

**Aherin, Rice & Anegon**  
Attorneys at Law

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May 26, 2021

Idaho State Tax Commission  
Geographic Information Systems Division  
Technical Support Bureau  
P.O. Box 36  
Boise, ID 83722-0410

To Whom It May Concern:

**RE: Central Orchards Sewer District/DK Holdings, LLC Annexation of May 25, 2021**

I represent the Central Orchards Sewer District in Lewiston, Idaho. Enclosed please find a certified copy of the Order for Inclusion by the District Court in Nez Perce County dated May 25, 2021, and a certified copy of the Central Orchards Sewer District Order regarding the annexed property dated May 13, 2021, pursuant to Idaho Code Section 63-215. Also enclosed are two plats of the subject property. This order reflects the most recent change in the legal description of the Central Orchards Sewer District.


An updated map and legal description of the Central Orchards Sewer District will be provided per our past agreement with your office at the end of December 2021.

If you have any questions, do not hesitate to contact me.

Thank you for your consideration.

Sincerely,

AHERIN, RICE & ANEGON

  
Anthony C. Anegon  
Attorney at Law

ACA:sdr

N:\COSD (Central Orchards Sewer District)\Documents\ANNEXATIONS\DK Holdings Annexation  
Idaho State Tax Comm -Geo Info 5-26-21.docx

Enclosures

cc: COSD

REC'D JUN 02 2021

FILED

2021 MAY 25 P 2:43

PATTY O WEEKS  
CLERK OF THE DIST CT

**BRITTANY DAVENPORT**

AHERIN, RICE & ANEGON  
Anthony C. Anegon  
1212 Idaho Street  
P.O. Drawer 698  
Lewiston, ID 83501-0698  
(208) 746-3646  
Email: [tonegon@aralawoffice.com](mailto:tonegon@aralawoffice.com)  
ISB# 2917

Attorneys for Petitioner

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT  
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF NEZ PERCE

In the Matter of the organization of  
CENTRAL ORCHARDS SEWER  
DISTRICT.

NO. 32873

ORDER FOR INCLUSION

ANTHONY C. ANEGON, counsel for the Central Orchards Sewer District, having filed herein a certified copy of an order of the Board of Directors of the Central Orchards Sewer District dated May 13, 2021, and said order having granted the petition of DK Holdings, LLC, an Idaho Limited Liability Company, for the inclusion of property described in said order within the Central Orchards Sewer District, and there having been filed a certified copy of the petition presented to the Board and proof of publication of notice, and the Court being fully advised in the premises, finds and concludes:

That the petitioner, DK Holdings, LLC, an Idaho Limited Liability Company, owner of the property named in the order of the Board of Directors of the Central Orchards Sewer District dated May 13, 2021, regularly filed with said Board a petition praying for the inclusion of its property described in said petition within the Central Orchards Sewer District; that said petition

was duly acknowledged and in all respects executed in accordance with the statutes of the State of Idaho; that subsequent to the filing of said petition, notice of said hearing was duly and regularly given in the manner and form required by law; that upon said hearing, the Board, having heard any and all protests properly submitted to the Board and having duly considered the matter, deeming it in the best interests of the Central Orchards Sewer District, as well as the individual petitioner, the Board of Directors duly and regularly entered its order of May 13, 2021.

That a certified copy of said Order has been heretofore filed and is by reference made a part hereof as though fully set forth herein; that all of the said proceedings leading up to the inclusion of the property described in said order from the Central Orchards Sewer District having been properly and regularly taken in the manner and form required by the statutes of this state; it appearing that the petitioner named in said order of the Central Orchards Sewer District, and the petitioner, DK Holdings, LLC, an Idaho Limited Liability Company, having not withdrawn its petition for inclusion upon the announcement of the terms and conditions as set forth in said order, pursuant to the laws of the State of Idaho;

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED THAT THE PROPERTY OF DK HOLDINGS, LLC, AN IDAHO LIMITED LIABILITY COMPANY, AS DESCRIBED IN THE CERTIFIED COPY OF THE ORDER OF THE BOARD OF DIRECTORS OF THE CENTRAL ORCHARDS SEWER DISTRICT DATED MAY 13, 2021, ON FILE HEREIN, BE AND THE SAME IS HEREBY ORDERED TO BE INCLUDED WITHIN THE CENTRAL ORCHARDS SEWER DISTRICT: the description of said property so included is as described in said order of the Board of Directors of the Central Orchards Sewer District and is made a part of this order by reference thereto as though the same had been fully set forth herein.

