

Silverstone Business Park  
T 3N, R 1E, Section 21

2-21-04  
ADA COUNTY RECORDER J. DAVID NAVARRO  
BOISE IDAHO 05/18/04 02:27 PM  
DEPUTY Bonnie Oberbillerig  
RECORDED--REQUEST OF  
Ada County Highway Dist.  
AMOUNT .00

3



104061330

(Reserved for Ada County Recorder)

### WARRANTY DEED

THIS INDENTURE, made this 17<sup>th</sup> day of May, 2004,  
SUNDANCE INVESTMENTS LIMITED PARTNERSHIP the "GRANTOR" and ADA  
COUNTY HIGHWAY DISTRICT, a body politic and corporate of the State of Idaho, the  
"GRANTEE";

### WITNESSETH:

FOR VALUE RECEIVED, the GRANTOR has granted, conveyed, bargained and sold,  
and does hereby grant, bargain, sell, convey and confirm to the GRANTEE and its successors  
and assigns forever, that certain real property situated in the COUNTY OF ADA, STATE OF  
IDAHO, more particularly described on Exhibit "A" attached hereto and by this reference made a  
part hereof,

TOGETHER with all and singular the buildings, structures, improvements and fixtures thereto,  
the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining,  
the reversion and reversions, remainder and remainders, and rents, issues and profits thereof (the  
"Premises").

SUBJECT TO general taxes and assessments for the current year which are not yet due  
and payable, easements of record or obvious on a physical inspection of the Premises, any  
recorded reservation of oil and/or mineral rights and covenants of record.

Subject to those exceptions to title to which this conveyance is expressly made subject  
and those made, suffered or done by the GRANTEE: (a) the GRANTOR covenants to the  
GRANTEE, its successors and assigns, that the GRANTEE shall enjoy the quiet and peaceful  
possession of the Premises; and (b) GRANTOR warrants to the GRANTEE, its successors and  
assigns, that GRANTOR is the owner of said Premises in fee simple and has the right and  
authority to convey the same to GRANTEE, and GRANTOR will defend the GRANTEE's title  
from all lawful claims whatsoever.

The current address of the GRANTEE is:

Ada County Highway District  
318 East 37th Street  
Garden City, Idaho 83714-6499

IN WITNESS WHEREOF, this WARRANTY DEED has been duly executed by and on behalf of the GRANTOR, the day, month and year herein first above written.

Sundance Investments Limited Partnership

  
Chris Anderson, Vice President

STATE OF IDAHO )  
 ) ss.  
County of Ada )

On this 17 day of May, 2004, before me, Don R. Neer, a Notary Public in and for the State of Idaho, personally appeared Chris Anderson, known or identified to me to be one of the partners of the partnership of Sundance Investments Limited Partnership, and the partner who subscribed said partnership name to the foregoing, and acknowledged to me that they executed the same in said partnership name.

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



Notary Public for Idaho  
Residing at: Meridian, ID  
My commission expires: 2/2/07

## EXHIBIT "A"

A parcel of land located in the NE1/4 of the NW1/4 of Section 21, Township 3 North, Range 1 East, Boise Meridian, Ada County, Idaho and described as follows:

Commencing at a brass cap monument marking the NE corner of said NE1/4 of the NW1/4, thence along the North line of said NE1/4 of the NW1/4 N89°14'20"W a distance of 1332.52 feet to a 5/8 inch rebar marking the NW corner of said NE1/4 of the NW1/4, thence leaving said North line and along the West line of said NE1/4 of the NW1/4 S00°13'16"W a distance of 543.53 feet to a point, thence leaving said West line S89°46'44"E a distance of 358.76 feet to the POINT OF BEGINNING;

Thence S89°13'46"E a distance of 470.48 feet to a point;  
Thence S00°54'58"W a distance of 448.22 feet to a point;  
Thence N66°26'21"W a distance of 32.70 feet to a point;  
Thence N53°55'32"W a distance of 57.05 feet to a point;  
Thence N50°45'42"W a distance of 253.35 feet to a point;  
Thence N44°03'29"W a distance of 274.89 feet to a point;  
Thence parallel with said West line of said NE1/4 of the NW1/4 N00°13'16"E a distance of 50.03 feet to the POINT OF BEGINNING.

Said parcel contains 2.89 acres more or less and is subject to all existing easements and rights-of-ways of record or implied.



