

**WORLEY HIGHWAY DISTRICT BOARD OF COMMISSIONERS**  
**REGULAR MEETING**  
**January 22, 2025**  
**9:00 A.M.**

**MINUTES**

Commissioner Phil Cooper called the meeting to order at 9 a.m. with Commissioner George Miller and Commissioner Corinne Johnson present. Also, present were Director, Kevin Howard, Deputy Director, Dustin Howe, Clerk Charyl Ragan, and Deputy Clerk Jennifer Weeks.

Guests: Angie Comstock, Braiden Markham, Susan Weeks, Barrett Milhorn, Seth Milhorn

**APPROVAL OF AGENDA**

Miller moved to approve the agenda. Johnson seconded. Cooper concurred. The motion passed unanimously.

**CONFLICTS OF INTEREST ON AGENDA**

Phil Cooper, Corinne Johnson, and George Miller each indicated no conflicts of interest with any item on the agenda.

**APPROVAL OF MINUTES**

Miller moved to approve the minutes of the December 11, 2024 meeting, Johnson seconded. Cooper concurred. The motion passed unanimously.

**PUBLIC COMMENTS AND GUEST INTRODUCTIONS**

None

**Public Hearing- Vacation/Abandonment Rd #443**

Cooper opened the hearing at 9:08 a.m. on the petition to vacate and abandon a portion of Road #443.

Attorney Susan Weeks, appointed as the Hearing Officer, spoke to the following items: She informed the Board that this is a legal process as outlined in Idaho code 40-203 and explained the abandonment/vacate proceeding as set forth in the statute. She informed those present of the parameters of this quasi-judicial process. While the Board cannot answer questions, they may take testimony to assist them in their fact finding. She indicated that 3 commissioners were present. All those present were requested to complete a public hearing form and submit it to Mrs. Weeks if they desire to testify.

Director Howard presented the Staff report along with the Petition to vacate and abandon a portion of Road #443 which was entered into the record as Exhibit A.

Susan Weeks opened public testimony at 9:25 am.

Seth Milhorn stated that he is Thankful for the opportunity to request this vacation/abandonment and hopeful that the board will approve it.

At 9:28, with no other testimony requests, Susan Weeks closed the public testimony portion of the hearing, and the Board proceeded to deliberations.

After deliberations, Chairman Cooper moved to adopt the staff recommendation on the petition to vacate/abandon road #443. Miller seconded. Johnson concurred. The motion passed unanimously.

## BOARD OF COMMISSIONERS REGULAR MEETING MINUTES

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The board requested time to consider all the information presented during the hearing and discuss it at the next board meeting on February 26, 2025. Jennifer took roll, Johnson, aye, Miller, aye, and Cooper aye. The hearing was closed at 9:48 am.

### **OLD BUSINESS**

#### **Staff Report**

##### **Kootenai County Community Development**

##### **Farup Estates (Cottonwood Rd & Farup Rd) MIN 20-0099, minor subdivision:**

Mylars have been presented for signature, owners were informed they need to pay all fees prior to the board signing. The fees were not paid, therefore the mylars were not signed.

##### **Clemetson Woods (Clemetson Rd) MIN22-0056, minor subdivision:**

No additional information this month.

##### **Serenity View (Fox Haven Rd) MIN22-0028, 3 lot minor subdivision:**

The district's review and comments have been noted to Kootenai County. The district's comments have been addressed except for payment of the "Payment in Lieu of Construction" (PILC) fees of \$7500. This fee is due prior to the signing of the final plat. Shall be recorded by 12/23/25 per Koot. Co. IMS.

##### **Belisle Landing (Hwy 95, Horned Owl Rd.) MIN24-0032, 2-lot minor subdivision:**

Staff notified the developers representative of Viewer's Report right-of-way through the subject parcel. Review fees paid 1-21-2025, the district will proceed with review.

##### **Dana Estates (Rockford Heights) MIN24-0040, 3-lot minor subdivision:**

The district's review and comments have been noted to Kootenai County. The district's comments have been addressed except for payment of the "Payment in Lieu of Construction" (PILC) fees. This fee is due prior to the signing of the final plat.

#### **WHD Construction Projects**

##### **Rockford Box Culvert:**

Below is a quick summary of the next steps this spring:

- Advertisement #1 Monday 1/27
- Advertisement #2 Monday 2/3
- Pre-bid conference Wednesday 2/5 at 9am at Worley
- Bid opening Thursday 2/13 at 9am at Worley
- Engineer's recommendation of award by Wednesday 2/19
- Board approval of award Wednesday 2/26
- NOA to contractor ASAP

Seeking Board approval to move forward with the aforementioned schedule.

Miller moved to proceed with the aforementioned schedule. Johnson seconded; Cooper concurred. The motion passed unanimously.

##### **Rockford Bay Road/Loffs Bay Road (W) Intersection:**

Miller moved to sign the LHTAC summary report as the project is complete. Johnson seconded. Cooper concurred. The motion passed unanimously.

**Greensferry Guardrail, Key No. 23285:**

The State/Local Agreement is before the Board for signature. The motion was made and passed to sign the agreement at the December 11, 2024 board meeting. With the SLA signed and payment match made, then the project can go to bid. Preliminary project for 2025, pending LHTAC funds availability.

**Kidd Island Road (Phase II):**

JUB is working on the Draft Scope of Work (SOW) to be reviewed and approved by LHTAC. Upon approval, a contract for design serviced will be the next step.

**Cougar Gulch Road:**

Maintenance and repairs have been made to the silt fence by the contractor. The next step to minimize potential erosion is the removal of material sluffing into the ditch line on the uphill side of the road.

**WHD Misc. Projects**

**Koth Road ROW Status:**

Kevin Howard will meet with the district's legal counsel, Susan Weeks on Thursday 1-23-2025.

**CDA Tribe, Lake Creek Project:**

A project meeting is scheduled for February 11<sup>th</sup> in preparation for the 2025 planned installation(s).

**Work progress Report**

The staff had an annual Christmas lunch on December 12<sup>th</sup>.

Little snow accumulation in December, crew plowed, sanded and magged when needed.

Windy conditions occurred several times this month. Crews cleared debris then cleaned up when necessary.

Josh led a discussion with mag crew on application rates and location.

The crew installed new mag tanks in the Worley yard.

Elder Rd @ US 95 intersection received a new drain tile pipe to relieve water from coming through the roadbed causing potholes in roadway.

All gravel roads have received pothole repair at least once. With the worse roads receiving attention several times.

Chris Vanderhoof's retirement party was on December 19<sup>th</sup>.

We had a little snowstorm on Saturday January 4<sup>th</sup> requiring all crew to plow and sand.

There were a few minor storms requiring some plowing and sanding.

**Planned work for this coming Month**

Winter maintenance, Brushing with man lift with weather permitting, Cleaning Mica shop

**In The Shops**

Deputy Director Dustin Howe has prepared a shop report for the board.

**NEW BUSINESS**

**1. Road and Street Report**

The clerk informed the board that the annual road and street report has been filed electronically as required.

**2. Adopt and Ratify Resolution 2024-09 Support of Rockford Bay Rd STBG Rural Project**

Miller moved to adopt and ratify Resolution 2024-09 Support of Rockford Bay Rd. STBG Rural Project. Johnson seconded. Cooper concurred. The motion passed unanimously.

\*See Attached Resolution.

Jennifer called roll, Johnson aye, Miler, aye and Cooper aye.

**3. Personnel Policy Manual Revision**

The Director, Deputy Director, Clerk and Deputy clerk reviewed and revised the personnel policy manual, the district's attorney has reviewed and provided feedback. It is being presented today to the board to adopt the new personnel policy manual effective 1/22/2025.

Miller moved to adopt the revised personnel policy manual, effective 1/22/2025. Johnson seconded. Cooper concurred. The motion passed unanimously.

**4. Accounts Payable**

Miller moved that the bills be approved as presented on the A/P register. Johnson seconded. Cooper concurred. The motion passed unanimously.

**5. Upcoming Meetings:**

February 13, 2025 KMPO 1:30 pm

February 26, 2025 Board meeting 9 am

**6. Commissioner Comments:**

none

**ADJOURNMENT**

Citing no further business, Miller moved to adjourn the meeting at 10:40 a.m. Johnson seconded the motion. Cooper concurred. The motion passed unanimously.

RESPECTFULLY SUBMITTED:

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JANUARY 22, 2025  
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Jennifer Weeks  
Jennifer Weeks, Deputy Clerk

APPROVED BY:

Phil Cooper  
Phil Cooper, Chair

2/26/2025  
Date



**WORLEY HIGHWAY DISTRICT**  
**RESOLUTION 2024-09**  
**SUPPORT OF ROCKFORD BAY ROAD STBG RURAL PROJECT**

**WHEREAS**, the Board of Commissioners of Worley Highway District, Kootenai County, Idaho shall adopt this resolution in support of the Project Identification Submittal to the Local Highway Technical Assistance Council (LHTAC) in the request for Local Federal-aid Incentive Program- STBG-Rural, to upgrade Rockford Bay Road; Section, Vertical Curves and Horizontal Curves by means of reconstruction.

**WHEREAS** the Rockford Bay Road Project is estimated to cost up to Three Million Dollars (\$3,000,000) will require a Seven and Thirty-Four One Hundredths percent (7.34%) match of Two Hundred Twenty Thousand Two Hundred Dollars (\$220,200) from the Worley Highway District. Sums beyond that amount will require additional approval from the Worley Highway District Board of Commissioners.

**NOW THEREFORE BE IT RESOLVED** That Chairman of the Board of Commissioners, PHIL W. COOPER, is hereby authorized and directed to sign the Rockford Bay Road project identification packet and submit to the Local Highway Technical Assistance Council (LHTAC) for prioritization.

Dated this 11th day of December, 2024.

WORLEY HIGHWAY DISTRICT  
BOARD OF COMMISSIONERS

  
\_\_\_\_\_  
PHIL W. COOPER, CHAIRMAN

ATTEST:   
JENNIFER WEEKS, DEPUTY CLERK

## **WORLEY HIGHWAY DISTRICT**

### ***STAFF REPORT PREPARED FOR THE BOARD OF COMMISSIONERS***

*Regarding the request of HMillhorn LLC to abandon and vacate a portion of Road No. 443, Worley-State Line Road, as dedicated in the Northwest Quarter of Section 27 and the Southwest Quarter of the Section 22, Township 47 North, Range 5 West, Boise Meridian, Kootenai County, Idaho.*

**Hearing scheduled January 22, 2025**

### ***I. ROAD ABANDONMENT AND VACATION STATUTORY AUTHORITY***

#### **APPLICABLE CODE**

Idaho Code Title 40, Chapter 2.

