

ORDINANCE A-178

AN ORDINANCE ANNEXING TO THE CITY OF MARSING, CERTAIN REAL PROPERTY LOCATED IN THE UNINCORPORATED AREA OF OWYHEE COUNTY, IDAHO, AND CONTIGUOUS TO THE CITY OF MARSING; ESTABLISHING THE ZONING CLASSIFICATION OF THE ANNEXED PROPERTY AS RESIDENTIAL; DIRECTING THAT CERTIFIED COPIES OF THIS ORDINANCE BE FILED AS PROVIDED BY LAW; DIRECTING THE CITY ENGINEER TO ALTER THE USE AND AREA MAP ACCORDINGLY; PROVIDING FOR RELATED MATTERS; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Marsing, Owyhee County, Idaho (the "City"), is a municipal corporation organized and operating under the laws of the State of Idaho and is authorized to annex and to incorporate within the boundaries of the City contiguous real property in the manner provided by Section 50-222, Idaho Code; and

WHEREAS, the owners of the real property situated in the unincorporated area of Owyhee County and particularly described in Section 2 of this ordinance have consented, in writing, annexation of said real property to the City of Marsing; and

WHEREAS, the Planning & Zoning, pursuant to public hearing as required by law, held public **hearings on the 18th day of February, 2010, on the proposed annexation and zoning** for the real property described in Section 2 below, as required by Section 67-6525, Idaho Code, made findings as required by law, and determined that the consented annexation should be granted and that the annexed property should be zoned Residential pursuant to the Zoning Ordinance of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF MARSING, IDAHO, as follows:

Section 1: The Mayor and Council of the City of Marsing, Idaho (the "City"), hereby find and declare that the real property described in Section 2 of this ordinance is contiguous to the City, that said property can be reasonably assumed to be used for the orderly development of the City, that the owner of said property has consented, in writing, annexation of said property by the City, and that the requirements of Section 50-222, Idaho Code, for annexation of said property, have been satisfied.

Section 2: The following-described real property, all situated in Owyhee County, Idaho, and more particularly described as:

A parcel of land lying in the SW1/4 NW1/4 of Section 3, T.2N., R.4W., Boise Meridian, Owyhee County, Idaho, said parcel being more particularly described as follows:

Commencing at an iron pin marking the corner common to Sections 3, 4, 9 and 10, T.2N., R.4W., Boise Meridian, Owyhee County, Idaho; thence, N.01°43'56"W. 2639.94 feet along the line common to said Sections 3 and 4 to an iron pin marking the 1/4 corner common to said Sections 3 and 4 and the *point of beginning*;

thence continuing along said line common to Sections 3 and 4 and the centerline of State Highway 78, N.01°47'45"W. 50.00 feet;

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thence, N.89°12'15"E. 33.00 feet to the SW corner of the property described in Instrument No. 73494, in Book 36 of Deeds at Page 181, records of the Owyhee County Recorder, Murphy, Idaho;

thence, N.89°01'39"E. 404.32 feet along the south line of said property described in Instrument No. 73494 to the SE corner of said property described in Instrument No. 73494,;

thence, S.00°21'55"W. 60.65 feet to the south line of the said SW1/4 NW1/4;

thence, N.89°38'05"W. 435.30feet along said south line of the SW1/4 NW1/4 to the *point of beginning*, said parcel containing 0.56 acres, more or less.

is hereby annexed into the City of Marsing. From and after the effective date of this Ordinance, the residents and other occupants and property owners within such area shall enjoy all the rights and responsibilities and shall be subject to all ordinances, resolutions, police regulations, taxation and other powers of the City of Marsing as their fellow residents, occupants, and owners within the City of Marsing.

Section 3: The zoning land use classification of the land described in Section 2 above is hereby established Residential, as provided by the Zoning Ordinance of the City. The Zoning Map of the City is hereby amended to include the real property described in Section 2 above in the zoning land use classification.

Section 4: The City Clerk is hereby directed to file, within ten (10) days of passage and approval of this Ordinance, a certified copy of this Ordinance with the offices of the Auditor, Treasurer, and Assessor of Owyhee County, Idaho, and with the Idaho State Tax Commission, Boise, Idaho, as required by Section 50-223, Idaho Code, and to comply with the provisions of Section 63-215, Idaho Code, with regard to the preparation and filing of a map and legal description of the real property annexed by this Ordinance.

Section 5: This Ordinance shall take effect and be in force from and after its passage, approval, and publication as required by law. In lieu of publication of the entire ordinance, a summary thereof in compliance with Section 50-901A, Idaho code, may be published.

DATE this 10th day of March, 2010.

