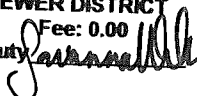


REC'D APR 09 2024

RESOLUTION

Instrument # 521086
WALLACE, SHOSHONE COUNTY, IDAHO
4-1-2024 11:29:58 AM No. of Pages: 12
Recorded for : S FORK SEWER DISTRICT
PEGGY WHITE Fee: 0.00
Ex-Officio Recorder Deputy 
Index to: RESOLUTION

No. R24-03-19

WHEREAS, the South Fork Coeur d’Alene River Sewer District (“District”) is a duly and properly formed sewer district under and by virtue of the laws of the State of Idaho and is governed by the Board of Directors of the South Fork Coeur d’Alene River Sewer District (“Board”);

WHEREAS, the Board has been charged with the responsibility and correspondingly has the authority under Title 42, Chapter 32 of the Idaho Code to consider petitions brought under Idaho Code § 42-3218 to annex real property located outside of the District’s boundaries into the District;

WHEREAS, IDEQ (“Applicant”), the sole owner(s) of real property as located at Legal Address: 4900:NESWLESS 5850 N1/2SE1/4 LESS 5850 34-49-2 & 5450:97/355, 133/99 35-49-2 (“Property”) has petitioned by way of a written application for annexation of the Property under Idaho Code § 42-3218 into the District (“Petition”);

WHEREAS, upon satisfaction of the requirements for publication and public notice as set forth under Title 42, Chapter 32 of the Idaho Code and Idaho law generally, the Board held a public hearing on 3/19/2024 (date) in accordance with which the Board allowed all interested persons to show cause as to why the Petition should not be granted;

WHEREAS, upon consideration of the Petition as well as applicable law and available relevant information, including the comments received in advance of and at the aforementioned public hearing if any, the Board finds that annexation of the Property into the District is in the beneficial interest of the Applicant(s), the District, and the District’s constituent membership;

WHEREAS, through a majority vote conducted at a duly and regularly held meeting on 3/19/2024(Date), the Board approved the requested annexation as memorialized in the associated *Order Granting Petition for Annexation of Real Property*, which is referenced and attached hereto as Exhibit “A”;

WHEREAS, the Board wishes to approve the *Order Granting Petition for Annexation of Real Property*;

BE IT RESOLVED, by the Board and the District as follows:

Section 1: The Board hereby approves the *Order Granting Petition for Annexation of Real Property* referenced herein.

Section 2: The Board hereby ratifies the actions taken by the Board's Directors and/or agents serving on behalf of the Board or the District respective to the Petition.

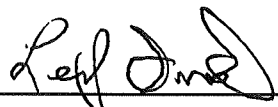
Section 3: This resolution shall be deemed as effective upon its adoption.

Dated this 19 day of March, 2024.



Chairman

Attest:


Secretary/Treasurer

I, the undersigned, serve as the Secretary/Treasurer of the Board of Directors of the South Fork Coeur d'Alene River Sewer District and hereby certify that the foregoing Resolution is a true, accurate, and complete copy of the Resolution adopted at a regular meeting of the District, duly and regularly held at its regular meeting place on 3/19/2024(date). I further certify that a motion to adopt said Resolution was made by Director Leif Sundstrom and duly seconded by Director John Cuthbert and put to a vote, with the results of said vote being as follows:

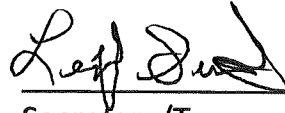
AYES: 5

NAYS: 0

ABSENT:

ABSTAIN:

Upon said vote, Chairman declared the Resolution adopted.



