

**ORDINANCE NO. 292**

012

AN ORDINANCE DEANNEXING FROM AND DECLARING THE SAME TO BE SEPARATE FROM THE CITY OF SUGAR CITY, MADISON COUNTY, IDAHO, A SPECIFICALLY DESCRIBED PORTION TO WIT, BEGINNING AT A POINT 726 FEET SOUTH OF THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 6 NORTH, RANGE 40 EAST, BOISE MERIDIAN, MADISON COUNTY, IDAHO AND RUNNING THENCE NORTH 174 FEET; THENCE WEST 250 FEET; THENCE SOUTH 174 FEET; THENCE EAST 250 FEET TO THE POINT OF BEGINNING; BY DECLARING SUCH PROPERTY TO BE NO LONGER A PART OF THE CITY OF SUGAR CITY; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH AND PROVIDING A SEVERABILITY CLAUSE.

WHEREAS, the Mayor and City Council find it to be in the best interests of the City of Sugar City and the citizens thereof that said property be deannexed; NOW, THEREFORE,

BE IT ORDAINED, by the Mayor and City Council of the City of Sugar City:

**SECTION 1.** That the property as set forth in Exhibit "A", attached hereto and incorporated herein, previously annexed pursuant to Ordinance No. 259 as amended, adopted the 26<sup>th</sup> day of January, 2006, be and the same is hereby deannexed and declared to be separate from and no longer a part of the City of Sugar City, Madison County, Idaho.

**SECTION 2.** That the Planning Director be and is hereby instructed to make such change and amendment on the three official zoning maps of the City of Sugar City and the official comprehensive plan maps of the City of Sugar City to reflect said deannexation, and that said real property upon passage and publication of this ordinance shall be deannexed and no longer a part of the city limits of the City of Sugar City, Madison County, Idaho.

**SECTION 3.** All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

**SECTION 4.** Neither the adoption of this ordinance nor the repeal of any ordinance shall, in any manner, affect the prosecution for violation of such ordinance committed prior to the effective date of this ordinance or be construed as a waiver of any license or penalty due under any such ordinance or in any manner affect the validity of any action heretofore taken by the City of Sugar City Council or the validity of any such action to be taken upon matters pending before the City Council on the effective date of this ordinance.

**SECTION 5.** The provisions of this ordinance are severable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid, or unconstitutional or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words or parts of this ordinance or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this ordinance would have been adopted if such illegal, invalid or unconstitutional provision, clause, sentence, subsection,

I HEREBY CERTIFY THE FOREGOING INSTRUMENT TO BE A TRUE AND CORRECT COPY OF THE ORIGINAL ON FILE IN MY OFFICE

DATED 2-1-11  
MARILYN R. RASMUSSEN  
Madison County Clerk  
Auditor and Recorder  
Clerk of the District Court

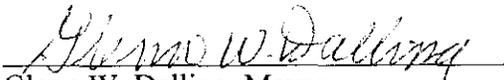
By *[Signature]*  
Deputy

word, or part had not been included therein, and if such person or circumstance to which the ordinance or part thereof is held inapplicable had been specifically exempt therefrom.

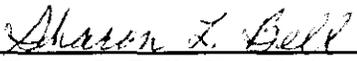
**SECTION 6.** After its passage and adoption, a summary of this Ordinance, under the provisions of the Idaho Code, shall be published once in the official newspaper of the City of Sugar City, and upon such publication shall be in full force and effect.

Passed under suspension of rules upon which a roll call vote was duly taken, and duly enacted an ordinance of the City of Sugar City at a regular session of the City Council on January 27, 2011.

APPROVED, ADOPTED, and SIGNED this 27<sup>th</sup> day of January, 2011.

