

RESOLUTION NO. 2010-14

A Resolution of the North Kootenai Water District, Kootenai County, Idaho approving an Order Granting Petition for Annexation; and other matters properly relating thereto

NORTH KOOTENAI WATER DISTRICT  
Kootenai County, Idaho

Bielec Annexation

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

WHEREAS, 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 §42-3218 to consider annexation of property into the District upon the presentation of a petition of property owners meeting certain requirements;

WHEREAS, one or more property owners have presented an appropriate petition for annexation to the Board of Directors for consideration;

WHEREAS, the Board held a duly noticed public hearing on December 16, 2010 wherein the Board provided individuals the opportunity to show cause why the annexation of the property described herein should be approved or denied;

WHEREAS, the Board desires to approve an Order Granting Petition for Annexation (a copy of which is hereby attached as Exhibit "A").

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1: Approval of Order. The Board hereby approves the Order Granting Petition for Annexation to North Kootenai Water District.

Section 2: 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 3: Severability. If any section, paragraph, clause, or provision of this Resolution shall be held 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 4: Effective Date. This Resolution shall be and is effective as of the date of its adoption.

DATED this 16<sup>th</sup> day of December, 2010.

NORTH KOOTENAI WATER DISTRICT,  
Kootenai County, Idaho

  
Chairman, Board of Directors

ATTEST:

  
District Secretary

(S E A L)



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I, the undersigned, Secretary of the Board of Directors of North Kootenai Water District, 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 16, 2010, 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: *Directors Crummins, Owens, Stoller, Grimm, Helm*

NAYS, Directors:

ABSENT, Directors:

ABSTAIN, Directors:

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 16<sup>th</sup>, 2010.

*Anna Grimm*

District Secretary

(SEAL)



# **Exhibit A**

ORDER GRANTING PETITION FOR ANNEXATION  
TO NORTH KOOTENAI WATER DISTRICT  
Kootenai County, Idaho

BEILEC ANNEXATION

THE BOARD OF DIRECTORS (the "Board") of NORTH KOOTENAI WATER DISTRICT (the "District") makes the following findings relative to a Petition for Annexation presented to the Board:

(1) The District is a validly formed water district under and by virtue of the laws of the State of Idaho.

(2) The owner of certain real property located in Kootenai County, Idaho, generally adjacent to the boundaries of the District, filed a Petition for Annexation with the District which complied with the requirements of Idaho Code §42-3218(a) (a copy of the Petition and attachments thereto are attached hereto as Exhibit "A" as though fully set forth herein).

(3) After a thorough examination and review by the Board and its consultants, it was established that the Petition was executed by the property owner in the area covered by the annexation. (The area covered by the annexation is set forth in the map attached hereto and incorporated herein by this reference as Exhibit "B" and is legally described in Exhibit "D" attached hereto and incorporated herein by this reference.)

(4) The Board set a public hearing on the Petition for Annexation.

(5) The public hearing was set for December 16, 2010, with notice of this hearing ("Notice") given by both publication and mailing. Notice was published in the *Coeur d'Alene Press* on December 3, 2010, and December 10, 2010. (A copy of the Notice and Affidavit of Publication are attached hereto and incorporated herein by this reference as Exhibit "C".) At this public hearing the Board and its consultants were prepared to respond to any questions or issues raised.

(6) The Board has assumed, pursuant to the provisions of Idaho Code Section 42-3218(b) that the failure of any other individuals to show cause in writing as to the annexation of the property described in Exhibit "B", is deemed as their assent.

(7) The Board, after consideration of the records and files herein and the public health and safety of the current and future residents and businesses in the District and the area proposed for annexation, find it in the best interests of the District its residents and those who are in the area to be annexed into the District, to annex the area covered by the Petition.

(8) Subject to the conditions placed on the annexation by the District, the real property described in the map attached hereto as Exhibit "B" and legally described in Exhibit

"D" attached hereto is hereby incorporated into the District as of the date this Order is recorded with the County Recorder.

(9) The Secretary of the District is hereby directed to file this Order in the records of the District and transmit this Order and all the attachments thereto to the appropriate Kootenai County offices for filing pursuant to Idaho Code §42-3218(b).

(10) Petitioner agrees to pay for his share of a New Facility Plan or Facility Plan Amendment and Preliminary Engineering Report as required by the Idaho Department of Environmental Quality.

(11) Conditions: This annexation is conditioned upon completion of the following:

That the petitioners property owners will complete and pay for certain improvements to the specifications and requirements of the District (at their sole discretion) in order to provide service to the property included in this annexation.

Should it be later determined that one or more of the above conditions has not been satisfactorily achieved, the Board shall have the right to remove or deannex this property from the boundaries of the District.

This Order is adopted by a majority vote of the Board of Directors at a meeting on December 16, 2010.

