

173

STATE OF IDAHO  
COUNTY OF LINCOLN  
Recorded at the request of City of Richfield  
187746  
SEP 25 2009  
at 10 minutes past 9 M  
recorded by Christa B...  
Fee: 9 Return to: Robert...

ORDINANCE NO. 227

AN ORDINANCE OF THE CITY OF RICHFIELD, IDAHO, ANNEXING CERTAIN LAND TO THE CITY OF RICHFIELD AND FIXING THE ZONING DESIGNATION THEREOF AS RESIDENTIAL AND INCLUDING SAID LANDS WITHIN THE CORPORATE LIMITS OF THE CITY OF RICHFIELD, IDAHO.

WHEREAS, the owners of the real property described on **Exhibit A**, attached hereto and by this reference made a part hereof as if set forth in full, have made a written request to the City of Richfield to annex the above described real property; and,

WHEREAS, the Richfield City Council has determined that the above described real property lies contiguous to the City of Richfield; and,

WHEREAS, the above described real property lies within the City impact area as previously determined pursuant to Idaho Code §67-6526; and,

WHEREAS, the Richfield City Council has determined that such annexation request has been made pursuant to Idaho Code §50-222 (3)(a); and,

WHEREAS, the Richfield Planning and Zoning Commission, and the Richfield City Council, have both held public hearings pursuant to statute and no adverse testimony was taken as to the zoning.

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

**Section 1:** That the above described real property be annexed to the City of Richfield and the zoning therefore shall be fixed as residential and said land shall be included within the corporate limits of the City of Richfield, Idaho.

**Section 2:** That the above described land is contiguous and adjacent to the City of Richfield, Idaho, lying on the Westerly edge of said City; and that the property owner has requested that the land be annexed by the City of Richfield, Idaho; said property consists of approximately 7.736 acres and is located generally on the Southwesterly border of the City. Said property is more particularly described as follows:

See **Exhibit A** attached hereto and by this reference made a part hereof as if set forth in full.

**Section 3:** That the above described real property be and the same is hereby annexed and made part of the City of Richfield, Lincoln County, Idaho.

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**Section 4:** That the real property herein annexed to the City of Richfield, shall be zoned residential and the City Clerk is hereby directed to alter all use and area maps as well as all official zoning maps, comprehensive plan and all official maps depicting the boundaries of the City of Richfield, in accordance with this ordinance.

**Section 5:** All ordinances, resolutions, orders or parts thereof in conflict herewith are hereby repealed, rescinded and annulled.

**Section 6:** This Ordinance shall be in full force and effect from and after its passage, approval and publication according to law.

**Section 7:** The Richfield City Clerk shall, within ten (10) days following the effective date of this ordinance, file a certified copy of this ordinance and a map prepared in a draftsman manner, plainly and clearly designating the boundaries of the City of Richfield; including the lands herein annexed, with the following officials of Lincoln County, State of Idaho, to-wit: Recorder, Auditor, Treasurer and Assessor, and shall also file simultaneously, a certified copy of this ordinance with the State Tax Commission with the State of Idaho.

A hearing on the above described Ordinance having been held, after notice as provided by law, on the 13<sup>th</sup> of April, 2009 and the above ordinance having been read three times pursuant to law, or the same having been waived by a unanimous vote of the City Council and Mayor of the City of Richfield, County of Lincoln, State of Idaho, this 13<sup>th</sup> day of April, 2009. An emergency existing therefore, which emergency is hereby declared to exist, this act shall be in full force and effect from and after its passage and publication.

