

ORDINANCE NO. 2012-1

AN ORDINANCE AND RESOLUTION ADOPTED PURSUANT TO IDAHO CODE § 50-1721A PROVIDING FOR AND APPROVING THE SEGREGATION OF SPECIAL ASSESSMENTS AUTHORIZED AND LEVIED BY THE SUN VALLEY WATER AND SEWER DISTRICT AGAINST REAL PROPERTY SITUATED WITHIN SAID DISTRICT'S LOCAL IMPROVEMENT DISTRICT NO. 2008-1.

WHEREAS, pursuant to Chapter 17, Title 50, Idaho Code, as amended, the Board of Directors (the "Board") of the Sun Valley Water and Sewer District (the "District"), by duly adopting Ordinance Nos. 2008-2 and 2009-1, created Local Improvement District No. 2008-1 (the "LID") for the District, and levied a local improvement district assessment against each of the thirteen (13) parcels of real property situated within the boundaries of the LID for the purpose of defraying the costs and expenses incurred, or to be incurred, by the LID for authorized improvements ("Special Assessment"); and,

WHEREAS, the District has imposed a statutory assessment lien on each of said thirteen (13) parcels of real property to secure the payment of said Special Assessments, notice of which was duly recorded on February 19 2009, as Instrument No. 564994, records of Blaine County, Idaho; and,

WHEREAS, the owners of four (4) of the thirteen (13) parcels within the LID which remain subject to the Special Assessment propose to split their respective parcels into two (2) portions each for the purpose of then selling and conveying one portion to the Idaho Transportation Department ("ITD") for incorporation into the public right-of-way for Idaho State Highway 75; and,

WHEREAS, the Blaine County, Idaho tax parcel number for each of said four parcels and the record title owners are as follows:

1. Parcel RP04N180307340, owned by David W. Harris.
2. Parcel RP04N180307360, owned by Nathan & Sharma Thornton.
3. Parcel RP04N180307410, owned by Matt Thornton & Nathan Thornton.
4. Parcel RP04N180307400, owned by the Capik Family Trust, in care of Bernard F. Gratton.

; and,

WHEREAS, a more detailed legal description of each of said four parcels is set forth in Exhibit "A" hereto; and,

WHEREAS, to facilitate the sale and conveyances to the ITD, the owners of said four (4) parcels have applied to the District, pursuant to Idaho Code § 50-1721A, to have the outstanding balance of the total Special Assessment originally levied against their parcels by the LID segregated and apportioned between the two split portions of each of said parcels, upon the same "square footage benefits derived" method used to implement the original LID Special Assessment; and,

WHEREAS, the Board has found that the proposed segregation of the Special Assessment, in the manner set forth hereinafter, will not jeopardize or reduce the security for any outstanding obligations of the above-referenced LID which are payable from said Special Assessment; and,

WHEREAS, the Board has therefore determined that the application of the owners should be granted and approved, and, subject to the provisions of this Ordinance, has agreed to the segregation of the special assessments for each of said four (4) parcels.

NOW, THEREFORE, BE IT ORDAINED AND RESOLVED BY THE BOARD OF DIRECTORS OF THE SUN VALLEY WATER AND SEWER DISTRICT, BLAINE COUNTY, IDAHO:

**Section 1.0 Segregation of Assessments.** Pursuant to § 50-1721(a) of the Idaho Code, the Board of Directors of the Sun Valley Water and Sewer District does hereby approve the division of the above-referenced four (4) parcels of real property situated within the LID into two (2) separate parcels each, and further approves the commensurate segregation and reapportionment of the LID Special Assessment heretofore levied and assessed against each of said four (4) parcels between the two divided portions of each, in the manner set forth in Section 2.0 of this Ordinance.

**Section 2.0 Amended Assessment Roll.** The original Special Assessment levied and assessed by the LID against said four (4) parcels of real property shall be segregated and apportioned on a pro rata basis according to area, levied against, and continue to be a lien upon both divided parts of each of said parcels, all in accordance with the provisions of Exhibit "B" hereto, which describes the area contained in the four (4) original parcels subject to the Special Assessment levy of the LID; the amount and date of the Special Assessment for each; a calculation of the area contained in, and a legal description of, the two (2) divided parts of each of said parcels; and the amount of the segregated and reapportioned Special Assessment chargeable to each part.

