) 466-0670

RECEIVED

MAR 25 2013

CANYON COUNTY  
COMMISSIONERS

## Annexation Hearing

3/20/13

The hearing was called to order at 7:00 p.m. by commissioner Martineau. Others in attendance were commissioner Shroll, secretary Dale Jeffers, chief Martineau and assistant chief Shroll. Meeting was held at the Upper Deer Flat station.

The annexation of Lee and Janet Mayer advertised property was the subject of the hearing up for discussion. After reviewing the attached map with legal description and documents commissioner Shroll made the motion to accept the parcel into the Upper Deer Flat Fire Protection District. It was seconded by chairman Martineau. Commissioner Sayers voted absentee ballot in favor. Motion passed unanimously. There was no public comment heard at the advertised hearing.

Necessary documents will be forwarded to the County to be recorded.

With no further business the meeting was closed at 7:30 p.m.

Secretary

Dale Jeffers

Commissioners

Steve Martineau

Norman Shroll

March 16 - 2013

as I will be unable to meet  
on Wed March - 20 - 2013

from making this statement  
to vote for annexation into Upper  
Deer Flat Kirk district

my vote will be Yes

Commissioner  
Dale Sawyer

2-25-2013

To whom it concerns:

We request annexation of our subject property, where we are beginning to build a single level residential building. The property description is included along with this request letter. We understand that the fire district will be the Upper Deerflat Fire Department. Thank you to all who are part of this decision.

Respectfully,

Lee Mayer

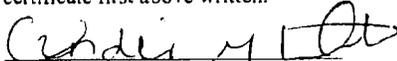


Janet Mayer



State of Idaho, Canyon County ss:

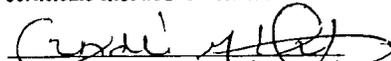
On this 25<sup>th</sup> day of Jan, 2013, before me Candie M Waters, a Notary Public in and for said county and state, personally appeared Lee Mayer; known or proven to me to be the person(s) who executed the foregoing instrument. In witness wherefore, I have hereunto set my hand and affixed my official seal the day and year in the certificate first above written.

  
Notary Public residing at: Nampa, Id  
Commission Expires: 12/23/2016



State of Idaho, Canyon County ss:

On this 25<sup>th</sup> day of Jan, 2013, before me Candie M Waters, a Notary Public in and for said county and state, personally appeared Janet Mayer; known or proven to me to be the person(s) who executed the foregoing instrument. In witness wherefore, I have hereunto set my hand and affixed my official seal the day and year in the certificate first above written.

  
Notary Public residing at: Nampa, Id  
Commission Expires: 12/23/2016



518059 TB/DB

Electronically Recorded- DO NOT  
Remove the County Stamped First  
Page as it is now Incorporated as  
Part of the original Document.

**DEED**

*Mark D.  
an unmarried man*

Mark McDonough, an individual ("Seller") for good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell, and convey to Lee Mayer and Janet Mayer, a married couple residing at 3310 Little John Court, Nampa, Idaho 83687 ("Buyer") (Buyer and Seller are collectively referred to herein as the "Parties," and each individually as a "Party"), the following described real property (the "Property"), to wit:

See **Exhibit A**

SUBJECT TO taxes and assessments for the year 2012 and all subsequent years, together with any and all existing easements, rights-of-way, reservations, restrictions and encumbrances of record, to any existing tenancies, to all zoning laws and ordinances, and to any state of facts an accurate survey or inspection of the premises would show.

This conveyance does not include any water rights but does include any and all other appurtenances, tenements, hereditaments, reversions, remainders, easements, and rights-of-way in anywise appertaining to the property herein described.

Seller owns the real property described in **Exhibit B** attached hereto (the "Seller's Property").

The Buyer hereby covenants by and for itself, administrators, and assigns, all persons claiming under or through them, that the Property shall be used by the Buyers, successors, heirs, and/or assigns as follows:

1. For the purpose of constructing a site built one-story single dwelling structure and one shed or garage (also one story only) and that the Buyer cannot construct on the Property multiple family dwellings, including, but not limited to, apartment units, condominium units or townhouses. There shall be no structures on the Property over one story. No additional structures are permitted (i.e., no guest houses, outbuildings, mother-in-law structures, etc.).
2. There will be a thirty foot (30') setback of dwellings and accessory structures from the southern border of the Property. No dwellings or accessory structures shall be constructed within this setback area.

