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# 0360144

## ORDINANCE NO. 315

AN ORDINANCE FOR THE ANNEXATION OF PROPERTY SITUATED IN PAYETTE COUNTY, IDAHO, LYING ADJACENT AND CONTIGUOUS TO THE CORPORATE LIMITS OF THE CITY OF NEW PLYMOUTH; ESTABLISHING AND DETERMINING THE LAND USE CLASSIFICATION OF SAID LAND AS RESIDENTIAL A; DESIGNATING THE ANNEXATION AS A CATEGORY "A" ANNEXATION; MAKING CERTAIN FINDINGS; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION BY SUMMARY

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

Section 1. Those lands situated in Payette County, Idaho, which are adjacent and contiguous to the City of New Plymouth, Idaho, and which are more particularly described herein are annexed and incorporated in the territorial limits of the City of New Plymouth, Idaho.

Section 2. The property which is being annexed is more particularly described as follows:

Property situated in the E1/2NE1/4 of Section 4, Twp. 7 N., R. 4 W., B.M., Payette County, Idaho, more particularly described as: Beginning at a point on the East line of said Section 4 from which the northeast corner of said Section 4 bears N. 00° 17'13" W, 663.12 feet, said point being the SE1/4NE1/4NE1/4 of said Section 4; thence S. 89° 30'36" W., 354.00 feet; thence parallel with said East line, S. 00° 17'13' E., 984.60 feet to the intersection with an east-west fence line; thence along said fence line, N. 89° 11'53' E., 354.01 feet, to the said East line of said Sec. 4; thence along said East line, N. 00° 17'13"W., 982.67 feet to the Point of Beginning.

Section 3. From and after the effective date of this ordinance, all property included within the boundaries of that property described in Section 2 shall be subject to all the statutes pertaining to the City of New Plymouth and all ordinances, resolutions, police regulations, taxation and other powers of the City of New Plymouth.

Section 4. The City Council having considered the written and oral comments of property owner whose land is being annexed and other affected persons, makes the following express findings:

- (A) The land to be annexed meets the applicable requirements of a Category A annexation because the owner thereof has requested that the property be annexed and included within the incorporated boundaries of the City of New Plymouth.

Instrument # 360144  
STATE OF IDAHO, PAYETTE COUNTY  
5-7-2009 01:23:19 No. of Pages: 4  
Recorded for: CITY OF NEW PLYMOUTH  
BETTY JORESSIEN  
Ex-Officio Recorder Deputy  
Index to: ORDINANCE - ANSC  
*Kathy J. Kesser*

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(B) The annexation is reasonable and necessary for the orderly development of the city.

Section 5. Pursuant to the request of the Applicant and the findings of the New Plymouth City Council, the land use classification of the lands described above and annexed hereto is established as Residential "A" as provided by the Zoning Ordinance of the City of New Plymouth. The findings with respect to zoning of the lands being annexed are:

- A. The proposed zoning complies with and conforms to the New Plymouth Comprehensive Plan.
- B. The proposed zoning will provide and maintain existing and future capabilities of public utilities.
- C. The proposed zoning will maintain and preserve compatibility of surrounding zoning and development.
- D. The proposed zoning is consistent with Impact Area Agreement negotiated with Payette County.

Section 6. If any section of this ordinance is found to be unenforceable or unconstitutional, the remainder of the ordinance shall be considered as Ordinance 315.

Section 7. This Ordinance may be published in summary fashion as provided by the statutes of the State of Idaho.

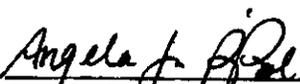
Section 8. This Ordinance shall be in full force and effect immediately upon its passage, approval and publication.

Passed and Approved by the City Council and the Mayor of the City of New Plymouth, Idaho, this 7th day of May, 2007.

APPROVED:

  
\_\_\_\_\_  
Scott Moschip, Mayor

ATTEST:

  
\_\_\_\_\_  
Angela P'Pool, Clerk/Treasurer

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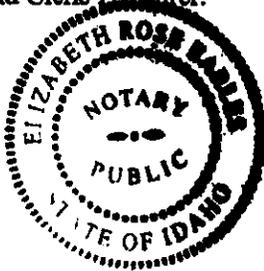
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State of Idaho )

) ss.

County of Payette )

On this 7 day of May, in the year of 2007, before me, a notary public for the State of Idaho, personally appeared SCOTT MOSCRIP and ANGELA P'POOL, personally known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same on behalf of the City of New Plymouth in their official capacities as Mayor and Clerk/Treasurer.



Elizabeth Rose Earles  
Notary Public for Idaho  
Residing at: New Plymouth, Idaho  
Commission expires: 3/14/11

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## William Maitland Parcel