NORTH KOOTENAI WATER DISTRICT

By: \_\_\_\_\_  
Chairman, Board of Directors

ATTEST:

\_\_\_\_\_  
Secretary

## LIST OF EXHIBITS

- A. Petition requesting annexation
- B. Map of the area to be annexed
- C. Notice and Affidavit of Publication of Public Hearing
- D. Legal Description of real property annexed into District

# **Exhibit A**



PETITION FOR ANNEXATION  
NORTH KOOTENAI WATER DISTRICT  
KOOTENAI COUNTY, IDAHO

COMES NOW Petitioner, BIELEC ENTERPRISES, INC and petitions the Board of Directors of North Kootenai Water District ("District") as follows:

1. Petitioners are the owners of the real property situated within the County of Kootenai, State of Idaho, particularly described in Exhibit "A", attached hereto, and incorporated herein by reference.

2. Petitioners are desirous that the above-described property be included in, made or part of, and be served with water system improvements in North Kootenai Water District, Kootenai County, Idaho.

3. Petitioners request that, in accordance with the provisions of Section 42-3218, Idaho Code, notice of the filing of this petition be given and published in the official newspaper of the District in Kootenai County, Idaho, said notice to give all persons interested an opportunity to appear and show cause in writing, if any they have, why this petition should not be granted at the hearing, time and place to be set by this Board; that further, assuming that no valid objections are made to the inclusion of the above-described property within the boundaries of the District, the Board enter its order that the above-described property be included within the boundaries of the District, and that such order be recorder and filed with Kootenai County, Idaho and filed with the State of Idaho Tax Commission.

That Petitioners are aware that, as a condition of annexation, the District may require that the land described in this petition be subjected to the following requirements:

(a) The Petitioners shall pay for the actual costs incurred by the District for District administration, engineering, legal, inspection, and preparation of any necessary documents that are required by the District for annexation of the property. Such District costs shall include, but are not limited to, preparation of conditions of annexation, any needed water system master planning, design consultations, plan reviews, and final approval of the Petitioner's construction plans and specifications for water facilities.

(b) The Petitioner shall be responsible for all water facilities that will be necessary to serve the Petitioner's annexed property. These water facilities will include those required within the annexed property as well as all necessary water facilities needed to extend water service from the District's existing facilities to those proposed to serve the annexed property. The District shall have the right to dictate where and how the Petitioner's water facilities that serve his annexed area may be connected to the District's water facilities. Upon completion of installation and approval by the District of all water facilities the Petitioner shall dedicate such facilities to the District.

(c) The District shall not be obligated to serve any property annexed within the District where the District has determined there is not sufficient water system capacity to adequately serve such property. There shall arise no right to service or obligation by the District for service upon annexation and as among other properties annexed to the District, and there shall be no priority for service until each water connection permit has been obtained. If construction is not completed within two (2) years from the date the water connection permit was issued, any priority for service shall become null and void. The District may extend the time for completion upon a request by the property owner and a showing of good cause why such extension should be granted.

(d) At the time each water connection permit is issued and prior to connection of the water system to each private facility, a service availability fee of no less than \_\_\_\_\_ Dollars (\$ \_\_\_\_\_) per lot or equivalent dwelling unit shall be paid to repay the District for the cost of developing the District's core water collector lines, and treatment facilities including the debt retirement of such facilities committed to prior to inclusion of the annexed property into the District. Such service availability fees may increase at such time as the District determines such fees are not adequate to reimburse the District for the cost incurred in developing the water system. The service availability fee shall be in addition to actual costs required for connecting to the actual main water line.

(e) And such other conditions as the District may prescribe.

WHEREFORE, Petitioners pray that this petition be set for hearing at the earliest practicable time, and that the Board grant the petition including the conditions as set forth in Paragraph IV above.

DATED: 11/18/2010

Petitioner: BIELEC ENTERPRISES, INC

Address: PO BOX 3826 COEUR D'ALENE, ID 83816

Signature: 

Petitioner: \_\_\_\_\_

Address: \_\_\_\_\_

Signature: \_\_\_\_\_

Petitioner: \_\_\_\_\_

Address: \_\_\_\_\_

Signature: \_\_\_\_\_

Petitioner: \_\_\_\_\_

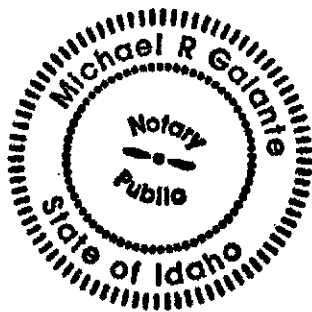
Address: \_\_\_\_\_

Signature: \_\_\_\_\_

STATE OF IDAHO )  
 ) ss.  
County of Kootenai )

On this 18 day of NOVEMBER 2010, before me, a Notary Public in and for the State of Idaho, personally appeared Paul B. [unclear], known to be the person or persons whose names are subscribed to the foregoing instrument, and acknowledged to be 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.



Michael R Galante  
Notary Public for Idaho  
Print Name: MICHAEL R. GALANTE  
My commission expires: 1 APRIL 2015

STATE OF IDAHO            )  
  ) ss.  
County of Kootenai        )

On this \_\_\_ day of \_\_\_\_\_, before me, a Notary Public in and for the State of Idaho, personally appeared \_\_\_\_\_, known to be the person or persons whose names are subscribed to the foregoing instrument, and acknowledged to be 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.