The Property is subject to an easement along the western border as set forth in that certain Easement Agreement recorded as Instrument No. 9220402 with the Canyon County Recorder's Office. Seller and Seller's administrators, and assigns, all persons claiming under or through them as owners of the Seller's Property, retain the right to use said easement for ingress and egress across the Property and installation of utilities within said easement.

Seller and Seller's administrators, and assigns, all persons claiming under or through them as owners of the Seller's Property, retain a 25 foot easement for access and utilities along the northern border of the Property and a 10 foot easement for utilities along the eastern border and the southern border of the Property (the "Seller's Easement"). The Seller's Easement shall extend over the following portions of the Property:

- a. The north 25 feet of the Property (for ingress and egress and utilities)

- b. The east 10 feet of the Property (for utilities)
- c. The south 10 feet of the Property (for utilities)

The foregoing covenants shall run with the land.

The conveyance includes an easement for ingress and egress across the Seller's Property (the "Access Easement"), being a strip of land 28 feet wide, as set forth in more detail in that "Declaration of Easement" recorded contemporaneously herewith.

The conveyance includes an easement for utilities across the Seller's Property (the "Utilities Easement"), being a strip of land 10 feet wide, as set forth in more detail in that "Declaration of Easement" recorded contemporaneously herewith.

IN WITNESS WHEREOF, the Parties hereunto subscribed their name to this instrument on the dates set forth below.

**Seller**

Mark McDonough

Mark McDonough  
December 18, 2012  
 Date

**Buyer**

Janet Mayer

Janet Mayer  
12-18-12  
 Date

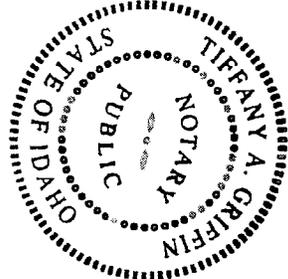
Lee Mayer

Lee Mayer  
12-18-2012  
 Date

STATE OF IDAHO            )  
   ) ss.  
 County of Canyon        )

On this 18<sup>th</sup> day of December, 2012, before me, a Notary Public, personally appeared Mark McDonough, known or identified to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he 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.



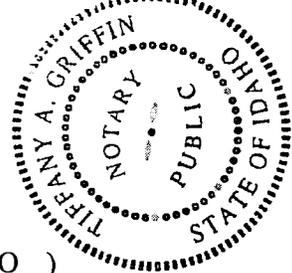
Tiffany A. Griffin  
 Notary Public for Idaho  
 Residing at \_\_\_\_\_  
 Commission Expires \_\_\_\_\_

**RESIDING IN MERIDIAN, IDAHO  
 MY COMMISSION EXPIRES 05-17-2014**

STATE OF IDAHO )  
County of Canyon ) ss.

On this 18<sup>th</sup> day of December, 2012, before me, a Notary Public, personally appeared Janet Mayer, known or identified to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he 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.



Tiffany A. Griffin  
Notary Public for Idaho  
Residing at \_\_\_\_\_  
Commission Expires RESIDING IN MERIDIAN, IDAHO  
**MY COMMISSION EXPIRES 05-17-2014**

STATE OF IDAHO )  
County of Canyon ) ss.

On this 18<sup>th</sup> day of December, 2012, before me, a Notary Public, personally appeared Lee Mayer, known or identified to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he 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.



Tiffany A. Griffin  
Notary Public for Idaho  
Residing at \_\_\_\_\_  
Commission Expires RESIDING IN MERIDIAN, IDAHO  
**MY COMMISSION EXPIRES 05-17-2014**

**COMPASS LAND SURVEYING, P.L.L.C.**

419 Madrone Cir.  
Nampa, Idaho 83686

Telephone: (208) 442-0115  
Fax: (208) 327-2106  
Email: [rgrav.cls@gmail.com](mailto:rgrav.cls@gmail.com)

Client: Lee Mayer  
Date: December 5, 2012  
Job No.: 6212

PARCEL 2  
PROPERTY DESCRIPTION

A parcel of land being a portion of the SW 1/4 SE 1/4 of Section 11, Township 2 North, Range 3 West, Boise Meridian, Canyon County Idaho, more particularly described as follows:

Commencing at a found 5/8 inch diameter iron pin with illegible cap marking the SW corner of said SW 1/4 SE 1/4, (South 1/4 corner), said corner bears N. 89° 56' 44" W., a distance of 2654.30 feet from a found 5/8 inch diameter iron pin with no cap marking the SE corner of the SE 1/4 SE 1/4, (Section corner common to sections 11, 12, 13 and 14);

Thence along the westerly boundary of said SW 1/4 SE 1/4, N. 00° 34' 19" E., a distance of 994.53 feet to a set 1/2 inch diameter iron pin stamped "CLS PLS 7732" marking the *POINT OF BEGINNING*;

Thence continuing along the westerly boundary of said SW 1/4 SE 1/4, N. 00° 34' 19" E., a distance of 328.17 feet to a found 5/8 inch diameter iron pin with no cap marking the NW corner of the SW 1/4 SE 1/4, (Center south 1/16 corner);

Thence along the northerly boundary of said SW 1/4 SE 1/4, S. 89° 55' 47" E., a distance of 331.85 feet to a set 1/2 inch diameter iron pin stamped "CLS PLS 7732";

Thence parallel with the westerly boundary of said SW 1/4 SE 1/4, S. 00° 34' 19" W., a distance of 328.17 feet to a set 1/2 inch diameter iron pin stamped "CLS PLS 7732";

Thence parallel with the northerly boundary of said SW 1/4 SE 1/4, N. 89° 55' 47" W., a distance of 331.85 feet to the *POINT OF BEGINNING*.

This parcel contains 2.50 acres more or less.

All according to the record of survey as recorded in the Office of the Canyon County Recorder.

***SUBJECT TO:*** A 25.00 foot wide strip of land along the westerly 25.00 feet of the above mentioned Parcel for the purpose of Public Right of Way and utilities as recorded in the Office of the Canyon County Recorders by that certain Warranty Deed Instrument No. 9220402.

***SUBJECT TO:*** A 25.00 foot wide strip of land along the northerly 25.00 feet of the above mentioned Parcel 2 for the purpose of ingress and utilities.

***SUBJECT TO:*** A 10.00 foot wide strip of land along the easterly 10.00 feet and southerly 10.00 feet of the above mentioned Parcel 2 for the purpose of utilities.

A

COMPASS LAND SURVEYING, PLLC

Lee Mayer-6212\Survey\Descriptions\Parcel 2.doc

Page 2 of 2

*TOGETHER WITH:* A 28.00 foot wide strip of land along a portion of the westerly 28.00 feet of the SW 1/4 SE 1/4 of said Section 11 for the purpose of an Access easement more particularly described as follows:

*BEGINNING* at a found 5/8 inch diameter iron pin with illegible cap marking the SW corner of said SE 1/4, (South 1/4 corner);

Thence along the westerly boundary of said SW 1/4 SE 1/4, N. 00° 34' 19" E., a distance of 994.53 feet to a point;

Thence parallel with the northerly boundary of said SW 1/4 SE 1/4, S. 89° 55' 47" E., a distance of 28.00 feet to a point;