Secretary/Treasurer

Exhibit "A"**Order Granting Petition for Annexation of Real Property****No. O24-03-19**

Pursuant to the authority provided to the Board of Directors ("Board") of the South Fork Coeur d'Alene River Sewer District ("District") under Title 42, Chapter 32 of the Idaho Code, the Board finds the following respective to the *Petition for Annexation of Real Property* referenced herein as submitted to the Board:

(1) The District is a duly and properly formed sewer district under and by virtue of the laws of the State of Idaho and is governed by the Board;

(2) The Board has the authority under Title 42, Chapter 32 of the Idaho Code to consider petitions brought under Idaho Code § 42-3218 to annex real property located outside of the District's boundaries into the District;

(3) Through the aforementioned *Petition for Annexation of Real Property, IDEQ* ("Applicant(s)"), the sole owner(s) of real property as located at Legal Address: 4900:NESWLESS 5850 N1/2SE1/4 LESS 5850 34-49-2 & 5450:97/355, 133/99 35-49-2 ("Property") has petitioned by way of a written application for annexation of the Property under Idaho Code § 42-3218 into the District. A complete copy of this written petition and all included attachments thereto as submitted by the Applicant(s) ("Petition") is referenced and attached hereto as Exhibit "A";

(4) Upon thorough research and investigation by the Board and its representatives and/or agents, the Board has determined that the Petition was properly executed by the Applicant(s), the Applicant(s) is/are the owners of the Property, and that the Property lies outside of the District's current boundaries;

(5) Pursuant to the requirements of Idaho Code § 42-3218, the Board correspondingly set a public hearing to consider the Petition as to occur on 03/19/2024 ("Public Hearing"). Notice of the Public Hearing ("Notice") was

provided in compliance with Idaho Code § 42-3218, specifically as published in Shoshone News Press on 3/1/2024 and 3/8/2024. A complete copy of the Notice, as published, is referenced and attached hereto as Exhibit "B";

(6) The Notice expressly allowed all interested persons to show cause as to why the Petition should not be granted, specifically provided that: **"At the Public Hearing, the Board will proceed to hear the Petition and all objections thereto, presented, in writing, by any person showing cause why the Petition should not be granted. Accordingly, NOTICE is hereby provided to all persons interested to appear at the Office of the Board at the time and place set forth herein, and show cause in writing, if any they have, why the petition should not be granted. NOTICE is further provided that the failure of any person to show cause in writing shall be deemed as an assent on his or her part to the inclusion of such lands in the District as prayed in the Petition."** The Notice further provided that **"[t]hose unable to attend the Public Hearing at the time and place set forth herein may submit their written comment(s) to the Petition in advance of the Public Hearing by sending them, via first-class mail, postage prepaid to" the Board by 3/15/2024 "to ensure that they are received and considered by the Board."** The Notice further made clear that **"[f]ailure to submit such written comment to the Board in advance of the Public Hearing will preclude their consideration by the Board thereat."**

(7) Pursuant to the express terms of the Notice and Idaho Code § 42-3218(a), the Board accordingly deems the failure to show cause in writing as to constitute the consent of such interested persons to the annexation of the Property into the District;

(8) Upon consideration of the Petition as well as applicable law and available relevant information, including the comments received in advance of and at the Hearing if any, the Board finds that annexation of the Property into the District is in the beneficial interest of the Applicant(s), the District, and the District's constituent membership;

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(9) The Property, as legally described and depicted in the Petition, is hereby annexed and incorporated into the District as effective on the date of this Order. The Board's Secretary is hereby directed to file this Order with the County Assessor, County Recorder, State Tax Commission, and/or all other entities as required by Idaho Code §§ 42-3218(a) and 63-215 to the extent such filings are required by each such entity.

This Order is adopted through a majority vote of the Board of Directors at a meeting on 3/19/2024.



Chairman

Attest:



Secretary/Treasurer

PETITION FOR ANNEXATION OF PROPERTY
South Fork Coeur d'Alene River Sewer District
Shoshone County, Idaho

COMES NOW Petitioner(s) IDEQ (hereinafter, "Petitioner(s)") and hereby petition(s) the Board of Directors (hereinafter, "Board") of the South Fork Coeur d'Alene River Sewer District (hereinafter, "District") as follows:

1. Petitioner(s) mailing address is 1005 McKinley Ave. Kellogg, ID 83837;
2. Petitioner(s) day-time telephone number is 208.783.5781;
3. Petitioner(s) email address is andy.helkey@deq.idaho.gov;
4. Petitioner(s) own real property (hereinafter, "Property") located within Shoshone County, Idaho, that is:
 - a. Commonly described, through its physical address, as Not Available
 Legal Address: 4900:NESWLESS 5850 N1/2SE1/4 LESS 5850 34-49-2 &
 Legal Address: 5450:97/355,133/99 35-49-2;
 - b. Identified on Shoshone County tax records, through its parcel identification number(s), as RP49N02E344900A, & RP49N02E355450A;
 - c. Legally described as set forth in Exhibit(s) A & B, attached hereto, and incorporated by reference herein; and
 - d. Visually depicted in the formal Site/Boundary Maps set forth in Exhibit(s) EX 1.0, attached hereto, and incorporated by reference herein.
5. Petitioner(s) seek the wastewater services and utilities normally and typically provided by the District. Accordingly, pursuant to Idaho Code § 42-3218, Petitioner(s) pray(s) that the Property be included in the District and hereby provide(s) formal and binding assent to the inclusion of the Property in the District.
6. Pursuant to Idaho Code § 42-3218(c), Petitioner(s) understand(s) that as a condition of the annexation requested herein, the Board may prescribe terms and conditions under which the Property may be included in the District.
7. Pursuant to and as authorized by I.C. § 42-3218, Petitioner(s) acknowledge and assent to the payment of a \$50.00 filing fee due at the time of the written petition's submission plus reimbursement of all other fees and costs incurred by the District including but not limited to legal and surveying expenses

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for all such petitions seeking to annex specific property owned by a single owner or by a group of co-owners.

Accordingly, Petitioner(s) pray(s) that this petition be set for hearing at the earliest practicable time and in a manner fully compliant with Idaho Code § 42-3218, including all notice and publishing requirements set forth therein.

Petitioner

Andy Helkey
(SIGN NAME)

Andy Helkey
(PRINT NAME)

1/11/2024
(DATE)

STATE OF Idaho)

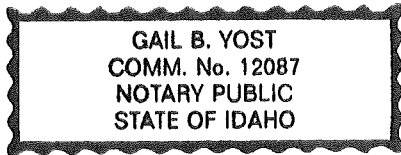
) ss.

County of Shoshone)

On this 11 day of January 2024, before me, a notary public, personally appeared Andy Helkey known or identified to me to be the person named in the foregoing instrument and acknowledged to me that he/she executed the same, for the uses and purposes therein mentioned.

In witness whereof, I have hereunto set my hand and affixed my official seal the day and year in the certificate first above written.

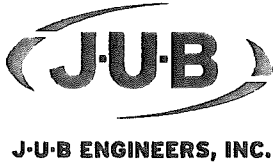
Gail B. Yost
NOTARY PUBLIC for the State of Idaho



Gail B. Yost
(Print Name)

My appointment expires: 7/21/2024

521086



J-U-B COMPANIES



THE LANGDON GROUP



GATEWAY MAPPING INC.

EXHIBIT A & B

LEGAL DESCRIPTION
OF
AREA TO BE ANNEXED INTO THE SOUTHFORK
COEUR D'ALENE RIVER SEWER DISTRICT

February 27, 2024

That portion of the NE1/4 of the SW1/4 and N 1/2 of the SE1/4 of Section 34, Township 49 North, Range 2 East, Boise Meridian, Shoshone County, Idaho, described as follows:

BEGINNING at the East Quarter corner of said Section 34, from which the West Quarter corner of said Section bears North 89°18'28" West, a distance of 5,358.59 feet; thence South 00°59'57" West along the east boundary of said Section 34 a distance of 850.77 feet, more or less, to the northerly boundary of the Shoshone County Airport property as described in Instrument No. 192414, records of Shoshone County, Idaho;

thence along said northerly boundary of the Shoshone County Airport the following four (4) courses:

1. South 88°58'30" West, a distance of 1,341.42 feet;
2. South 88°58'20" West, a distance of 1,340.57 feet;
3. South 00°12'40" East, a distance of 190.00 feet;
4. South 88°57'26" West, a distance of 1,325.99 feet, more or less, to the west boundary of said NE1/4 of the SW1/4;

thence North 00°22'03" West along said west boundary a distance of 1,161.51 feet, more or less, to the east-west center of Section line of said Section 34;

thence South 89°18'28" East along said center of Section line a distance of 4,029.21 feet, more or less, to the **POINT OF BEGINNING**.