**Section 3.0 Recordation and Notice.** The Secretary of the District is hereby ordered to record a certified copy of this Ordinance in the official records of the Blaine County Recorder; provide such other and further information concerning the segregation and reapportionment of Special Assessments provided for herein as the Blaine County Assessor and/or Treasurer may reasonably request; and, by certified mail, shall provide the record owners of each parcel of real property subject to Special Assessment segregation and reapportionment a copy of this Ordinance.

**Section 4.0 Severability.** If any section, paragraph, clause or provision of this Ordinance/Resolution shall be held invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, clause or provision shall in no manner affect any remaining provision of this Ordinance.

**Section 5.0 Effective Date.** This Ordinance/Resolution shall be in full force and effect from and after its passage, approval and publication hereof.

PASSED by the Board of the Sun Valley Water and Sewer District, Blaine County, Idaho, this 21<sup>st</sup> day of February, 2012.

APPROVED:

By:

CHAIRMAN

ATTEST:

By:

DISTRICT SECRETARY

PUBLISH: On or before March 31, 2012.

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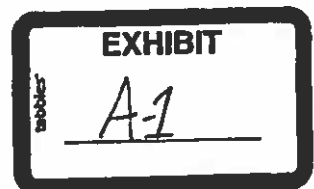
# **EXHIBIT "A"**

TOWNSHIP 4 NORTH RANGE 18 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO

Section 30: A parcel of land in the NESE, more particularly described as follows:

Commencing at the SE corner of said section 30; thence  
North 24°47' West 1647.53 feet to the TRUE POINT OF BEGINNING; thence  
North 04°43'20" East 150.00 feet along the easterly boundary of the Union Pacific  
RR right-of-way; thence  
South 85°40' East 283.40 feet to the westerly boundary of U.S. Highway 93; thence  
164.27 feet along a curve to the right of said Highway 93 boundary with a central  
angle of 08°27'23", a radius of 1113.00 feet and a long chord of 164.12 feet that  
bears South 28°40'06" West; thence  
North 85°16'40" West 216.78 feet to the TRUE POINT OF BEGINNING.

Also known as Tax Lot 6632



PARCEL 1 - RP04N180307340  
Owned by: David W. Harris

TOWNSHIP 4 NORTH, RANGE 18 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO

SECTION 30: A parcel of land, unsurveyed Tax Lot 2833, being more particularly described as follows:

Commencing at a point 1,440 feet North  $29^{\circ}39'$  West of the Southeast corner of Section 30 to a point; thence  
North  $06^{\circ}30'$  East 1,108 feet to a point, said point being the TRUE POINT OF BEGINNING; thence

North  $86^{\circ}17'$  East 296.5 feet to the Westerly boundary of State Highway 75;  
thence  
102.60 feet along a curve to the left, said curve having a central angle of  $05^{\circ}17'15''$ , a radius of 1,111.83 feet and a chord length of 102.57 feet that bears North  $15^{\circ}24'02''$  West to a highway right-of-way concrete monument; thence  
South  $85^{\circ}50'$  West 258 feet to a point on the East boundary of the vacated Union Pacific Railroad right-of-way (currently the Blaine County bike path); thence  
South  $06^{\circ}30'$  West 100 feet to the true point of beginning.

Also known as Tax Lot 7195



PARCEL 2 - RP04N180307360  
Owned by: Nathan Thornton and  
Sharma L. Walker Thornton

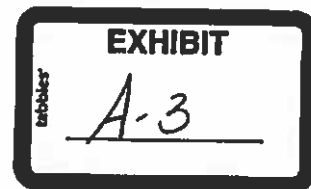
TOWNSHIP 4 NORTH, RANGE 18 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO

SECTION 30: A parcel of land more particularly described as follows:

Commencing at a brass cap marking the southeast corner said Section 30; thence North 17°15'01" West 2,179.97 feet to a ½ inch rebar by the P.L.S 3621 on the East boundary of the old U.P.R.R. right-of-way; thence North 05°04'34" East 209.82 feet along said East boundary of the old U.P.R.R. right-of-way to a ½" rebar marking the REAL POINT OF BEGINNING; thence