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CITY OF MARSING
Owyhee County, Idaho

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Keith D. Green
Keith D. Green, Mayor

ATTEST:
Janice C. Bicandi
Janice C. Bicandi, City Clerk

Instrument # 270807

MURPHY, OWYHEE, IDAHO

4-5-2010 11:15:29 No. of Pages: 3

Recorded for : CITY OF MARSING

CHARLOTTE SHERBURN

Fee: 0.00

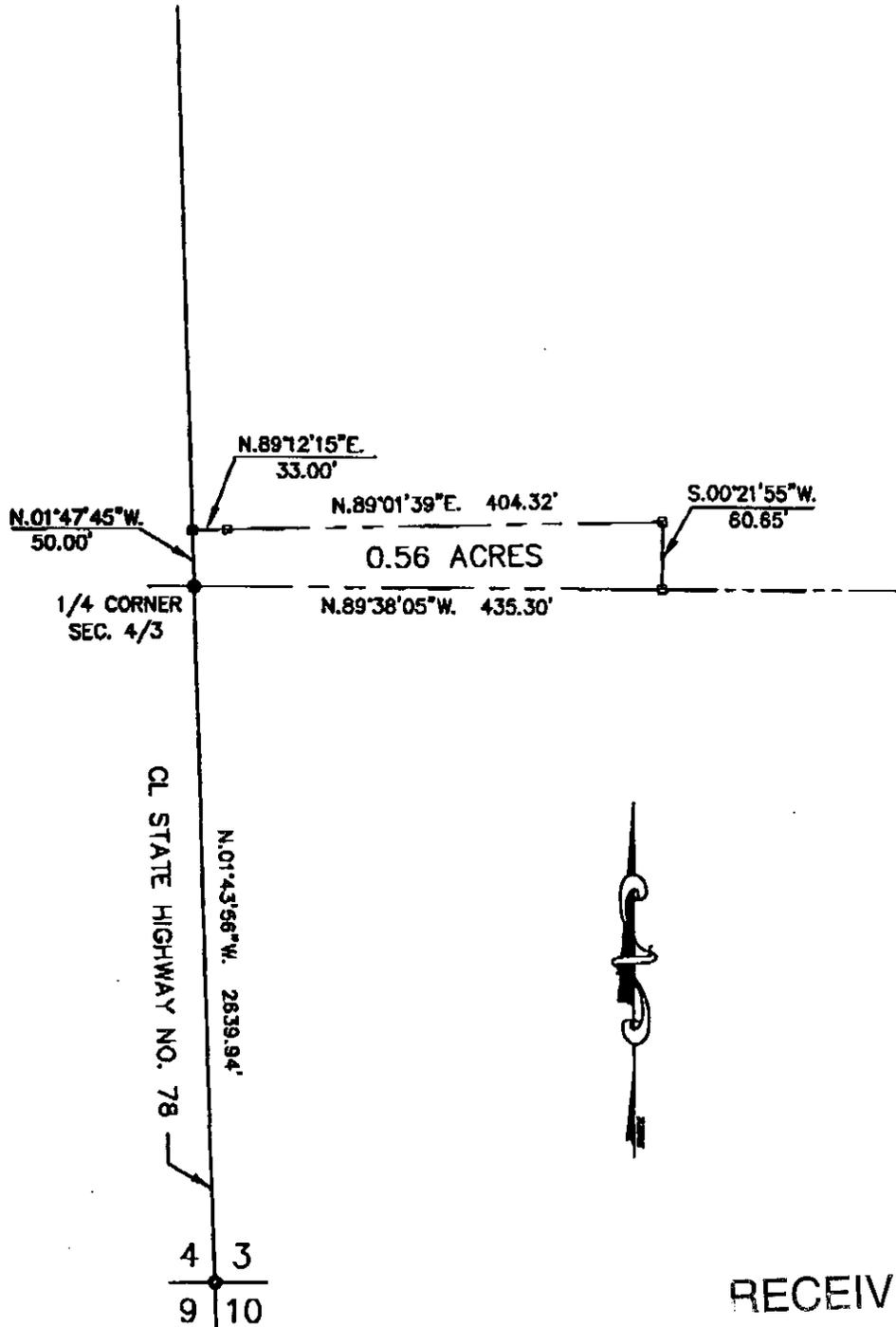
Ex-Officio Recorder Deputy *M Peterson*

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INDEXED
SCANNED

ANNEXATION DESCRIPTION FOR
A PORTION OF THE MILLER PROPERTY
INTO THE CITY LIMITS OF MARSING, IDAHO

LYING IN THE SW1/4 NW1/4 OF SECTION 3,
T.2N., R.4W., B.M., OWYHEE COUNTY, IDAHO



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