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ORDINANCE NO. 1280

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 CASSIA 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 Cassia County, Idaho, and are more particularly described in EXHIBIT "A" hereto. Said lands are owned by two private landowners who have requested annexation and otherwise consented to the same. 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 Cassia 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 Cassia 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.

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

RECEIVED

SEP 13 2011

TECHNICAL SUPPORT

PASSED this 6<sup>th</sup> day of September, 2011, by a vote of 6 in favor  
and 0 against.



CITY OF BURLEY

*Rolert Greenman*  
By *Terry Greenman*  
Terry Greenman  
Mayor

*Melanie Haynes*  
Melanie Haynes  
City Clerk

ANNEXATION OF PADRON AND MEYER PROPERTIES, ETC., AT 21<sup>ST</sup> ST. AND HILAND AVE.

DESCRIPTION:

AN ANNEXATION BY THE CITY OF BURLEY OF THAT REAL PROPERTY CONVEYED FROM SLIGER TO PADRON BY THE QUITCLAIM DEED RECORDED JULY 12, 2005 AS INSTRUMENT No. 303024, CASSIA COUNTY RECORDS, AND THAT REAL PROPERTY CONVEYED FROM T-W, INC. TO MEYER BY THE WARRANTY DEED RECORDED APRIL 5, 2010 AS INSTRUMENT No. 2010-001166, CASSIA COUNTY RECORDS, AND A PORTION OF THAT REAL PROPERTY CONVEYED FROM CLARK ET AL. TO THE BURLEY HIGHWAY DISTRICT BY THE RIGHT OF WAY DEED RECORDED MAY 4, 1967 AS INSTRUMENT No. 34821, CASSIA COUNTY RECORDS, AND A PORTION OF THAT REAL PROPERTY CONVEYED FROM CLARK AND YEAMAN TO THE BURLEY HIGHWAY DISTRICT BY THE QUITCLAIM DEED RECORDED MAY 26, 1970 AS INSTRUMENT No. 51303, CASSIA COUNTY RECORDS, THE ENTIRE ANNEXATION MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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

SECTION 28:           A PORTION OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER (SW1/4NW1/4)

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 28, MARKED BY A 5/8 REBAR AND ALUMINUM CAP, AND RUNNING THENCE ALONG THE WEST LINE THEREOF NORTH 0°18'08" WEST 200.00 FEET TO THE TRUE POINT OF BEGINNING;

THENCE LEAVING SAID WEST LINE SOUTH 89°26'56" EAST 30.00 FEET TO THE SOUTHWEST CORNER OF SAID LANDS OF MEYER;

THENCE ALONG THE SOUTH LINE THEREOF SOUTH 89°26'56" EAST 123.65 FEET TO THE SOUTHEAST CORNER THEREOF;

THENCE ALONG THE EAST LINE OF SAID LANDS OF MEYER NORTH 0°18'08" WEST 83.50 FEET TO THE NORTHEAST CORNER THEREOF;

THENCE NORTH 18°06'20" WEST 34.83 FEET TO THE SOUTHEAST CORNER OF SAID REAL PROPERTY CONVEYED TO PADRON;

THENCE ALONG THE EAST LINE THEREOF NORTH 0°18'08" WEST 96.00 FEET TO THE NORTHEAST CORNER THEREOF;

THENCE ALONG THE NORTH LINE OF SAID LANDS OF PADRON NORTH  
89°26'56" WEST 113.00 FEET TO THE NORTHWEST CORNER THEREOF;

THENCE CONTINUING NORTH 89°26'56" WEST 30.00 FEET TO THE WEST LINE  
OF SAID SECTION 28;

THENCE ALONG SAID WEST SECTION LINE SOUTH 0°18'08" EAST 212.50  
FEET TO THE TRUE POINT OF BEGINNING.

THE ABOVE DESCRIBED ANNEXATION AREA CONTAINS 0.72 ACRES, MORE  
OR LESS.

TOWNSHIP 10 SOUTH, RANGE 23 EAST, BOISE MERIDIAN,  
SW1/4NW1/4 SECTION 28  
CASSIA COUNTY, IDAHO

H I L A N D A V E.

INST. No. 34821

PADRON  
INST. No. 303024

21ST STREET  
INST. No. 51303

21ST STREET  
INST. No. 51303

MEYER  
INST. No. 2010-001666



————— ANNEXATION AREA BOUNDARY  
————— ADJOINING PROPERTY LINE  
- - - - - SECTION LINE

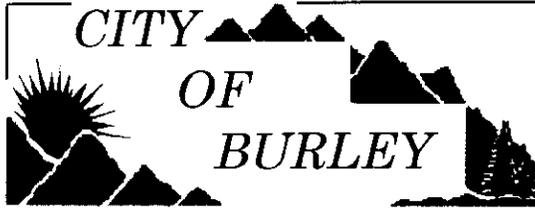
CITY OF BURLEY  
ANNEXATION AREA

SW CORNER,  
SW1/4NW1/4 SEC.28



MOON & ASSOCIATES, INC.  
ENGINEERING & LAND SURVEYING

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



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

## LETTER OF TRANSMITTAL

**Date:** September 08, 2011

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

**Regarding:** City of Burley Annexation – Ordinance #1280

**Enclosed are the following items:**

Recorded City of Burley Ordinance #1280 including five 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  
Cassia County Assessor  
Cassia County Auditor  
Cassia County Treasurer

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