\_\_\_\_\_  
Notary Public for Idaho  
Print Name: \_\_\_\_\_  
My commission expires: \_\_\_\_\_

EXHIBIT "A"

Legal Description of Annexed Property

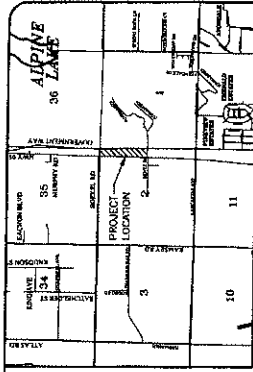
# **Exhibit B**

BOOK J PAGE 97

# TGG PROPERTIES

PLAT OF  
OF A PORTION OF THE E. 1/2, OF THE E. 1/2, OF THE NE 1/4,  
OF SECTION 2, TOWNSHIP 51 NORTH, RANGE 4 WEST, B.M.,  
KOOTENAI COUNTY, IDAHO  
OCTOBER 2004

PAGE 1 OF 2



VICINITY MAP  
NO SCALE

### OWNERS CERTIFICATE

WE, IT BEING THAT TGG, L.L.C., AN EMPLOYER LIMITED LIABILITY COMPANY OWNS THE LAND AS DEPICTED WITHIN THE BOUNDARIES SHOWN, THAT THEY HAVE CAUSED THE SAME TO BE SURVEYED AND THE SURVEY TO BE FILED IN THE PUBLIC RECORDS OF KOOTENAI COUNTY, IDAHO, IN ACCORDANCE WITH THE REQUIREMENTS OF THE PLAT ACT, AND THE SURVEY TO BE FILED IN THE PUBLIC RECORDS OF KOOTENAI COUNTY, IDAHO, IN ACCORDANCE WITH THE REQUIREMENTS OF THE PLAT ACT.

WE, THE UNDERSIGNED, BEING THE MANAGERS, MANAGERS, AND MANAGER MEMBERS OF TGG, L.L.C., KNOW AND CERTIFY THAT WE ARE THE MANAGERS, MANAGERS, AND MANAGER MEMBERS OF TGG, L.L.C. AND THAT WE HAVE CAUSED THE SAME TO BE SURVEYED AND THE SURVEY TO BE FILED IN THE PUBLIC RECORDS OF KOOTENAI COUNTY, IDAHO, IN ACCORDANCE WITH THE REQUIREMENTS OF THE PLAT ACT.

WE, THE UNDERSIGNED, BEING THE MANAGERS, MANAGERS, AND MANAGER MEMBERS OF TGG, L.L.C., KNOW AND CERTIFY THAT WE ARE THE MANAGERS, MANAGERS, AND MANAGER MEMBERS OF TGG, L.L.C. AND THAT WE HAVE CAUSED THE SAME TO BE SURVEYED AND THE SURVEY TO BE FILED IN THE PUBLIC RECORDS OF KOOTENAI COUNTY, IDAHO, IN ACCORDANCE WITH THE REQUIREMENTS OF THE PLAT ACT.

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WE, THE UNDERSIGNED, BEING THE MANAGERS, MANAGERS, AND MANAGER MEMBERS OF TGG, L.L.C., KNOW AND CERTIFY THAT WE ARE THE MANAGERS, MANAGERS, AND MANAGER MEMBERS OF TGG, L.L.C. AND THAT WE HAVE CAUSED THE SAME TO BE SURVEYED AND THE SURVEY TO BE FILED IN THE PUBLIC RECORDS OF KOOTENAI COUNTY, IDAHO, IN ACCORDANCE WITH THE REQUIREMENTS OF THE PLAT ACT.

WE, THE UNDERSIGNED, BEING THE MANAGERS, MANAGERS, AND MANAGER MEMBERS OF TGG, L.L.C., KNOW AND CERTIFY THAT WE ARE THE MANAGERS, MANAGERS, AND MANAGER MEMBERS OF TGG, L.L.C. AND THAT WE HAVE CAUSED THE SAME TO BE SURVEYED AND THE SURVEY TO BE FILED IN THE PUBLIC RECORDS OF KOOTENAI COUNTY, IDAHO, IN ACCORDANCE WITH THE REQUIREMENTS OF THE PLAT ACT.

WE, THE UNDERSIGNED, BEING THE MANAGERS, MANAGERS, AND MANAGER MEMBERS OF TGG, L.L.C., KNOW AND CERTIFY THAT WE ARE THE MANAGERS, MANAGERS, AND MANAGER MEMBERS OF TGG, L.L.C. AND THAT WE HAVE CAUSED THE SAME TO BE SURVEYED AND THE SURVEY TO BE FILED IN THE PUBLIC RECORDS OF KOOTENAI COUNTY, IDAHO, IN ACCORDANCE WITH THE REQUIREMENTS OF THE PLAT ACT.