Continuing North 05°04'34" East 56.52 feet along said old U.P.R.R. right-of-way to a brass cap by O.T. Hansen at the Southwest corner of Tax Lot 7195; thence North 84°27'52" East 295.18 feet along the southerly boundary of said Tax Lot 7195 to the westerly boundary of Idaho State Highway No. 75; thence 46.96 feet around a non-tangential curve right with a radius of 1,113.00 feet, a central angle of 2°34'20" and a long-chord of 49.96 feet that bears South 12°13'50" East to a ½" rebar by P.L.S. 3621; thence South 83°22'22" West 311.47 feet along the North boundary of Tax Lot 7158 to the point of beginning.

Also known as Tax Lot 8042



PARCEL 3 – RP04N180307410  
Owned by: Matthew Thornton  
and Nathan Thornton

TOWNSHIP 4 NORTH, RANGE 18 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

Section 30:

A parcel of land situated in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ , more particularly described as follows:  
Beginning at a point on the East edge of the Union Pacific Railroad right of way 1440 feet North 29°30' West from the Southeast corner of Section 30; thence North 06°30' East a distance of 488.8 feet along the East edge of the Union Pacific Railroad right of way to the true point of beginning; thence at right angles in an Easterly direction approximately 298 feet to the West side of right of way of U.S. Highway 93; thence Southerly along the West boundary of right of way of U.S. Highway No. 93 a distance of approximately 50 feet; thence in a Westerly direction parallel to the Northern boundary of the property here described a distance of 283.6 feet to the East edge of the Union Pacific Railroad right of way; thence at right angles Northerly along said East edge of the Union Pacific right of way, a distance of 50 feet to the True Point of Beginning.

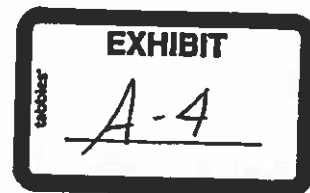
Also known as Tax Lot 8057

ALSO a parcel of land situated in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ , more particularly described as follows;  
Beginning at a point on the East edge of the Union Pacific Railroad right of way 1440 feet North 29°30' West from the Southeast corner of Section 30; thence North 06°30' East along the East boundary of said right of way 539.8 feet to the true point of beginning; thence North 06°30' East 100 feet; thence South 83°30' East 334.9 feet to the West boundary of U.S. Highway No. 93; thence Southerly along the West boundary of said highway approximately 105 feet; thence North 83°30' West 313 feet to the True Point of Beginning.

Also known as Tax Lot 8058

ALSO a parcel of land situated in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ , more particularly described as follows:  
Beginning at a point on the East edge of the Union Pacific Railroad right of way 1440 feet North 29° 30' West from the Southeast corner of Section 30; thence North 06°30' East a distance of 539.8 feet along the East edge of the Union Pacific Railroad right of way to the True Point of Beginning; thence at right angles in an Easterly direction 313 feet to the West side of right of way of U.S. Highway No. 93; thence Southerly along the West boundary of right of way of U.S. Highway No. 93 a distance of approximately 50 feet; thence in a Westerly direction parallel to the Northern boundary of property herein described, a distance of 298 feet, more or less, to the East edge of the Union Pacific Railroad right of way; thence at right angles Northerly along said East edge of the Union Pacific right of way, a distance of 50 feet to the True Point of Beginning.

Also known as Tax Lot 8059



PARCEL 4 - RP04N180307400  
Owned by: the Capik Family  
Trust in care of Bernard F.  
Gratton

# **EXHIBIT "B"**



**EXHIBIT "B"**

AMENDED ASSESSMENT ROLL FOR LOCAL IMPROVEMENT DISTRICT NO. 2008-1 OF THE SUN VALLEY WATER AND SEWER DISTRICT, BLAINE COUNTY, IDAHO.

