

COPY

108

ORDINANCE NO. 2989

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, DEANNEXING CERTAIN REAL PROPERTY.

WHEREAS, The Twin Falls City Council adopted Ordinance No. 2833, annexing Benno's Point Subdivision, and which included certain real property described in Attachment "B" to that ordinance, which real property was included by mistake, and should not have been annexed; and,

WHEREAS, The City Council subsequently adopted a "Corrected Ordinance No. 2833," which excluded the property previously described in Attachment "B" to the ordinance, in order to correct the error; and,

WHEREAS, The Idaho State Tax Commission refuses to acknowledge the corrected Ordinance No. 2833, and requires a deannexation ordinance in order to correct the error.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF TWIN FALLS, IDAHO:

Section 1: That the below described property is deannexed and excluded from the City of Twin Falls:

A parcel of land located in the NE ¼, of Section 21, Range 17 East, Township 10 South, Boise Meridian, Twin Falls County, Idaho, being more particularly described as follows:

COMMENCING at the East Quarter Corner of Section 21. Said point lies South 00°23'01" East 2639.85 feet from the Northeast corner of Section 21.

- THENCE North 86°49'24" West 1492.18 feet along the centerline of Park Avenue;
- THENCE North 00°17'13" West 25.90 feet to the North Right-of-Way of Park Avenue, also the REAL POINT OF BEGINNING;
- THENCE North 86°49'24" West 170.71 feet along the North Right-of-Way of Park Avenue;
- THENCE North 00°17'13" West 260.58 feet;
- THENCE South 86°49'24" East 170.71 feet;
- THENCE South 00°17'13" East 260.58 feet to the North Right-of-Way of Park Avenue, also being the REAL POINT OF BEGINNING.

Containing 1.019 Acres

PASSED BY THE CITY COUNCIL,

August 16, 2010.

SIGNED BY THE MAYOR

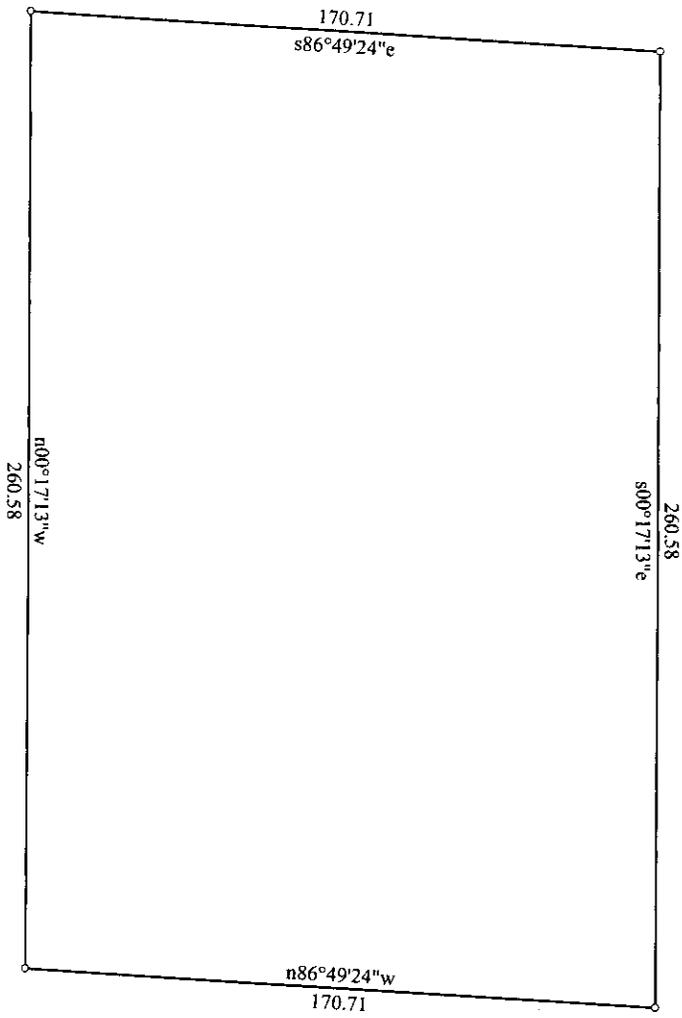
August 17, 2010.

ATTEST: *Leila A. Sanchez*  
DEPUTY CITY CLERK

*[Signature]*  
MAYOR

*Leila A. Sanchez*  
**LEILA A. SANCHEZ**  
**NOTARY PUBLIC**  
**STATE OF IDAHO**  
*County of Twin Falls*  
*My Commission Expires:*

PUBLISH: Thursday, August 26, 2010



Title:		Date: 06-25-2010
Scale: 1 inch = 52 feet	File: Deters De-annexation.des	
Tract 1: 1.019 Acres: 44402 Sq Feet: Closure = n00.0000e 0.00 Feet: Precision >1/999999: Perimeter = 863 Feet		
001=n86.4924w 170.71	003=s86.4924e 170.71	
002=n00.1713w 260.58	004=s00.1713e 260.58	



**Affidavit of Publication**  
STATE OF IDAHO )  
COUNTY OF TWIN FALLS) SS.

I, Ruby Aufderheide, being first duly sworn upon oath, depose and say that I am Legal Clerk of the TIMES-NEWS, published daily at, Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for ~~one consecutive~~ publication, commencing with the issue dated 26th day of August, 2010 and ending with the issue dated 26th day of August, 2010

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except Monday, both of which newspapers prior to consolidation had been published under said names in said city and county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-NEWS, since such consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at which time said newspaper began daily publication under said name in said city and county continuously and uninterrupted.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho to be issued thereof Thursday is announced as the day on which said legal will be published.

  
Ruby Aufderheide, Legal Clerk

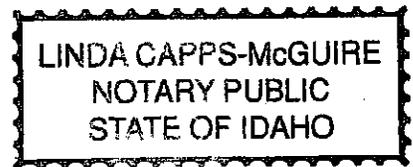
STATE OF IDAHO  
COUNTY OF TWIN FALLS

On this 26th day of August, 2010, before me,

a Notary Public, personally appeared Ruby Aufderheide,  
known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

  
Notary Public for Idaho  
Residing at Twin Falls, Idaho.

My commission expires: 5-19-15



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Containing 1.019 Acres

PASSED BY THE CITY COUNCIL, August 16, 2010

/s/ Mayor Don Hall, August 17, 2010

/s/ Deputy City Clerk Leila Sanchez

PUBLISH: Thursday, August 26, 2010

P.O. Box 1907  
321 Second Avenue East  
Twin Falls, ID 83303-1907



Phone: (208) 735-7245  
Fax: (208) 732-0741  
www.tfid.org

## CERTIFICATE

I, Sharon Bryan do hereby certify:

That I am the duly appointed Deputy City Clerk of the City of Twin Falls, Idaho; that I have in my office and under my control the original copy of Ordinance No. 2989; that said Ordinance was approved by the City Council of the City of Twin Falls, Idaho on August 16, 2010, and signed by the Mayor on August 17, 2010; that the foregoing instrument is a true and correct copy of said Ordinance No. 2989; that said Ordinance is on file in my office.

Dated this 21<sup>st</sup>, day of September, 2010

Sharon Bryan, Deputy City Clerk  
City of Twin Falls, Idaho

Subscribed and sworn to before me this 21<sup>st</sup>, day of September, 2010.

Notary Public  
Residing in Twin Falls, Idaho