WE, THE UNDERSIGNED, BEING THE MANAGERS, MANAGERS, AND MANAGER MEMBERS OF TGG, L.L.C., KNOW AND CERTIFY THAT WE ARE THE MANAGERS, MANAGERS, AND MANAGER MEMBERS OF TGG, L.L.C. AND THAT WE HAVE CAUSED THE SAME TO BE SURVEYED AND THE SURVEY TO BE FILED IN THE PUBLIC RECORDS OF KOOTENAI COUNTY, IDAHO, IN ACCORDANCE WITH THE REQUIREMENTS OF THE PLAT ACT.

### NOTARY PUBLIC CERTIFICATE

STATE OF IDAHO }  
COUNTY OF KOOTENAI } S.S.  
ON THIS 26th DAY OF OCTOBER, 2004, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED MERLIN THYKESON, MANAGING MEMBER TGG, L.L.C.  
KNOWN OF ME TO BE THE MANAGER, MANAGERS, AND MANAGER MEMBERS OF TGG, L.L.C. AND THAT SAID LIMITED LIABILITY COMPANY CONSENT TO RECORD IN MY OFFICE SAID CERTIFICATE FIRST ABOVE WRITTEN.  
NOARTSOAL THE DAY AND YEAR OF 2004.



### HEALTH DISTRICT APPROVAL

A SANITARY RESTRICTION, ACCORDING TO IDAHO CODE 50-1326 TO 50-1328, IS IMPOSED ON THIS PLAT IN ACCORDANCE WITH THE HEALTH DISTRICT ACT AND IS TO BE RECORDED UNTIL SANITARY RESTRICTION REQUIREMENTS ARE SATISFIED AND LIFTED.  
THIS PLAT APPROVED, THIS 26th DAY OF OCTOBER, 2004.  
MARGARET HEATH DISTRICT 1  
MARGARET HEATH DISTRICT 1  
MARGARET HEATH DISTRICT 1

### COUNTY BOARD OF COMMISSIONERS

THE PLAT MEETS THE REQUIREMENTS OF THE KOOTENAI COUNTY SUBDIVISION ORDINANCE AND THE CONDITIONS IMPOSED BY THIS BOARD, AND IS HEREBY ACCEPTED AND APPROVED FOR FILING.  
DATED THIS 26th DAY OF OCTOBER, 2004.  
CHRISTIAN BOARD OF COMMISSIONERS, KOOTENAI COUNTY, IDAHO

### LAKES HIGHWAY DISTRICT APPROVAL

I HEREBY CERTIFY THAT LAKES HIGHWAY DISTRICT APPROVED THIS PLAT.  
DATED THIS 26th DAY OF OCTOBER, 2004.  
Mark S. Stambly  
CHAIRMAN, LAKES HIGHWAY DISTRICT

### STATE OF Idaho COUNTY RECORDER

THIS PLAT WAS RECORDED IN THE OFFICE OF THE KOOTENAI COUNTY RECORDER AT THE OFFICE OF ADVANCED TECHNOLOGY SURVEYING INC., RECORDER'S OFFICE, 1000 W. 10th Street, P.O. Box 1000, Coeur d'Alene, ID 83814, ON THIS 26th DAY OF OCTOBER, 2004, AT 10:00 AM. THE RECORDING NUMBER IS 1000-1000-0000. THE PLAT IS FILED IN THE PUBLIC RECORDS OF KOOTENAI COUNTY, IDAHO, IN ACCORDANCE WITH THE REQUIREMENTS OF THE PLAT ACT.  
BY: *Blaine Williams*  
Blaine Williams  
COUNTY CLERK

### COUNTY TREASURERS CERTIFICATE

I HEREBY CERTIFY THAT THE TAXES DUE FOR THE PROPERTY DESCRIBED IN THE OWNERS CERTIFICATE AND DEDICATION HAVE BEEN PAID THROUGH *Advanced Technology* ON THIS 26th DAY OF OCTOBER, 2004.  
KOOTENAI COUNTY TREASURER

### COUNTY SURVEYORS CERTIFICATE

I HEREBY CERTIFY THAT I HAVE EXAMINED THE INSTRUMENT AND CHECKED THE DATA COMPUTATIONS THEREON AND HAVE DETERMINED THAT THE REQUIREMENTS OF THE STATE CODE PERTAINING TO PLATS AND SURVEYS HAVE BEEN MET.  
DATED THIS 26th DAY OF OCTOBER, 2004.  
KOOTENAI COUNTY SURVEYOR

### SURVEYORS CERTIFICATE

I, MATTHEW B. MANDRETTI, P.L.S., APRIL, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF IDAHO, HAVE CONDUCTED A SURVEY OF THE LANDS SHOWN ON THIS PLAT AND HAVE DETERMINED THAT THE DISTANCES, COORDINATES AND ANGLES ARE SHOWN THEREON CORRECTLY, AND THAT ALL AS PERTAINING TO PLATS AND SURVEYS.