Pursuant to its Ordinance No. 2012-1, the Sun Valley Water and Sewer District has consented to the subdivision of four (4) parcels of real property situated within its Local Improvement District No. 2008-1 into two (2) parcels each, and the segregation and reallocation of the outstanding balances of the LID Assessments originally levied against each between the divided parts thereof, in the following manner and amounts:

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1. Parcel No. 1: Parcel RP04N180307340 (a/k/a Blaine County Tax Lot 6632, situated in Section 30, T 4 N, R 18 EBM), owned by David W. Harris:
- (a) Original Parcel Size: .860 acre. (See Exhibit A-1).
  - (b) Subdivided Parcel Sizes:
    - (i) Parcel 1A (to be sold to ITD): .044 acre. (EXCEPTION to Exhibit B-1)
    - (ii) Parcel 1B (remainder of Parcel 1): .816 acre (See Exhibit B-1 attached hereto)
  - (c) Allocation of Outstanding Balances of LID Assessment for Original Parcel 1, including principal and accrued interest:
    - (i) Parcel 1A: Principal: \$ 2,816.69 – Accrued Interest: \$-0-
    - (ii) Parcel 1B: Principal: \$52,196.75 – Accrued Interest: \$-0-
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2. Parcel No. 2: Parcel RP04N180307360 (a/k/a Blaine County Tax Lot 7195, situated in Section 30, T 4 N, R 18 EBM), owned by Nathan Thornton and Sharma L. Walker Thornton:
- (a) Original Parcel Size: .635 acre. (See Exhibit A-2).
  - (b) Subdivided Parcel Sizes:
    - (i) Parcel 2A (to be sold to ITD): .016 acre. (EXCEPTION to Exhibit B-2)
    - (ii) Parcel 2B (remainder of Parcel 2): .619 acre (See Exhibit B-2 attached hereto)
  - (c) Allocation of Outstanding Balances of LID Assessment for Original Parcel 2, including principal and accrued interest:
    - (i) Parcel 2A: Principal: \$ 1,023.63 – Accrued Interest: \$-0-
    - (ii) Parcel 2B: Principal: \$39,596.74 – Accrued Interest: \$-0-
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3. Parcel No. 3: Parcel RP04N180307410 (a/k/a Blaine County Tax Lot 8042, situated in Section 30, T 4 N, R 18 EBM), owned by Matthew Thornton and Nathan Thornton:

- (a) Original Parcel Size: .366 acre. (See Exhibit A-3).
- (b) Subdivided Parcel Sizes:
  - (i) Parcel 3A (to be sold to ITD): .008 acre. (EXCEPTION to Exhibit B-3).
  - (ii) Parcel 3B (remainder of Parcel 3): .358 acre (See Exhibit B-3 attached hereto).
- (c) Allocation of Outstanding Balances of LID Assessment for Original Parcel 3, including principal and accrued interest:
  - (i) Parcel 3A: Principal: \$ 512.74 – Accrued Interest: \$-0-
  - (ii) Parcel 3B: Principal: \$22,899.95 – Accrued Interest: \$-0-

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4. Parcel No. 4: Parcel RP04N180307400 (a/k/a Blaine County Tax Lots 8057, 8058 and 8059, situated in Section 30, T 4 N, R 18 EBM), owned by Bernard F. Gratton, a married man as his sole and separate property AND Emil J. Capik and Barbara R. Capik, Co-Trustees of The Capik Family Trust dated April 20, 1994:

- (a) Original Parcel Size: 1.443 acres. (See Exhibit A-4)
- (b) Subdivided Parcel Sizes:
  - (i) Parcel 4A (to be sold to ITD): .0052 acre. (EXCEPTION to Exhibit B-4)
  - (ii) Parcel 4B (remainder of Parcel 4): 1.4378 acres (See Exhibit B-4 attached hereto).
- (c) Allocation of Outstanding Balances of LID Assessment for Original Parcel 4, including principal and accrued interest:
  - (i) Parcel 4A: Principal: \$ 3,323.07 – Accrued Interest: \$-0-
  - (ii) Parcel 4B: Principal: \$92,307.42 – Accrued Interest: \$-0-

APPROVED AND CONFIRMED by the Chairman of the Sun Valley Water and Sewer District, Blaine County, Idaho, this 21st day of February, 2012.