#### **RELEVANT PROVISIONS OF STATUTE**

Idaho Code § 40-203 provides in relevant part:

Abandonment and vacation of... highway district system highways or public rights-of-way.

(1) A board of... highway district commissioners, ... shall use the following procedure to abandon and vacate any highway or public right-of-way in the ... highway district system including those which furnish public access to state and federal public lands and waters:

(b) Any resident, or property holder, within a county or highway district system including the state of Idaho, any of its subdivisions, or any agency of the federal government may petition the respective commissioners for abandonment and vacation of any highway or public right-of-way within their highway system. ...

(g) At the hearing, the commissioners shall accept all information relating to the proceedings. Any person, including the state of Idaho or any of its subdivisions, or any agency of the federal government, may appear and give testimony for or against abandonment.

(h) After completion of the proceedings and consideration of all related information, the commissioners shall decide whether the abandonment and vacation of the highway or public right-of-way is in the public interest of the highway jurisdiction affected by the abandonment or vacation. The decision whether to abandon and vacate the highway or public right-of-way shall be written and shall be supported by findings of fact and conclusions of law.

(i) If the commissioners determine that a highway or public right-of-way parcel to be abandoned and vacated in accordance with the provisions of this section has a fair market value of two thousand five hundred dollars (\$2,500) or more, a charge

may be imposed upon the acquiring entity, not in excess of the fair market value of the parcel, as a condition of the abandonment and vacation; provided, however, no such charge shall be imposed on the landowner who originally dedicated such parcel to the public for use as a highway or public right-of-way; and provided further, that if the highway or public right-of-way was originally a federal land right-of-way, said highway or public right-of-way shall revert to a federal land right-of-way.

(j) The commissioners shall cause any order or resolution to be recorded in the county records and the official map of the highway system to be amended as affected by the abandonment and vacation.

(2) No highway or public right-of-way or parts thereof shall be abandoned and vacated to leave any real property adjoining the highway or public right-of-way without access to an established highway or public right-of-way. The burden of proof shall be on the impacted property owner to establish this fact.

## ***II. ROAD ABANDONMENT AND VACATION PROCESS***

### **INITIATION**

As allowed by I.C. § 40-203, HMillhorn LLC, an Idaho limited liability company, filed a Petition for Abandonment and Vacation of Right-of-Way executed at the December 11, 2024, general meeting seeking abandonment and vacation of a portion of dedicated right-of-way identified as Road No. 443, Worley-State Line Road, lying in the Northwest Quarter of Section 27 and the Southwest Quarter of Section 22, Township 47 North, Range 5 West, Boise Meridian, Kootenai County, Idaho. A copy of the Petition with supporting maps and documents is attached as Appendix A. The Board scheduled a public hearing as required by statute and directed staff to prepare a staff report for the Board as allowed by statute. Road No. 443, as it exists today, is identified as W. Chatcolet Road.

### **PUBLIC NOTICE**

1. Legal notice was placed in the Coeur d'Alene Press as required by statute.
2. A notification was mailed to landowners abutting the road as required by statute and to landowners within 300 feet of the right-of-way who own land through which the road passes.

### **PUBLIC COMMENT**

Any written public comment received before the public hearing will be provided to the Board.

### **HEARING PROCESS**

1. The Chairman opens the public hearing. The Chairman can appoint the District Attorney as the hearing officer for the public hearing.
2. The Director of Highways presents the Staff Report.

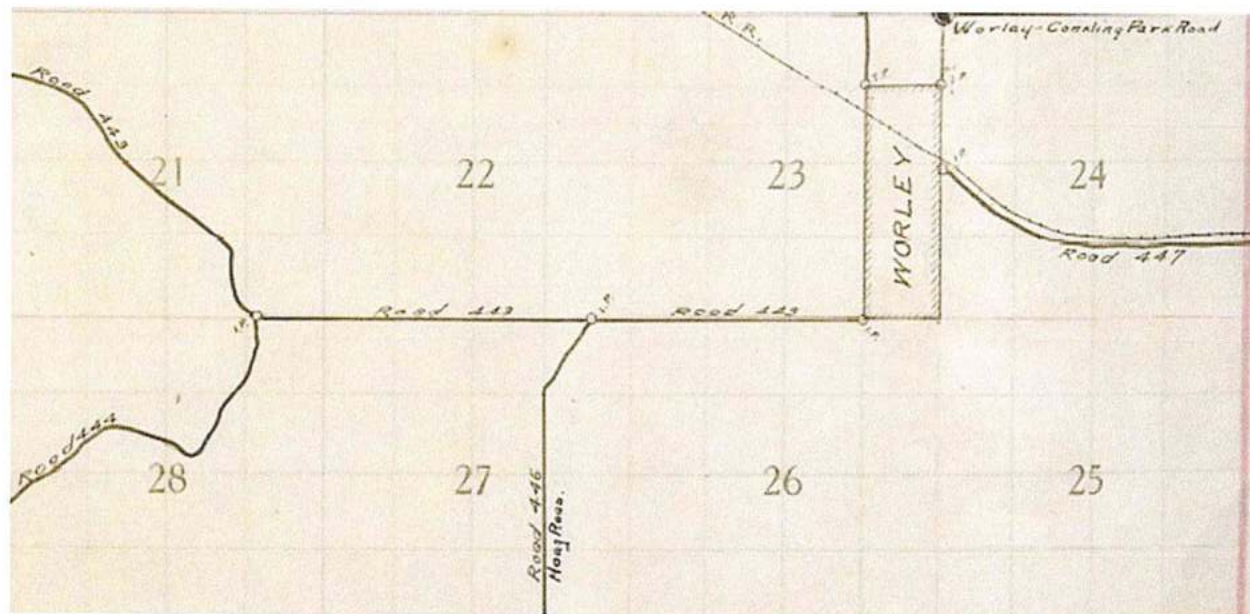


3. The Board asks any questions it has of staff.
4. The Petitioners present their Petition.
5. Anyone who wishes to testify is given that opportunity. This hearing is quasi-judicial, and its purpose is for the Board to be presented with evidence, including testimony, for its use during deliberations. Testimony is not an opportunity for the public to ask the Board questions.
6. The Chairman and/or district attorney reads any written comments received into the record.
7. The Petitioners are allowed a rebuttal presentation.
8. The Chairman or hearing officer closes the public hearing.
9. The Board may deliberate on the Petition or continue the hearing to a future date.
10. Staff prepares findings of facts, conclusions of law, and an order for the Board's consideration at its next meeting consistent with the Board's deliberations and motion.

## ***II. BACKGROUND AND FACTS REGARDING ROAD NO. 443***

### **ROAD LOCATION**

This Petition concerns Road No. 443, Worley-Stateline Road. According to the Kootenai County Road Index, sometimes called "Old County Road Book 1888-1946", this road was declared a public highway in July 1914. *See* Appendix B. It commenced on the shared section line between the Southwest Quarter of the Southeast Quarter of Section 23 and the Northwest Quarter of the Northeast Quarter of Section 26 at the town site of Worley. It traversed westerly until it terminated on the shared section line between the Southeast Quarter of the Southeast Quarter of Section 21 and the Northeast Quarter of the Northeast Quarter of Section 28 in Township 47 North, Range 5 West, Boise Meridian, as depicted below. *See* Appendix B.



The Kootenai County Board of Commissioners ordered the county surveyor to prepare a survey of Road No. 443. *See Appendix C.* The county surveyor prepared a survey of Road No. 443 on July 7, 1914. *See Appendix C.*

This portion of Kootenai County falls within an Indian reservation. Those holding allotments granted Kootenai County a right-of-way for Road No. 443. *See Appendix D.* On August 29, 1917, the Department of Interior approved the right-of-way grants for various roads, including Road No. 443, for a forty-foot width road across specified allotment lands. *See Appendix D.*

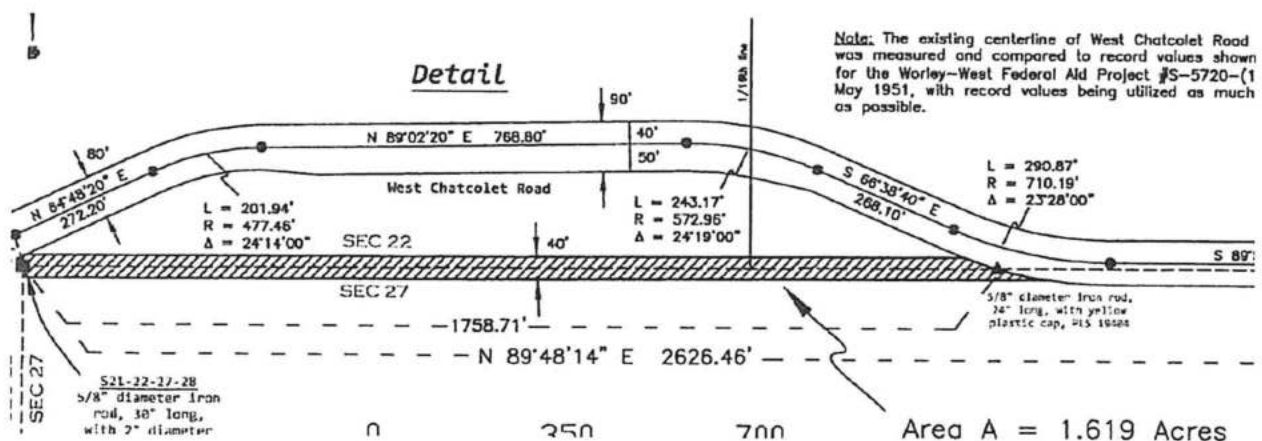
On June 29, 1923, the Unity Highway District prepared a map of the right-of-way that traversed through Indian Allotment #618, then held by Anna Porier, in the Northwest Quarter of Section 21. This map also depicted the portion of Road No. 443 described above lying outside the Northwest Quarter of Section 21. *See Appendix E.*

A map in the records of Kootenai County entitled "Worley State Line System of Highways Across Indian Lands, Kootenai County, Idaho" was obtained from Kootenai County. It includes the allotment information relative to certain roads, including Road No. 443. *See Appendix F.* An index of allottees accompanied the map. *See Appendix G.*

In May 1951, a federal aid project, identified as Federal Aid Project No. S-5720-(1) was proposed. *See Appendix H.* This project realigned Road No. 443 through the Southeast Quarter of the Southwest Quarter of Section 22 and the Southwest Quarter of the Southwest Quarter of Section 22. *See Appendix H, Sheet 4.*

As part of the realignment, Kootenai County, in June 1951, purchased a strip of land in the South half of the Southwest Quarter of Section 22, Township 47 North, Range 5 West, Boise Meridian, to realign Road No. 443 (now known as W. Chatcolet Road) from Ida May Hay, and paid her \$648.00 for the purchase. *See Appendix I.*

Petitioner is requesting abandonment and vacation of that portion of Road No. 443, which is no longer used due to the road realignment through the Southwest Quarter of Section 22 and the Northwest Quarter of Section 27, which consists of 1.619 acres. *See Appendix J.* This area is depicted below.



