

**ORDINANCE NO. 09-750**

**AN ORDINANCE BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SALMON, IDAHO, PROVIDING FOR THE ANNEXATION OF THE SALMON CITY PARK**

**WHEREAS**, at a regular meeting of the City Planning and Zoning Commission on Tuesday, February 10, 2009, a public hearing was conducted to consider a request by the City of Salmon to annex the Salmon City Park (20 acres) located approximately 300 feet southeast from Hwy 28, contiguous and adjacent to the City Limits and within the Area of City Impact boundary; and

**WHEREAS**, the Planning and Zoning Commission, in it's Record of Decision, recommended to the Mayor and City Council approval of the annexation with a Highway Commercial (HC) zoning designation; and

**WHEREAS**, at a regular meeting on Wednesday, December 16, 2009, the Mayor and City Council for the City of Salmon considered the recommendation contained in a Record of Decision by the City Planning and Zoning Commission and moved to approve the request; and

**WHEREAS**, the Mayor and City Council, upon consideration of the Record of Decision, finds that pursuant to I.C. 50-222, the request meets applicable criteria to qualify for a Category A annexation; and

**WHEREAS**, the Mayor and City Council, upon consideration of the above at the third and final reading of this ordinance, concludes with the following:

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SALMON, IDAHO:**

**Section 1.** The Legal Description contained in the Quitclaim Deed of the real property to be annexed is accurately described in Exhibit "A".

**Section 2.** The real property incorporated herein as part of this Ordinance is contiguous and adjacent to the boundaries of the City of Salmon, Idaho, and the Mayor and City Council has determined that the annexation is consistent with the orderly development of the City.

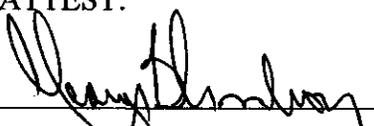
**Section 3.** Pursuant to the authority granted to the City by Idaho Code 50-222, the real property as described in Section 1 is declared to be part of the City of Salmon, Idaho.

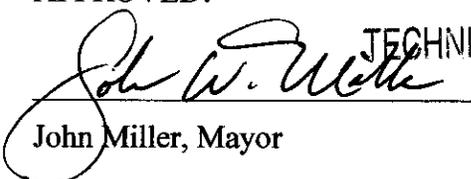
**Section 4.** This Ordinance shall become effective upon its passage, approval and publication as provided by law.

**PASSED AND APPROVED** by the Mayor and City Council of Salmon, Idaho, this 16<sup>th</sup> Day of December, 2009.

**RECEIVED**

JAN 04 2010

ATTEST:  
  
George Ambrose, City Administrator

APPROVED:  
  
John Miller, Mayor

TECHNICAL SUPPORT



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# EXHIBIT A

## QUITCLAIM DEED

For Value Received, LEMHI COUNTY, a governmental subdivision of the State of Idaho, whose address is 206 Courthouse Drive, Salmon, Idaho 83467, as Grantor does hereby Convey, Release, Remise and Forever Quitclaim unto CITY OF SALMON, a Municipal Corporation, whose address is 200 Main Street, Salmon, Idaho, any and all interest which Grantor may have in that certain property located in Lemhi County, Idaho, more particularly described as follows:

A parcel of land located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , Section 9, Township 21 N., R. 22 E., Boise Meridian, Lemhi County, Idaho, more particularly described as follows:

Commencing at a point where the South boundary of the NE $\frac{1}{4}$ SW $\frac{1}{4}$  intersects the Southwesterly Right-of-Way of the Old State Highway 28, a distance of 900.00 feet on a bearing of North 45° West along said Right-of-Way to the REAL POINT OF BEGINNING.

From this REAL POINT OF BEGINNING, a distance of 1595.07 feet continuing on a bearing of N. 45° West.,

Thence S. 45° W., 608.95 feet;

Thence S. 49°30'E., 1600.00 feet;

Thence N. 45° E., 483.42 feet to the REAL POINT OF BEGINNING, said parcel contains 20.00 acres.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging, or in anywise appertaining.

Dated this 8<sup>th</sup> day of December, 2008.