APPROVED:

By:

  
\_\_\_\_\_  
JAMES LOYD, CHAIRMAN  
BOARD OF DIRECTORS

ATTEST:

By:

  
\_\_\_\_\_  
DISTRICT SECRETARY

TOWNSHIP 4 NORTH RANGE 18 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO

Section 30: A parcel of land in the NESE, more particularly described as follows:

Commencing at the SE corner of said section 30; thence  
North 24°47' West 1647.53 feet to the TRUE POINT OF BEGINNING; thence  
North 04°43'20" East 150.00 feet along the easterly boundary of the Union Pacific  
RR right-of-way; thence  
South 85°40' East 283.40 feet to the westerly boundary of U.S. Highway 93; thence  
164.27 feet along a curve to the right of said Highway 93 boundary with a central  
angle of 08°27'23", a radius of 1113.00 feet and a long chord of 164.12 feet that  
bears South 28°40'06" West; thence  
North 85°16'40" West 216.78 feet to the TRUE POINT OF BEGINNING.

Also known as Tax Lot 6632

**EXCEPTING THEREFROM the  
following described real property:**

A parcel of land being a portion of Tax Lot 6632, as filed in the Blaine County Recorder's Office, located in the NE1/4 SE1/4 of Section 30, Township 4 North, Range 18 East, Boise Meridian, Blaine County, Idaho, more particularly described as follows:

COMMENCING at the southeast corner of said Section 30, monumented by a 3.25" brass cap (Corner Record No. 580111), from which the E1/4 corner of said Section 30, monumented by a 3" brass cap (Corner Record No. 573915) bears North 01°18'59" East a distance of 2690.06 feet;

Thence North 30°19'10" West, a distance of 1430.04 feet to the point of intersection of the westerly right of way line of SH-75 and the easterly right of way line of Hospital Drive (formerly the easterly right of way line of the Union Pacific Railroad (UPRR));

Thence North 46°13'46" East, coincident with said westerly right of way line of SH-75, a distance of 111.72 feet to the beginning of a tangent curve to the left;

Thence northeasterly, coincident with said westerly right of way line of SH-75, along the arc of said curve to the left, an arc distance of 253.19 feet, said curve having a radius of 1113.00 feet, a central angle of 13°02'02", and a chord bearing of North 39°42'45" East a distance of 252.64 feet to the southeasterly corner of said Tax Lot and the POINT OF BEGINNING;

Thence North 84°54'21" West, coincident with the southerly line of said Tax Lot, a distance of 13.57 feet to the beginning of a non-tangent curve to the left;

Thence northeasterly, along the arc of said curve to the left, an arc distance of 165.03 feet, said curve having a radius of 1104.00 feet, a central angle of 08°33'54", and a chord bearing of North 29°30'49" East a distance of 164.88 feet to the northerly line of said Tax Lot;

EXHIBIT

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B-1

Thence South  $84^{\circ}55'59''$  East, coincident with said northerly line, a distance of 11.85 feet to the northeasterly corner of said Tax Lot and the beginning of a non-tangent curve to the right;

Thence southwesterly, coincident with said westerly right of way line of SH-75, along the arc of said curve to ~~the right, an arc distance of 164.33 feet, said curve having a radius of 1113.00 feet, a central angle of  $08^{\circ}27'34''$ ,~~ and a chord bearing of South  $28^{\circ}57'57''$  West a distance of 164.18 feet to the POINT OF BEGINNING.

The above described parcel contains 0.044 acres or 1,901 square feet, more or less.

Highway Reference Station: (1356+37.29 To 1358+13.41).

Together with and subject to covenants, easements and restrictions of record.

The basis of bearings for this parcel is Grid North, Idaho State Plane Coordinate System.

TOWNSHIP 4 NORTH, RANGE 18 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO

SECTION 30: A parcel of land, unsurveyed Tax Lot 2833, being more particularly described as follows:

Commencing at a point 1,440 feet North 29°39' West of the Southeast corner of Section 30 to a point; thence North 06°30' East 1,108 feet to a point, said point being the TRUE POINT OF BEGINNING; thence

North 86°17' East 296.5 feet to the Westerly boundary of State Highway 75; thence

102.60 feet along a curve to the left, said curve having a central angle of 05°17'15", a radius of 1,111.83 feet and a chord length of 102.57 feet that bears North 15°24'02" West to a highway right-of-way concrete monument; thence South 85°50' West 258 feet to a point on the East boundary of the vacated Union Pacific Railroad right-of-way (currently the Blaine County bike path); thence South 06°30' West 100 feet to the true point of beginning.

