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ORDINANCE NO. 2868

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AN ORDINANCE OF THE CITY OF POCATELLO, A MUNICIPAL CORPORATION OF IDAHO, REPEALING THE REVENUE ALLOCATION PROVISIONS FOR THE EAST CENTER STREET URBAN RENEWAL AREA; PROVIDING THAT THE REVENUE ALLOCATION PROVISIONS SHALL END UPON PUBLICATION OF THIS ORDINANCE; PROVIDING THAT A COPY OF THIS ORDINANCE SHALL BE GIVEN TO EACH OF THE TAXING ENTITIES AFFECTED BY SAID REVENUE ALLOCATION AREA; PROVIDING THAT THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW.

WHEREAS, the East Center Street Urban Renewal Area and Revenue Allocation Area was created by City of Pocatello Ordinance No. 2797, published on the 12th day of July, 2006 and recorded on the 13th day of July, 2006; and

WHEREAS, the Urban Renewal Plan for the East Center Street Urban Renewal/Revenue Allocation Area was designed to ameliorate deteriorating conditions which contributed to economic under-development of the area and impaired the sound and continued growth of the City, largely by providing for extensive building and site construction work in the Urban Renewal Area Plan; and

WHEREAS, a downturn in economic conditions contributed to the inability to secure viable businesses interested in locating in the East Center Street Urban Renewal Area; and

WHEREAS, a change of status of the formerly tax-exempt property situated within the Urban Renewal Area has affected the viability of the East Center Urban Renewal Plan; and

WHEREAS, no new development has been created in the East Center Street Urban Renewal Area, and no tax increment funds have been realized since the creation of the Revenue Allocation District in July of 2006; and

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WHEREAS, the Pocatello Development Authority has passed a Resolution requesting that an Ordinance be prepared to officially repeal the revenue allocation provisions for the East Center Street Urban Renewal Area prior to the scheduled termination date of December 31, 2030 due to lack of activity within the area, and that the East Center Street Urban Renewal Area and Revenue Allocation Area be closed;

NOW, THEREFORE BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF POCATELLO AS FOLLOWS:

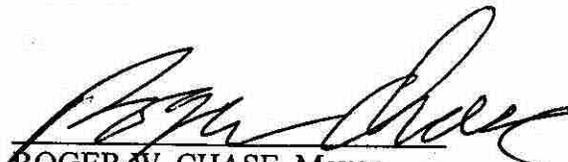
Section 1: That, in accordance with Idaho Code Section 50-2906(1) the revenue allocation provisions heretofore adopted for the area commonly known as the East Center Street Urban Renewal Area, more particularly described in Exhibit A, attached hereto and made a part hereto, and as depicted on Exhibit B, attached hereto and made a part hereto, are hereby repealed, effective upon publication of this Ordinance.

Section 2. That the City Clerk shall cause a copy of this Ordinance to be forwarded to each of the taxing entities within Bannock County and the Idaho State Tax Commission.

Section 3. That this ordinance shall be in full force and effect from and after its passage, approval, and publication according to law.

PASSED AND APPROVED this 18th of June, 2009.

CITY OF POCATELLO, a municipal corporation of Idaho


ROGER W. CHASE, Mayor

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A tract of land in the East 1/2 of Section 25, T.6S., R.34E., described as follows:

Commencing at the northeast corner of Section 25, T.6S., R.34E., B.M.; thence in a Westerly direction along North line of Section 25, a distance of 347.34 feet to a point on the Westerly right of way line of Hospital Way, the same being the Southeast corner of Tuscany professional Plaza Subdivision, THE TRUE POINT OF BEGINNING; thence in a Southwesterly and Southerly direction along the Westerly right of way line of Hospital Way described by right of way deeds Instrument Nos. 96013182 and 676731 respectively approximately 1397 feet to the North 1/16 line of said Section 25; thence in a Easterly direction along said 1/16 line approximately 60 feet to the easterly right of way line of Hospital Way, which point also being the Northwest corner of a parcel of land described in Instrument No. 20505931 and conveyed to Bannock County, a political Subdivision of the state of Idaho; thence continuing Easterly along said North 1/16 line common with the North boundary line of said parcel of land approximately 440 feet to the North 1/16 corner on the East line of said Section 25; thence in Southerly direction along the east line of Section 25 a distance of 508.66 feet to the Southeast corner of the aforementioned parcel of land described in Instrument No. 20505931; thence in a Westerly direction along the Southerly boundary line of said parcel approximately 349 feet to the Southwest corner of said parcel on the Easterly right of way line of Hospital way; thence continuing Westerly along the extension the South boundary line of said parcel described in Instrument 20505931 approximately 75 feet to the Westerly right of Way line of Hospital Way; thence in Southeasterly direction along said right of way line described in right of way deed Instrument No. 677203 approximately 606 feet to the Northern most corner of lot 4, Block 1 of the Pocatello Professional Plaza commercial Subdivision the same being the Northern most corner of said subdivision; thence in Southwesterly direction along the North boundary line of said Subdivision and its Southwesterly extension approximately 1107 feet to Northern most corner of a parcel of land described in instrument No. 411920 and conveyed to Idaho Power Company; thence in a Southwesterly direction along the Northerly boundary line of said Idaho Power property approximately 164 feet to point on the Easterly right of way line of Interstate Hwy 15, Fed Aid Hwy project I-15-1(13)66, which point being opposite of and 200 feet Right of approximate centerline Station 169+46.56 of said Interstate Hwy survey; thence in a Northwesterly direction along the Easterly Right of Way line of said Interstate Highway 15 parallel with and 200 feet Easterly of the centerline of said Highway approximately 1853 feet to the beginning of the Easterly Right of Way line of the Center Street Interchange opposite of centerline Station 188+00.00 of said Highway survey; thence in a Northeasterly and a Northerly direction along said

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Interchange Right of Way line defined by several courses approximately 1083 feet to point opposite of and 490 feet right of centerline Station 198+00' of said Interstate Hwy survey, which point also being approximately 73.6' Southeast of the centerline Center Street; thence in a Easterly direction, leaving said Interstate Hwy right of way line, following the Northerly boundary line of a parcel of land described in Instrument 20211268 and conveyed to Diversified Holdings, LLC approximately 515 feet to an angle point in said boundary line; thence in a Northeasterly direction continuing along said boundary line approximately 260 feet to an angle point in the West boundary line of Tuscany Commercial Plaza Subdivision, the same being an angle point in the west boundary line of lot 8, Block 1 of said Subdivision; Thence in a Southeasterly and Northeasterly direction along said Subdivision boundary line common with the South boundary lines of lots 8 and 7, Block 1 of said Subdivision approximately 705 feet to the north line of Section 25, T.6S., R.34E., B.M., THE TRUE POINT OF BEGINNING.

