

MICHAEL J. VERBILLIS
Attorneys and Counselors at Law
601 E. Sherman Ave., Suite 3
P.O. Box 519
Coeur d'Alene, Idaho 83816-0519
Telephone: (208) 667-9475
Facsimile: (208) 664-1161
Idaho State Bar No. 1392

Attorney for Plaintiff

STATE OF IDAHO
COUNTY OF KOOTENAI
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CLERK DISTRICT COURT

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IDWR / NORTH

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF KOOTENAI

EILEEN ELLEN HAWLEY, a single woman,

Plaintiff,

vs.

The John and Sjoukje Bungen Family Trust,
John S. Bungen Trustee, Sjoukje Bungen
Trustee, Sjoukje Zimmerman Bungen Trustee,

and,

Unknown Devisees, Heirs, Successors or
Assigns; and all Unknown Claimants, their
Devisees, Successors, and Assigns to the Real
Property described in Exhibit A Attached
Hereto, and Parties Claiming Any Right to
Possession

Defendants.

CASE NO. CV-2015- 3479

COMPLAINT

Fee Category: A
Fee: \$221.00

Plaintiff, through her attorney, Michael J. Verbillis, alleges:

I.

Plaintiff and her predecessors in interest have been the owner of certain Real Property in Kootenai County more particularly described in a Metes and Bounds description attached herewith to this Complaint as "Exhibit A" as if fully set forth herein. The Plaintiff has been the owner and occupier of this property for several decades. Plaintiff is aware of an adjacent neighbor, the Defendants named herein, who claim ownership to a certain portion of the land

described in "Exhibit A". That specific portion of land, which is included and embraced within the description as set forth in "Exhibit A" contains a spring and piping and other improvements which provide domestic and irrigation water to the home where Plaintiff resides.

II.

Plaintiff and her predecessors in interests have, for over twenty-five (25) years been in actual, uninterrupted, exclusive, open and notorious, hostile, visible, and adverse possession of the property described in Exhibit "A" and in opposition to any and all claims of Defendant or any others. This occupation and ownership has been, under color of Title. The property described in Exhibit "A" has been have cultivated and used for residential purposes and animal pasture. Plaintiff and her predecessors in interest have appropriated all water from the spring located thereon and applied the same to beneficial use and have enclosed in a substantial fence all properly described in attached "Exhibit A" and have paid all taxes and assessments thereon for said period.

WHEREFORE;

Plaintiff prays for a judgment against all Defendants for quieting Title to the Real Property, in fee simple, described in "Exhibit A", costs, attorney's fees and other relief that may be deemed just by the Court.

DATED this 15 day of May, 2015.


MICHAEL J. VERBILLIS

State of Idaho)
 ss.
County of Kootenai)

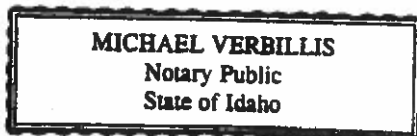
VERIFICATION

I, Eileen E. Hawley, verify that I have read the allegations contained in this verified Complaint and that, other than allegations made upon information and belief, the allegations are true to the best of my knowledge, and I believe that the allegations made upon information and belief are true.

DATED this 15 day of May, 2015

Eileen E. Hawley
Eileen E. Hawley

SUBSCRIBED and sworn to before me this 15 day of May, 2015.



Michael Verbillis
Notary Public for Idaho
Residing at CST
My Commission expires: 4/29/2016

EXHIBIT "A"

A parcel of land being that portion of the West 50 rods of Government Lots 1 and 2, lying East of the existing boundary line fence in Section 9, Township 52 North, Range 3 West, Boise Meridian, Kootenai County, Idaho; more particularly described as follows:

Commencing at the Northwest corner of said Section 9, monumented with an existing iron rod, ½ inch diameter with a plastic cap according to Corner Perpetuation and Filing Record Form on file under Instrument Number 2176189000, from which the North Quarter corner of said Section 9, monumented with an existing iron pipe, ¾ inch diameter with a plastic cap, according to Corner Perpetuation and Filing Record Form on file under Instrument Number 1390802, bears North 89°54'22" East, a distance of 2,788.03 feet;

thence along the North line of said Section 9, North 89°55'29" East, a distance of 824.99 feet to an existing iron rod, ½ inch diameter at the Northeast corner of the West 50 rods of said Government Lots 1 and 2;

thence along the East line of said West 50 rods of Government Lots 1 and 2, South 00°14'26" East, a distance of 15.93 feet to an East-West fence line, the Point of Beginning;

thence continuing along said East line of the West 50 rods of Government Lots 1 and 2, South 00°14'26" East, a distance of 2,606.87 feet to an existing East-West fence line;

thence along said East-West fence line, north 89°30'13" West, a distance of 2.52 feet to an existing fence corner;

thence along an existing North-South fence line, the following fifteen (15) courses:

- 1) North 04°14'06" West, a distance of 362.85 feet;
- 2) thence North 01°16'59" West, a distance of 61.07 feet;
- 3) thence North 00°27'52" East, a distance of 98.96 feet;
- 4) thence North 00°10'50" East, a distance of 162.96 feet;
- 5) thence North 02°37'13" East, a distance of 65.53 feet;
- 6) thence North 00°47'47" East, a distance of 120.32 feet;
- 7) thence North 00°15'45" East, a distance of 354.41 feet;
- 8) thence North 00°17'34" East, a distance 113.17 feet;
- 9) thence North 00°05'18" West, a distance of 207.70 feet;
- 10) thence North 01°16'48" East, a distance of 61.49 feet;

11) thence North $00^{\circ}02'40''$ West, a distance of 174.12 feet;

12) thence North $00^{\circ}55'30''$ East, a distance of 175.01 feet;

13) thence North $00^{\circ}17'34''$ East, a distance of 155.31 feet;

14) thence North $01^{\circ}04'20''$ East, a distance of 235.29 feet;

15) thence North $00^{\circ}03'27''$ East, a distance of 259.80 feet to an existing fence corner;

thence along an existing East-West fence line, North $89^{\circ}45'40''$ East, a distance of 2.35 feet to the Point of Beginning.