

Instrument # 348865
VALLEY COUNTY, CASCADE, IDAHO
1-22-2010 09:01:33 No. of Pages: 4
Recorded for : CITY OF DONNELLY
ARCHIE N. BANBURY Fee: 0.00
Ex-Officio Recorder Deputy *Archie N. Banbury*
Index to: ORDINANCES

CITY OF DONNELLY ORDINANCE NO. 207

AN ORDINANCE OF THE CITY OF DONNELLY, COUNTY OF VALLEY, STATE OF IDAHO, ANNEXING CERTAIN ADJACENT AND CONTIGUOUS REAL PROPERTY TO THE CITY OF DONNELLY; PROVIDING FOR THE ZONING OF SAID ANNEXED REAL PROPERTY; PROVIDING THAT SUCH REAL PROPERTY AND ALL PERSONS WITHIN THE LIMITS OF SUCH ANNEXED REAL PROPERTY SHALL BE SUBJECT TO ALL PROVISIONS OF ALL ORDINANCES OF THE CITY OF DONNELLY; PROVIDING FOR THE FILING OF THE COPIES OF THE ORDINANCE; PROVIDING FOR COMPLIANCE WITH IDAHO CODE SECTION 63-215; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

WHEREAS, the City Council of the City of Donnelly ("City Council") has heard an application by the City of Donnelly, for the annexation of certain real property near the City of Donnelly ("City"), and more particularly described in Exhibit A ("Parcel") attached hereto and incorporated herein by this reference;

WHEREAS, the City Council has determined that the annexation of the Parcel will further the City's interest and protect the health, safety, and welfare of the citizens of Donnelly;

WHEREAS, the City Council has determined that the proposed annexation represents an orderly extension of City boundaries;

WHEREAS, the City Council has determined that the proposed annexation lies within the City of Donnelly Area of City Impact and represent a Category A annexation pursuant to Idaho Code §50-222;

WHEREAS, the City Council has determined that the proposed annexation is harmonious and in accordance with specific goals and policies of applicable components of the Donnelly Comprehensive Plan;

WHEREAS, the City Council has determined that the City services can be extended to accommodate the proposal; and,

WHEREAS, the City Council has determined that the fiscal impact of the development of the necessary public services will be adequately addressed by annexation fees paid by the applicant.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DONNELLY, COUNTY OF VALLEY, STATE OF IDAHO, AS FOLLOWS:

SECTION 1. The real property depicted in Exhibit A attached hereto, the Parcel and all real property within the exterior boundaries denoted as "New City Limit Lines" are hereby declared to be part of the City of Donnelly and annexed thereto. The annexed property is further described and depicted in EXHIBIT B, attached hereto and incorporated herein by this reference.

SECTION 2. The real property shall be, and hereby, classified and zoned as part of the Light Industrial Zoning District, as defined by Donnelly Zoning Ordinance 171 Article 6, as amended and as delineated on attached Exhibit B.

SECTION 3. From and after the effective date of this Ordinance all property and persons within the above-described parcel of land shall be subject to the provisions of all ordinances of the City of Donnelly.

SECTION 4. Pursuant to Idaho Code §50-223, the Clerk of the City of Donnelly shall, within ten (10) days following the effective date of this Ordinance, file a certified copy of this Ordinance with the Valley County Auditor, the Valley County Treasurer, the Valley County Assessors, and the Idaho State Tax Commission.

SECTION 5. The Clerk of the city of Donnelly shall, within ten (10) days following the effective date of this Ordinance, cause one copy of the legal description and map prepared in a draftsman like manner which shall plainly and clearly designate the boundaries of the altered portion of the City of Donnelly to be filed with the Valley County Recorder, the Valley County Assessor, and the Idaho State Tax Commission.

SECTION 6. This Ordinance shall be in full force and effect from and after its passage, approval and publication according to law.

PASSED AND DOPTED BY THE DONNELLY CITY COUNCIL AND APPROVED BY THE MAYOR THIS 13TH DAY OF JANUARY, 2010.