Also known as Tax Lot 7195

**EXCEPTING THEREFROM** the following described real property:

A parcel of land being a portion of Tax Lot 7195, as filed in the Blaine County Recorder's Office, located in the NE1/4 SE1/4 of Section 30, Township 4 North, Range 18 East, Boise Meridian, Blaine County, Idaho, more particularly described as follows:

COMMENCING at the southeast corner of said Section 30, monumented by a 3.25" brass cap (Corner Record No. 580111), from which the E1/4 corner of said Section 30, monumented by a 3" brass cap (Corner Record No. 573915) bears North 01°18'59" East a distance of 2690.06 feet;

Thence North 30°19'10" West, a distance of 1430.04 feet to the point of intersection of the westerly right of way line of SH-75 and the easterly right of way line of Hospital Drive (formerly the easterly right of way line of the Union Pacific Railroad (UPRR));

Thence North 46°13'46" East, coincident with said westerly right of way line of SH-75, a distance of 111.72 feet to the beginning of a tangent curve to the left;

Thence northerly, coincident with said westerly right of way line of SH-75, along the arc of said curve to the left, an arc distance of 1160.65 feet, said curve having a radius of 1113.00 feet, a central angle of 59°44'55", and a chord bearing of North 16°21'19" East a distance of 1108.77 feet to the southeasterly corner of said Tax Lot 7195 and the POINT OF BEGINNING;

Thence South 84°27'19" West, coincident with the southerly line of said Tax Lot 7195, a distance of 7.31 feet to the beginning of a non-tangent curve to the left;

EXHIBIT

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Thence northerly, along the arc of said curve to the left, an arc distance of 58.13 feet, said curve having a radius of 1104.00 feet, a central angle of  $03^{\circ}01'01''$ , and a chord bearing of North  $14^{\circ}47'10''$  West a distance of 58.12 feet;

Thence North  $16^{\circ}17'41''$  West, a distance of 43.18 feet to the northerly line of said Tax Lot 7195;

Thence North  $84^{\circ}06'50''$  East, coincident with said northerly line, a distance of 6.03 feet to the northeasterly corner of said Tax Lot 7195 and the beginning of a non-tangent curve to the right;

Thence southerly, coincident with said westerly right of way line of SH-75, along the arc of said curve to the right, an arc distance of 101.60 feet, said curve having a radius of 1113.00 feet, a central angle of  $05^{\circ}13'48''$ , and a chord bearing of South  $16^{\circ}08'03''$  East a distance of 101.56 feet to the POINT OF BEGINNING.

The above described parcel contains 0.016 acres or 697 square feet, more or less.

Highway Reference Station: (1365+81.10 to 1366+85.86).

Together with and subject to covenants, easements and restrictions of record.

TOWNSHIP 4 NORTH, RANGE 18 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO

SECTION 30: A parcel of land more particularly described as follows:

Commencing at a brass cap marking the southeast corner said Section 30; thence North 17°15'01" West 2,179.97 feet to a ½ inch rebar by the P.L.S 3621 on the East boundary of the old U.P.R.R. right-of-way; thence North 05°04'34" East 209.82 feet along said East boundary of the old U.P.R.R. right-of-way to a ½" rebar marking the REAL POINT OF BEGINNING; thence

Continuing North 05°04'34" East 56.52 feet along said old U.P.R.R. right-of-way to a brass cap by O.T. Hansen at the Southwest corner of Tax Lot 7195; thence North 84°27'52" East 295.18 feet along the southerly boundary of said Tax Lot 7195 to the westerly boundary of Idaho State Highway No. 75; thence 46.96 feet around a non-tangential curve right with a radius of 1,113.00 feet, a central angle of 2°34'20" and a long-chord of 49.96 feet that bears South 12°13'50" East to a ½" rebar by P.L.S. 3621; thence South 83°22'22" West 311.47 feet along the North boundary of Tax Lot 7158 to the point of beginning.