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BOISE IDAHO 06/18/04 02:27 PM  
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**RESOLUTION NO. 705  
FOR  
VACATION AND ABANDONMENT**

**BY THE ADA COUNTY HIGHWAY DISTRICT COMMISSIONERS: JOHN S. FRANDEN  
DAVID E. WYNKOOP, SUSAN S. EASTLAKE, SHERRY R. HUBER AND DAVE BIVENS.**

A RESOLUTION VACATING A PARCEL OF LAND KNOWN AS THE OVERLAND ROAD DETENTION BASIN AND A 20 FOOT WIDE ACCESS EASEMENT LOCATED IN THE EAST ½ OF THE NORTHWEST ¼ OF SECTION 21 T.3N., R.1E., BOISE MERIDIAN, ADA COUNTY, IDAHO.

WHEREAS, THE ADA COUNTY HIGHWAY DISTRICT ADOPTED FINDINGS OF FACTS AND CONCLUSIONS OF LAW DATED MAY 5, 2004, FINDING THAT THE VACATION OF A PARCEL OF LAND KNOWN AS THE OVERLAND ROAD DETENTION BASIN AND A 20 FOOT WIDE ACCESS EASEMENT LOCATED IN THE EAST ½ OF THE NORTHWEST ¼ OF SECTION 21 T.3N., R.1E., BOISE MERIDIAN, ADA COUNTY, IDAHO IS IN THE PUBLIC INTEREST.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE ADA COUNTY HIGHWAY DISTRICT THAT:

Vacation – A parcel of land known as the Overland Road Detention Basin and a 20 foot wide access easement located in the East ½ of the Northwest ¼ of Section 21 T.3N., R.1E., Boise Meridian, Ada County, Idaho.

SEE EXHIBITS "A, B, C AND D"  
(WHICH BY ATTACHMENT BECOMES APART HERETO.)

Subject to the Following:

- a. Subject to retention of the public and private utility easements, drainage easements, irrigation easements and/or other easements of record or not of record or in use upon or under said described public right-of-way and/or the provisions for the relocation or replacement of existing facilities.
- b. Costs associated with relocation or replacement of existing easements and facilities shall be borne by the applicant with approval of the applicable utility or agency.
- c. As payment in full for vacation and abandonment of the Overland Road Detention Basin and a 20 foot wide access easement located in the East ½ of the Northwest ¼ of Section 21 T.3N., R.1E., Boise Meridian, Ada County, Idaho, the applicant shall dedicate, provide and construct a new detention basin of

more or less equal size and value and an access easement of more or less equal size and value to ACHD. In addition the Silverstone plat will be recorded simultaneously with resolution 705. If the plat is not recorded then vacation of the parcels of land will not occur and no further action will occur until such time as the plat and the resolution can be recorded simultaneously.

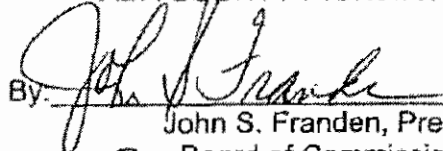
BE AND SAME IS HEREBY VACATED AND ABANDONED UNTO THE ADJACENT AND ABUTTING PROPERTY OWNER AS FOLLOWS:

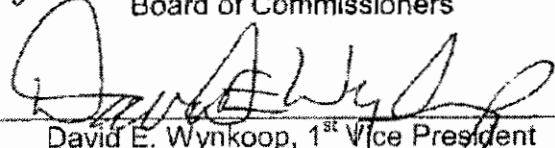
TO THE ADJACENT PROPERTY OWNERS AS DESCRIBED IN ATTACHED LEGAL DESCRIPTIONS (EXHIBITS C AND D):

Sundance Investments Limited Partnership L.L.C.  
9100 W. Black eagle Drive  
Boise, Idaho 83709

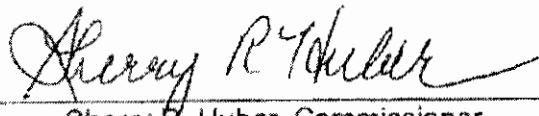
Dated this 5<sup>TH</sup> day of May 2004.