BRAD BACKUS, Mayor
City of Donnelly

Attest: 

Judy Linman,
Clerk, City of Donnelly



Exhibit A

**LEGAL DESCRIPTION
CITY OF DONNELLY ANNEXATION PARCEL**

A parcel of land, a portion of the NE 1/4 of the SW 1/4 of Section 15, T.16N., R.3 E., B.M., Valley County, Idaho, more particularly described as:

COMMENCING at a brass cap marking the center 1/4 corner of said Section 15; thence, along the north line of said SW 1/4 of said Section 15,

- A.) N.89°14'41"W., 164.38 feet to a point on the west Right-of-Way line of the abandoned Idaho Northern Branch of the Oregon Shortline Railroad, from which the west 1/4 corner of said Section 15 bears N.89°14'41"W., 2486.31 feet, the **POINT OF BEGINNING**; thence, departing said 1/4 section line, along said Right-of-Way line,
- 1.) S.7°29'01"E., 78.28 feet to the beginning of a tangent curve; thence,
 - 2.) along said curve to the right having a radius of 5679.65 feet, an arc length of 347.25 feet, through a central angle of 3°30'11", and a chord bearing and distance of S.5°43'55"E, 347.19 feet; thence, departing said Right-of-Way line,
 - 3.) N.89°14'41"W., 1043.70 feet; thence,
 - 4.) N.0°09'34"W., 422.50 feet to the north line of said SW 1/4; thence, along said 1/4 section line,
 - 5.) S.89°14'41"E., 1000.00 feet to the **POINT OF BEGINNING**,

CONTAINING 9.93 Acres, more or less.