DATED this 25 day of May, 2021.

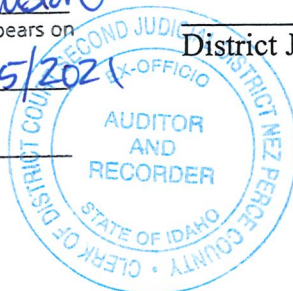
I, Patty O. Weeks, Clerk of the above entitled Court do hereby certify the foregoing to be a full, true and correct copy of the original Order for Inclusion in the above entitled cause as the same now appears on file and of record in my office.  
WITNESS my hand and official seal this 5/25/2021

By Patty O. Weeks, Clerk

Deputy

**JEFF M. BRUDIE**

District Judge



ORDER FOR INCLUSION -- 2

N:\COSD (Central Orchards Sewer District)\Documents\ANNEXATIONS\DK Holdings Annexation\O

**Aherin, Rice & Anegon**  
Attorneys at Law  
Lewiston, Idaho



BEFORE THE BOARD OF DIRECTORS OF THE  
CENTRAL ORCHARDS SEWER DISTRICT

In the Matter of Inclusion of Lands Within the  
Above Named Sewer District.

ORDER

THE CENTRAL ORCHARDS SEWER DISTRICT, having been petitioned by DK HOLDINGS, LLC, an Idaho Limited Liability Company, for the inclusion of its property in the said district, and proper notice of said petition and hearing thereon being given pursuant to law and the Board of Directors having duly considered the matter and having heard any and all protests to said petition properly submitted at the hearing on May 13, 2021, at the hour of 6 o'clock p.m., and the Board of Directors of the Central Orchards Sewer District having determined that as a condition of annexation of the property the petitioner shall be assessed according to Idaho Code Section 42-3218 and Central Orchards Sewer District Resolution 89-1, and having duly considered the problems of annexation and the extra costs to the district for said property due to the fact that the property was not in the Central Orchards Sewer District at the time the General Obligation Bond issue was passed to construct sewers, and acknowledging that providing sewer service to said property will be at an increased cost to the district, and the Board of Directors, deeming it in the best interests of the Central Orchards Sewer District, as well as the individual petitioner;

CENTRAL ORCHARDS SEWER DISTRICT BOARD OF DIRECTORS HEREBY  
MAKES AND ENTERS ITS ORDER AS FOLLOWS:

That the above-named petitioner, having heretofore filed its petition in writing praying that the real property described therein following its name, be included in the Central Orchards Sewer District, said petition being duly acknowledged and being a part of the records and files of this board, said petitioner should have its petition granted in full and that the real property described following their names be included in the boundaries of the Central Orchards Sewer District, to wit:

DK HOLDINGS, LLC, an Idaho Limited Liability Company, owner of the  
following described property:

#138 Situate in the County of Nez Perce, State of Idaho, to wit:

PARCEL 1

A parcel of land within the SE1/4SW1/4 and SW1/4SW1/4 of Section 10, Township 35 North, Range 5 West, Boise Meridian, Nez Perce County, Idaho, more particularly described as follows:

Beginning at the South quarter corner of said Section 10, said point being the centerline intersection of 16<sup>th</sup> Street and Warner Avenue, and running thence South 89°45'02"E 30.00 feet to a point on the East right-of-way line of 16<sup>th</sup> Street;

thence North 01°02'14"E 30.00 feet along said 16<sup>th</sup> Street right-of-way line, said point being the intersection of the East right-of-way line of 16<sup>th</sup> Street projected and the North right-of-way line of Warner Avenue;

thence S89°45'02"E 160.02 feet along a projection of said Warner Avenue North right-of-way line to the Southeast corner of Northeast Crossing Addition Phase IB;

thence N01°02'14"E 988.63 feet along the easterly boundary of Northeast Crossing Addition – Phases IB, IIB, and IIIB to the northeasterly corner of said Northeast Crossing Addition – Phase IIIB;

thence N89°20'09"W 1081.57 feet to a point on the northerly boundary of said Northeast Crossing Addition – Phase IIIB to the northwesterly corner of said Phase IIIB;

