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Instrument # 362154

STATE OF IDAHO, PAYETTE COUNTY

8-21-2009 10:03:00 No. of Pages: 4

Recorded for : CITY OF PAYETTE

BETTY J DRESSEN

Ex-Officio Recorder Deputy

Index to: ORDINANCE - MISC

175

*Corinna Hysell*

ORDINANCE NO. 1306

AN ORDINANCE DE-ANNEXING CERTAIN PROPERTY GENERALLY LOCATED NORTH OF CENTER AVENUE, EAST OF IOWA AVENUE, WEST OF PAYETTE HEIGHTS ROAD AND SOUTH OF SEVENTH AVENUE NORTH, WHICH PROPERTY IS MORE PARTICULARLY DESCRIBED IN EXHIBIT "A", ALL SITUATED IN PAYETTE COUNTY, IDAHO, AND ADJACENT AND CONTIGUOUS TO THE CORPORATE CITY LIMITS; MAKING CERTAIN FINDINGS IN THE OFFICIAL MINUTES OF THE CITY CLERK; PROVIDING THAT COPIES OF THIS ORDINANCE SHALL BE FILED WITH THE PAYETTE COUNTY ASSESSOR, THE PAYETTE COUNTY RECORDER, AND THE IDAHO STATE TAX COMMISSION; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR PUBLICATION BY SUMMARY.

WHEREAS, the City of Payette annexed certain real property pursuant to Idaho Code § 50-225; and,

WHEREAS, the property owner requested that the property be de-annexed because the adjoining property did not develop; and

WHEREAS, the Payette Planning & Zoning Commission, pursuant to public notice, held a public hearing on May 28, 2009 and recommended to the Mayor and Council that the proposed de-annexation be approved; and,

WHEREAS, the Payette City Council, pursuant to public notice, held a public hearing, on July 6, 2009, on the proposed de-annexation for the property described in Exhibit A, as required by Idaho Code § 50-225 and Idaho Code §67-6525.

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

**Section 1.** The lands and territory situated in Payette County, Idaho, particularly described in "Exhibit A" which is attached hereto is hereby de-annexed for a period of five years or until such time when any development is within 150 feet of said property.

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TECHNICAL SUPPORT

**Section 3.** The City Engineer of the City of Payette is hereby directed to lodge and file with the City Clerk of Payette within ten (10) days after passage and approval hereof, a legal description and map prepared in a draftsman like manner which shall plainly and clearly designate the boundaries of the lands and territory de-annexed, pursuant to the provisions of Section 1.

**Section 4.** The City Council having considered the oral comments of the property owner whose land would be de-annexed and other affected persons, makes the following express findings:

The proposed described property in Exhibit "A" should be de-annexed and subject to the same exclusionary period as similarly surrounded properties.

The City Council directs the City Clerk to set forth said findings in the minutes of the City Council meeting at which the de-annexation is approved.

**Section 5.** The City Clerk is hereby directed to alter all use and area maps as well as the official zoning maps, comprehensive plan and all official maps depicting the boundaries of the City of Payette, in accordance with this ordinance.

**Section 6.** The City Clerk of the City of Payette is hereby directed to file, within (10) days after the passage and approval hereof, a certified copy of this Ordinance with the Payette County Assessor, County Recorder and County Treasurer of Payette County, Idaho, and the State Tax Commission of Idaho, and to file a copy of said legal description and map, as prepared and lodged with her by the City Engineer, with the County Assessor and County Recorder of Payette County, Idaho, and the State Tax Commission of Idaho, all as provided by Idaho Code § 50-223 and § 63-2215.

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EXHIBIT "A"

The N1/2E1/2E1/2SW1/4NE1/4 of Section 35, Township 9 North, Range 5 West, Boise Meridian, Payette County Idaho.

Together with an easement for ingress & egress over the following described parcel of land located in the S1/2E1/2E1/2SW1/4NE1/4 of Section 35, Township 9 North, Range 5 West.

Commencing at the SE corner of SW1/4NE1/4 of said Section 35;

Thence S°89°43'40" W a distance of 20 feet;

Thence N 00°09'49" W a distance of 500.00 feet to a point;