## CURRENT STATUS OF ROAD

This portion of Road No. 443 has been unused since the federal aid project. West Chatcolet Road is maintained along the alignment established in 1951 and constructed in 1952.

### **HEARING DELIBERATIONS**

The Board must address three matters in an abandonment and vacation proceeding. The first is whether granting the Petition to abandon and vacate leaves any real property adjoining the public right-of-way without access to an established highway or public right-of-way. If so, the highway or public right-of-way may not be abandoned and vacated.

If the abandonment and vacation do not leave any parcel without access to a public highway or a public right-of-way, then the Board must decide if abandonment and vacation is in the public interest. There is no specific set of factors that a Board must consider in determining whether an abandonment and vacation is in the public interest. The Board may consider whatever factors it wishes to address but must address the public interest in its deliberations. Factors the Board has considered in the past are whether the right-of-way was previously abandoned and vacated, whether the right-of-way has a constructed travel path being used to serve adjacent or non-adjacent parcels, whether the area is likely to develop in the foreseeable future and require the use of the right-of-way, whether it is feasible to construct a road meeting highway district standards within the right-of-way, and the cost of constructing a road meeting highway district standards given the topographic features of the land over which the right of way crosses.

Finally, if the Board is inclined to grant a petition for abandonment and vacation that does not landlock any parcel, it must address whether the abandoned and vacated right-of-way has a fair market value of \$2,500 or more. If the Board determines that the fair market value is \$2,500 or more, it may, but is not required to, charge the party acquiring the right-of-way. The Board has historically used one of three valuation methods to assist in this determination. One is to utilize the bare land value set by Kootenai County. Another is to utilize a Competitive Market Analysis (CMA) from a realtor. A third approach is to utilize an appraised value.

### **STAFF'S COMMENTS**

Staff found no evidence that this portion of Road No. 443 was ever abandoned and vacated before or after the 1951 federal aid project.

Turning to the first decision point. Staff finds no indication that abandonment and vacation of this segment of Road No. 443 will leave any land without access to a public road. Chatcolet Road, as it now exists, provides access to the parcels that abut this segment of Road No. 443.

Turning to the second decision point, staff would suggest that it is in the public's interest to abandon and vacate this segment of Road No. 443. West Chatcolet Road, as now constructed, is the best travel path for the public because it is maintained by the District and traveled by the public. The segment of Road No. 443 requested to be abandoned and vacated is unlikely to be developed as a public road, given the federal aid realignment in 1951. Given its realignment, it does not serve the public interest to retain this right-of-way because it is unlikely to be of utility in the future.



Turning to the third decision point, 1.619 acres of land would be vacated and abandoned. Petitioner owns the property on each side of the section line.

Typically, staff recommends utilizing assessed value as the most reasonable means of determining fair market value of the vacated right-of-way. However, in this instance, the Petitioner provided the first page of a Real Estate Purchase and Sale Agreement for the adjacent properties, which shows in October 2023, the property sold for \$3,978.30 per acre. This page is included with the staff report as Appendix K.

In light of these values, staff recommends that the Peitioner be required to pay \$3,978.30 per acre for the vacated right-of-way, for a total of \$6,440.87.

In the Board's decision, staff recommends the Board set the following conditions on the abandonment and vacation if granted:

1. Petitioner must reimburse the District for any direct expenses above the \$1,000 petition deposit, including costs of notice, publication and professional fees;
2. Petitioner must pay the District the value set by the Board as fair market value before entry of an order abandoning and vacating the right-of-way; and
3. Rights-of-way or easements shall be reserved for the continued use of existing sewer, gas, water, or similar pipelines and appurtenances, or other underground facilities as defined in section 55-2202, Idaho Code, for ditches or canals and appurtenances, and for electric, telephone and similar lines and appurtenances are reserved in accordance with Idaho Code § 40-203(3).

#### **OTHER POSSIBLE ACTIONS**

1. Table the matter to a specified date to re-open the public hearing to accept additional evidence.
2. Table the matter to a specified date for further deliberation.

*Respectfully submitted January 21, 2025.*

*Kevin Howard*  
Director of Highways

#### **APPENDICES:**

Appendix A: Petition to Abandon and Vacate a Portion of Road No. 443

Appendix B: County Road Book select pages

Appendix C: Viewer Report Survey

Appendix D: Release of Damages and Deed to Right-of-Way approved by Department of Interior

Appendix E: Unity Highway Map

Appendix F: Worley State Line System of Highways Across Indian Lands

Appendix G: Index of Allottee Grants for Highways

Appendix H 1951 Federal Aid Project No. S-5720-(1)

Appendix I: Right of Way Deed

Appendix J: Petitioner's Exhibit of Requested Area of Abandonment

Appendix K: Real Estate Purchase and Sale Agreement page



**Petition to Vacate Road**

This petition is being written to the Worley Highway District by HMillhorn LLC, requesting that the District vacates "Area A" on the attached "Exhibit A". To be clear, the hatched area is known as "Area A" and runs along the section line, as is the area we are requesting the District to vacate. In addition to a graphical presentation of said "Area A", a written legal description for said "Area A" can also be found on "Exhibit A".

HMillhorn LLC is the adjoining landowner of the area being petitioned to be vacated, therefore we are requesting that upon vacation the area be deeded to HMillhorn LLC. Said area would then be absorbed into the ownership of the surrounding land, as this is the most practical outcome of the vacation.

As can be seen on the attached documents titled, "Release of Damages and Deed to Right-of-Way", "Area A" was deeded to the Worley Highway District as a county road #443 in either 1915 or 1916 depending on which document is used (93876 or 93878). Regardless, the road was never built in the deeded area along the section line as intended, but was built slightly off the section line as can be seen on both "Exhibit A" as well as on the "Worley-West Federal Aid Project No. S-5720-(1)" which states the road was constructed in 1952. The details of why the road was not built along the section line in "Area A" are not clear, however it is clear that "Area A" should no longer be needed by the Worley Highway District.

Thank you for considering our petition.

X 

Seth Millhorn

Representative of HMillhorn LLC



Old County Road Book  
1888-1946

NUMBER-INDEX  
COUNTY ROADS  
KOOTENAI COUNTY  
IDAHO

APPENDIX B



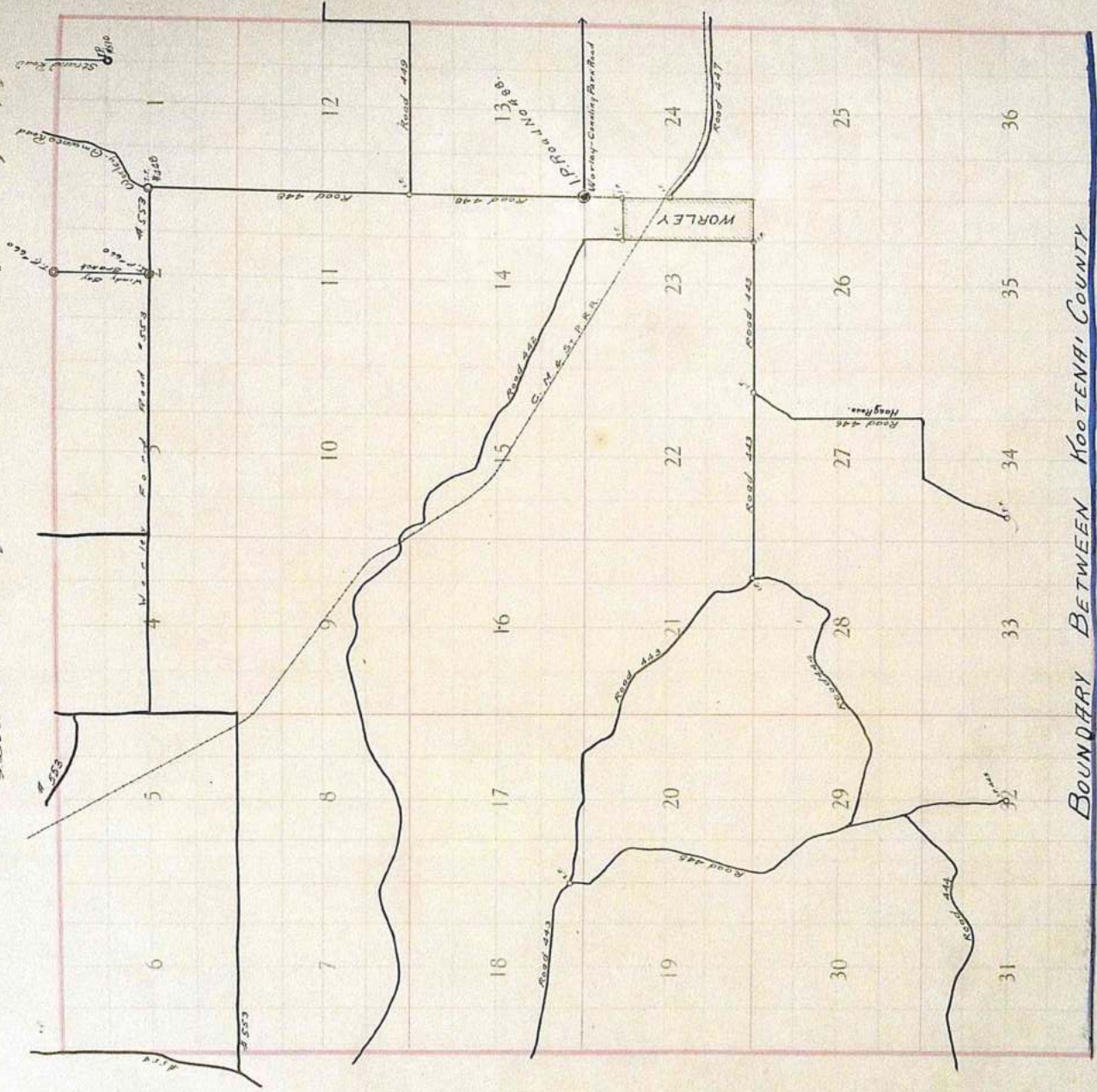
## Number-Index of County Roads, Kootenai County, Idaho

Transferred To	NO.	NAME	WHEN SURVEYED	WHEN DECLARED HIGHWAY	Commissioner's Record BOOK	PAGE	REMARKS	Field Notes Book	Notes Page
Benevolence	410	Little Branch	Aug 1913	declared 1-5-1915					
	411	Catella Road #2	Aug 1914	1-5-1915					
	412	Rockford Bay - State Line	Sept 1913						
	413	Lighting Creek	Apr 1914						
	414	And Bay	Sept 1913	1-5-1915					
	415	Doubling Road	Sept 1913	1-5-1915					
	416	Wells Road	Apr 1914	1-5-1915					
	417	Build So Branch	Sept 1913						
	418	" "							
	419	Kelle Gulch		declared 1-5-1915					
	420	Kate Road		declared 1-5-1915					
	421	Atch-Bayview	May 1914	1-5-1915					
	422	Spencer Bay - Harrison	Nov 1913						
	423	Spencer Bay	July 1914						
	424	Spencer Bay							
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Township 47 North, Range 5 W B.M., Kootenai County, Idaho

*Letters below refer to Road Book figures refer to page*



BOUNDARY BETWEEN KOOTENAI COUNTY  
BENEWAH COUNTY.