thence N89°20'09"W 253.11 feet to a point on the northerly boundary of Northeast Crossing Addition – Phase IIIA and the TRUE POINT OF BEGINNING for this boundary description;

thence continuing along the northerly boundary line of said Phase IIIA N89°20'09"W 414.00 feet;

thence continuing along the northerly boundary line of said Phase IIIA S72°55'36"W 174.20 feet to the northwesterly corner of said Phase IIIA;

thence continuing along the westerly boundary of said Phase IIIA S0°52'56"W 246.93 feet to the southwest corner of said Phase IIIA;

thence N89°20'09"W 143.85 feet;

thence N57°23'04"W 37.79 feet;

thence N59°30'47"W 79.23 feet;

thence N65°37'22"W 86.20 feet to the southwest corner of said Phase IVA;

thence N11°42'28"E 171.05 feet to a point on the northerly right-of-way line of Expedition Way;

thence N23°27'14"E 115.62 feet;

thence N38°04'00"E 93.90 feet;

thence N48°43'14"E 93.90 feet;

thence N59°22'27"E 93.90 feet;

thence N70°48'59"E 107.74 feet;

thence N83°05'02"E 107.48 feet;

thence S89°34'14"E 414.02 feet to the northwesterly corner of said Northeast Crossing Addition – Phase IIIA;  
thence continuing along the westerly boundary of said Phase IIIA S1°03'36"W 307.13 feet to the TRUE POINT OF BEGINNING.

Said parcel contains 7.15 acres, more or less.

#### PARCEL 2

A parcel of land within the SE1/4SW1/4 and SW1/4SE1/4 of Section 10, Township 35 North, Range 5 West, Boise Meridian, Nez Perce County, Idaho, more particularly described as follows:

Beginning at the South quarter corner of said Section 10, said point being the centerline intersection of 16<sup>th</sup> Street and Warner Avenue, and running thence S89°45'02"E 30.00 feet to a point on the East right-of-way line of 16<sup>th</sup> Street;  
thence N01°02'14"E 30.00 feet along said 16<sup>th</sup> Street right-of-way line, said point being the intersection of the East right-of-way line of 16<sup>th</sup> Street projected and the North right-of-way line of Warner Avenue;  
thence S89°45'02"E 160.02 feet along a projection of said Warner Avenue North right-of-way line to the Southeast corner of Northeast Crossing Addition Phase IB;  
thence N01°02'14"E 988.63 feet along the easterly boundary of Northeast Crossing Addition – Phases IB, IIB, and IIIB to the northeasterly corner of said Northeast Crossing Addition – Phase IIIB and the TRUE POINT OF BEGINNING for this boundary description;  
thence continuing along the northerly boundary line of said Phase IIIB N89°20'09"W 1081.57 feet to a point on the easterly boundary of Northeast Crossing Addition – Phase IIIA;  
thence continuing along said easterly boundary N1°03'36"E 123.00 feet to a point on the southerly right-of-way line of Frontier Drive;  
thence N0°39'51"E 54.00 feet to a point on the northerly right-of-way line of said Frontier Drive;  
thence continuing along said right-of-way line N89°20'09"W 29.63 feet;  
thence continuing along said Phase IIIA easterly boundary line N1°03'36"E 131.04 feet;  
thence S89°34'14"E 917.58 feet to the South 1/16 Corner on the Meridional Centerline of said Section 10;  
thence S89°34'56"E 193.90 feet to the northeasterly corner of said Phase IVB;  
thence S1°02'14"W 312.64 feet along the easterly boundary of said Phase IVB to the TRUE POINT OF BEGINNING.

Said parcel contains 7.78 acres, more or less.

IT IS HEREBY ORDERED that the owner of the above-described property shall pay the sum of Five Hundred Dollars (\$500) for its property as a condition to being annexed into the Central Orchards Sewer District pursuant to Central Orchards Sewer District Resolution 89-1, and as conditions of being annexed into the Central Orchards Sewer District.

IT IS FURTHER ORDERED that the Secretary of the Board of Directors cause to be filed a certified copy of this Order with the Clerk of the Court of the Second Judicial District of the State of Idaho, in and for the County of Nez Perce, along with a certified copy of the petition of the above-named petitioner and proof of publication and notice, PROVIDED, that if the owner of the above-described property withdraws its petition on or before May 24, 2021, pursuant to Idaho Code Section 42-3218(c), said property shall not be included within the boundaries of the Central Orchards Sewer District.