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LEGEND

— ANNEXATION BOUNDARY

△ CALCULATED POINT, NOTHING FOUND OR SET

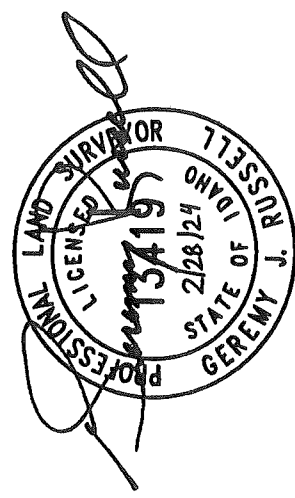
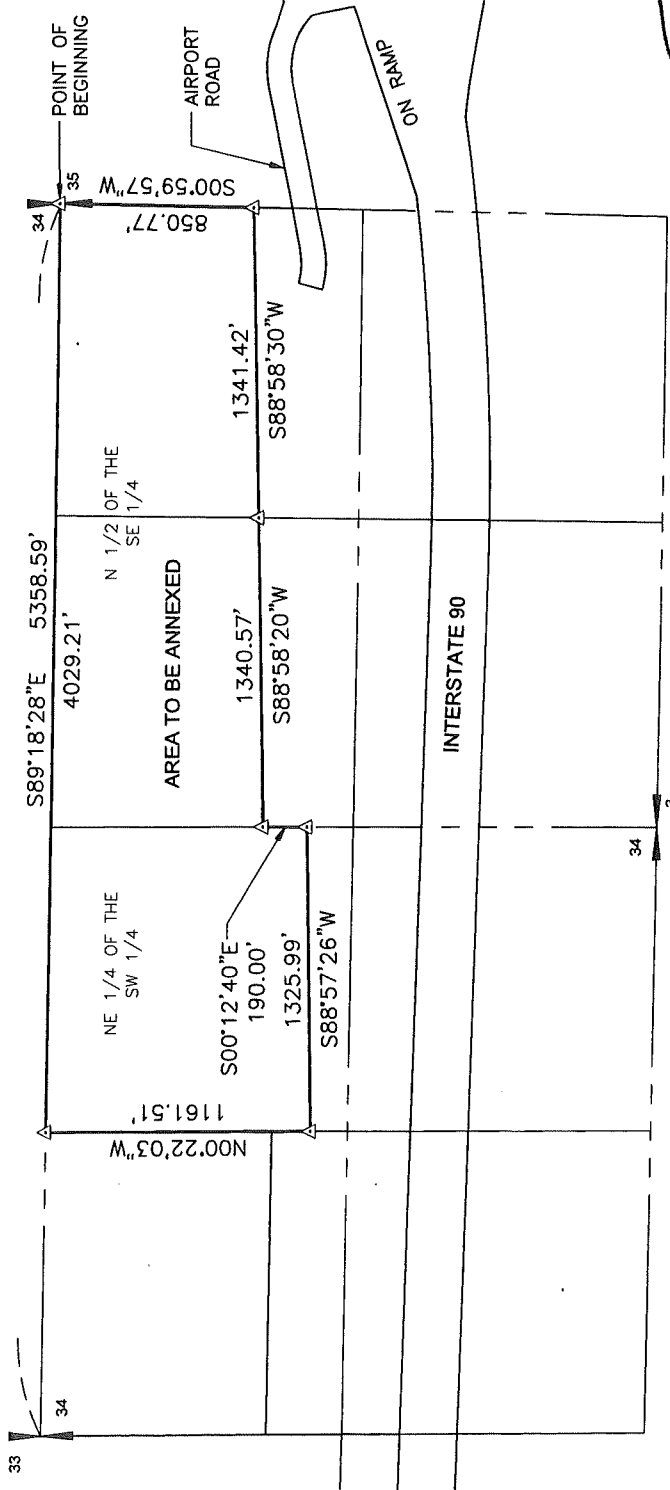


EXHIBIT I.O
ANNEXATION EXHIBIT
A PORTION OF SEC 34, T49N, R2E, B.M., SHOSHONE COUNTY, IDAHO



LAST UPDATE: 2/27/2024
PLOT DATE: 2/27/2024
FILE: 202402270000000000

521086

Notice of Public Hearing of Annexation of Property into the South Fork Coeur d'Alene River Sewer District