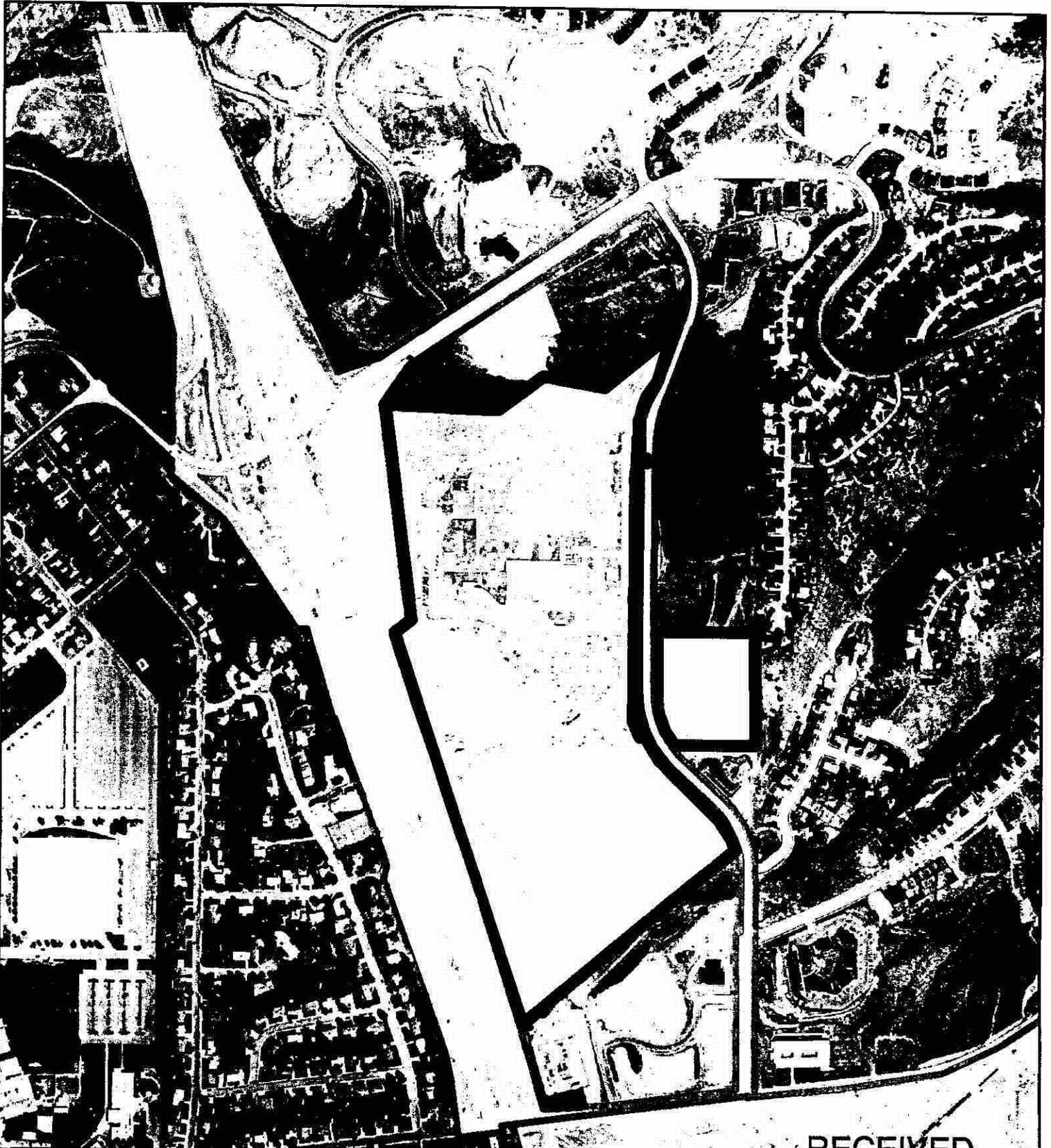
EXCEPTING THEREFROM: That portion of Hospital Way within the above described Urban Renewal Area, lying between the North 1/16 line of Section 25, T.6S., R.34E., B.M. and the Westerly projection of the Southerly boundary line of a parcel of land described in instrument 20505931 and conveyed to Bannock County, a political subdivision of the State of Idaho, which portion of Hospital Way being 60 foot wide and approximately 520 feet in length.

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East Center Urban Renewal Area and Revenue Allocation Districts



 Central Corridor Revenue Allocation District Boundary
 East Center URA & Revenue Allocation District Boundary

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1 inch equals 600 feet

EXHIBIT TECHNICAL SUPPORT

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The City of Pocatello does not guarantee any information contained in this map to be an accurate representation of actual conditions.
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OFFICIAL RECORDS SECTION
SARASOTA COUNTY FLORIDA

FORWARDED AT REQUEST OF
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CITY CLERK'S OFFICE
911 North 7th Avenue
P.O. Box 4169
Pocatello, Idaho 83205
(208) 234-6215
Fax: (208) 234-6572

STATE OF IDAHO)
)
County of Bannock)

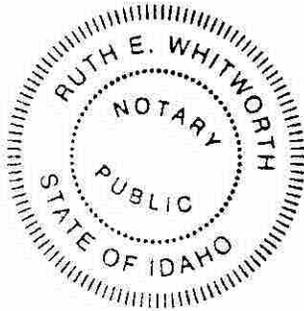
 ss

I hereby certify that the foregoing is a full, true, and correct copy of City of Pocatello, Idaho, Ordinance 2868 as the same now remains on file and of record in my office.

WITNESS my hand official seal hereto affixed this 24th day of June, A.D., 2009.

RHONDA L. JOHNSON, City Clerk, MMC
CITY OF POCATELLO, IDAHO

By 
RUTH E. WHITWORTH, Deputy Clerk, CMC
CITY OF POCATELLO, IDAHO
Commission expires: 4/16/2013



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