DATED this 13<sup>th</sup> day of May, 2021.

CENTRAL ORCHARDS SEWER DISTRICT

By Jerald W. Berger  
Jerald W. Berger  
Chairman

ATTEST:

Vicki Lutes  
Vicki Lutes, Secretary

I, Secretary of the Central Orchard Sewer District do hereby certify the foregoing to be a full, true and correct copy of the original Order as the same now appears on file and of record in the office of the Central Orchard Sewer District.

WITNESS my hand and official seal this 18<sup>th</sup> day of May, 2021  
Vicki Lutes  
Secretary



# **BASIS OF BEARING**

The basis of bearing for this plat is N88°20'00"W along the centerline of Warner Avenue between the centerline monument at 15th Street and 16th Street. Distance shown herein are in terms of the grid.

## **ELEVATION DATUM**

NAD83 as referenced from City of Lewiston, Survey Control Network, 2007, PL 20A at 16th Street and Warner Avenue.

## **NOTES**

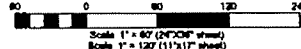
- All lot frontages shall have 10-foot wide "public sidewalks and utility easements".
- The proposed modification of Exposition Way corresponds to the location of the easement reserved in the deeds recorded under title No. 836662 & 803798 of Nez Perce County records.
- No "No Parking in Cul-de-sac" signs to be installed in cul-de-sacs.
- 30' Wide Public Utility & Pedestrian Corridor of 15' Paved Path for Public R.O.W.
- The existing zoning is Nez Perce County Zoning R1A - Suburban Residential and F1 Farm. The proposed zoning to City of Lewiston Zoning PD.
- Annexation of the entire Phase IV area is being processed by the city.
- All lots, lots, public infrastructure and development of these subdivisions shall comply with the rules, standards and requirements of the proposed Northwest Crossing/Phase IV Planned Unit Development Agreement, which must be approved and accepted by the Lewiston City Council prior to approval of the herein described preliminary plat.

