

STATE OF IDAHO QUITCLAIM DEED

DEED NO. 13251
(Boise River Greenbelt)

THIS INDENTURE made this 27th day of May, 1998 by and between STATE OF IDAHO, DEPARTMENT OF LANDS, acting by and through the State Board of Land Commissioners, party of the first part, hereinafter referred to as "Grantor," and THE CITY OF GARDEN CITY, Idaho, a municipal corporation, City Hall, 201 E. 50th Street, Garden City, Idaho 83714, party of the second part, hereinafter referred to as "Grantee."

WITNESSETH, That the Grantor for and in consideration of Grantee's promise to hold and perpetually maintain the following described lands for the use by and the benefit of the public, does hereby quitclaim, bargain, sell, convey and confirm in fee unto the said Grantee and their successors and assigns forever, subject to the reservations and exceptions hereinafter made and with the restrictions and upon the covenants below stated, all of the following described real property situate in Ada County, to-wit:

Parcel No. 1

Commencing at a brass cap on an iron pipe which marks the 1/4 Section corner common to Sections 23 and 24, T. 4 N., R. 1 E., B.M., Ada County, Idaho; thence South 01° 12' 30" West, 1,402.34 feet to a point; thence North 59° 24' 30" West, 762.86 feet to a point; thence South 01° 12' 30" West, 419.26 feet to a point on the Northerly bank of the Boise River; thence South 33° 17' 14" East, 18.69 feet to a point on the Northerly bank of the Boise River, which is the real point of beginning:

Thence South 63° 18' 00" East, 2,530.41 feet along a line which is parallel to and 300 feet Southerly from the new presently proposed airport runway centerline, to a point on the Northerly bank of the Boise River;

Thence along the Northerly bank of the Boise River on the following courses and distances:

North 83° 45' 00" West - 151.61 feet;
North 58° 39' 00" West - 148.00 feet;
North 80° 04' 00" West - 697.00 feet;
North 66° 08' 00" West - 323.00 feet;
North 57° 05' 00" West - 429.00 feet;
North 51° 41' 00" West - 442.00 feet;
North 39° 46' 00" West - 108.00 feet;
North 56° 05' 00" West - 200.00 feet;

North 33° 17' 14" West - 108.57 feet to the real point of beginning:

Comprising 8.81671 acres, more or less;

Parcel No. 2

Commencing at a brass cap on an iron pipe which marks the 1/4 Section corner common to Sections 23 and 24 T. 4 N., R. 1 E., B.M., Ada County, Idaho; thence South 01° 12' 30" West, 1,402.34 feet to a point; thence South 71° 40' 30" East, 1454.91 feet to a point; thence North 07° 18' 50" East, 495.45 feet to a point; thence South 54° 23' 00" East, 1,111.81 feet to a point; thence South 54° 23' 00" East, 532.24 feet to a point; thence South 70° 37' 00" West, 130.00 feet to a point; thence South 54° 23' 00" East, 233.70 feet to a point on the Northerly side of a dike along the Northerly side of the Boise River; which is the real point of beginning:

Thence North 82° 31' 00" East, 302.40 feet along the Northerly side of said dike;

Thence North 89° 06' 45" East, 356.62 feet to a point along the Northerly side of said dike;

Thence South 62° 26' 00" East, 198.40 feet to a point along the Northerly side of said dike;

Thence South 44° 16' 00" East, 342.34 feet to a point on the Southerly side of said dike which is also on the Westerly boundary of Glenwood Street;

Thence South 08° 22' 18" West, 277.32 feet along the Westerly boundary of Glenwood Street to a point;

Thence North 69° 45' 00" West, 1,132.48 feet to a point;

Thence North 87° 36' 17" West, 577.00 feet to a point;

Thence North 79° 25' 00" East, 660.00 feet to a point;

Thence North 54° 23' 00" West, 50.00 feet to the real point of beginning:

Comprising 9.80648 acres, more or less;

Parcel No. 3

Commencing at a brass cap on an iron pipe which marks the 1/4 Section corners common to Sections 23 and 24, T. 4 N., R. 1 E., B.M., Ada County, Idaho; thence South 01° 12' 30" West 1,402.34 feet to a point; thence North 59° 24' 30" West, 762.86 feet to a point; thence South 01° 12' 30" West, 419.26 feet to a point on the present Northerly bank of the Boise River; thence North 40° 00' 00" West, 640.00 feet along the present Northerly bank of the Boise River to a point; thence North 78° 00' 25" West, 246.18 feet to a point which is the real point of beginning.

Thence continuing North 78° 00' 25" West, 436.59 feet to a point;
Thence North 60° 55' 49" West, 342.13 feet to a point;
Thence North 24° 30' 00" West, 154.31 feet to a point;
Thence South 63° 18' 00" East, 884.38 feet to the real point of beginning;

Comprising 1.48500 acres, more or less;

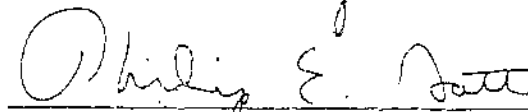
Total acres being conveyed is 20.10819 acres, more or less.

The State reserves the right to all coal, oil, oil shale, gas, phosphate, sodium, asbestos, gold, silver, lead, zinc, copper, antimony and all minerals deposits of minerals of whatsoever kind or character, including sand, gravel and pumice pursuant to Sec. 47-701, Idaho Code; also reserved to the State are geothermal resources, including associated by products.

A further covenant, condition, consideration and condition of this conveyance is that the property herein granted shall be used by Grantee only for greenbelt and park purposes for the benefit of the public. The Grantee covenants for itself, its heirs, successors and assigns that the foregoing condition will be included in any conveyance or grant of any right, title, or interest in or to any of the property by Grantee, its heirs, successors and assigns. This restriction and condition shall be binding upon Grantee, its successors and assigns in perpetuity, and in case of any violation hereof the title to said lands shall, without entry or suit, immediately revert to and vest in Grantor herein, its successors and assigns, and the conveyance hereunder shall be null and void, and Grantor, its successors and assigns shall be entitled to immediate possession of such premises and the improvements thereon; and no act or omission upon the part of Grantor herein, its successors and assigns, shall be a waiver of the operation or enforcement of such condition.

TO HAVE AND TO HOLD the above-described premises and parcel of land and granted real property unto **CITY OF GARDEN CITY**, a municipal corporation, and their successors and assigns forever.

IN WITNESS WHEREOF, I, PHILIP E. BATT, the Governor of the State of Idaho and President of the State Board of Land Commissioners, have hereunto signed my name and caused the Great Seal of the State of Idaho and the Seal of the State Board of Land Commissioners to be hereunto affixed this 22nd day of May, 1998.



Governor of Idaho and President of the
State Board of Land Commissioners

COUNTERSIGNED:

Pete T. Cenarrusa

Secretary of State



Stanley F. Hamilton

Director, Department of Lands

STATE OF IDAHO)

) ss.

County of Ada)

On this 27th day of May, in the year 1998, before me a Notary Public in and for said State, personally appeared PHILIP E. BATT, known to me to be the Governor of the State of Idaho and President of the State Board of Land Commissioners, and PETE T. CENARRUSA, known to me to be the Secretary of State of the State of Idaho, and STANLEY F. HAMILTON, known to me to be the Director of the Department of Lands of the State of Idaho, who executed the said instrument and acknowledged to me that such State of Idaho executed the same.

Susan Moore

NOTARY PUBLIC

Residing at Boise, Idaho

My Commission expires: 6-8-2001