WORLEY-STATE LINE ROAD OR ROAD NO. 443.

Beginning at the southwest corner of the Worley townsite which is  $\frac{1}{4}$  mile west of the corner to sections 23, 24, 25 & 26, T. 47 N. R. 5 W. B. M. I take the townsite corner monument for the initial point of the road. Said monument is a cement block with iron bolt in center. Thence:

- |                                 |               |   |
|---------------------------------|---------------|---|
| I. P. West                      | 10548.0 feet. | West along road on section line to a point 1330 feet west of the corner to sections 21, 22, 27, 28, T. 47 N. R. 5 W. B. M. Ground rolling but grade does not exceed 8%. |
| R. 1. N. $48^{\circ}42'W.$ -2%  | 223.1 feet.   | Enter plowed field, and follow on east side of ravine.  |
| R. 2. N. $16^{\circ}44'W.$ -2%  | 255.8 "       | Along edge of grain on east side of draw. From R. 2 a pine 8" diam. bears S. $81^{\circ}44'W.$ 30.9 feet, marked R. 2 B. T.   |
| R. 3. N. $3^{\circ}30'W.$ -1%   | 343.7 "       | Along east edge of draw.  |
| R. 4. N. $17^{\circ}25'W.$ -1%  | 340.5 "       | Same as above.  |
| R. 5. N. $55^{\circ}52'W.$ -1%  | 431.0 "       | Through edge of grain field near draw.  |
| R. 6. N. $50^{\circ}20'W.$ 00%  | 991.0 "       | Along right side of water course.   |
|                                 |               | Below the grain most of the course.   |
| R. 7. N. $45^{\circ}52'W.$ -1%  | 297.9 "       | Along gentle side slope below grain.  |
| R. 8. N. $27^{\circ}27'W.$ -2%  | 403.8 "       | Same. From R. 8, the center of section 21, T. 47 N. R. 5 W. bears N. $40^{\circ}05'E.$ , 643.3 feet distant.  |
| R. 9. N. $33^{\circ}32'W.$ -1%  | 971.0 "       | Through grainfield most of the course.  |
|                                 |               | Follow near water course on the east side.  |
| R. 10. N. $64^{\circ}42'W.$ 00% | 235.0 "       | Along edge of grain field near water course.  |
| R. 11. N. $39^{\circ}56'W.$ -3% | 169.2 "       | Same as above.  |



WORLEY-STATE LINE ROAD Continued.

R. 12. N. 30°20'W. 00% 461.0 feet.	Along edge of grain field near water course. From R. 12 a pine 10" diam. bears N. 75°19'W. 148.7 feet distant.
R. 13. N. 50°21'W. -1% 297.6 "	Cross small draw and continue along right side of water course.
R. 14. N. 66°35'W. 00% 409.8 "	Along edge of grain.
R. 15. N. 89°43'W. 00% 373.0 "	Same as above.
R. 16. S. 80°24'W. 00% 441.7 "	Same as above.
R. 17. N. 56°26'W. -2% 167.7 "	Along gentle side slope.
R. 18. N. 27°10'W. -1% 469.6 "	Across low ground to left side of water course.
R. 19. N. 45°16'W. 00% 759.3 "	Along west side of water course over low ground.
R. 20. S. 89°47'W. +1% 334.5 "	Along old road on section line.
R. 21. S. 89°47'W. 00% 981.3 "	Same as above.
R. 22. N. 89°53'W. -5% 141.0 "	Same as above. R. 22 is at the $\frac{1}{4}$ sec. corner between sections 17 and 20, T. 47 N. R. 5 W. B. M.
R. 23. N. 70°12'W. +1% 357.8 "	Cross draw and follow along old road. Gentle side slope. This course leaves section line because of low ground.
R. 24. N. 86°40'W. 00% 684.0 "	Along old road on gentle south side slope.
R. 25. N. 81°19'W. -1% 357.2 "	Same as above.
R. 26. N. 77°44'W. -1% 517.0 "	Along old road on gentle south side slope. Cross small draw.
R. 27. N. 86°44'W. 00% 606.2 "	Along old road on gentle south side slope.
R. 28. N. 72°55'W. +1% 322.5 "	Same as above.
R. 29. N. 56°01'W. -1% 712.2 "	Along old road.
R. 30. N. 82°25'W. 00% 550.2 "	Same as above.
R. 31. N. 89°29'W. -1% 1124.9 "	Leave old road to the left to get below spring leaving it between road and house. From R. 31 a stake bears N. 38°34'W. 40 feet, marked W. S.

WORLEY - STATE LINE ROAD Continued.

R. 32. N.  $80^{\circ} 58' W.$  +1% 473.5 feet. Across plowed ground. Gentle south side slope. R. 32 is near a barn.

R. 33. N.  $73^{\circ} 21' W.$  00% 445.2 " Across plowed ground. Gentle south side slope. From R. 33 a stake bears S.  $65^{\circ} 35' W.$  204.3 feet distant marked R. 33, B. S.

R. 34. N.  $80^{\circ} 05' W.$  +1% 565.0 " Along gentle rocky side slope.

R. 35. N.  $79^{\circ} 59' W.$  -3% 383.5 " Same as above.

R. 36. N.  $75^{\circ} 49' W.$  00% 866.4 " Cross grain field.

R. 37. N.  $77^{\circ} 02' W.$  00% 624.7 " Through grain field along gentle side slope. From R. 37 the corner to sections 13, 18, 19, and 24, T. 47 N. Rs. 5 & 6 W. bears South, 1527.6 feet.

R. 38. N.  $74^{\circ} 34' W.$  -1% 732.2 " Through grain field along gentle south side slope.

R. 39. S.  $73^{\circ} 33' W.$  00% 1151.2 " Same as above.

R. 40. S.  $80^{\circ} 17' W.$  -1% 926.6 " Through field of grain.

R. 41. N.  $70^{\circ} 32' W.$  00% 464.3 " Medium south side slope. Mostly rock.

R. 42. N.  $69^{\circ} 21' W.$  -2% 373.0 " Same as above. This course extends to the T. P. which is a stake on or near the Idaho-Washington state line marked R. T. P. from which the 68 M. P. on the state line which is an iron post, bears S.  $0^{\circ} 10' E.$  794.1 feet.

SURVEYOR'S CERTIFICATE.

I hereby certify that the above notes of the survey of the centerline of the Worley-State Line Road, or Road No. 443 as made on the 7th day of July, 1914, are true and correct, and the same was made by order of the commissioners of the County of Kootenai, State of Idaho.

*A. Q. Modlin*

County surveyor.

Deputy.



Find this

day of

191

County

Names.	Description.	#	Sec.	Town.	Road No. 442. WORLEY-STATELINE SYSTEM.	R. Length.	Width.	Acres.	Value.	Damage.	Benefit.	Assessed.	Remarks.
Mary Louise Kanaslau.	NW4 SE4,	498	23	47	5	1675 ft.	30 ft.	1.375 X	\$137.40	\$0.00	\$137.40	\$0.00	Appearing after tabulation indicates that the acreage as given is the total amount taken by all highways across that allotment.
Martine Marshall.	NE4 of NW4,	499	23	47	5	20 "	30 "	1.827 X	182.70	0.00	182.70	0.00	
Isadore (Dec.)	SE4 of SE4,	498	14	47	5	1320 "	20 "	1.214 X	91.05	0.00	91.05	0.00	
Louise Peane	SE of SW4,	485	14	47	5	2912.5	40	1.843	129.56	0.00	129.56	0.00	
Susan Mosshell	NW4 of SW4,	485	14	47	5	2045.2	40	2.043	108.10	0.00	108.10	0.00	
Mary Louise Peane	SE SE,	485	15	47	5	1598.4	40	1.46	87.60	0.00	87.60	0.00	
Mary Abraham	NE SE	485	15	47	5	1453.7	40	1.35	79.80	0.00	79.80	0.00	
Pe-ell Abraham	SW4	485	15	47	5	3641.3	40	3.74	100.20	0.00	100.20	0.00	
Ignace Brown	SW4	479	10	47	5	279	40	2.79	7.10	0.00	7.10	0.00	
Lucy Phillips.	SW4	426	9	47	5	2779.7	40	2.85	72.00	0.00	72.00	0.00	
Martine Sherwood	SE4	513	8	47	5	2973.8	40	2.75	81.90	0.00	81.90	0.00	
Cecile Paschal	SW4	511	8	47	5	2735.7	40	2.51	75.30	0.00	75.30	0.00	
Amie Sherwood	SE4 of SE4	513	7	47	5	1386.5	40	3.073 X	92.37	0.00	92.37	0.00	
Mary Gregory	SW4 SE4, SE4 SW4,	515	7	47	5	2547.	40	2.34	70.20	0.00	70.20	0.00	
Amie Vallee	NE SW4,	507	7	47	5	1486.8	40	3.185 X	95.49	0.00	95.49	0.00	
ROAD No. 443. WORLEY-STATELINE SYSTEM.													
Mary Louise Kanaslau,	SW4 SE4,	498.	23	47	5	Included assessment road No. 442.							
Pierre Hieschah	NE NE,	497	26	47	5	1319.	20	.603	30.30	0.00	30.30	0.00	
Phillip Kanaslau	NE SW,	495	23	47	5	1319	40	1.212	60.60	0.00	60.60	0.00	
George Nixon	NE NE,	239	27	47	5	1318	20	1.210 X	60.60	0.00	60.60	0.00	
Andrew Sijohn	SW4,	408	21	47	5	1082.7	40	1.073	80.47	100.00	9.57	171.10	
Lucy G. "	NW4,	407	21	47	5	2713.0	40	2.49	166.75	0.00	166.75	0.00	
Josephette Geo	SE4,	412	17	47	5	1315.8	20	.604	36.24	0.00	36.24	0.00	
Joseph Garrick	NW4,	473	20	47	5	141.	20	2.743 X	216.17	100.00	168.17	\$11.00	This award is on account of road 445
Mary Louise	SW4,	472	17	47	5	2522.2	40	2.529 X	127.95	100.00	227.95	0.00	
Daniel Whatham	NE SW SE,	413	18	47	5	2079.2	40	2.085 X	156.45	100.00	256.45	0.00	
Mary E. Whatham	NE SW SE, NE SW,	412	18	47	5	2497.1	40	2.49	171.75	0.00	171.75	0.00	
John Von Gelder	Lot 3,	413	18	47	5	708	40	.708	52.72	0.00	52.72	0.00	
Francis Von Gelder	SE4	408	13	47	5	2773.5	40	2.773	190.27	0.00	190.27	0.00	
ROAD No. 444. WORLEY-STATELINE SYSTEM.													
Joseph,	SE SW4, SE SE,	400	29	47	5	1497.1	40	2.19 X	180.90	100.00	130.80	100.00	This award is on account of road 440
Mary Pe-ell	NW4	400	31	47	5	2053.9	40	4.358 X	261.48	100.00	161.48	200.00	" " " " " " " "
Mary Josephette Abraham	NW4	400	31	47	5	2799.3	40	2.871	154.26	0.00	154.26	0.00	
Mary Lucy Arapa	NE NE of SE & SE SW	407	31	47	5	1353.3	40	1.27	76.20	0.00	76.20	0.00	
Alexander Abraham	NE NW4	407	31	47	5	2904.5	40	2.667	186.69	0.00	186.69	0.00	
Ann Mary Louis	Lots 1 & 2 & SE Lot 3,	36	36	47	5	3383.4	40	3.087	208.90	0.00	184.45	154.45	
ROAD No. 445. WORLEY-STATELINE SYSTEM.													
Joseph.	SE SE, SE SW	456	29	47	5	" " " " " " " "							
Ignace.	NE SW	402	29	47	5	1881.9	40	1.73	129.75	0.00	129.75	0.00	
Felicity Vallee,	NE SW,	483	20	47	5	1342.1	40	1.23	92.25	50.00	117.25	25.00	
Joseph Garrick.	NW4	473	20	47	5	Damages awarded, See Road 443.							
Bernard Whatham	NW4, NE4	415	10	47	5	140	20	.064	4.80	0.00	4.80	0.00	
Daniel Whatham	NE SW SE, SE SE	413.				No damages, See Road 443.							
Mary Louise	SW4	472	17	47	5	No damages, see road 443.							
ROAD No. 446. WORLEY-STATELINE SYSTEM.													
Mary Kanaslau	NE 4	492	34	47	5	2884.2	40	2.925	118.20	0.00	118.20	0.00	
Kanaslau	NE SE, NE SW,	498	27	47	5	4639	20	2.126	84.96	0.00	84.96	0.00	
Louis J. Kanaslau	NE SE	271	26	47	5	2645.5	20	1.613	46.72	0.00	46.72	0.00	
George Nixon.	NE NE,	239	27	47	5	1320.	20	1.21 X	Damages considered, See Road 443.				

