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MAR 15 2010

ORDINANCE NO. 12-67

TECHNICAL SUPPORT

AN ORDINANCE OF THE CITY OF BURLEY, IDAHO, ANNEXING REAL PROPERTY TO THE CITY OF BURLEY, IDAHO; DECLARING THE SAME TO BE A PART OF THE CITY OF BURLEY, IDAHO; DIRECTING THE CITY CLERK TO FILE WITH THE COUNTY RECORDER, ASSESSOR, AND TAX COLLECTOR OF MINIDOKA COUNTY, IDAHO, AND WITH THE STATE TAX COMMISSION, BOISE, IDAHO, A CERTIFIED COPY OF THIS ORDINANCE; PROVIDING THAT A MAP AND LEGAL DESCRIPTION OF SAID LANDS BE FILED AS PROVIDED BY LAW; DECLARING SAID LANDS TO BE ZONED UNDER THE BURLEY CITY ZONING ACT AS DESIGNATED HEREIN; AND PROVIDING AN EFFECTIVE DATE FOR THIS ORDINANCE.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BURLEY, IDAHO as follows:

Section 1. The lands described in Section 2 hereof are hereby annexed to and declared to be a part of the City of Burley, Idaho pursuant to Idaho Code § 50-222, and the present boundaries of said City are hereby extended to include said described lands.

Section 2: That the lands referred to in Section 1 hereof are located in Minidoka County, Idaho, and are more particularly described in EXHIBIT "A" hereto. A diagram and aerial photograph are attached hereto as EXHIBIT "B" for further reference. Said lands are owned by a single private landowner who has requested annexation. As such, this annexation is classified as a "Category A" Annexation pursuant to Idaho Code § 50-222(3)(a).

Section 3: That the City Clerk of the City of Burley, Idaho, shall file a copy of this Ordinance duly certified as to the correctness thereof, under the corporate seal of the City of Burley, Idaho, with the Minidoka County Recorder and with the State Tax Commission at Boise, Idaho.

Section 4: That a legal description and map of the boundaries of the City of Burley, as altered by this annexation shall be prepared by the City Engineer and filed with the State Tax Commission, Boise, Idaho, and with the Minidoka County Recorder, Assessor and Tax Collector as provided by law.

Section 5: That the parcel described in Section 2 herein shall hereby remain zoned as it currently is designated. All property north of the canal dividing said property is zoned "C2"; all property south of said canal is zoned "R2" under and pursuant to the Burley Zoning Act.

Section 6: This Ordinance shall be in full force and effect after its passage, approval, and publication as provided by law.

**Instrument # 506926**  
MINIDOKA COUNTY, RUPERT, IDAHO  
3-18-2010 02:48:58 No. of Pages: 7  
Recorded for : CITY OF BURLEY  
DUANE SMITH Fee: 0.00  
Ex-Officio Recorder Deputy



0 against. PASSED this 16<sup>th</sup> day of March, 2010, by a vote of 6 in favor and

CITY OF BURLEY

By Terry Greenman  
Terry Greenman  
Mayor



Melanie Haynes  
Melanie Haynes  
City Clerk

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SUPPORT

FEBRUARY 1, 2010

JN 10005, BERKELEY ORTON

ANNEXATION AREA, CITY OF BURLEY

DESCRIPTION:

TOWNSHIP 10 SOUTH, RANGE 23 EAST, BOISE MERIDIAN, MINIDOKA COUNTY, IDAHO.

SECTION 17: A PORTION OF THE NORTHWEST QUARTER (NW1/4).

SECTION 8: A PORTION OF THE SOUTHWEST QUARTER (SW1/4).

SECTION 7: A PORTION OF THE SOUTHEAST QUARTER (SE1/4).

SECTION 18: A PORTION OF THE NORTHEAST QUARTER (NE1/4).

BEGINNING AT THE ½" REBAR MARKING THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 17 AND RUNNING THENCE NORTH 0°03'43" WEST 25.00 FEET TO THE NORTHERN RIGHT OF WAY LINE OF THE COUNTY ROAD COMMONLY KNOWN AS 400 SOUTH;

THENCE ALONG SAID NORTHERN LINE SOUTH 89°39'44" WEST 1328.49 FEET TO THE INTERSECTION THEREOF WITH THE LINE COMMON TO SAID SECTIONS 8 AND 7;

THENCE CONTINUING ALONG SAID NORTHERN LINE NORTH 89°50'48" WEST 25.00 FEET TO THE INTERSECTION THEREOF WITH THE WESTERN RIGHT OF WAY LINE OF THE COUNTY ROAD COMMONLY KNOWN AS 700 WEST;

THENCE ALONG SAID WESTERN LINE SOUTH 0°20'33" EAST 25.00 FEET TO THE LINE COMMON TO SAID SECTIONS 7 AND 18;