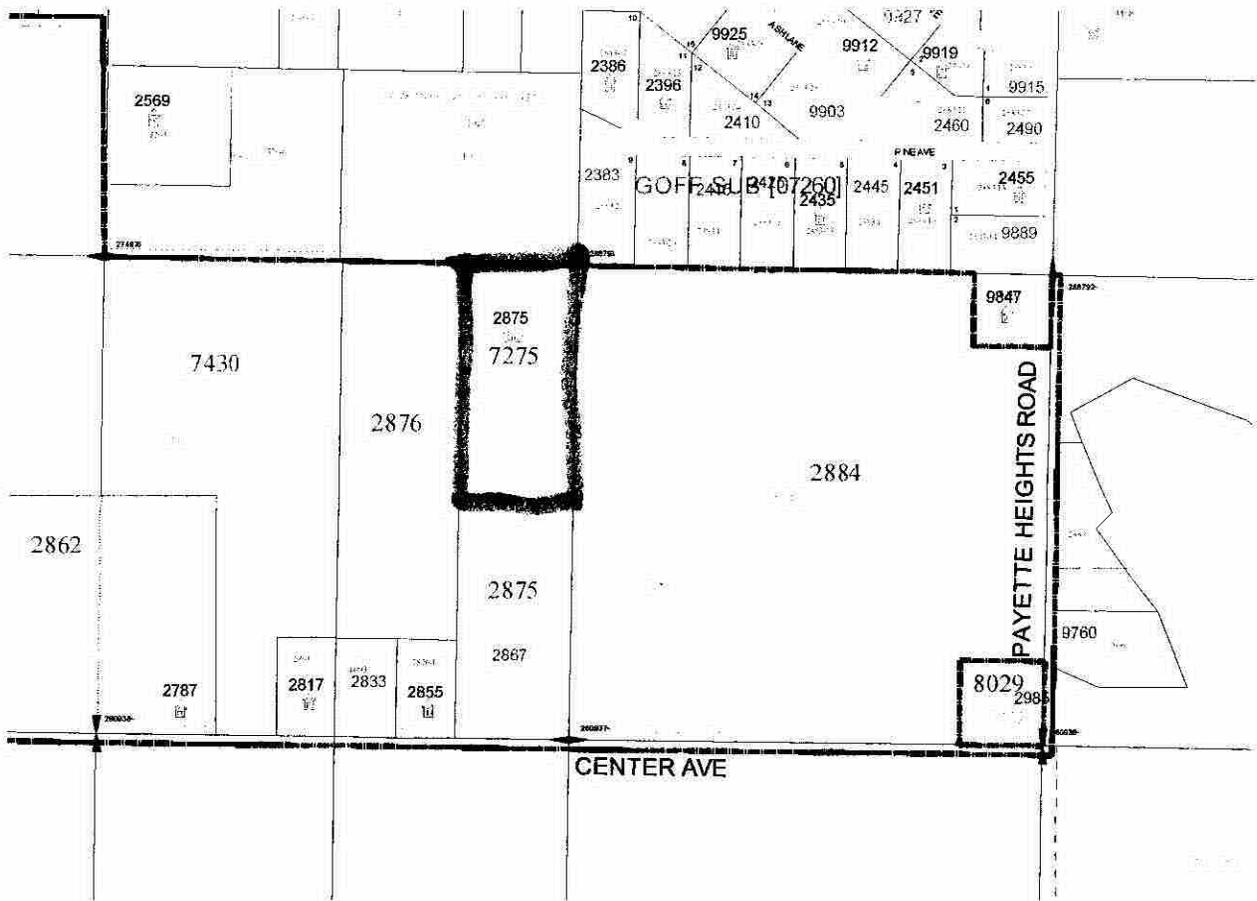
Thence N 89°51'30" W a distance of 10.00 feet;

Thence N 00° 0'45" W a distance of 154.5 feet to a point on the North line of the S1/2E1/2E1/2SW1/4NE1/4;

Thence N 89°51'30" E a distance of 30.00 feet;

Thence S 00°09'49" E a distance of 654.50 feet to the point of beginning.

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**Ordinance 1275**

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To: 01*

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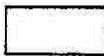
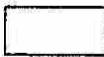
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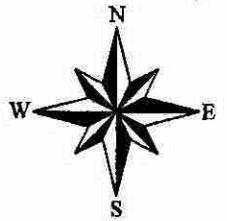
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**Payette County  
City of Payette  
Ordinance 1275, 4/16/07  
Sec 35 T9N R5W BM**

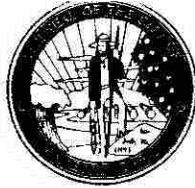
**Legend**

-  1275
-  Tax Code Area



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Bobbie Black  
Deputy City Clerk



CITY OF PAYETTE  
700 Center Avenue  
Payette, Idaho 83661  
642-6024

OFFICE OF THE CITY CLERK

August 27, 2009

State Tax Commission  
PO Box 36  
Boise, ID 83722

Subject: Ordinance #1306

Enclosed please find signed recorded Ordinance #1306, vicinity map  
and de-annexed area map.

If you have any questions, please contact me at 642-6024.

Respectfully,

Bobbie Black  
Administrative Clerk

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