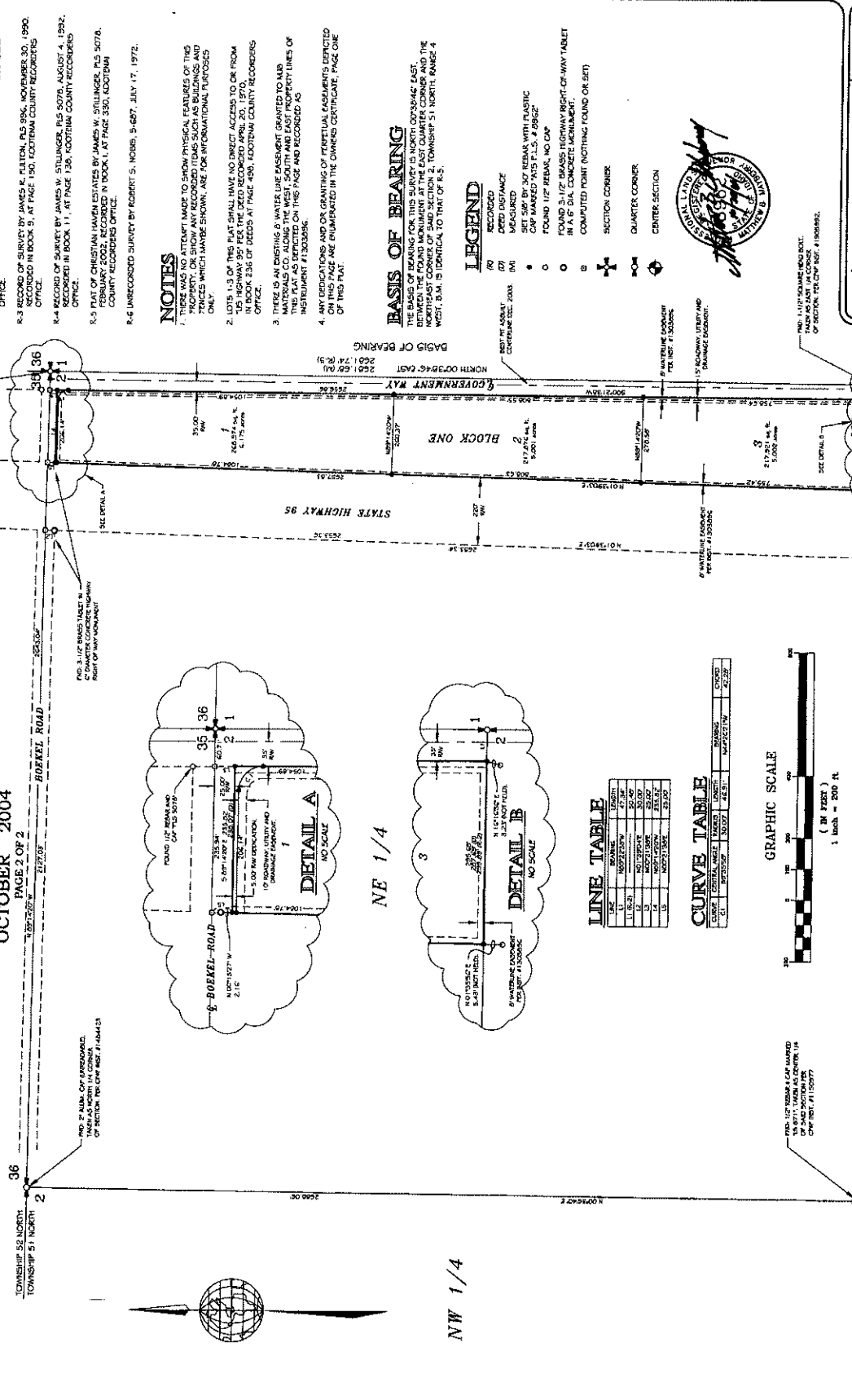


SCALE: N.T.S.  
CHECKED BY: *[Signature]*  
DATE: *[Date]*  
ADVANCED TECHNOLOGY SURVEYING INC.  
1000 W. 10th Street  
COEUR D'ALENE, IDAHO 83814  
PHONE: (208) 772-2718 • FAX: (208) 772-7731 •  
WWW.AT5INC.COM

Book J Page 97A

# FLAT OF TGG PROPERTIES

OF A PORTION OF THE E. 1/2, OF THE E. 1/2, OF THE NE 1/4,  
OF SECTION 2, TOWNSHIP 51 NORTH, RANGE 4 WEST, B.M.  
KOOTENAI COUNTY, IDAHO  
OCTOBER 2004