  
Glenn W. Dalling, Mayor

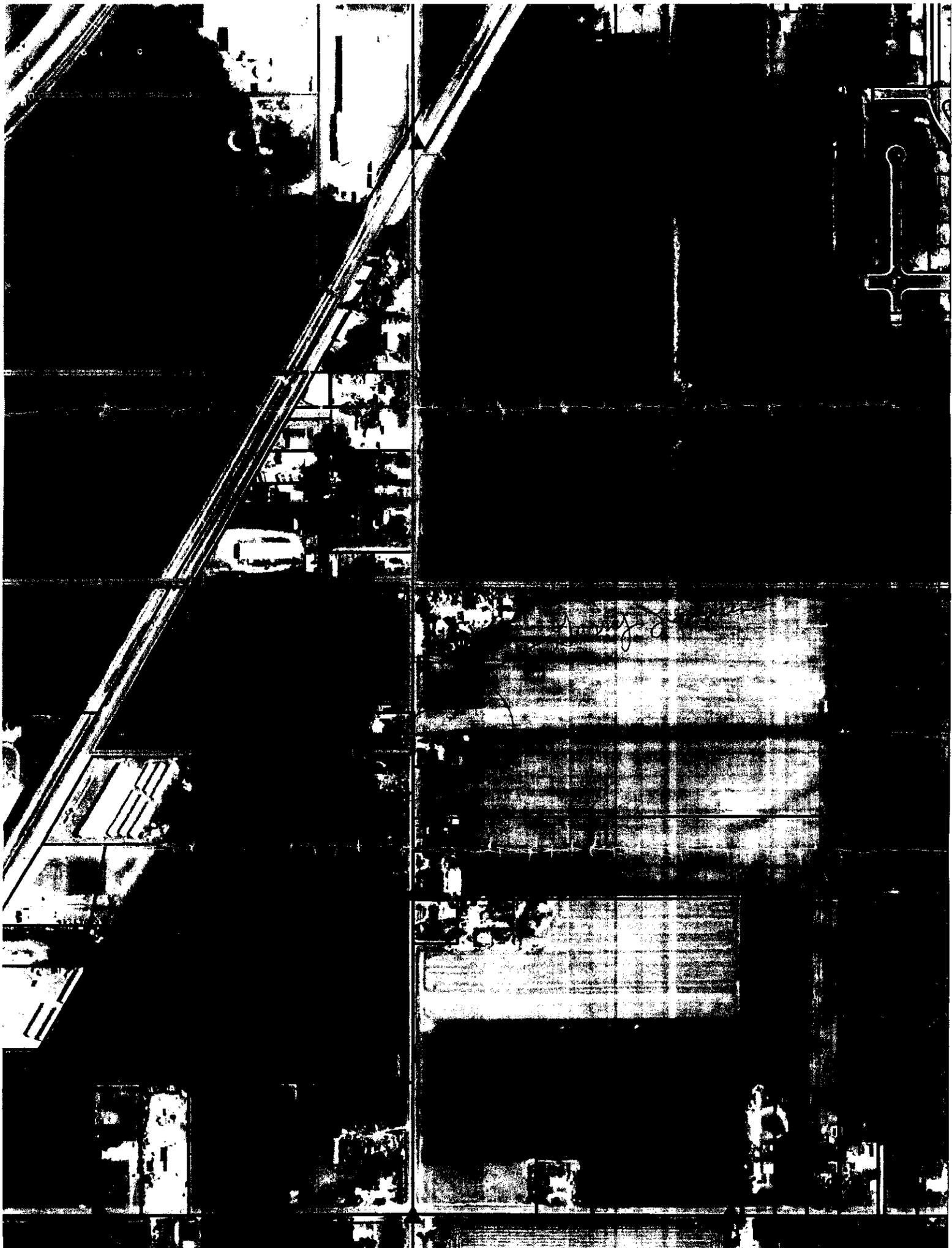
ATTEST:

  
Sharon L. Bell, City Clerk

(SEAL)

**EXHIBIT A**

BEGINNING AT A POINT 726 FEET SOUTH OF THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 6 NORTH, RANGE 40 EAST, BOISE MERIDIAN, MADISON COUNTY, IDAHO AND RUNNING THENCE NORTH 174 FEET; THENCE WEST 250 FEET; THENCE SOUTH 174 FEET; THENCE EAST 250 FEET TO THE POINT OF BEGINNING





City of Sugar City  
Post Office Box 56 – 10 East Center  
Sugar City, Idaho 83448

Support our local businesses

Glenn W. Dalling, Mayor  
Sharon L. Bell, Clerk  
Marcie A. Smith, Treasurer

Phone: 356-7561  
Fax: 359-2654  
Office Hours: 9 a.m. to 4 p.m.

February 2, 2011

State Tax Commission  
800 Park Blvd., Plaza IV  
P. O. Box 36  
Boise, ID 83722

Gentlemen:

Enclosed is a certified copy of Ordinance No. 292 that describes newly ~~deannexed~~ lands from the City of Sugar City. Attached to said ordinance is a map of the area to be deannexed.

Sincerely,

*Sharon L. Bell*

Sharon L. Bell, City Clerk

Enclosure

RECEIVED

FEB 5 2011

TELEPHONE ROOM