The Board of Directors (hereinafter, "Board") of South Fork Coeur d'Alene River Sewer District (hereinafter, "District") will hold a public hearing concerning the annexation of certain real property into the District ("Public Hearing"). This Public Hearing will occur as follows:

Date: 3/19/2024

Time: 9:00am

Location: 1020 Polaris Avenue Osburn, Idaho 83849

The Public Hearing will concern and will entail consideration of the petition (hereinafter, "Petition") filed by IDEQ requesting annexation of certain real property commonly known as **Legal Address:**

RP49N02E344900 (hereinafter, "Property") and legally described as: **That portion of the NE1/4 of the SW1/4 and N 1/2 of the SE1/4 of Section 34, Township 49 North, Range 2 East, Boise Meridian, Shoshone County, Idaho, described as follows: BEGINNING at the East Quarter corner of said Section 34, from which the West Quarter corner of said Section bears North 89°18'28" West, a distance of 5,358.59 feet; thence South 00°59'57" West along the east boundary of said Section 34 a distance of 850.77 feet, more or less, to the northerly boundary of the Shoshone County Airport property as described in Instrument No. 192414, records of Shoshone County, Idaho; thence along said northerly boundary of the Shoshone County Airport the following four (4) courses:**

1. South 88°58'30" West, a distance of 1,341.42 feet;
2. South 88°58'20" West, a distance of 1,340.57 feet;
3. South 00°12'40" East, a distance of 190.00 feet;
4. South 88°57'26" West, a distance of 1,325.99 feet, more or less, to the west boundary of said NE1/4 of the SW1/4; thence North 00°22'03" West along said west boundary a distance of 1,161.51 feet, more or less, to the east-west center of Section line of said Section 34; thence South 89°18'28" East along said center of Section line a distance of 4,029.21 feet, more or less, to the **POINT OF BEGINNING.**

Copies of the Petition and the formal legal description of the land to be annexed can be obtained from the District by sending a written request, via first-class mail, postage prepaid, to the following address:

PO Box 783

Osburn, Idaho 83849

At the Public Hearing, the Board will proceed to hear the Petition and all objections thereto, presented, in writing, by any person showing cause why the Petition should not be granted. Accordingly, **NOTICE** is hereby provided to all persons interested to appear at the Office of the Board at the time and place set forth herein, and show cause in writing, if any they have, why the petition should not be granted. **NOTICE** is further provided that the failure of any person to show cause in writing shall be deemed as an assent on his or her part to the inclusion of such lands in the District as prayed in the Petition.

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Those unable to attend the Public Hearing at the time and place set forth herein may submit their written comment(s) to the Petition in advance of the Public Hearing by sending them, via first-class mail, postage prepaid to the following address:

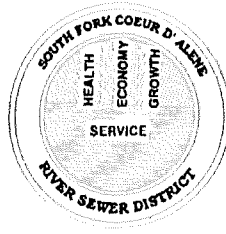
PO Box 783
Osburn, Idaho 83849

Such mailings should occur by 3/15/2024 to ensure that they are received and considered by the Board. Failure to submit such written comment to the Board in advance of the Public Hearing will preclude their consideration by the Board thereat.

Dated 2/26/24
South Fork Coeur d'Alene River Sewer District

SOUTH FORK COEUR D'ALENE RIVER SEWER DISTRICT

1020 POLARIS AVE
P.O. BOX 783
OSBURN, ID 83849



OFFICE (208) 753-8041
FAX (208) 753-1151
MULLAN PLANT (208) 744-1512
PAGE PLANT (208) 784-7311

REC'D APR 09 2024

March 29, 2024

Attn: GIS
Idaho State Tax Commission
P.O. Box 36
Boise, ID 83707

RE: South Fork Coeur d'Alene River Sewer District
RP49N02E344900A

Dear Idaho State Tax Commission,

The South Fork Coeur d'Alene River Sewer District board of directors approved the annexation for the above referenced address. I am enclosing the following annexation for your information:

1. Copy of Petition for Annexation with a legal description attached as Exhibit "A" & "B".
2. A map for your further assistance of the area being annexed.

If you need any additional information, please contact me. Thank you.

Best Wishes,

Haley Gosline
Office Manager