Exhibit A-1

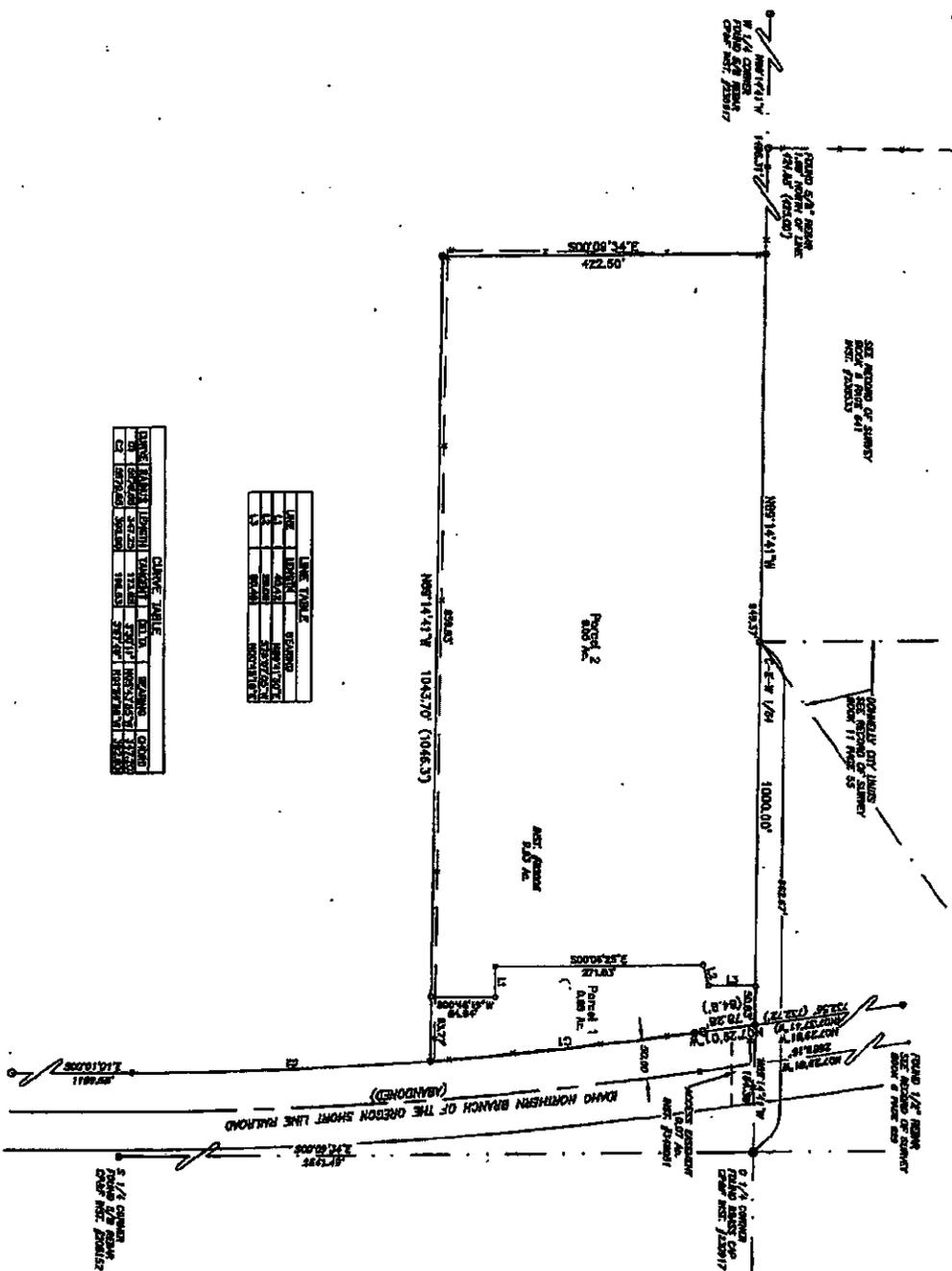
RECORD OF SURVEY

CITY OF DONNELLY

FOR THE
LOCATED IN
VALLEY COUNTY, IDAHO
JANUARY, 2010

Instrument # 348835
VALLEY COUNTY, CASCADE IDAHO
1-20-2010 04:20:54 No. of Pages: 1
Recorded for: SECESH ENGINEERING
ARCHIE N. BANDURRY
Ex-Officio Recorder Deputy
Index to: RECORD OF SURVEY

RECORDED STAMP
BOOK NO. 11 PAGE NO. 666
OF RECORDS OF SURVEY



LINE TABLE

LINE	BEARING	DISTANCE
1	N 89° 14' 41\"	1000.00
2	S 89° 14' 41\"	422.50
3	N 89° 14' 41\"	1000.00
4	S 89° 14' 41\"	422.50

CLAMP TABLE

CLAMP	BEARING	DISTANCE
1	N 89° 14' 41\"	1000.00
2	S 89° 14' 41\"	422.50
3	N 89° 14' 41\"	1000.00
4	S 89° 14' 41\"	422.50

Beings based on GPS derived State Plane GND
The parcel will depicted on the Record of Survey was
approved by the City of Donnelly on January 20, 2010

- LEGEND
- FOUND 5/8" IRON PIN
 - FOUND 1/2" IRON PIN
 - SET 1/2" IRON PIN W/PLASTIC CAP AND L.S. 8577
 - SET 5/8" IRON PIN W/PLASTIC CAP AND L.S. 8577
 - FOUND BRASS CAP MONUMENT
 - FOUND CONCRETE 6/4" POST
 - CALCULATED POSITION - NOTHING SET
 - (8447) RECORD DATA

I, Archie N. Bandurry, a Professional Land Surveyor, Registered in the State of Idaho, do hereby certify that this plat was prepared from notes taken during an actual survey made by me in January, 2010 and that it correctly represents the points, courses and distances as recorded in said field notes.



SECESH ENGINEERING INC.
P.O. Box 70
McCall, ID 83838
(208) 851-8338

Closes CJ

4/16/10

003



City of Donnelly

169 Halferty Street

P.O. Box 725

Donnelly, Idaho 83615

Telephone: (208) 325 - 8859 Fax: (208) 325-4091

January 22, 2010

7741
VIA FACSIMILE (208-334-7660)
(Confirmation via US Mail)

ATTN: Annexation and GIS Maps
Idaho State Tax Commission
P.O. Box 36
Boise, ID 83722-0410

204
Re: City of Donnelly Ordinance No. 207 (Annexation of 9.93 Acre Parcel)

To Whom It May Concern:

The City of Donnelly ("City") recently approved Ordinance No.207 resulting in the annexation of certain adjacent and contiguous real property into the City. Attached please find a copy of said ordinance which includes a legal description and map of the subject parcel.

Thank you for your attention to this matter. In the meantime, should you have any questions or concerns, please do not hesitate to contact the City.

Sincerely,

Merideth Chaudoir,
Interim City Administrator

Enclosure

cc: Judy Linman, City Clerk (w/ encl.)
File (w/encl.)