

33

ORDINANCE NO. 573

TWIN FALLS COUNTY
RECORDED FOR:
TWIN FALLS, CITY OF
1:45:57 pm 02-17-2009
2009-003181
NO. PAGES: 2 FEE: \$
KRISTINA GLASCOCK
COUNTY CLERK
DEPUTY: CNICE

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KIMBERLY, STATE OF IDAHO, ANNEXING CERTAIN REAL PROPERTY BELOW DESCRIBED, PROVIDING THE ZONING CLASSIFICATION THEREFOR, AND ORDERING THE NECESSARY AREA OF IMPACT AND ZONING DISTRICTS MAP AMENDMENT.

WHEREAS, Lance Godfrey applied for annexation of 5.67 acres of the real property described herein;

WHEREAS, the Kimberly Planning and Zoning Commission having held a Public Hearing as required by law on the 2nd day of September, 2008, to consider the Zoning Designation and necessary Area of Impact and Zoning Districts Map amendment upon annexation of the real property below described; and,

WHEREAS, the Kimberly Planning and Zoning Commission has made recommendations known to the City Council for Twin Falls, Idaho; and,

WHEREAS, the City Council for the City of Kimberly, Idaho, held a Public Hearing as required by law on the 28th day of October, 2008, to consider the Zoning Designation and necessary Area of Impact and Zoning Districts Map amendment upon annexation of the real property below described.

BE IT ORDAINED by the Mayor and City Council of the City of Kimberly, County of Twin Falls, State of Idaho, THAT THE FOLLOWING DESCRIBED REAL PROPERTY IS HEREBY ANNEXED TO THE CITY OF KIMBERLY, IDAHO:

A Tract of land located in the Southeast Quarter of the Southeast Quarter of Section 17, Township 10 South, Range 18 East, Boise Meridian, Twin Falls County, Idaho more particularly described as follows;

Beginning at the Southeast corner of said SE1/4SE1/4;
THENCE North 00°04'38" East a distance of 49.93 feet;
THENCE North 89°17'52" West a distance of 62.09 feet to a right of way monument on the northerly boundary of Kimberly Road;
THENCE North 89°17'52" West a distance of 843.88 feet along the northerly boundary of said Kimberly Road to a right of way monument;
THENCE North 00°42'17" East a distance of 10.00 feet along the northerly boundary of said Kimberly Road;
THENCE North 89°19'18" West a distance of 41.59 feet along the northerly boundary of said Kimberly Road to the TRUE POINT OF BEGINNING;
THENCE North 89°19'18" West a distance of 373.37 feet along the Northerly boundary of said Kimberly Road;
THENCE North 00°10'09" East a distance of 602.45 feet;

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THENCE South 89°19'06" East a distance of 465.54 feet;
THENCE South 00°40'54" West a distance of 242.41 feet;
THENCE North 89°19'18" West a distance of 90.00 feet;
THENCE South 00°10'06" West a distance of 360.00 feet to the TRUE POINT OF BEGINNING.

AND all public streets, highways, alleys and public rights-of-way adjacent and within this description.

Section 1. The real property described herein is hereby zoned Commercial Gateway.

Section 2. Public services may not be available at the time of development of this property, depending upon the speed of development of this and other developments, and the ability of the City to obtain additional water and/or sewer capacity. The annexation of this property shall not constitute a commitment by the City to provide water and/or wastewater services.

Section 3. The Area of Impact and Zoning Districts Map for the City of Kimberly, Idaho, be and the same is hereby amended to reflect the newly incorporated real property as hereby zoned.

Section 4. The City Clerk immediately upon the passage and publication of this Ordinance as required by law certify a copy of the same and deliver said certified copy to the County Recorder's Office for indexing and recording.

PASSED by the City Council of the City of Kimberly, County of Twin Falls, State of Idaho, this 10th day of February, 2009.

Signed by the Mayor, this 11th day of February, 2009.


DAVID OVERACRE, Mayor

ATTEST:


POLLY HULSEY, City Clerk



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6 ACRES

Order No. T071199

WARRANTY DEED

TWIN FALLS COUNTY
RECORDED FOR:
TWIN FALLS TITLE
2:22:36 pm 01-02-2008
2008-000070
NO. PAGES: 2 FEE: \$6.00
KRISTINA GLASCOCK
COUNTY CLERK
DEPUTY: CHICE

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For Value Received

JERRY W. JACKSON and MICHELE G. JACKSON, Husband and Wife

the grantor(s), do(es) hereby grant, bargain, sell, and convey unto

LANCE GODFREY and KENDRA GODFREY, Husband and Wife

the grantee(s), whose current address is

3875 N. ³2600 E., KIMBERLY, ID. 83341

the following described premises, to-wit:

See Attached Exhibit "A"

Together with 6 shares of Twin Falls Canal Company water

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), his/her/their heirs and assigns forever. And the said Grantor(s) do(es) hereby covenant to and with the said Grantee(s), that he/she/they are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that he/she/they will warrant and defend the same from all claims whatsoever.

Dated:



JERRY W. JACKSON

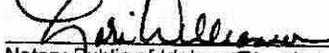


MICHELE G. JACKSON

STATE OF IDAHO
: ss
COUNTY OF TWIN FALLS

On This 2nd day of January, 2008, in the year 2007, before me, a Notary Public in and for said State, personally appeared **JERRY W. JACKSON and MICHELE G. JACKSON**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.



Notary Public of Idaho
Residing at Twin Falls, Idaho
Commission Expires: July 25, 2008
1/24/2010



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6 acres

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No. T071199

EXHIBIT "A"

A tract of land located in the Southeast Quarter of the Southeast Quarter of Section 17, Township 10 South, Range 18 East, Boise Meridian, Twin Falls County, Idaho, more particularly described as follows;

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