## **DEVELOPER INFORMATION**

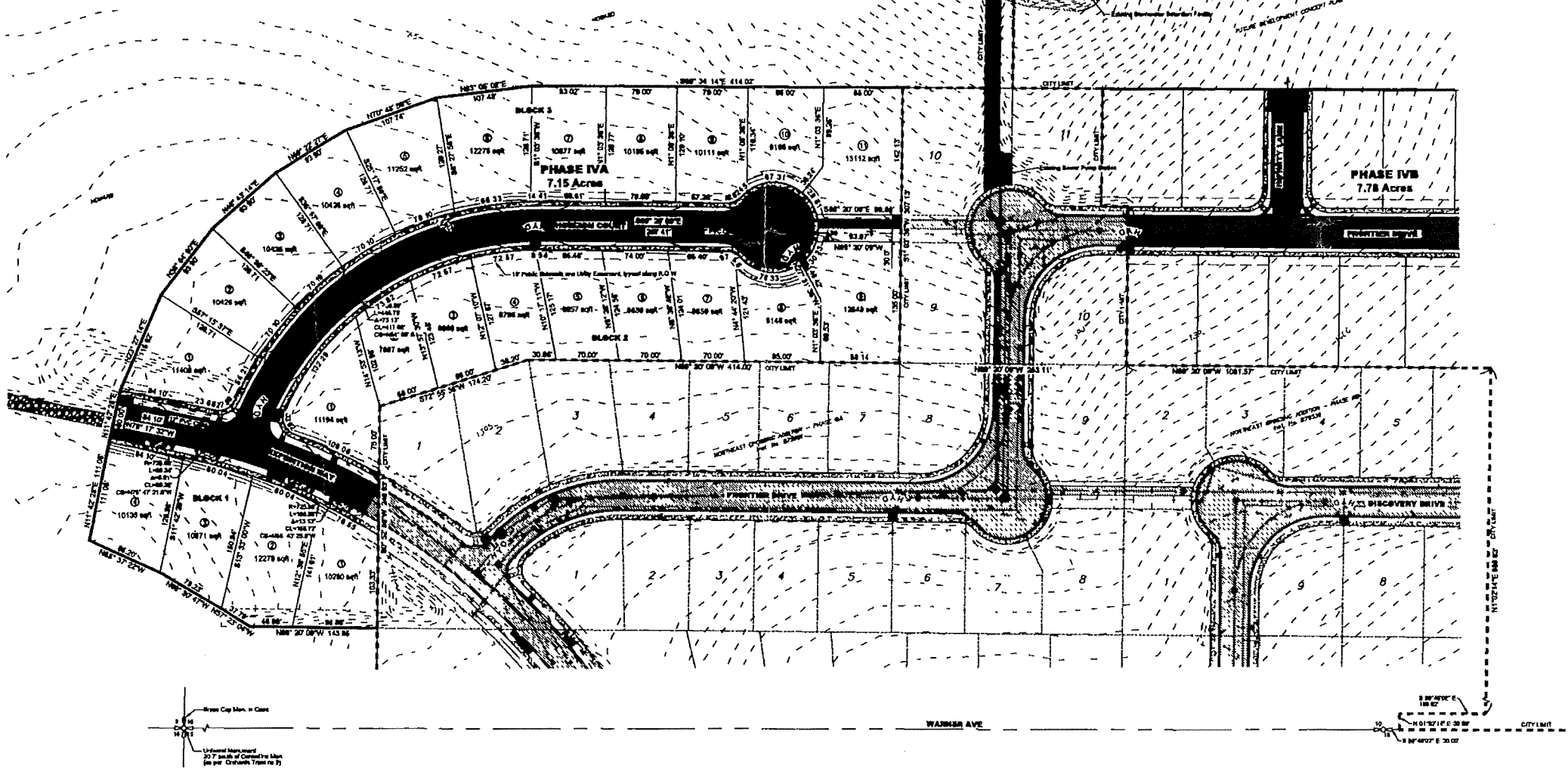
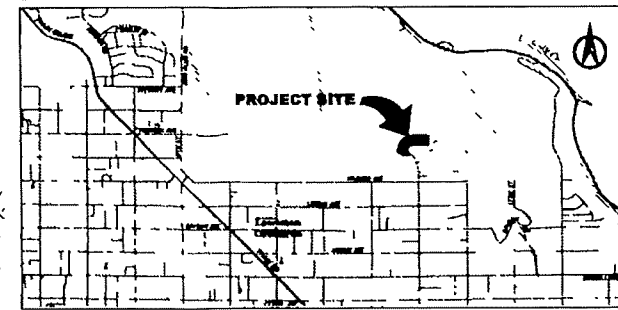
DK Holdings LLC  
247 Third Floor Suite 3107  
Lewiston, ID  
208-743-0840

## **LEGEND**

- |       |                               |       |                              |
|-------|-------------------------------|-------|------------------------------|
| — M — | PROPOSED SAN SEWER            | — E — | EXISTING SAN SEWER           |
| — S — | PROPOSED STORM SEWER          | — E — | EXISTING STORM SEWER         |
| — W — | PROPOSED WATER LINE           | — E — | EXISTING WATER               |
| ⊙     | PROPOSED CATCH BASIN          | ⊙     | EXISTING CATCH BASIN         |
| ⊙     | PROPOSED MANHOLE              | ⊙     | EXISTING MANHOLE             |
| ⊙     | PROPOSED GATE VALVE           | ⊙     | EXISTING GATE VALVE          |
| ⊙     | PROPOSED FIRE HYDRANT         | ⊙     | EXISTING FIRE HYDRANT        |
| ---   | PROPOSED CONTOUR LINE         | ---   | EXISTING CONTOUR LINE        |
| ---   | PROPOSED PROPERTY LINE        | ---   | EXISTING PROPERTY LINE       |
| ---   | PROPOSED EASEMENT LINE        | ---   | EXISTING EASEMENT LINE       |
| ---   | PROPOSED SUBDIVISION BOUNDARY | ---   | EXISTING CITY LIMIT LINE     |
| ---   | PROPOSED CENTERLINE           | ---   | EXISTING CENTERLINE MONUMENT |
| ●     | PROPOSED CENTERLINE MONUMENT  | ●     | SECTION CORNER               |
|       |                               | ⊙     | QUARTER OR 1/8 CORNER        |