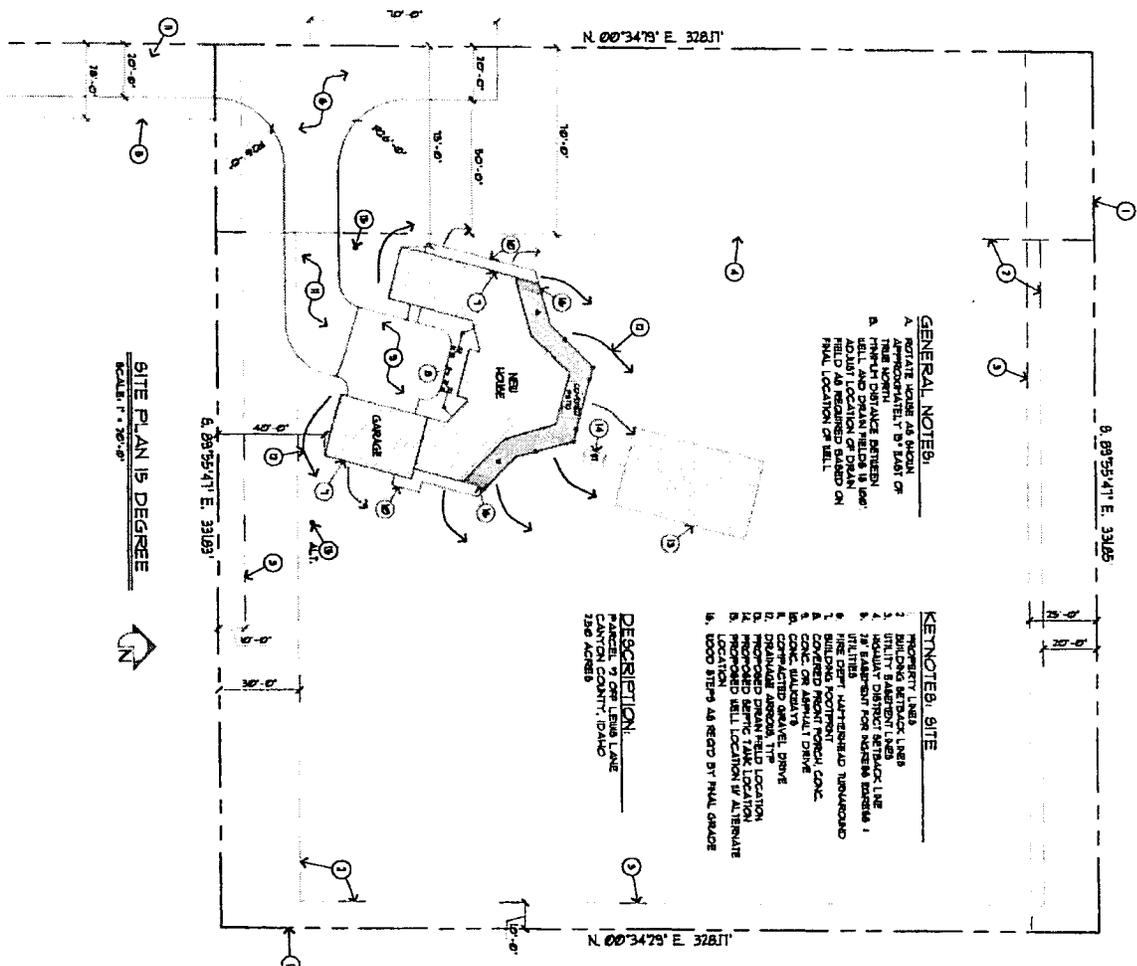
Thence parallel with the westerly boundary of said SW 1/4 SE 1/4, S. 00° 34' 19" W., a distance of 994.53 feet to a point marking the southerly boundary of said SW 1/4 SE 1/4;

Thence along the southerly boundary of said SW 1/4 SE 1/4, N. 89° 55' 47" W., a distance of 28.00 feet to the *POINT OF BEGINNING*.



B





**GENERAL NOTES:**

- A. ROTATE HOME AS SHOWN APPROXIMATELY BY EAST OF TRUE NORTH.
- B. HILL AND DRAIN FIELDS IS LOC. FIELD AS REQUIRED BASED ON FINAL LOCATION OF HILL.

**KENNOTED SITE:**

1. PROPERTY LINE
2. BUILDING SETBACK LINE
3. SIDEWALK SETBACK LINE
4. HOURLY DISTRICT SETBACK LINE
5. 2' SETBACK FOR NORTH EXTERIOR WALL
6. FILTER
7. BUILDING SURROUND SURROUND
8. COVERED FRONT PORCH, CONC.
9. CONC. ON APPEARAL DRIVE
10. COMPACTED GRAVEL DRIVE
11. DEGRADED AREA, THE
12. PROPOSED DRAIN FIELD LOCATION
13. PROPOSED HILL LOCATION
14. PROPOSED HILL LOCATION IF ALTERNATE LOCATION
15. 1000 STEPS AS READ BY FINAL GARAGE

**DESCRIPTION:**  
 PARCEL 9 OF LEINA LANE  
 SECTION 04, T4N, R10E  
 1280 ACRES

**SITE PLAN 15 DEGREE**  
 SCALE: 1" = 20'-0"

SHEET 1 OF 1	DRAWN BY: CAC CHECKED BY: JMB DATE: 1/11/11	<b>NOTICE OF COPYRIGHT:</b> This drawing is the property of the author and is not to be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of the author.	<b>LEE &amp; JANET MAYER RESIDENCE</b>	
<b>CHUCK CAMPBELL, CLC DESIGNS 6179 N. PIERCE PARK LN., BOISE, ID 83714 (208) 340-8686</b>				