END OF PAGE 1.

APPENDIX D

Approved by the Interior

AUG 22 1917

APPROVED

S. Scapellato

Standard Inventory





#### Commissioners' Certificate

We, the undersigned, hereby certify that we constitute the duly authorized Board of Commissioners of the Unity Highway District, Kootenai County, Idaho, and we further certify that the map of the route of the proposed road shown on the accompanying map was made by direction and authority of said Board and that the same has been approved by us at Worley, Idaho.

This --- day of --- 1923.

-----

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#### Civil Engineer's Certificate

I, R.C. Mack, licensed civil engineer of the State of Idaho, hereby certify that I have examined the map of the proposed road shown on the accompanying map, made by myself on June 23, 1923, under direction and authority of the Board of Commissioners of the Unity Highway District.

Copied at Coeur d'Alene, Idaho.

This 23rd day of June, 1923.

R.C. Mack C.E., Idaho #101

#### MAP SHOWING

LOCATION OF DESIRED RIGHT OF WAY  
THROUGH INDIAN ALLOTMENT OF  
ANNA PORIER #618

N.W. 1/4 SEC. 21, T48N, R5W, E1W

UNITY HIGHWAY DISTRICT

KOOTENAI COUNTY, IDAHO

DRAWN BY R.C. Mack C.E., COUNTY SURVEYOR

SCALE 2"=MILE

JUNE 23, 1923

COEUR D'ALENE, IDAHO

#### Superintendent's Acknowledgment

Due and regular service of an exact copy of this map on me as Superintendent and Special Disbursing Agent of the Coeur d'Alene Indian Lands is hereby acknowledged and accepted at Coeur d'Alene, Idaho, this --- day of --- 1923.

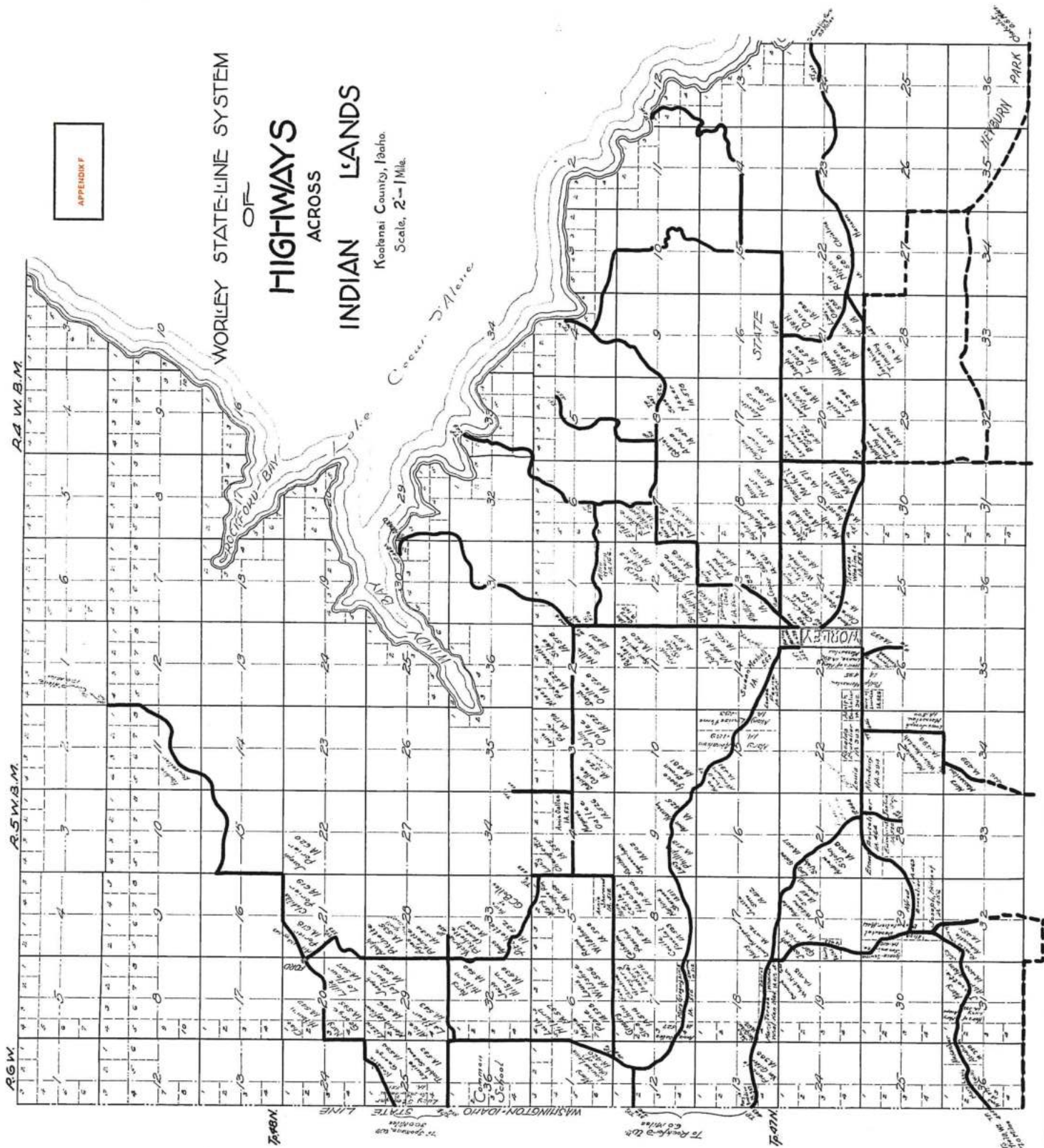
Superintendent & Disbursing Agent

APPENDIX E



# WORLEY STATE-LINE SYSTEM OF HIGHWAYS ACROSS INDIAN LANDS

Kootenai County, Idaho.  
Scale, 2" = 1 Mile.









FEDERAL ROAD DISTRICT	STATE	PROJECT NO.	DATE
8	IDAHO	5-5720(1)	5

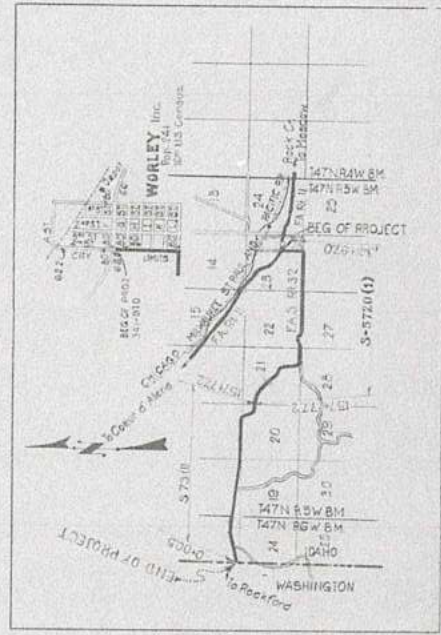
Sheet No.	SECTION	DATE
2	PLAN AND PROFILE	5-5720(1)
3	PLAN AND PROFILE	5-5720(1)

STATE OF IDAHO  
DEPARTMENT OF HIGHWAYS  
PLAN AND PROFILE OF PROPOSED  
**WORLEY-WEST**  
FEDERAL AID PROJECT NO. S-5720-(1)  
KOOTENAI COUNTY  
BOISE MAY 1951

APPENDIX

SCALES  
HOR 1" = 100' 0" 200' 300' 400' 500' 600' 700' 800' 900' 1000'  
VERT 1" = 10' 0" 20' 30' 40' 50' 60' 70' 80' 90' 100'

AS CONSTRUCTED 1952



CONVENTIONAL SIGNS

- STATE LINE
- COUNTY LINE
- CITY OR VILLAGE
- TOWNSHIP LINE
- SECTION LINE
- GUARD RAIL
- UNFENCED PROPERTY
- RIGHT-OF-WAY LINE
- EXISTING ROAD
- RAILROAD
- RAILROAD CROSSING
- BRIDGE
- POWER POLE
- TELEPHONE OR TELEGRAPH POLE
- MARSH
- IRRIGATION DITCH
- TREE

STATE OF IDAHO	
COMMISSIONER OF HIGHWAYS	DATE
CHIEF ENGINEER	DATE

DEPARTMENT OF COMMERCE BUREAU OF PUBLIC ROADS	
RECOMMENDED FOR APPROVAL	
DISTRICT ENGINEER	DATE
APPROVED	DATE
DIVISION ENGINEER	DATE

MATERNE BROS. CONTRACTOR  
TOMMIE RES. INC.

