

**RESOLUTION NO. 2006-12**

**A RESOLUTION OF THE NORTH KOOTENAI WATER DISTRICT, OF KOOTENAI COUNTY, IDAHO ACCEPTING A PETITION OF PROPERTY OWNERS FOR ANNEXATION; MAKING CERTAIN FINDINGS RELATIVE TO THE PETITION; SETTING A PUBLIC HEARING TO CONSIDER THE POSSIBLE ANNEXATION OF CERTAIN REAL PROPERTY INTO THE DISTRICT; DIRECTING THAT NOTICE OF SUCH PUBLIC HEARING BE PUBLISHED AND POSTED; AND OTHER MATTERS PROPERLY RELATING THERETO.**

**NORTH KOOTENAI WATER DISTRICT  
Kootenai County, Idaho**

**ARROWPOINT ANNEXATION**

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF NORTH KOOTENAI WATER DISTRICT, of Kootenai County, Idaho, as follows:

WHEREAS, the North Kootenai Water District (the "District") is a duly and properly formed water district under and by virtue of the laws of the State of Idaho and is governed by a Board of Directors (the "Board");

WHEREAS, the Board has authority pursuant to Idaho Code Section 42-3218 to consider annexation of property into the District upon the presentation of a petition of property owners meeting certain requirements;

WHEREAS, certain property owners have presented an appropriate petition to the Board of Directors for consideration;

WHEREAS, the Board wishes to make certain findings regarding this petition and also set a public hearing on the possible annexation of real property into the District.

NOW, THEREFORE, BE IT RESOLVED as follows:

**Section 1: FINDINGS OF THE BOARD RELATIVE TO THE PETITION FOR ANNEXATION OF REAL PROPERTY**

The Board hereby makes the following findings of fact relative to the petitions it has received from property owners:

(a) The Board has received a petition signed by the owners of over sixty percent (60%) of the property owners in the area proposed to be annexed into the District, and which has been presented to the Board requesting annexation, with the signatures properly acknowledged as required by Idaho Code. (Copies of the petitions with signatures thereon are attached hereto and incorporated herein by this referenced as Exhibit "A".)

(b) The property proposed to be annexed into the District is described as Exhibit "B", hereto.

(c) The petitioners did pay a reasonable filing fee as determined by the Board, and have also provided security for other expenses that the Board and District may incur in the annexation process.

(d) The Board wishes to hold a public hearing on the annexation of the property to obtain further comments from those affected.

## **Section 2: PUBLIC HEARING**

The Board hereby sets Thursday, January 18, 2007, as the date of the public hearing on the Petition to Annex real property into the District. The hearing will be held at 12:30 o'clock P.M. in the offices of the District, located at 1841 West Hayden Avenue, Hayden, Idaho. The Board will consider written comments, public testimony and other information in making its determination as to whether this real property should be annexed into the District. The Board also reserves the right to continue this public hearing to such later date as it may deem advisable in order to make its final decision.

## **Section 3: NOTICE**

Pursuant to Idaho Code Section 42-3218, the Secretary of the District shall publish notice of the public hearing in the official newspaper of the District, twice, with the first publication at least fifteen (15) days in advance of the public hearing and the second publication, one week later. In addition the Secretary shall mail notice to each property owner in the area proposed to be annexed into the District, as well as to each property within the current boundaries of the District.

## **Section 4: RATIFICATION**

The Board hereby ratifies all acts taken by members of the Board and/or agents on behalf of the Board or District relative to this potential annexation and the hearing process is hereby ratified and approved.

**Section 5: SEVERABILITY**

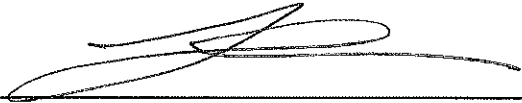
If any section, paragraph, clause, or provision of this Resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of each section, paragraph, clause, or provision shall in no manner affect any remaining provision of this Resolution.

**Section 6: EFFECTIVE DATE**

This Resolution shall become and is effective as of the date of its adoption.

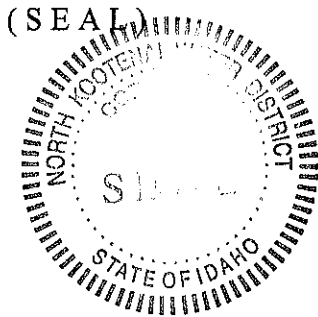
DATED this 21<sup>st</sup> day of December, 2006.

NORTH KOOTENAI WATER DISTRICT,  
Kootenai County, Idaho

  
\_\_\_\_\_  
Chairman, Board of Directors

ATTEST:

  
\_\_\_\_\_  
District Secretary



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I, the undersigned, Secretary of the Board of Directors of North Kootenai Water District, of Kootenai County, Idaho, hereby certify that the foregoing Resolution is a full, true, and correct copy of a Resolution duly adopted at a regular meeting of the District, duly and regularly held at the regular meeting place thereof on December 21, 2006, of which meeting all members of the Board had due notice and at which a majority thereof were present; and that at said meeting said Resolution was adopted by the following vote:

AYES, and in favor thereof, Directors: *Fwe*

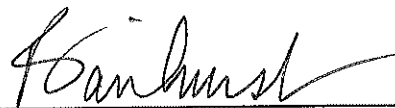
NAYS, Directors: *None*

ABSENT, Directors: *None*

ABSTAIN, Directors: *None*

I further certify that I have carefully compared the same with the original Resolution on file and of record in my office; that said Resolution is a full, true, and correct copy of the original Resolution adopted at said meeting; and that said Resolution has not been amended, modified, or rescinded since the date of its adoption, and is now in full force and effect.

IN WITNESS WHEREOF, I have set my hand and affixed the official seal of the District on December 21, 2006.



District Secretary

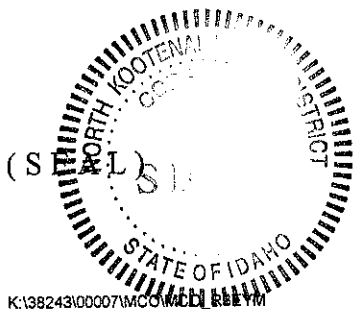


Exhibit "A"  
**PETITIONS**

**EXHIBIT "A"**

Exhibit "B"

**DESCRIPTION OF PROPERTY TO BE ANNEXED**

**EXHIBIT "B"**