Also known as Tax Lot 8042

**EXCEPTING THEREFROM** the following described real property:

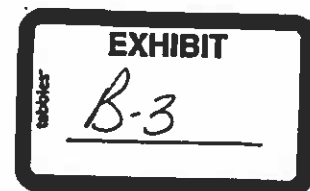
A parcel of land being a portion of Tax Lot 8042, as filed in the Blaine County Recorder's Office, located in the NE1/4 SE1/4 of Section 30, Township 4 North, Range 18 East, Boise Meridian, Blaine County, Idaho, more particularly described as follows:

COMMENCING at the southeast corner of said Section 30, monumented by a 3.25" brass cap (Corner Record No. 580111), from which the E1/4 corner of said Section 30, monumented by a 3" brass cap (Corner Record No. 573915) bears North 01°18'59" East a distance of 2690.06 feet;

Thence North 30°19'10" West, a distance of 1430.04 feet to the point of intersection of the westerly right of way line of SH-75 and the easterly right of way line of Hospital Drive (formerly the easterly right of way line of the Union Pacific Railroad (UPRR));

Thence North 46°13'46" East, coincident with said westerly right of way line of SH-75, a distance of 111.72 feet to the beginning of a tangent curve to the left;

Thence northerly, coincident with said westerly right of way line of SH-75, along the arc of said curve to the left, an arc distance of 1110.69 feet, said curve having a radius of 1113.00 feet, a central angle of 57°10'37", and a chord bearing of North 17°38'27" East a distance of 1065.18 feet to the southeasterly corner of said Tax Lot 8042 and the POINT OF BEGINNING;



Thence South  $83^{\circ}21'49''$  West, coincident with the southerly line of said Tax Lot 8042, a distance of 7.52 feet to the beginning of a non-tangent curve to the left;

Thence northerly, along the arc of said curve to the left, an arc distance of 50.07 feet, said curve having a radius of 1104.00 feet, a central angle of  $02^{\circ}35'55''$ , and a chord bearing of North  $11^{\circ}58'42''$  West a distance of 50.07 feet to the northerly line of said Tax Lot 8042;

Thence North  $84^{\circ}27'19''$  East, coincident with said northerly line, a distance of 7.31 feet to the northeasterly corner of said Tax Lot 8042 and the beginning of a non-tangent curve to the right;

~~Thence southerly, coincident with said westerly right of way line of SH-75, along the arc of said curve to the right, an arc distance of 49.96 feet, said curve having a radius of 1113.00 feet, a central angle of  $02^{\circ}34'18''$ , and a chord bearing of South  $12^{\circ}14'00''$  East a distance of 49.95 feet to the POINT OF BEGINNING.~~

The above described parcel contains 0.008 acres or 368 square feet, more or less.

Highway Reference Station: (1365+29.41 to 1365+82.12).

Together with and subject to covenants, easements and restrictions of record.

The basis of bearings for this parcel is Grid North, Idaho State Plane Coordinate System.



TOWNSHIP 4 NORTH, RANGE 18 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

Section 30:

A parcel of land situated in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ , more particularly described as follows:  
Beginning at a point on the East edge of the Union Pacific Railroad right of way 1440 feet North 29°30' West from the Southeast corner of Section 30; thence  
North 05°30' East a distance of 489.8 feet along the East edge of the Union Pacific Railroad right of way to the true point of beginning; thence  
at right angles in an Easterly direction approximately 298 feet to the West side of right of way of U.S. Highway 93; thence  
Southerly along the West boundary of right of way of U.S. Highway No. 93 a distance of approximately 50 feet; thence  
in a Westerly direction parallel to the Northern boundary of the property here described a distance of 283.6 feet to the East edge of the Union Pacific Railroad right of way; thence  
at right angles Northerly along said East edge of the Union Pacific right of way, a distance of 50 feet to the True Point of Beginning.

Also known as Tax Lot 8057

ALSO a parcel of land situated in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ , more particularly described as follows;  
Beginning at a point on the East edge of the Union Pacific Railroad right of way 1440 feet North 29°30' West from the Southeast corner of Section 30; thence  
North 06°30' East along the East boundary of said right of way 539.8 feet to the true point of beginning; thence  
North 08°30' East 100 feet; thence  
South 83°30' East 334.9 feet to the West boundary of U.S. Highway No. 93; thence  
Southerly along the West boundary of said highway approximately 105 feet; thence  
North 83°30' West 313 feet to the True Point of Beginning.