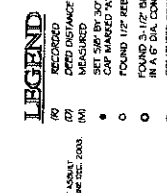
- ### REFERENCES
- R-1 RECORD OF SURVEY BY MATTHEW B. MAYBERRY, PLS 4962, SEPTEMBER 12, 2001, RECORDED IN BOOK 21, AT PAGE 104, KOOTENAI COUNTY RECORDERS OFFICE.
  - R-2 RECORD OF SURVEY BY RICHARD D. SCHROEDER, PLS 4564, MAY 2, 1983, RECORDED IN BOOK 3, AT PAGE 35 1, KOOTENAI COUNTY RECORDERS OFFICE.
  - R-3 RECORD OF SURVEY BY JAMES K. PLUTON, PLS 5076, NOVEMBER 30, 1990, RECORDED IN BOOK 5, AT PAGE 150, KOOTENAI COUNTY RECORDERS OFFICE.
  - R-4 RECORD OF SURVEY BY JAMES W. STALLINGER, PLS 5076, AUGUST 4, 1992, RECORDED IN BOOK 11, AT PAGE 136, KOOTENAI COUNTY RECORDERS OFFICE.
  - R-5 PLAT OF CHRISTIAN HANSEN LESLIES BY JAMES W. STALLINGER, PLS 5076, FEBRUARY 2002, RECORDED IN BOOK 1, AT PAGE 330, KOOTENAI COUNTY RECORDERS OFFICE.
  - R-6 UNRECORDED SURVEY BY ROBERT S. NORDS, 5-487, JULY 17, 1972.

- ### NOTES
- THERE WAS NO ATTEMPT MADE TO SHOW PHYSICAL FEATURES OF THIS PROPERTY, OR SHOW ANY RECORDED ITEMS SUCH AS BUILDINGS AND FENCES WHICH MAY BE SHOWN, ARE FOR INFORMATIONAL PURPOSES ONLY.
  - LOTS 1, 3 OF THIS PLAT SHALL HAVE NO DIRECT ACCESS TO OR FROM STATE HIGHWAY 95 OR FEES AT THIS ADDRESS, KOOTENAI COUNTY RECORDERS OFFICE.
  - THERE IS AN EGRESS E WATER LINE PASSAGE GRANTED TO NUB MATERIALS CO. ALONG THE WEST, SOUTH AND EAST BOUNDARY LINES OF THIS PLAT AS SHOWN ON THIS PAGE AND RECORDED AS INSTRUMENT #1303596.
  - ANY DEDICATIONS AND OR GRANTING OF EGRESS RIGHTS DEFINED ON THIS PAGE ARE ENUMERATED IN THE OWNERS CERTIFICATE, PAGE ONE OF THIS PLAT.

### BASIS OF BEARING

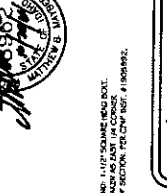
THE BASIS OF BEARING FOR THIS SURVEY IS NORTH 0° 03' 04" EAST. THE NORTH QUARTER CORNER OF THE EAST QUARTER CORNER AND THE NORTH-EAST CORNER OF SAID SECTION 2, TOWNSHIP 51 NORTH, RANGE 4 WEST, B.M. IS IDENTICAL TO THAT OF R-5.

- ### LEGEND
- (R) RECORDED
  - (D) DEED DISTANCE MEASURED
  - (M) FOUND 3/4" IRON NAIL WITH PLASTIC CAP MARKED "A" IS 1/2" DEEP
  - (O) FOUND 1/2" IRON NAIL, NO CAP
  - (\*) FOUND 3/4" IRON NAIL WITH PLASTIC CAP MARKED "A" IS 1/2" DEEP
  - (C) COMPUTED POINT (NOTHING FOUND OR SET)
  - (S) SECTION CORNER
  - (Q) QUARTER CORNER
  - (CS) CENTER SECTION



### CURVE TABLE

| CURVE | CENTRAL ANGLE | MARKER | MARKING | MARKING | MARKING |
|-------|---------------|--------|---------|---------|---------|
| C1    | 90° 00' 00"   | 30.00' | 45.81'  | 45.81'  | 42.73'  |