LEMHI COUNTY

By A. E. Goe  
Chairman Board of County Commissioners

ATTEST: Leri J. Maton  
County Auditor and ex-Officio Clerk  
Of the Board of County Commissioners

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STATE OF IDAHO            )  
  )  ss  
COUNTY OF LEMHI        )

On this 8<sup>th</sup> day of December, 2008 before me, Terri Morton, a notary public in and for said County, personally appeared Robert Cope, known to me to be the chairman of the Board of County Commissioners of Lemhi County, who executed the foregoing instrument, and acknowledged to me that he executed the same as such officer.

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



*Brenda Anderson*  
\_\_\_\_\_  
Notary Public  
Residing in Salmon, Idaho  
Commission expires: 3/14/2011

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RESOLUTION NO. 2008-21

A RESOLUTION APPROVING THE GRANT AND CONVEYANCE TO CITY OF SALMON THAT CERTAIN TWENTY (20) ACRES OF REAL PROPERTY OWNED BY LEMHI COUNTY AND LOCATED WITHIN THE BOUNDARIES OF THE SALMON CITY PARK AT 11 CITY PARK LOOP, SALMON, IDAHO, AND MORE SPECIFICALLY DESCRIBED HEREIN BELOW.

WHEREAS, Lemhi County is the owner of approximately 20 acres located within the boundaries of the Salmon City Park and upon which are located the City Pool and other improvements, which property is commonly referred to as 11 City Park Loop, Salmon, Idaho, and which is more described as follows:

A parcel of land located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , Section 9, Township 21 N., R. 22 E., Boise Meridian, Lemhi County, Idaho, more particularly described as follows:

Commencing at a point where the South boundary of the NE $\frac{1}{4}$ SW $\frac{1}{4}$  intersects the Southwesterly Right-of-Way of the Old State Highway 28, a distance of 900.00 feet on a bearing of North 45° West along said Right-of-Way to the REAL POINT OF BEGINNING.

From this REAL POINT OF BEGINNING, a distance of 1595.07 feet continuing on a bearing of N. 45° West., Thence S. 45° W., 608.95 feet; Thence S. 49°30'E., 1600.00 feet; Thence N. 45° E., 483.42 feet to the REAL POINT OF BEGINNING, said parcel contains 20.00 acres;

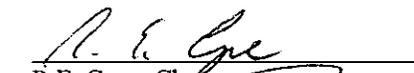
WHEREAS, Lemhi County has determined the continued operation of the City Pool and use of the improvements by the public is a beneficial use of said real property; and

WHEREAS, Idaho Code Section 31-808 authorizes Lemhi County to grant and convey real property owned by the County to other political subdivisions of the State of Idaho with or without compensation; and

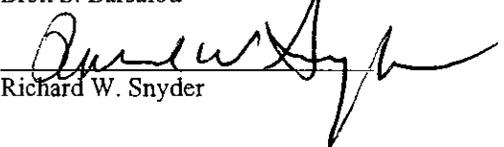
WHEREAS, the City of Salmon is a qualifying political subdivision of the State of Idaho;

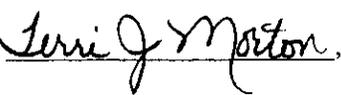
NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF LEMHI COUNTY, IDAHO, that it is in the public interest to grant, convey and deliver all right title and interest that Lemhi County has in that certain 20 acres located at 11 City Park Loop, Salmon, Idaho, to the City of Salmon, without compensation.

Dated this 8th day of December, 2008.

  
R.E. Cope, Chairman

  
Brett S. Barsalou

  
Richard W. Snyder

ATTEST: , Clerk

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TECHNICAL SUPPORT



City of  
**Salmon**

December 30, 2009

Idaho State Tax Commission  
PO Box 36  
Boise, Idaho 83722

**SUBJECT: SUBMITTING ANNEXATION ORDINANCE 09-750, TO BE FILED IN COMPLIANCE WITH SECTION 63-215, IDAHO CODE**

Enclosed is a copy of Annexation Ordinance 09-750, which includes 20 acres. Attached is a quitclaim deed with the property description included. If any additional information is required, please contact Dan Maiyo at City Hall at 208-756-3214.

Sincerely,

Mary Benton  
Deputy City Clerk

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