Also known as Tax Lot 8058

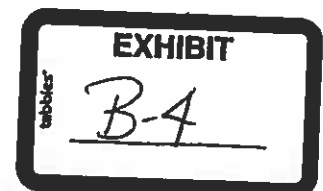
ALSO a parcel of land situated in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ , more particularly described as follows:  
Beginning at a point on the East edge of the Union Pacific Railroad right of way 1440 feet North 29°30' West from the Southeast corner of Section 30; thence  
North 06°30' East a distance of 539.8 feet along the East edge of the Union Pacific Railroad right of way to the True Point of Beginning; thence  
at right angles in an Easterly direction 313 feet to the West side of right of way of U.S. Highway No. 93; thence  
Southerly along the West boundary of right of way of U.S. Highway No. 93 a distance of approximately 50 feet; thence  
in a Westerly direction parallel to the Northern boundary of property herein described, a distance of 298 feet, more or less, to the East edge of the Union Pacific Railroad right of way; thence  
at right angles Northerly along said East edge of the Union Pacific right of way, a distance of 50 feet to the True Point of Beginning.

Also known as Tax Lot 8059

**EXCEPTING THEREFROM the following described real property:**

A parcel of land being a portion of parcel comprising Tax Lots 8057, 8058 and 8059, as filed in the Blaine County Recorder's Office, located in the NE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 30, Township 4 North, Range 18 East, Boise Meridian, Blaine County, Idaho, more particularly described as follows:

COMMENCING at the southeast corner of said Section 30, monumented by a 3.25" brass cap (Corner Record No. 580111), from which the E $\frac{1}{4}$  corner of said Section 30, monumented by a 3" brass cap (Corner Record No. 573915) bears North 01°18'59" East a distance of 2690.06 feet;



Thence North  $30^{\circ}19'10''$  West, a distance of 1430.04 feet to the point of intersection of the westerly right of way line of SH-75 and the easterly right of way line of Hospital Drive (formerly the easterly right of way line of the Union Pacific Railroad (UPRR));

Thence North  $46^{\circ}13'46''$  East, coincident with said westerly right of way line of SH-75, a distance of 111.72 feet to the beginning of a tangent curve to the left;

Thence northeasterly, coincident with said westerly right of way line of SH-75, along the arc of said curve to the left, an arc distance of 417.52 feet, said curve having a radius of 1113.00 feet, a central angle of  $21^{\circ}29'36''$ , and a chord bearing of North  $35^{\circ}28'58''$  East a distance of 415.07 feet to the southeasterly corner of Tax Lot 8057 and the POINT OF BEGINNING;

Thence North  $84^{\circ}55'59''$  West, coincident with the southerly line of said Tax Lot 8057, a distance of 11.85 feet to the beginning of a non-tangent curve to the left;

Thence northerly, along the arc of said curve to the left, an arc distance of 215.99 feet, said curve having a radius of 1104.00 feet, a central angle of  $11^{\circ}12'34''$ , and a chord bearing of North  $19^{\circ}37'35''$  East a distance of 215.65 feet to the northerly line of Tax Lot 8058;

Thence South  $84^{\circ}56'06''$  East, coincident with said northerly line of Tax Lot 8058, a distance of 10.15 feet to the northeasterly corner of said Tax Lot 8058 and the beginning of a non-tangent curve to the right;

~~Thence southerly, coincident with said westerly right of way line of SH-75, along the arc of said curve to the right, an arc distance of 215.56 feet, said curve having a radius of 1113.00 feet, a central angle of  $11^{\circ}05'48''$ , and a chord bearing of South  $19^{\circ}11'16''$  West a distance of 215.22 feet to the POINT OF BEGINNING.~~

The above described parcel contains 0.052 acres or 2,285 square feet, more or less.

Highway Reference Station: (1358+09.20 To 1360+35.82).

Together with and subject to covenants, easements and restrictions of record.

The basis of bearings for this parcel is Grid North, Idaho State Plane Coordinate System.