

RECEIVED

OCT 17 2011

DEPARTMENT OF
WATER RESOURCES

10/18

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

For Office Use Only
(\$25 fee per permit)

Receipt # 225 **SR4**

Date 10/17/2011

ASSIGNMENT OF PERMIT

To change the ownership of a permit

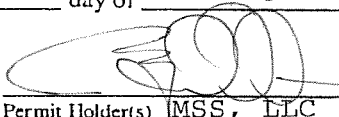
I, MSS, LLC an Idaho Limited Liability Company City of Jerome
of, 152 East Avneue A, Jerome, ID 83338
(Full address including city, state and ZIP) (Phone)

All my right, title, and interest in and to Permit No(s). 36-8234
to appropriate the public waters of the State of Idaho.

OR (for partial assignments)

The following described portion of my right, title, and interest in and to Permit
No(s). 36-8234, to appropriate the public waters of the State of Idaho.
(Describe in detail the portion of the permit assigned, listing the number of acres in each 40 acre
subdivision, point of diversion location, and amount of the water in cubic feet per second.)

Made this 16th day of August, 20 10.


Permit Holder(s) MSS, LLC by: MGR Title (if applicable)

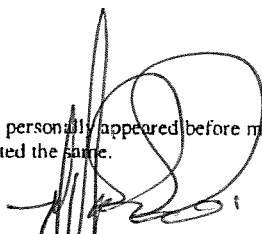
Permit Holder(s)

State of WASHINGTON
Idaho)
County of KINZ)ss

On this 16th day of August, 20 10, personally appeared before me the signer(s) of the above
instrument, who duly acknowledged to me that he/she/they executed the same.

SEA

My commission expires 7/1/2011


Notary Public residing at

COUNTY, WASHINGTON

Instrument # 2114740

JEROME COUNTY, JEROME, IDAHO

10-11-2011 01:57:59 No. of Pages: 5

Recorded for : LAND TITLE AND ESCROW

MICHELLE EMERSON

Fee: 22.00

Ex-Officio Recorder Deputy

Jackson

WARRANTY DEED

FOR VALUE RECEIVED,

MSS, LLC, an Idaho limited liability company, the "Grantor", does hereby grant, bargain, sell and convey unto the **CITY OF JEROME**, an Idaho municipal corporation, whose address is 152 East Avenue A, Jerome, Idaho 83338, the "Grantee", the following described real property located in Jerome County, Idaho, to wit:

PARCEL NO. 1:

A parcel of land located in Lots 2, 3 and Lot 19 "Common Area" of the AMENDED CROSSROADS OF IDAHO PUD PLAT, as the same is platted in the official plat recorded September 5, 1990, as Instrument Number 322328, Jerome County records, located in the N½NW¼ of Section 14, Township 9 South, Range 17 East of the Boise Meridian, Jerome County, Idaho, being more particularly described as follows:

Commencing at the Northwest corner of said Section 14;
Thence along the North boundary of said Section 14, North 89°48'28" East a distance of 674.05 feet;
Thence South 7°38'06" West a distance of 30.28 feet to the TRUE POINT OF BEGINNING;
Thence parallel to the North boundary of said Section 14, North 89°48'28" East a distance of 84.47 feet;
Thence South 0°11'32" East a distance of 75.00 feet;
Thence parallel to the North boundary of said Section 14, South 89°48'28" West a distance of 94.78 feet;
Thence North 7°38'06" East a distance of 75.71 feet to the TRUE POINT OF BEGINNING.

PARCEL NO. 2:

A parcel of land located in Lots 2, 3 and Lot 19 "Common Area" of the AMENDED CROSSROADS OF IDAHO PUD PLAT, as the same is platted in the official plat recorded September 5, 1990, as Instrument Number 322328, Jerome County records, located in the N½NW¼ of Section 14, Township 9 South, Range 17 East of the Boise Meridian, Jerome County, Idaho, being more particularly described as follows:

Commencing at the Northwest corner of Section 14;
Thence along the North boundary of said Section 14, North 89°48'28" East a distance of

674.05 feet;
Thence South 7°38'06" West a distance of 303.70 feet to the TRUE POINT OF
BEGINNING;
Thence parallel to the North boundary of said Section 14, North 89°48'28" East a distance
of 36.00 feet;
Thence South 7°38'06" West a distance of 70.66 feet;
Thence parallel to the North boundary of said Section 14, South 89°48'28" West a
distance of 36.00 feet;
Thence North 7°38'06" East a distance of 70.66 feet to the TRUE POINT OF
BEGINNING;

EXCEPT:

TOWNSHIP 9 SOUTH, RANGE 17 EAST OF THE BOISE MERIDIAN,
JEROME COUNTY

Section 14: A parcel of land specifically described as follows:

Commencing at the Northwest Corner of said Section 14;
Thence North 89°48'28" East, a distance of 674.05 feet;
Thence South 07°38'06" West, a distance of 322.80 feet;
Thence South 86°36'29" East, a distance of 35.79 feet to the REAL POINT
OF BEGINNING.
Thence South 86°36'29" East, a distance of 34.00 feet;
Thence South 03°23'31" West, a distance of 34.00 feet;
Thence North 86°36'29" West, a distance of 34.00 feet;
Thence North 03°23'31" East, a distance of 34.00 feet to the REAL POINT
OF BEGINNING.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the Grantee, its
successors, heirs and assigns forever. The Grantor does hereby covenant to and with the Grantee,
that it is the owner of the real property; that it will warrant and defend the same from all lawful
claims whatsoever, except as hereinabove specifically provided, and the specific exceptions listed
below:

1. Taxes for 2010 and subsequent years, a lien, but not yet due or payable.
2. Right of way for roads, canals, laterals and waste ditches as contained in an
Agreement by and between the State of Idaho, and the Twin Falls North Side Land and
Water Company, dated August 21, 1907, recorded in Book 15 Page 589, Jerome County

records.

3. Easements, conditions and restrictions contained in Quitclaim Deed between L. W. Lickley and Charlene Lickley; Albert Lickley and Lois Lickley; Ray Lickley and Donna Lickley, Nellie Lickley Lattimer, parties of the first part, and the State of Idaho by and through the Idaho Board of Highway Directors, the party of the second part, dated May 3, 1971, recorded June 8, 1971 in Book 182 Page 2251, as Instrument Number 189611, Jerome County records, affecting the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 15, the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 14 and the W $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 11, all in Township 9 South, Range 17, East Boise Meridian.

4. Terms and conditions of a Road Right-of-Way given by Nellie Lickley Lattimer, Louise LaNel Gibbons, Jeanette Rose Frazier, Lawrence Walton Lickley, Albert Charles Lickley and Virgil Ray Lickley, all dealing with their sole and separate property, to John Lickley, Linda Arrellano, Brenda Lickley recorded February 19, 1980 as Instrument Number 247577, Jerome County records, granting a permanent right-of-way and easement for the construction, maintenance and operation of a private roadway fifty feet in width centered upon the Section line extending between Section 11, Township 9 South, Range 17, East Boise Meridian and Section 14, Township 9 South, Range 17, East Boise Meridian, Jerome County, Idaho, and the use and benefit and for ingress and egress.

5. The effect of a Warranty Deed given by Ray Lickley, an unmarried person, as Grantor, to Keith Sligar, David R. Millard and Barbara L. Millard, Ronald L. Stanley and Margaret C. Stanley, as Grantees, recorded August 8, 1983 as Instrument Number 275392, Jerome County records, conveying all of my right, title and interest in and to all easements for roads and utilities, reserved or retained by me in other conveyances to the Grantees herein.

6. Master Declaration of Covenants, Conditions and Restrictions for Crossroads of Idaho Master Association, Inc., dated May 30, 1989, recorded June 9, 1989 as Instrument Number 316266, Jerome County records.

7. Agreement by and between Crossroads Enterprises, Inc., an Idaho corporation, and The County of Jerome, dated August 3, 1989, recorded August 30, 1989 as Instrument Number 317391, Jerome County records. ASSIGNMENT of Agreement between Crossroads Enterprises, Inc., an Idaho corporation, Assignor, and Crossroads of Idaho, Inc., an Idaho Corporation, Assignee, dated September 19, 1990, recorded September 20, 1990 as Instrument Number 322537, Jerome County records.

ASSIGNMENT for Security between Crossroads of Idaho, Inc., an Idaho corporation, Assignor, and West One Bank, Idaho, N.A., Assignee, dated September 19, 1990, recorded September 20, 1990 as Instrument Number 322538, Jerome County records.

AGREEMENT between The County of Jerome, and Jerome County Historical Society, Inc., dated April 9, 1990, recorded August 7, 1992 as Instrument Number 922672, Jerome County records.

ASSIGNMENT AGREEMENT ASSIGNED TO: Crossroads Water and Sewer Association, Inc., by an Assignment, dated and recorded April 13, 2001 as Instrument No. 2011699, records of Jerome County, Idaho.