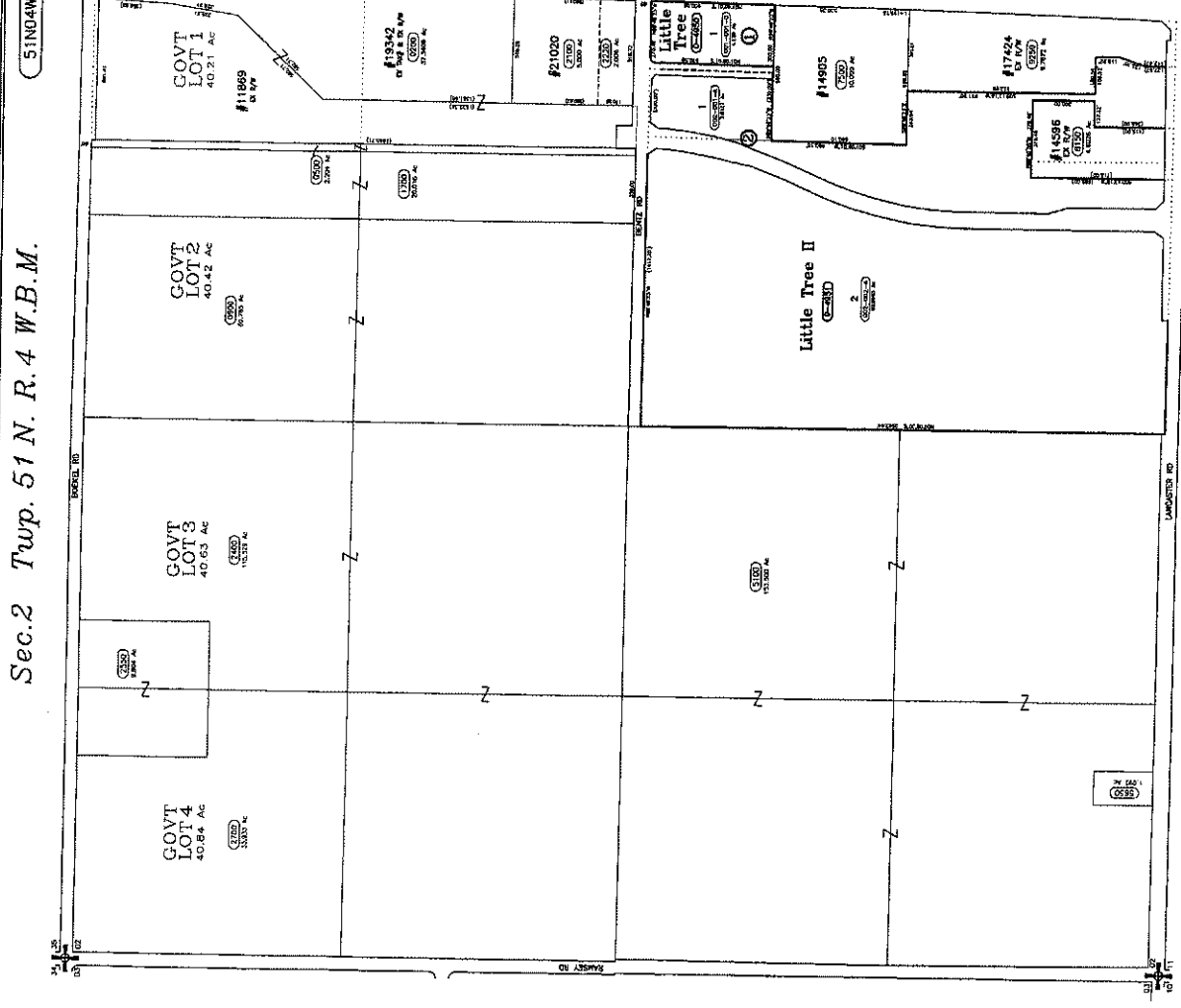
SCALE: 1" = 200'  
CHECKED BY: [Signature]  
DATE: [Date]  
DRAWN BY: [Signature]  
DATE: [Date]  
PROJECT: [Project Name]

**ADVANCED TECHNOLOGY SURVEYING**  
PH: (208) 772-2745 • FAX: (208) 765-7731 •



Sec.2 Twp. 51 N. R. 4 W.B.M.

51N04W-02



Sec.2 Twp.51N. R.4W.B.M.

NOTICE: THIS PLAT IS SUBJECT TO ALL APPLICABLE ORDINANCES, BYLAWS, AND REGULATIONS OF THE LOCAL GOVERNMENT. THE ARCHIVE REVISIONS BOX IN THE CORNER IS FOR INFORMATION ONLY AND DOES NOT AFFECT THE VALIDITY OF THIS PLAT.

| DATE     | DESCRIPTION |
|----------|-------------|
| 06-21-98 | FILED       |
| 02-18-98 | FILED       |
| 11-23-97 | FILED       |

**ARCHIVE REVISIONS**

DATE: 06-21-98  
 BY: [Signature]  
 TITLE: [Title]  
 OF: [Company]

**NOTES:**

LOCATIONS OF BOUNDARY MARKS SHOWN ON THIS PLAT ARE APPROXIMATE. THE PLAT IS SUBJECT TO ALL APPLICABLE ORDINANCES, BYLAWS, AND REGULATIONS OF THE LOCAL GOVERNMENT.

REVISIONS OF SURVEY MADE:

DATE: [ ] DESCRIPTION: [ ]