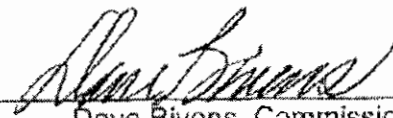
ADA COUNTY HIGHWAY DISTRICT

By:   
John S. Franden, President  
Board of Commissioners

By:   
David E. Wynkoop, 1<sup>st</sup> Vice President  
Board of Commissioners

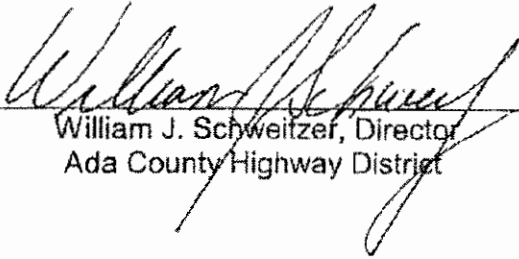
By:   
Susan S. Eastlake, 2<sup>nd</sup> Vice President  
Board of Commissioners

By:   
Sherry R. Huber, Commissioner  
Board of Commissioners

By:   
Dave Bivens, Commissioner  
Board of Commissioners

ATTEST:

By:

  
William J. Schweitzer, Director  
Ada County Highway District

STATE OF IDAHO )

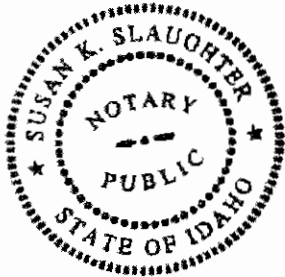
) ss

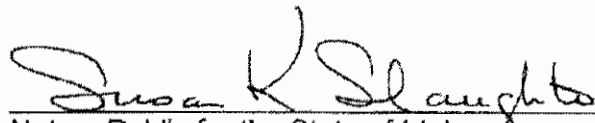
COUNTY OF ADA )

On this 5th day of May 2004 before me, a notary public in and for said State, personally appeared John S. Franden, David E. Wynkoop, Susan Eastlake, Sherry R. Huber and Dave Bivens and known to me to be the Board of Commissioners, respectively, of the Ada County Highway District and that they executed this instrument on behalf of said Highway District for the purposes therein stated.

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

(SEAL)



  
Notary Public for the State of Idaho  
Residing at Boise, Idaho  
My Commission Expires: 4-8-2009

# VICINITY MAP AND SITE LOCATION

EAGLE RD.

OVERLAND RD.

DETENTION BASIN  
AND EASEMENT  
TO BE VACATED

EXHIBIT "A"

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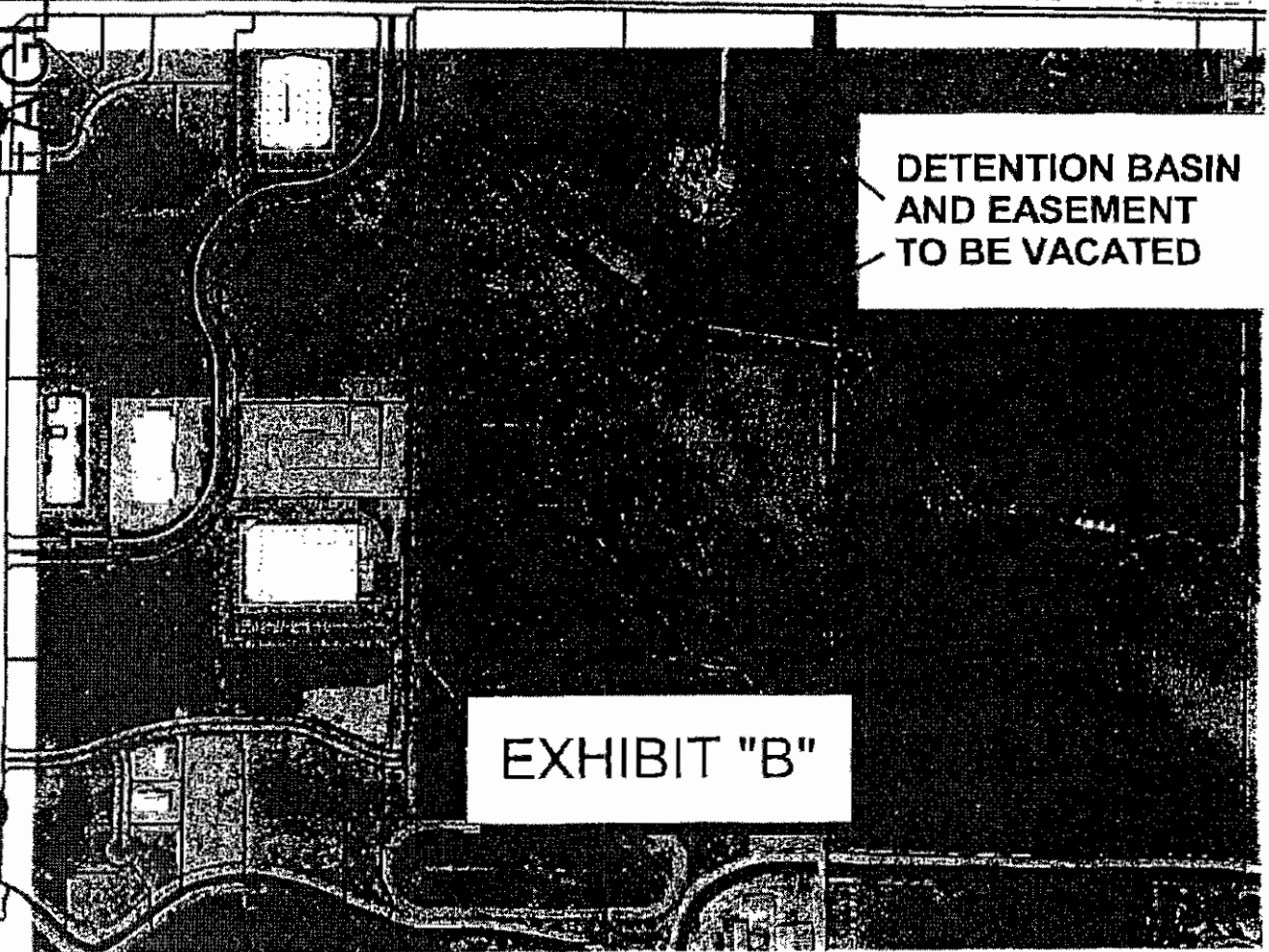
# AERIAL VIEW