THENCE CONTINUING ALONG SAID WESTERN LINE SOUTH 0°18'09" EAST 911.50 FEET TO THE INTERSECTION THEREOF WITH THE SOUTHWESTERLY EXTENSION OF THE NORTHERN LINE OF THAT REAL PROPERTY CONVEYED TO KLETT BY THE QUITCLAIM DEED RECORDED NOVEMBER 29, 2002 AS INSTRUMENT No. 462424, MINIDOKA COUNTY RECORDS;

THENCE ALONG SAID EXTENSION NORTH 80°36'18" EAST 25.32 FEET TO THE ½" REBAR MARKING THE NORTHWEST CORNER OF SAID LANDS OF KLETT;

THENCE ALONG THE BOUNDARY LINES OF SAID LANDS OF KLETT AS FOLLOWS:

NORTH 80°36'18" EAST 387.87 FEET TO A ½" REBAR,

SOUTH 0°18'09" EAST 289.00 FEET TO A ½" REBAR, AND

SOUTH 89°41'51" WEST 383.00 FEET TO A ½" REBAR AT THE SOUTHWEST CORNER THEREOF;

THENCE CONTINUING SOUTH 89°41'51" WEST 25.00 FEET TO THE AFORESAID WESTERN LINE OF THE 700 WEST COUNTY ROAD RIGHT OF WAY;

THENCE ALONG SAID WESTERN LINE SOUTH 0°18'09" EAST 60.00 FEET TO THE INTERSECTION THEREOF WITH THE WESTERLY EXTENSION OF THE NORTHERN LINE OF THAT REAL PROPERTY CONVEYED TO WAGEMAN BY THE WARRANTY DEED RECORDED JUNE 24, 2002 AS INSTRUMENT No. 459801, MINIDOKA COUNTY RECORDS;

THENCE ALONG SAID WESTERN EXTENSION NORTH 89°41'51" EAST 25.00 FEET TO THE PK NAIL MARKING THE NORTHWEST CORNER OF SAID LANDS OF WAGEMAN;

THENCE ALONG SAID NORTHERN LINE OF WAGEMAN NORTH 89°41'51" EAST 383.00 FEET TO A ½" REBAR AT THE NORTHEASTERN CORNER THEREOF;

THENCE ALONG THE EAST LINE OF SAID LANDS OF WAGEMAN SOUTH 0°18'09" EAST 353.00 FEET TO THE INTERSECTION THEREOF WITH A FENCE RUNNING TO THE EAST, LAST SAID INTERSECTION BEING NORTH 0°18'09" WEST 37.00 FEET FROM THE ½" REBAR MARKING THE SOUTHEAST CORNER OF SAID LANDS OF WAGEMAN;

THENCE ALONG SAID FENCE NORTH 89°04'12" EAST 940.04 FEET TO THE INTERSECTION THEREOF WITH THE WEST END OF WEST SECOND STREET NORTH, SAID STREET BEING DEPICTED ON THE RECORD OF SURVEY MAP RECORDED MAY 8, 2008 AS INSTRUMENT No. 496652;

THENCE ALONG SAID WEST END OF W. SECOND STREET N. NORTH 1°11'01" WEST 55.00 FEET TO A ½" REBAR AT THE SOUTHWEST CORNER OF THE GREEN ACRES SUBDIVISION;

THENCE ALONG THE WEST LINE THEREOF NORTH 0°03'43" WEST 1208.54 FEET TO THE INTERSECTION THEREOF WITH A PORTION OF THE

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SOUTHERN LINE OF THAT REAL PROPERTY CONVEYED TO HAAG BY THE WARRANTY DEED RECORDED JUNE 28, 1984 AS INSTRUMENT No. 345301, MINIDOKA COUNTY RECORDS, LAST SAID INTERSECTION BEING SOUTH 0°03'43" EAST 275.00 FEET FROM THE AFORESAID NORTHEAST CORNER OF THE NW1/4NW1/4 OF SECTION 17;

THENCE ALONG THE BOUNDARY LINES OF SAID LANDS OF HAAG AS FOLLOWS:

SOUTH 89°39'44" WEST 60.00 FEET,

SOUTH 0°03'43" EAST 197.35 FEET,

SOUTH 89°39'44" WEST 367.31 FEET, AND

NORTH 39°12'57" EAST 580.19 FEET TO THE INTERSECTION THEREOF WITH THE SOUTHERN LINE OF THE 400 SOUTH COUNTY ROAD RIGHT OF WAY;

THENCE ALONG LAST SAID SOUTHERN LINE NORTH 89°39'44" EAST 60.00 FEET TO THE AFORESAID WEST LINE OF THE GREEN ACRES SUBDIVISION;

THENCE ALONG SAID WEST LINE NORTH 0°03'43" WEST 25.00 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED ANNEXATION AREA CONTAINS 40.72 ACRES, MORE OR LESS.