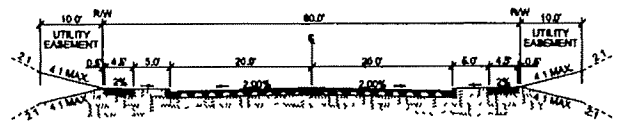
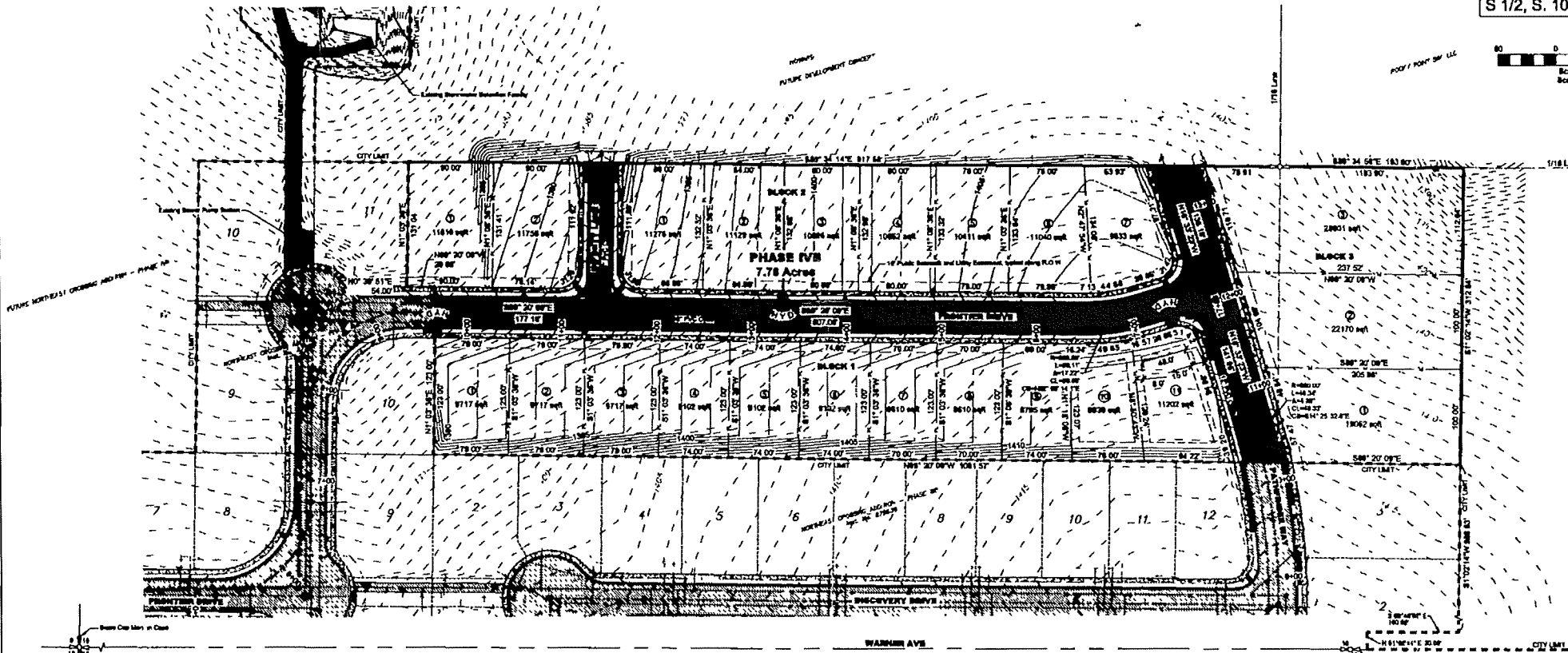
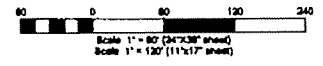
## **VICINITY MAP**



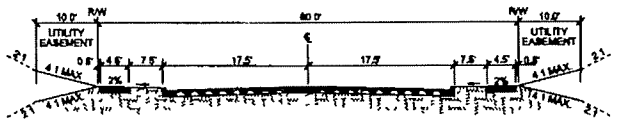
REVISION		DESCRIPTION	
NO.	DATE	BY	DATE
1	11/11/2010	J. M. HART	11/11/2010
Revised City Record Description and Date of 11/11/2010			
SHEET	1	TOTAL SHEETS	1
DATE	11/11/2010	BY	J. M. HART
PROJECT	NORTHEAST CROSSING ADDITION - PHASE IVA & IVB		
PREPARED BY	DK HOLDINGS, LLC		
APPROVED BY	LEWISTON, IDAHO		
HEDCO ENGINEERING & DEVELOPMENT CO. 2200 West Main Street, Suite 200 Lewiston, ID 83501-1000			
PP1			