CITY OF RICHFIELD

By Charles E. Buttane  
Charles E. Buttane - Mayor

ATTEST:

LuAnn Swainston  
LuAnn Swainston - City Clerk

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**PARCEL SOUTH OF RAILROAD RIGHT OF WAY**

**TOWNSHIP 4 SOUTH, RANGE 19 EAST OF THE BOISE MERIDIAN, LINCOLN COUNTY, IDAHO**

Section 26: Part of the northeast 1/4 of the northwest 1/4 being more particularly described as follows:

Commencing at a 5/8-inch pin with a cap stamped "LS-11576" marking the northwest corner of the northwest 1/4 of said Section 26,

Thence south along the west line of the northwest 1/4 of said Section 26, South 00 Degrees 23 Minutes 28 Seconds West, a distance of 1323.85 feet to the southwest corner of the northwest 1/4 of the northwest 1/4 of said Section 26;

Thence east along the south line of the northwest 1/4 of the northwest 1/4 of said Section 26, South 89 Degrees 45 Minutes 41 Seconds East, a distance of 1331.56 feet to the southwest corner of the northeast 1/4 of the northwest 1/4 of said Section 26, being also the **POINT OF BEGINNING** of this land description, from which a 1/2-inch rebar with a cap stamped "LS-9858" bears North 00 Degrees 29 Minutes 28 Seconds East, at a distance of 25.00 feet;

Thence north along the west line of the northeast 1/4 of the northwest 1/4 of said Section 26, North 00 Degrees 29 Minutes 28 Seconds East, a distance of 120.35 feet to a 1/2-inch rebar with a cap stamped "LS-9858" marking the intersection with the southerly extent of a parcel of land conveyed to the Oregon Short Line Railroad, Hill City Branch as conveyed by a Warranty Deed recorded in Book 20 Page 287 of the Lincoln County Records;

Thence along the southernmost line of said Railroad, being a line parallel to and 50.00 feet distant from said Railroad centerline, North 77 Degrees 56 Minutes 57 Seconds East, a distance of 674.20 feet to a point being South 12 Degrees 03 Minutes 03 Seconds East at a distance of 50.00 feet from the point of change from Tangent to Spiral (TS) at Station 639+14.4 along said Railroad centerline according to the Right of Way & Track Map of the Oregon Short Line Railroad, Hill City Branch;

Thence continuing along the southernmost line of said Railroad parallel to and 50 distant from a spiral curve to the right having a radius of 1910.00 feet, a length of 240.00 feet, a chord bearing of North 79 Degrees 08 Minutes 56 Seconds East, and a chord length of 239.96 feet to a point which bears South 08 Degrees 27 Minutes 04 Seconds East at a distance of 50.00 feet from the point of change from Spiral to Circle (SC) at Station 636+74.4 along said Railroad centerline, said circle concave to the right with a radius of 1910.00 feet; said southernmost line has a chord bearing of North 79 Degrees 08 Minutes 28 Seconds East and a chord length of 236.82 feet;

Thence continuing along the southernmost line of said Railroad and along a curve concave to the right having a radius of 1860.00 feet, a central angle of 13 Degrees 39 Minutes 05 Seconds and being subtended by a chord which bears North 88 Degrees 22 Minutes 28 Seconds East, a chord length of 442.12 feet to the intersection with the east line of the northeast 1/4 of the northwest 1/4 of said Section 26, being marked by a 1/2-inch rebar with a cap stamped "LS-9858"

Thence south along the east line of the northeast 1/4 of the northwest 1/4 of said Section 26, South 00 Degrees 35 Minutes 29 Seconds West a distance of 323.83 feet to an aluminum cap stamped "LS-6522" marking the southeast corner of the northeast 1/4 of the northwest 1/4 of said Section 26;

Thence west along the south line of the northeast 1/4 of the northwest 1/4 of said Section 26, North 89 Degrees 45 Minutes 41 Seconds West, a distance of 1331.56 feet to the **POINT OF BEGINNING** of the this land description.

According to a survey by GradeTek, PLLC, Gooding, Idaho and containing 7.736 ACRES, more or less.



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**CITY OF RICHFIELD**  
**180 W. LINCOLN AVENUE**  
**P.O. BOX 97**  
**RICHFIELD, IDAHO 83349**  
**208 487-2755 FAX 208 487-2756**

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September 25, 2009

State Tax Commission  
800 Park Boulevard, Plaza IV  
P.O. Box 36  
Boise, Idaho 83722-0410

Dear Mr. Johnson,

Please find enclosed the corrected legal description Ordinance No. 227 Richfield (City).

Thank You

Sincerely,

*LuAnn Swainston*  
LuAnn Swainston  
City Clerk/Treasurer  
City of Richfield