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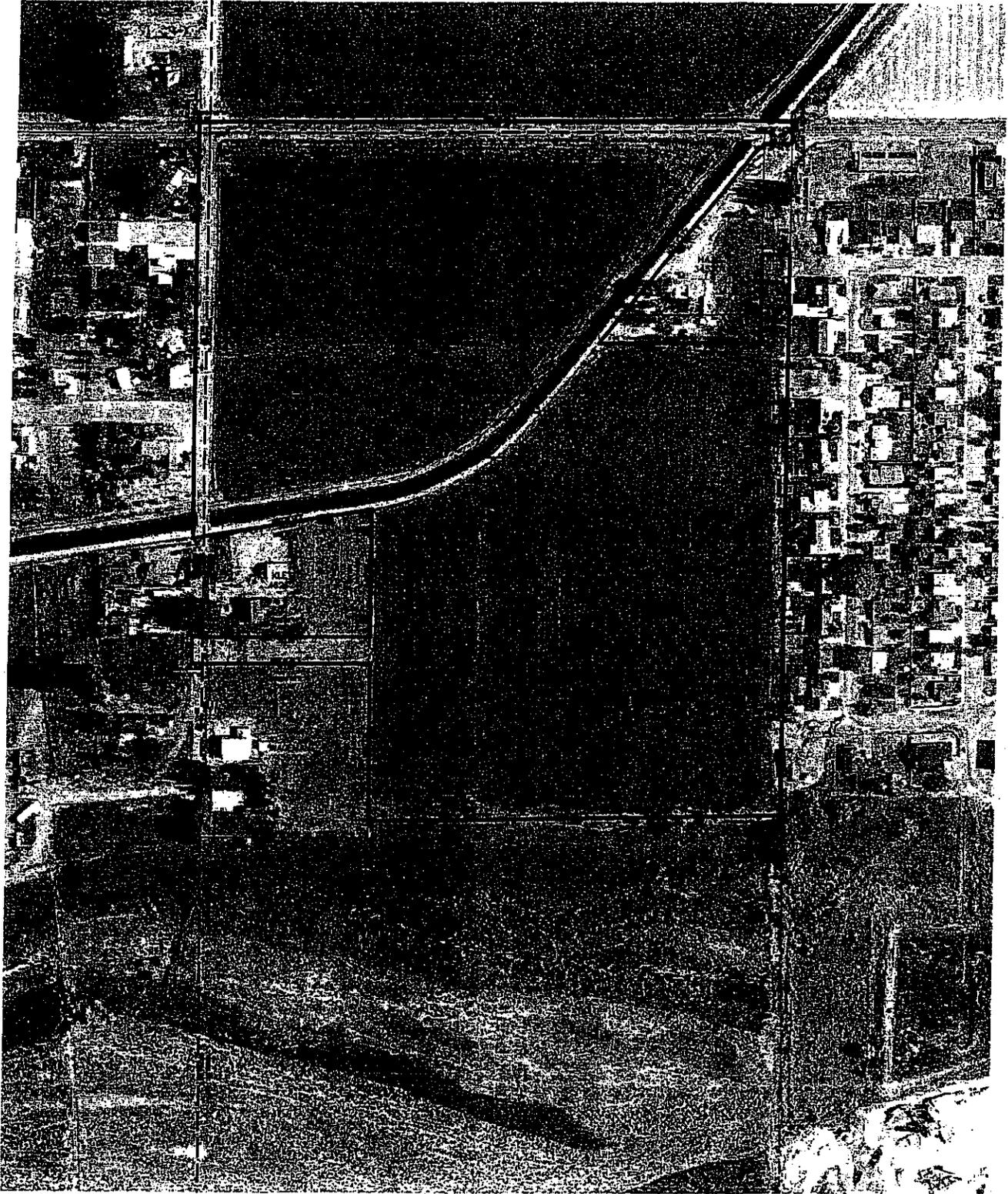
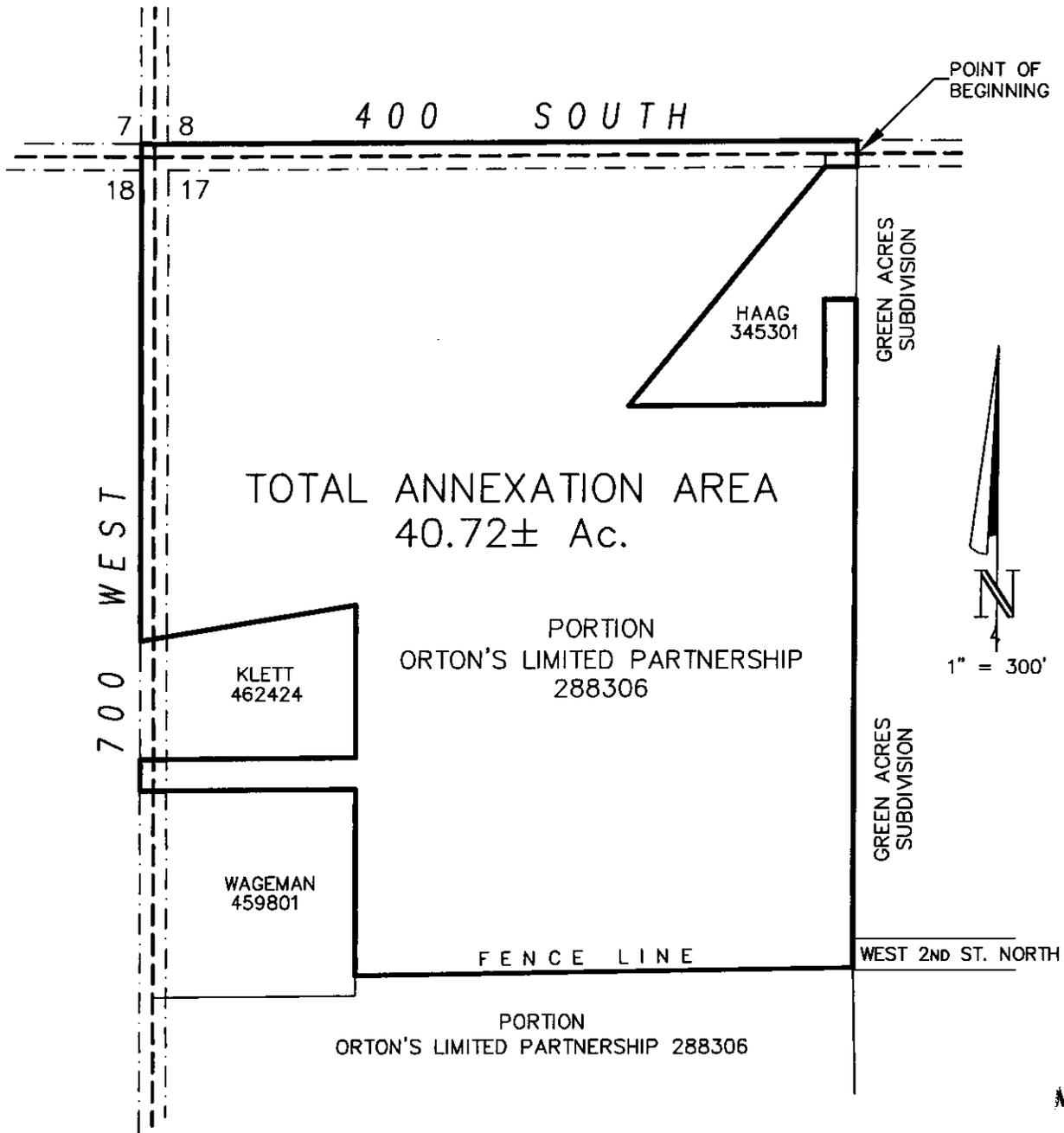