885851

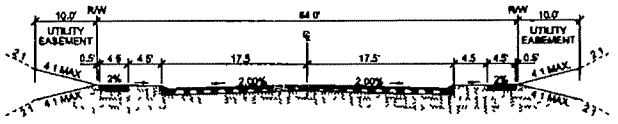




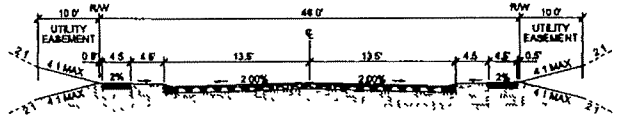
**RESIDENTIAL COLLECTOR**  
\*MODIFIED STD. DWG. NO. 3-3  
(PATHFINDER WAY)



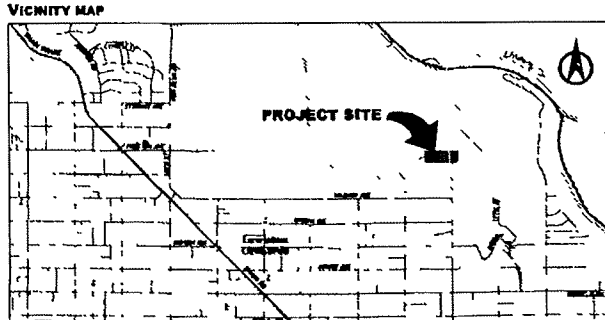
**LOCAL RESIDENTIAL STREET**  
\*MODIFIED STD. DWG. 3-4  
(EXPOSITION WAY)



**TYPICAL LOCAL RESIDENTIAL STREET**  
STD. DWG. 3-4  
(FRONTIER DRIVE, HORIZON COURT, LARLEY WAY)



**FIRE ROAD**  
\*MODIFIED STD. DWG. 3-3



**DEVELOPER INFORMATION**

DK Holdings, LLC  
247 Then Road, Suite #107  
Lewiston, ID  
208-743-4440

**UTILITY PROVIDERS**

Sewer: COSD (subject to annexation into COSO)  
Water: L&I D  
Power & Gas: Avista Utilities  
Cable TV: Cable One

**BASIS OF BEARING**

The basis of bearing for this plat is N89°20'00"W along the centerline of Warner Avenue between the centerline monuments at 15th Street and 16th Street. Distances shown herein are in terms of the grid.

**ELEVATION DATUM**

NAVD83 as referenced from City of Lewiston, Survey Control Network 2001, PL 20A at 16th Street and Warner Avenue

**LEGEND**

— B —	PROPOSED SAN SEWER	— B —	EXISTING SAN SEWER
— S —	PROPOSED STORM SEWER	— S —	EXISTING STORM SEWER
— W —	PROPOSED WATER LINE	— W —	EXISTING WATER
— C —	PROPOSED CATCH BASIN	— C —	EXISTING CATCH BASIN
— M —	PROPOSED MANHOLE	— M —	EXISTING MANHOLE
— D —	PROPOSED DATE VALVE	— D —	EXISTING DATE VALVE
— F —	PROPOSED FIRE HYDRANT	— F —	EXISTING FIRE HYDRANT
— P —	PROPOSED CONTOUR LINE	— P —	EXISTING CONTOUR LINE
— P —	PROPOSED PROPERTY LINE	— P —	EXISTING PROPERTY LINE
— P —	PROPOSED EASEMENT LINE	— P —	EXISTING EASEMENT LINE
— P —	PROPOSED SUBDIVISION BOUNDARY	— P —	EXISTING CITY LIMIT LINE
— P —	PROPOSED CENTERLINE	— P —	EXISTING CENTERLINE MONUMENT
— P —	PROPOSED CENTERLINE MONUMENT	— P —	SECTION CORNER
		— P —	QUARTER OR 1/4th CORNER

**NORTHEAST CROSSING ADDITION - PHASE IVB**  
**PRELIMINARY PLAT**  
**DK HOLDINGS, LLC**  
**LEWISTON, IDAHO**



HAWKINS ENGINEERING & DEVELOPMENT CO.  
2000 Perry Lane, Suite 100  
Lewiston, ID 83403  
(208) 743-4400

PP2

88588