EAGLE RD.

OVERLAND RD.

DETENTION BASIN  
AND EASEMENT  
TO BE VACATED

EXHIBIT "B"



OVERLAND ROAD DETENTION BASIN

BASIN SITE LEGAL DESCRIPTION.

A parcel of land located in the East  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of Section 21, T. 3 N., R. 1 E., Boise Meridian, Ada County, Idaho, more particularly described as follows;

Commencing at the North  $\frac{1}{4}$  corner of said Section 21, thence  $S0^{\circ}10'13''W$  along the  $\frac{1}{4}$  Section line a distance of 809.05 feet to the Point of Beginning:

Thence continue  $S0^{\circ}10'13''W$  along said  $\frac{1}{4}$  Section line a distance of 301.53 feet; thence  $N80^{\circ}32'53''W$  a distance of 390.95 feet; thence North a distance of 281.98 feet; thence  $N56^{\circ}19'57''E$  a distance of 104.33 feet; thence  $S71^{\circ}07'17''E$  a distance of 316.75 feet to the Point of Beginning, containing 2.89 Acres, more or less.

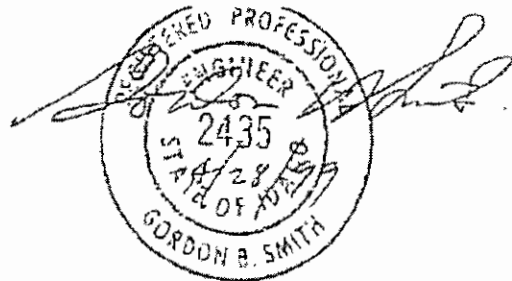


EXHIBIT "C"

OVERLAND ROAD DETENTION BASIN

ACCESS EASEMENT LEGAL DESCRIPTION

A parcel of land 20 feet in width located in the East ½ of the Northwest ¼ of Section 21, T. 3 N., R. 1 E., Boise Meridian, Ada County, Idaho, more particularly described as follows;

Commencing at the North ¼ corner of said Section 21, thence S01°10'13"W along the ¼ Section line a distance of 25.00 feet to the South line of Overland Road and the Point of Beginning;

Thence continue S0°10'13"W along said ¼ line a distance of 784.05 feet; thence N71°07'17"W a distance of 21.12 feet; thence N0°10'13"E a distance of 777.48 feet to the South line of Overland Road; thence S39°15'33"E along said South line a distance of 20.00 feet to the Point of Beginning, containing 0.36 Acres, more or less.



EXHIBIT "D"