- SECRECATION REVISIONS**
- The revisions shown below are for the purpose of the same does not affect the validity of the plat. The archive revisions for these revisions are posted within the ARCHIVE REVISIONS box in the corner of this block.
- 06/17/97 - VMC  
Pin of 51N04W-02-5100 combined w/ 2220 and  
51N04W-02-5100 now described as Tax #17424 (88)
  - 03/03/98 - VMC  
Pin of 51N04W-02-5100 out to PRM (98)
  - 06/06/01 - VMC  
51N04W-02-2400 out of 2700 (03)
  - 05/06/02 - SLW  
Pin of 51N04W-02-0200 combined w/ 2220 and  
51N04W-02-2200 out to additional R/W for Bent Rd (03)
  - 09/25/02 - VMC  
51N04W-02-0200 re-described on Tax #19444 (03)
  - 12/26/02 - bc  
Pin 51N04W-02-5100 out to R/W as Cat 19 (03)
  - 07/30/03 - VMC  
51N04W-02-5100 out of 5100 (04)
  - 01/21/04 - SLW  
51N04W-02-0140 re-described on Tax #19807 (04)
  - 05/18/04 - TH  
51N04W-02-5100 platted into LITTLE TREE # (05)
  - 11/03/04 - bc  
51N04W-02-0140 platted into TGG PROPERTIES (05)
  - 03/13/05 - ET  
51N04W-02-2100 out of 0200 (06)
  - 04/18/05 - VMC  
Lot line certification on 51N04W-02-0200 & 0200 (05)
  - 04/17/06 - bc  
51N04W-02-2200 & 2100 re-described on Tax #21020 (06)
  - 12/07/06 - J08  
Pin 51N04W-02-8150 out to R/W, Pin 0-951-002-002-0 (now -A)  
out to R/W (10)
  - 12/09/06 - J08  
Pin 51N04W-02-5150 out to R/W (10)
  - 12/14/06 - ET  
Pin of 51N04W-02-0200 out to R/W (10)
  - Pin of 51N04W-02-5150 out to R/W (10)
  - 05/07/10 - JB  
Pin of 51N04W-02-0200 out to R/W (11)
  - 09/07/10 - JB  
Pin of 0-651-002-001-0 (now -A) out to R/W (11)  
Pin of 0-651-002-001-0 (now -A) out to R/W (11)  
Pin of 51N04W-02-0200 out to R/W as Cat 19 (11)

FILENAME: 514V06(extended)

BENTZ RD

330.00

510.72

(1417.25')

80

(330.00')

Little Tree

0-4950

1

001-001-0

4.128 Ac

①

002-001-A

3.8127 Ac

1

②

N89°48'23"W (330.00')

300.00 N89°48'23"W

660.00

#14905

7500

10.000 Ac

S01°08'01"W 660.10'

660.10

330.35

S89°48'23"E

283.94'

659.85

385.91

S 129.75'

S00°13'18"W 921.20'

923.98

#17424

EX R/W

9250

9.7672 Ac

N89°40'58"W 378.48'

378.48

395.68

N89°22'38"W

7300

14.586 Ac

Z

80'

GOVERNMENT

see II

# **Exhibit C**

# AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,  
County of Kootenai,

ss.

Mylene Samer being first duly sworn upon oath deposes and says:

1. I am now and at all times hereinafter mentioned was a citizen of the United States, resident of the State of Idaho, over the age of twenty-one years and not a party of the above entitled action.

2. I am now and at all times hereinafter mentioned was the printer (principal clerk) of the "Coeur d'Alene Press," a newspaper printed and published daily except Sunday in Coeur d'Alene, Kootenai County, Idaho, and having a general circulation in said county.

3. The

Legal Notice

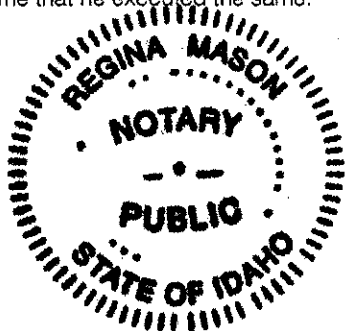
of which the annexed is a printed copy, was published in the regular Friday issue of said newspaper for 2 consecutive weeks commencing on the 3 day of December 20 10, and ending on the 10 day of December 20 10 and such publication was made as often during said period as said daily newspaper was regularly issued.

4. That said newspaper has been continuously and uninterruptedly published in said Kootenai County, during a period of more than seventy-eight consecutive weeks immediately prior to the first publication of said notice. On this 10 day of December in the year of 2010 before me, a Notary Public, personally appeared Mylene Samer, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Regina Mason

Notary Public for the State of Idaho,  
residing at Coeur d'Alene, Idaho.

**MY COMMISSION EXPIRES 6/18/15**



## NOTICE OF PUBLIC HEARING OF ANNEXATION OF PROPERTY INTO NORTH KOOTENAI WATER DISTRICT

Kootenai County, Idaho  
Belle ANNEXATION

The Board of Directors (The Board) of the North Kootenai Water District (the District) will be holding a public hearing on the annexation of property into the District. The public hearing will be held as follows:

Date: December 16, 2010

Time: 12:30 pm

Location: 1320 West Hayden Avenue, Hayden, Idaho

The annexation hearing is based upon petitions filed by Belle Primary Water Users of Belle (Belle Property). A copy of the Petition and a description of the property may be obtained from the District by sending a request to:

North Kootenai Water District  
P.O. Box 2280

Hayden, Idaho 83835

Persons who wish to appear at the time and place of the hearing may wish to inquire how the Petition for Annexation should not be granted. The Board shall consider at the hearing any objection presented in writing. The failure of any person to show cause in writing shall be deemed an assent to include the property within the boundaries of the District.

Anyone wishing to provide written comments, which are to be considered by the Board at the hearing, should provide them in advance of the hearing by sending them to the District office at the above address.

P.O. Box 2280  
Hayden, Idaho 83835

Failure to have your written comments to the Board in advance of the public hearing means they will not be considered by the Board at the public hearing.

DATED this 18th day of November, 2010.

NORTH KOOTENAI WATER DISTRICT, Kootenai County, Idaho

Legal 1510

December 13, 10, 2010

# Exhibit D