1 1/2 2 3  
MILES

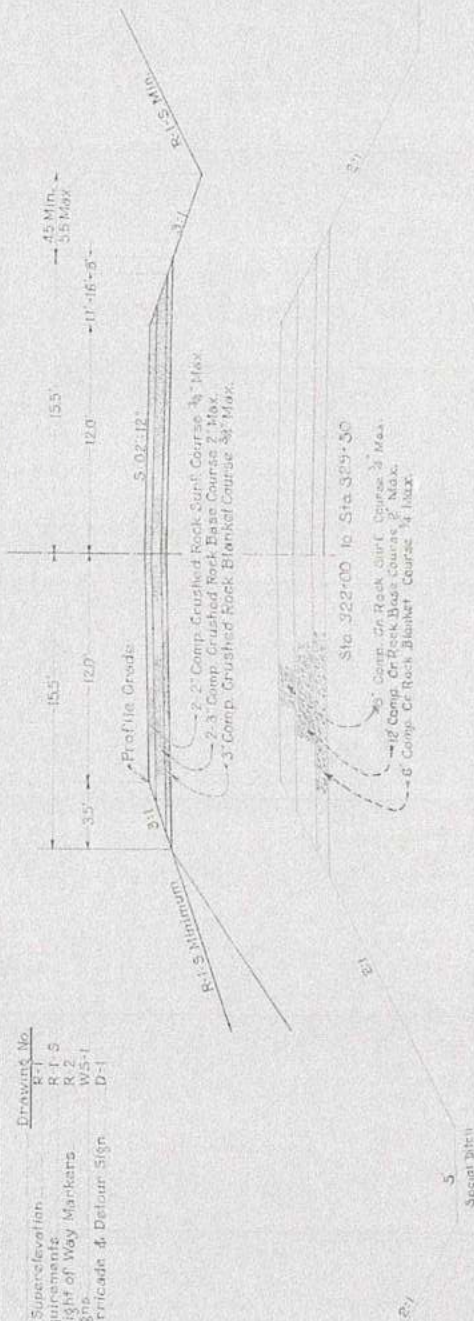


PROJECT NO.	STATE	FEDERAL PROJECT NO.	TOTAL SHEET
10440	INDIAN	5-522(1)	6

STANDARD AND STRUCTURE DRAWINGS ARE INCLUDED WITH THESE PLANS AS LISTED BELOW.

Description	Drawing No.
Widening & Super-elevation	R-1
Grading Requirements	R-2
Project & Right of Way Markers	W5-1
Warning Signs	D-1
Portable Barricade & Detour Sign	

# TYPICAL SECTION



## SUMMARY

SHEET NO.	STATION TO STATION	LENGTH	208-A UNCL. EXC. STKS	207-A UNCL. EXC. STKS	210-A HAUL EXC. STKS	212-A EMB. BASE	213-A WATERING	213-B ROLLING	214 MECH. TAMP	217 SMALL DITCH	219-B OBLIT. ROAD CL. II	302-C 10\"/>
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\*Any small amount of clearing required to be covered in Bid Price for Exc.

Slope rounding and warping, and widening and super-elevation of curves required as shown on Dwg. R-1 & R-2. Super-elevation to be modified as shown on plans.

Sur-facing shall be placed on stone on the typical section requiring approximately the following quantities per station:

Crushed Rock Surf. 3\"/>

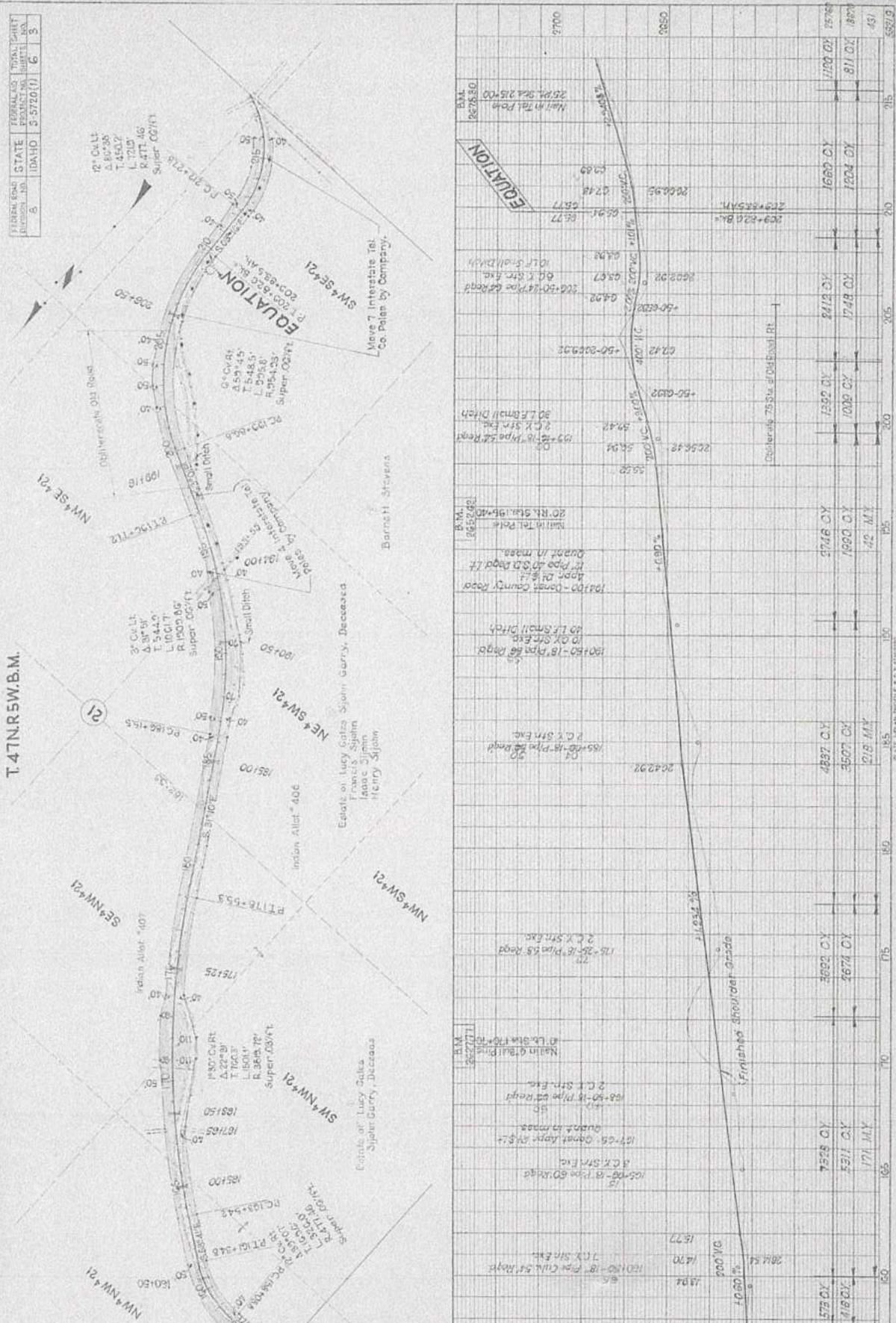
Power Roller of 1 hr./100 C.Y. Excand. & borrow in calculating haul on grading quantities a per. carload was added to or subtracted from embankment quantities to cover shrinkage.

Ends of new culvert pipe shall be reinforced as directed by the Engineer.

Quantities herein have been increased for bidding purposes as shown on proposal form. Unless otherwise especially provided, all work on this project shall be governed by the INDIA STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION, Edition of 1950, as modified by Form CM-1 and the Special Provisions.