8. Easements and set back lines as shown on the recorded plat.
9. Dedication of the Common Areas for utility easements as shown on the Amended Plat recorded September 5, 1990 as Instrument Number 322328, Jerome County records.
10. Sanitary Restrictions under Title 50 Chapter 13, Idaho Code as indicated on the recorded plat.
11. Power Line Easement given by Crossroads of Idaho, Inc., to Idaho Power Company, a corporation, dated August 10, 1990, recorded February 21, 1991 as Instrument Number 910562, Jerome County records, affecting the NW¼NW¼ of Section 14, Township 9 South, Range 17 East, Boise Meridian.
12. Power Line Easement given by Ronald L. Stanley, a partnership, to Idaho Power Company, a corporation, dated August 10, 1990, recorded February 21, 1991 as Instrument Number 910563, Jerome County records, affecting a portion of the NW¼NW¼ of Section 14, Township 9 South, Range 17, East Boise Meridian.
13. Terms, Conditions, and Restrictions in Option and Site Lease Agreement by and between MSS, LLC, an Idaho limited liability company "Landlord" and TW Wireless, LLC, "Tenant", as evidenced in Assignment and Assumption of Option and Site Lease Agreement dated June 1, 2006, recorded June 23, 2006 as Instrument Number 2063757, Jerome County records.
14. Terms, Conditions, and Restrictions as set forth in Assignment and Assumption of Option and Site Lease Agreement by and between Verizon Wireless and Mountain Union Telecom, LLC, dated June 1, 2006, recorded June 23, 2006 as Instrument Number 2063757, Jerome County records.
15. Annexation Agreement by and between The City of Jerome, an Idaho municipal corporation, and MSS, LLC, dated June 25, 2009, recorded July 1, 2009 as Instrument Number 2093242, Jerome County records.

16. Terms, Conditions, and Restrictions as set forth in an Agreement Between City of Jerome, Idaho, and MSS, LLC, for Municipal Water and Wastewater Services dated June 25, 2009 recorded July 1, 2009 as Instrument Number 2093243, Jerome County records.

DATED THIS 16th day of August, 2010.

"GRANTOR"

MSS, LLC
an Idaho limited liability company



By: RUSSELL D. MILLARD,
Member MANAGER

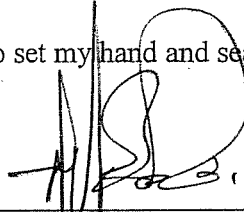
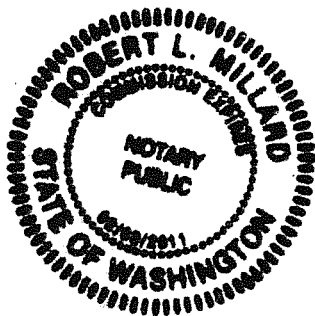
STATE OF ~~IDAHO~~ ^{WASHINGTON})

SS:

County of ~~Jerome~~ ^{KING})

On this 16th day of August, 2010, before me, the undersigned, a Notary Public in and for said County and State, personally appeared RUSSELL D. MILLARD, ^{MANAGER} Member of MSS, LLC, an Idaho limited liability company, known to me to be such ~~member~~ ^{MANAGER} and the person whose name is subscribed to the within and foregoing instrument, and who acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal, the day and year in this certificate first above written.



NOTARY PUBLIC for ~~Idaho~~ ^{WASHINGTON}
Residing at: COVINGTON, WASHINGTON
Commission Expires: 2/3/2011

TRUE POINT
OF BEGINNING

N 89° 48' 28" E - 5278.32'

648.83'

744.3'

Fd. 5/8" pin
set 2" pipe

275.64'

172.08'

67.39'

Lot (3)

Well site

N 0° 11' 32" W

60.00'

Lot (2)

N 7° 38' 06" E - 415.40'
Lot (16) Common Area
N 7° 38' 06" E - 324.55'

INCLUDED

N 89° 48' 28" E - 593.64'

2524'

180.75'

Lot (15) Access Rd. Common Area

N 89° 48' 28" E - 591.00'

S 63° 54' 15" W
16.69'

N 0° 03' 48" W - 357.96'

S 0° 03' 48" E - 380.67'

N 27° 51' 27" W
30.00'

N 62° 08' 37" E
187.89'

N 27° 51' 27" W
30.00'

N 19° 38' 35" W
43.80'

N 19° 38' 35" W
43.79'

Lot (7)

C-6

C-7

C-8

C-9

C-10

N 89° 48' 28" E
2'

Lot (10)

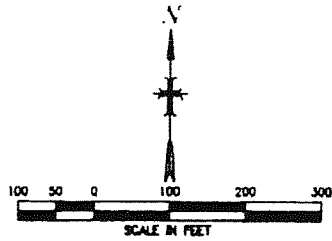
N 89° 48' 28" E

EXHIBIT C

A PORTION OF N1/2, NW1/4 SECTION 14
TOWNSHIP 9 SOUTH, RANGE 17 EAST, BOISE MERIDIAN
JEROME COUNTY, IDAHO
2009

LEGEND

- | | |
|---------------|---------------|
| _____ | Property Line |
| _____ | Lot Line |
| - - - - - | Easement Line |
| _____ - - - - | Section Line |
| _____ - - - - | Center Line |



EXHIBIT