EXHIBIT B

TOWNSHIP 10 SOUTH, RANGE 23 EAST, BOISE MERIDIAN,  
MINIDOKA COUNTY, IDAHO



- ANNEXATION AREA BOUNDARY
- ==== ADJOINING PROPERTY LINE
- SECTION LINE
- - - - COUNTY ROAD EASEMENT LINE

CITY OF BURLEY  
ANNEXATION AREA

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MOON & ASSOCIATES, INC.  
ENGINEERING & LAND SURVEYING

525 F. STREET RUPERT, IDAHO 83350  
PHONE (208) 436-3714

026



City of Burley  
1401 Overland Ave  
Burley ID, 83318  
(208) 878-2224

## LETTER OF TRANSMITTAL

**Date:** March 18, 2010

**To:** Idaho State Tax Commission P.O. Box 36  
Boise, Idaho 83722-0410

**Attn:** Jeff Servatius, GIS Manager, Technical Support Bureau

**Regarding:** City of Burley Annexation – Ordinance #1267

**Enclosed are the following items:**

Recorded City of Burley Ordinance #1267 including seven 8-1/2" x 11" pages

**These are transmitted:**

For your information     For action specified below     For your use     As requested

**Comments:**

The attached annexation ordinance was recently approved by the City Council. Please call with any questions or if you require any additional information.

Sincerely,

Melanie Haynes  
City Clerk, City of Burley

**Cc:** City of Burley Service Center Engineering Files  
Kelly Anthon, City Attorney  
Bryan Reiter, City Engineer  
Minidoka County Assessor  
Minidoka County Auditor  
Minidoka County Treasurer

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*If enclosures are not as noted, please notify us at once*