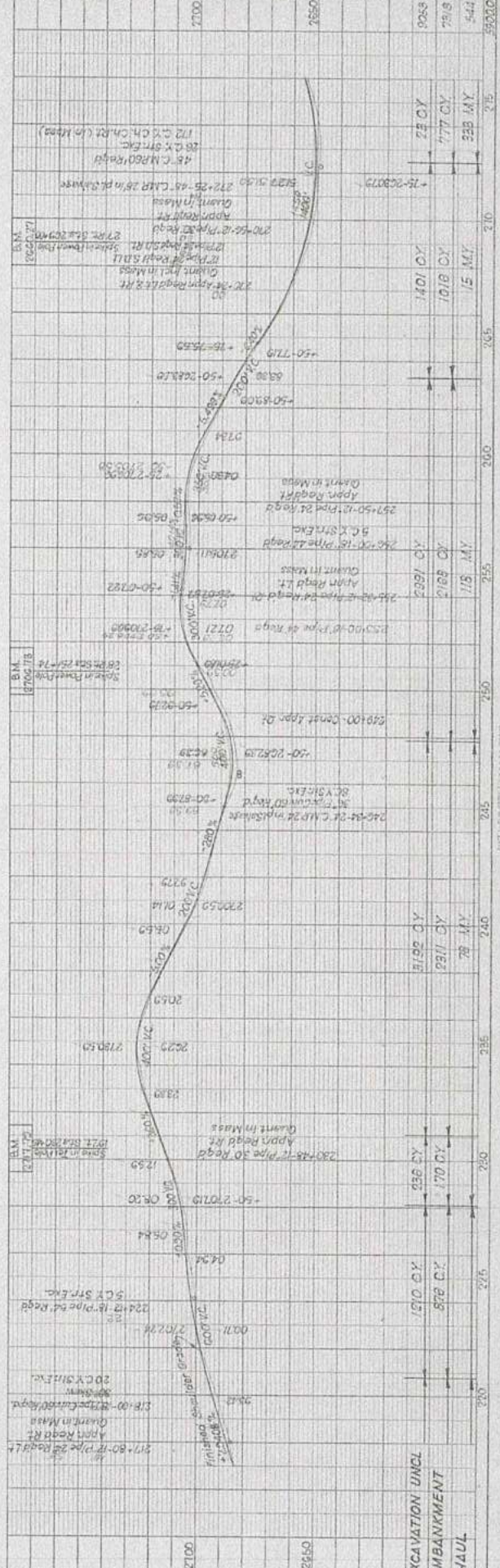
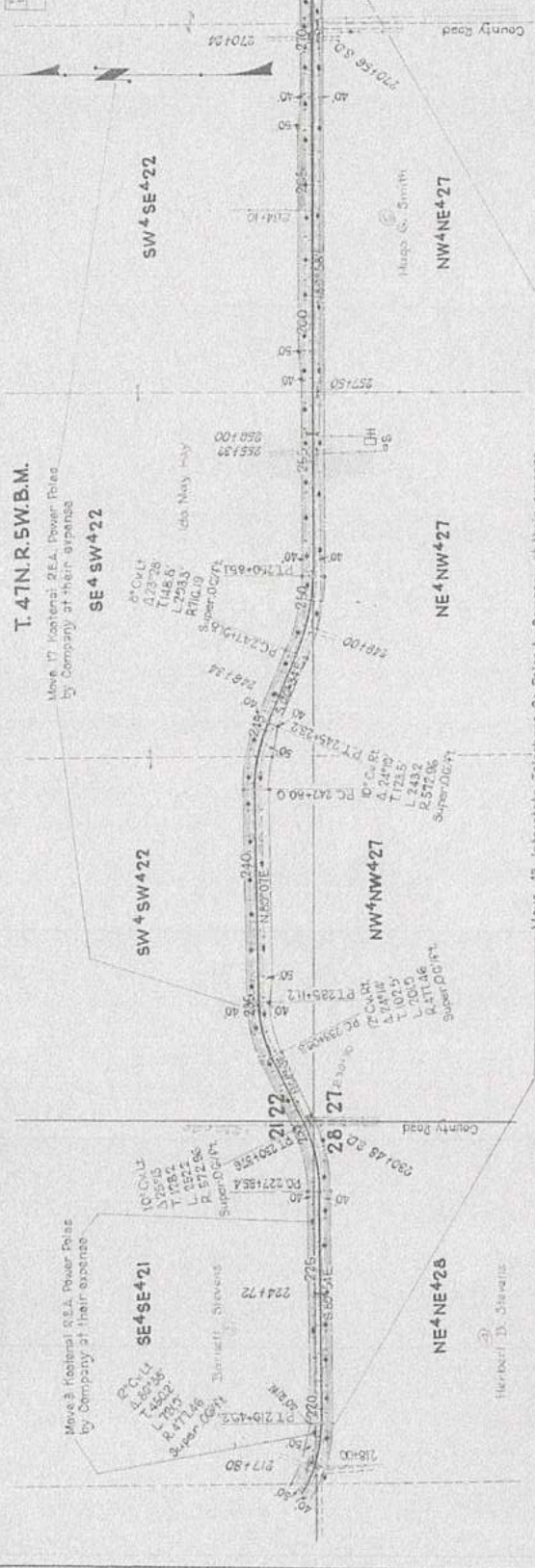
Crushed Rock quantities have been increased by 332 Ton of 2\"/>







SHEET NO.	8	STATE	IDAHO	PROJECT NO.	S-57200	TOTAL SHEETS	6	4
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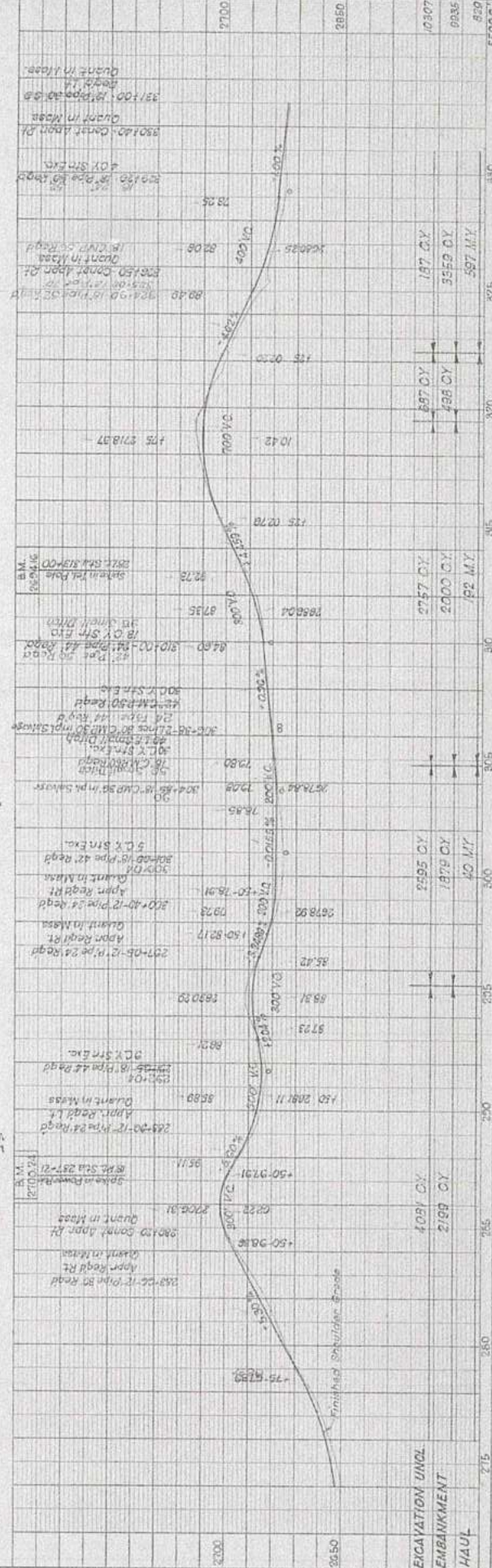
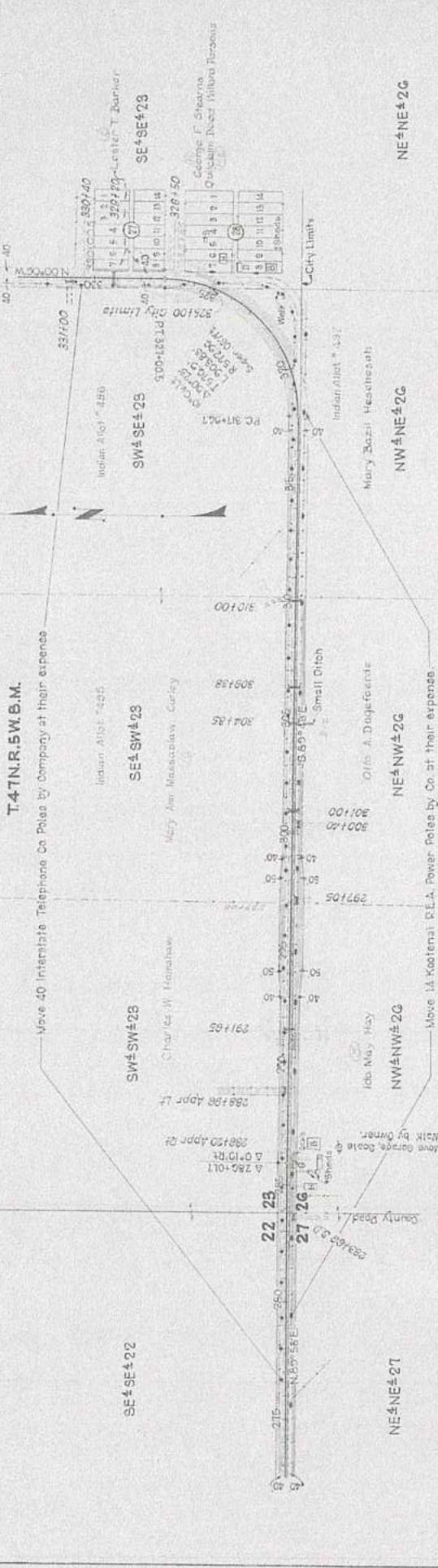


PLAN	DATE	BY	CHECKED	DATE	BY

PROFILE	DATE	BY	CHECKED	DATE	BY



FEDERAL ROAD DISTRICT	STATE	SECTIONAL DISTRICT	TOTAL SHEET
6	DAHO	5-57200	6



STATION	ELEVATION	EXCAVATION UNCL	EMBANKMENT	HAUL
215	2550			
220	2550			
225	2550			
230	2550			
235	2550			
240	2550			
245	2550			
250	2550			
255	2550			
260	2550			
265	2550			
270	2550			
275	2550			
280	2550			
285	2550			
290	2550			
295	2550			
300	2550			
305	2550			
310	2550			
315	2550			
320	2550			
325	2550			
330	2550			
331+00	2550			

PLAN	SECTION	HAUL
100	100	100

PLAN	SECTION	HAUL
100	100	100





RIGHT OF WAY DEED

KNOW ALL MEN BY THESE PRESENTS, That Ida May Hay, a widow, of the County of Kootenai, State of Idaho for and on account of the certain benefits accruing to her, and other valuable consideration, and the sum of Six Hundred Forty Eight and no/100 Dollars (\$648.00), lawful money of the United States of America, to her in hand paid, the receipt whereof is hereby acknowledged, has granted bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto Kootenai County State of Idaho, as and for a right of way for a public road, the following described parcel of land, situated in the County of Kootenai, State of Idaho, to wit:

A strip of land 80 feet wide, being 40 feet on each side of the following described center line of road as surveyed and shown on the official plat of the Worley-West S-73(2) Road Survey on file in the office of the Department of Highways of the State of Idaho and lying over and across the S $\frac{1}{2}$ SW $\frac{1}{4}$  and the W $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 22 and the NE $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 27, Township 47 North, Range 5 West, Boise Meridian. Beginning at Station 230  $\pm$  50 of the said Road Survey, which station is a point on tangent approximately 40 feet North from the Southwest corner of Section 22, Township 47 North, Range 5 West, Boise Meridian; thence running North 64° 53' East - 259.3 feet to Station 233  $\pm$  09.3 of said Survey, which station is a point of curvature; thence 201.9 feet with a 12° 00' curve right, said curve having a central angle of 24° 14' to Station 235  $\pm$  11.2, which station is a point on tangent; thence North 89° 07' East on tangent 768.8 feet to Station 242  $\pm$  80.0, which station is a point of curvature; thence 243.2 feet with a 10° 00' curve right, said curve having a central angle of 24° 19' to Station 245  $\pm$  23.2, which station is a point on tangent; thence South 66° 34' East on tangent 268.6 feet to Station 247  $\pm$  91.8, which station is a point of curvature; thence 293.3 feet with an 8° 00' curve left, said curve having a central angle of 23° 28' to Station 250  $\pm$  85.1, which station is a point on tangent; thence North 89° 58' East on tangent 1324.9 feet to Station 264  $\pm$  10, which station is a point on tangent approximately 660 feet East and 3.0 feet North from the South Quarter corner of Section 22, Township 47 North, Range 5 West, Boise Meridian.