**LEGAL NOTICE  
NOTICE OF ANNEXATION  
HEARING**

Notice is hereby given, the UPPER DEERFLAT FIRE PROTECTION DISTRICT has received a petition requesting annexation into the fire district. The petitioner has met all the requirements for the annexation. The property description is as follows:

**PARCEL 2 PROPERTY  
DESCRIPTION**

A parcel of land being a portion of the SW ¼ SE ¼ of Section 11, Township 2 North, Range 3 West, Boise, Meridian, Canyon County Idaho, more particularly described as follows:

Commencing at a found 5/8 inch diameter iron pin with illegible cap marking the SW corner of said SW ¼ SE ¼, (South ¼ corner), said corner bears N. 89° 56' 44" W., a distance of 2654.30 feet from a found 5/8 inch diameter iron pin with no cap marking the SE corner of the SE ¼ SE ¼, (Section corner common to sections 11, 12, 13 and 14);

Thence along the westerly boundary of said SW ¼ SE ¼, N. 00° 34' 19" E., a distance of 994.53 feet to a set ½ inch diameter iron pin stamped "CLS PLS 7332" marking the *POINT OF BEGINNING*,

Thence continuing along the westerly boundary of said SW ¼ SE ¼, N. 00° 34' 19" E., a distance of 328.17 feet to a found 5/8 inch diameter iron pin with no cap marking the NW corner of the SW ¼ SE ¼, (Center south 1/16 corner);

Thence along the northerly boundary of said SW ¼ SE ¼, S. 89° 55' 47" E., a distance of 331.85 feet to a set ½ inch diameter iron pin stamped "CLS PLS 7732";

Thence parallel with the westerly boundary of said SW ¼ SE ¼, S. 00° 34' 19" W., a distance of 328.17 feet to a set ½ inch diameter iron pin stamped "CLS PLS 7732";

Thence parallel with the northerly boundary of said SW ¼ SE ¼, N. 89° 55' 47" W., a distance of 331.85 feet to the *POINT OF BEGINNING*.

This parcel contains 2.50 acres more or less.

All according to the record of survey as recorded in the Office of the Canyon County Recorder.

*SUBJECT TO:* A 25.00 foot wide strip of land along the westerly 25.00 feet of the above mentioned Parcel for the purpose of Public Right of Way and utilities as recorded in the Office of the Canyon County Recorders by that certain Warranty Deed Instrument No. 9220402.

*SUBJECT TO:* A 25.00 foot wide strip of land along the northerly 25.00 feet of the above mentioned Parcel 2 for the purpose of ingress and utilities.

*SUBJECT TO:* A 10.00 foot wide strip of land along the easterly 10.00 feet and southerly 10.00 feet of the above mentioned Parcel 2 for the purpose of utilities.

*TOGETHER WITH:* a 28.00 foot wide strip of land along a portion of the westerly 28.00 feet of the SW ¼ SE ¼ of said Section 11 for the purpose of an Access easement more particularly described as follows:

*BEGINNING* at a found 5/8 inch diameter iron pin with illegible cap marking the SW corner of said SE ¼, (South ¼ corner);

Thence along the westerly boundary of said SE ¼ SE ¼, N. 00° 34' 19" E., a distance of 994.53 feet to a point;

Thence parallel with the northerly boundary of said SW ¼ SE ¼, S. 89° 55' 47" E., a distance of 28.00 feet to a point;

Thence parallel with the westerly boundary of said SW ¼ SE ¼, N. 89° 55' 47" W., a distance of 28.00 feet to the *POINT OF BEGINNING*.

A hearing by the fire commissioners, to approve or reject said petition will be held at the UPPER DEERFLAT FIRE STATION on Wednesday, March 20, 2013 at 7:00p.m.

Any persons supporting or objecting to this petition may appear and be heard at this hearing.

DATED FEBRUARY  
27, 2013

STEVEN MARTINEAU,  
COMMISSIONERS  
DALE SAYERS  
NORMAN SHROLL  
UPPER DEERFLAT  
FIRE PROTECTION  
DISTRICT

March 04, 11, 2013

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