Also additional irregular strips of land adjacent and contiguous to the above described right of way being as follows: On the Northerly side a strip widening from 0.0 feet at Station 258  $\pm$  00 to 10.0 feet at Station 259  $\pm$  00 and continuing 10.0 feet wide to Station 264  $\pm$  10; On the Southerly side, a strip widening from 0.0 feet at Station 235  $\pm$  11.2 to 10.0 feet at Station 236  $\pm$  00, continuing 10.0 feet wide to Station

APPENDIX I



244 ± 50, and tapering to 0.0 feet at Station 245 ± 23.2.

And Also,

An irregular strip of land being all that portion of the NE $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 27 and the NW $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 26, Township 47 North, Range 5 West, Boise Meridian, lying situate North of a Line 40 feet distant Southerly from and parallel to the following described center line of said road.

Beginning at Station 270 ± 70 of the said Road Survey, which station is a point on tangent approximately 1320 feet West and 5.0 feet North from the Northeast corner of Section 27, Township 47 North, Range 5 West, Boise Meridian; thence running North 89° 58' East - 1531.7 feet to Station 286 ± 01.7 of said Survey, which station is an angle point of angle 0° 19' right; thence South 89° 43' East on tangent 1098.3 feet to Station 297 ± 00, which station is a point on tangent approximately 1320 feet East and 10.0 feet North from the Northwest corner of Section 26, Township 47 North, Range 5 West, Boise Meridian.

Also an additional irregular strip of land adjacent and contiguous to the above described right of way and on the Southerly side thereof widening from 0.0 feet at Station 293 ± 00 to 10.0 feet at Station 294 ± 00 and continuing 10.0 feet wide to the East line of the NW $\frac{1}{4}$ NW $\frac{1}{4}$  of said Section 26.

Excepting from the right of way first above described that portion thereof lying situate in the W $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$  of said Section 27.

RW-1-3

New right of way required being approximately 3.98 acres of the 7.93 acres above described.

There is also granted hereby an easement adjacent to the above described highway right of way for relocation of all irrigation and drainage ditches and structures and such surface drain ditches as may be necessary to the proper construction of the highway.

Construction or relocation of right of way fencing shall be by and at the sole expense of the Seller.

TO HAVE AND TO HOLD, The above mentioned and described premises unto Kootenai County, State of Idaho, for the purpose of a public road, so long as the same may be needed for such purposes.

WITNESS the hand and seal of the grantor herein, this 26th day of June, 1951.

Ida May Hay

Witness:

C. F. Hess

R. C. Olson

STATE OF IDAHO

County of Kootenai

ss

On this 26th day of June, 1951, before me, the undersigned, a Notary Public in and for said State, personally appeared Ida May Hay, a widow, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same.

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

(Notarial Seal)

C. F. Hess  
Notary Public in and for the State of Idaho,  
Residing at Rathdrum .....

STATE OF IDAHO

County of Kootenai

ss

Filed for record at the request of County Commrs. on Aug 13 1951 at 10:09 o' A.M. and recorded in book 149 of Deeds page 36.

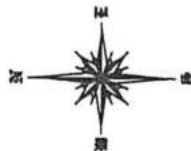
Fee: \$ X

James D. Riggs, County Recorder  
By Alberta F. Scott, Deputy

# Exhibit A

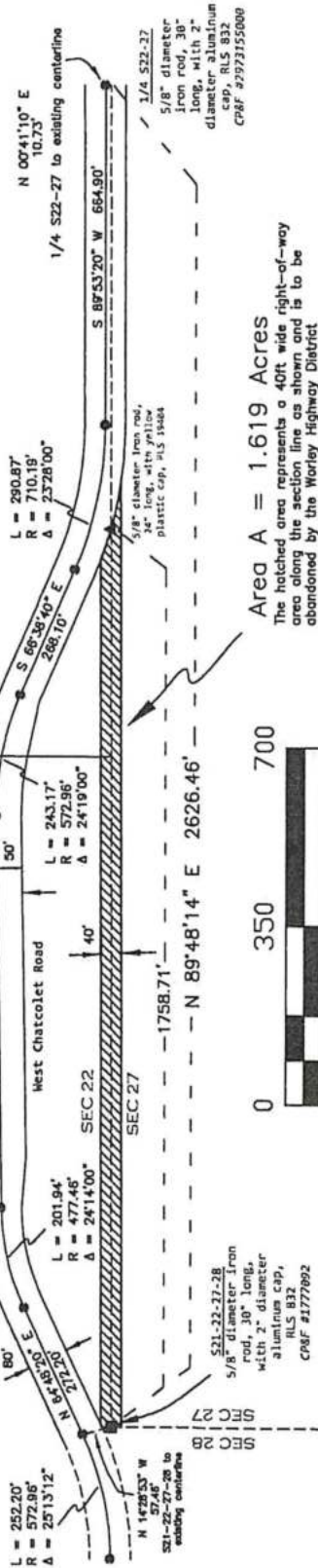
Located in the NW1/4 of Section 27 and the SW1/4 of Section 22, Township 47 North, Range 5 West, Boise Meridian, Kootenai County, Idaho

APPENDIX J



## Detail

Note: The existing centerline of West Chatcolet Road was measured and compared to record values shown for the Worley-West Federal Aid Project #S-5720-(1), May 1951, with record values being utilized as much as possible.



Area A = 1.619 Acres

The hatched area represents a 40ft wide right-of-way area along the section line as shown and is to be abandoned by the Worley Highway District

## LEGEND

- calculation spot, no monument set
- found monument as noted
- ▲ set monument as noted

## Legal Description for Area A:

Beginning at the section corner common to Sections 21-22-27-28, T. 47 N., R. 5 W., B.M.;

Thence, N. 00°03'28" E., 18.23ft to the right-of-way line of the existing West Chatcolet Road; thence along a curve to the left, following said right-of-way line, curve having a radius of 612.96ft, a chord bearing of N. 64°56'30" E., and length of 2.93ft; thence following said right-of-way line N. 64°48'20" E., 1.34ft; thence N. 89°48'14" E., 1694.04ft to the right-of-way line of the existing West Chatcolet Road; thence along a curve to the left, following said right-of-way line, curve having a radius of 750.19ft, a chord bearing of S. 75°35'54" E., and length of 159.01ft; thence S. 89°48'14" W., 1851.65ft to the section line between Sections 27 and 28, T. 47 N., R. 5 W., B.M.; thence N. 00°03'21" E., 20.00ft to the Section corner common to sections 21-22-27-28, T. 47 N., R. 5 W., B.M., and place of beginning.

Said area being shall be known as "Area A" according to this Exhibit and contains 1.619 acres.

I, Nicholas DeVito, hereby certify that this survey was performed by me and is a true and accurate representation of the completed survey as shown on this Exhibit.

*Nicholas DeVito* 9-4-21

Nicholas DeVito

Date



NORTH IDAHO LAND SURVEYS

North Idaho Land Surveys  
Cataldo, ID  
Nicholas DeVito, PLS 19404  
208-659-1333



Kootenai Co, ID

October 2023

# REAL ESTATE PURCHASE AND SALE AGREEMENT IDAHO

**SELLER:** Donald M. Hay for E.C. Hay & Sons, Inc.

**BUYER:** H Millhorn LLC

**SUBJECT PROPERTY:** also known as FSA Farm 1910, Tract 2390 near Worley, Idaho (*Tax Parcels: 47N05W274000, 47N05W273050, 47N05W226400*) and legally described in Exhibit "A" attached hereto, and by this reference is made a part of this Agreement.

**CLOSING AGENT:** Pioneer Title Company, Moscow, ID

1. **PURCHASE PRICE:** The final sale price is \$660,000.00 (Six Hundred Sixty Thousand Dollars and no/100).

Buyer Initials



Seller Initials \_\_\_\_\_

2. **EARNEST MONEY:** The total earnest money due to the Closing Agent is \$66,000.00 which is 10% of the final sale price. Buyer shall deliver, within two (2) days after mutual acceptance, to Selling Broker or to Closing Agent. If Buyer delivers the earnest money to the Selling Broker, Selling Broker will deliver any Earnest Money to be held by Closing Agent within three (3) days of receipt or mutual acceptance.

The Earnest Money will be delivered in the following form:

\_\_\_\_ Personal Check

\_\_\_\_ Cashier's Check

XX **Personal Business Check**

\_\_\_\_ Wire Transfer

3. **REPRESENTATION CONFIRMATION AND ACKNOWLEDGMENT OF DISCLOSURE:** Check one (1) line in Section 1 below and one (1) line in Section 2 below to confirm that in this transaction, the Broker involved had the following relationship(s) with the BUYER(S) and SELLER(S).

**Section 1:**

A. \_\_\_\_ The Broker working with the BUYER(S) is acting as an AGENT for the BUYER(S).

B. \_\_\_\_ The Broker working with the BUYER(S) is acting as a LIMITED DUAL AGENT for the BUYER(S), without an ASSIGNED AGENT.

C. \_\_\_\_ The Broker working with the BUYER(S) is acting as a LIMITED DUAL AGENT for the BUYER(S), and has an ASSIGNED AGENT acting solely on behalf of the BUYER(S).

D. \_\_\_\_ The Broker working with the BUYER(S) is acting as a NONAGENT for the BUYER(S).

**Section 2:**

A. XXX The Broker working with the SELLER(S) is acting as an AGENT for the SELLER(S).

B. \_\_\_\_ The Broker working with the SELLER(S) is acting as a LIMITED DUAL AGENT for the SELLER(S), without an ASSIGNED AGENT.

C. \_\_\_\_ The Broker working with the SELLER(S) is acting as a LIMITED DUAL AGENT for the SELLER(S), and has an ASSIGNED AGENT acting solely on behalf of the SELLER(S).

D. \_\_\_\_ The Broker working with the SELLER(S) is acting as a NONAGENT for the SELLER(S).

Each party signing this document confirms that he has received, read and understood the Agency Disclosure Brochure adopted or approved by the Idaho real estate commission and has consented to the relationship confirmed above. **In addition, each party confirms that the brokerage's agency office policy was made available for inspection and review.** EACH PARTY UNDERSTANDS THAT HE/SHE IS A "CUSTOMER" AND IS NOT REPRESENTED BY A BROKERAGE UNLESS THERE IS A SIGNED WRITTEN AGREEMENT FOR AGENCY REPRESENTATION.

Seller(s) Initials \_\_\_\_\_

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**Appendix K**

Buyer Initials

