

City of Montpelier, Idaho  
Ordinance# 636

082

**AN ORDINANCE OF THE CITY OF MONTPELIER, A MUNICIPAL CORPORATION OF IDAHO, ANNEXING AND ZONING A PARCEL OF LAND WHOSE LEGAL ADDRESS IS AS SET FORTH IN ATTACHED EXHIBIT "A".**

**ALSO: PROVIDING FOR THE CITY CLERK TO FILE A CERTIFIED COPY OF THIS ORDINANCE WITH THE IDAHO STATE TAX COMMISSION AND WITH THE BEAR LAKE COUNTY AUDITOR, TREASURER, AND ASSESSOR IN ACCORDANCE WITH IDAHO CODE §§ 50-223 AND 63-215;**

**ALSO, PROVIDING FOR SAID LAND TO BE RE-ZONED FROM R-4 TO R-20; AND PROVIDING FOR THIS ORDINANCE TO BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW, THE RULE REQUIRING THAT AN ORDINANCE BE READ ON THREE SEPARATE OCCASIONS HAVING BEEN DISPENSED WITH.**

WHEREAS, there are certain lands lying contiguous and/or adjacent to the City of Montpelier, subject to annexation in accordance with the provisions of Idaho Code §50-222; and

WHEREAS, the owner of the said land has applied for annexation, a public hearing was held on July 19, 2012, before the Montpelier Planning and Zoning Commission, and a recommendation dated July 19, 2012, was made to the City Council to annex and zone the lands; and

WHEREAS, this is a Category A Annexation;

WHEREAS, the City Council has determined that is in the best interest of the City of Montpelier and the residents thereof that the said lands heretofore described in this title and hereinafter described in this ordinance be annexed to the City of Montpelier and simultaneously zoned;

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF MONTPELIER, STATE OF IDAHO AS FOLLOWS:**

**SECTION 1.** That the land described in Exhibit "A" attached hereto and made a part hereof by reference, and as depicted on the map attached hereto and made a part hereof, be hereby annexed and made a part of the City of Montpelier, a municipal corporation of Idaho.

**SECTION 2.** That the land described in this ordinance described be hereby re-zoned from R-4 to R-20 in its entirety, and that the official zoning map adopted by the City of Montpelier be hereby amended to incorporate the land annexed herein, and to depict the zone herein established upon said land.

RECEIVED

AUG 30 2012

TECHNICAL SUPPORT

**SECTION 3.** That immediately after the passage, approval, and publication of this ordinance according to law, the City Clerk is hereby directed to file with the Bear Lake County Auditor, Treasurer, and Assessor, and with the Idaho State Tax Commission, a certified copy of this ordinance.

**SECTION 4.** That upon the passage, approval, and publication of this ordinance according to law, the incorporated limits of the City of Montpelier shall extend to and include the lands hereinabove described and thereafter all property and persons within the limits of the lands herein annexed shall be subject to all of the provisions of the laws of the City of Montpelier and to the police regulations thereof.

**SECTION 5.** That this Ordinance shall be in full force and effect from and after its passage, approval, and publication according to law.

**SECTION 6.** One half (1/2) plus one (1) of the members of the full council agree to dispense with the rule requiring the reading of this ordinance on three (3) separate occasions.

**PASSED AND APPROVED by the Mayor and the City Council of the City of Montpelier, Bear Lake County, Idaho, this 1<sup>ST</sup> day of August, 2012.**

STATE OF IDAHO  
COUNTY OF BEAR LAKE SS

I, Kelly Rea, Clerk and Treasurer of the City **MAYOR**  
of Montpelier, do hereby certify that the within and  
foregoing is a full, true and correct copy of the original  
Ordinance 636 as the same that appears on file in  
my office.

Reed Peterson  
Reed Peterson, Mayor

IN WITNESS WHEREOF, I have hereunto set my hand  
and affixed the seal of this office at Montpelier, Idaho,  
this 8/10/2012

ATTEST:

Kelly Rea  
Kelly Rea, City Clerk

PUBLISHED: 8/15/2012

STATE OF IDAHO  
County of Bear Lake

On this 1st day of August, 2012,

before me, a Notary Public in and for said State, personally  
appeared Reed Peterson and  
Kelly Rea

Signer(s) of the above instrument, who duly acknowledged to  
me that (he) (she) (they) executed the same.

Leslie S. Tueller  
Notary Public

Residing at: Montpelier  
My Commission expires: 3-1-17

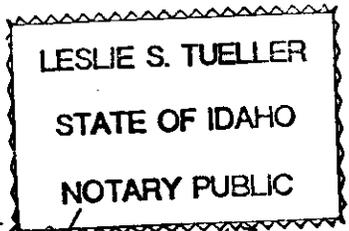
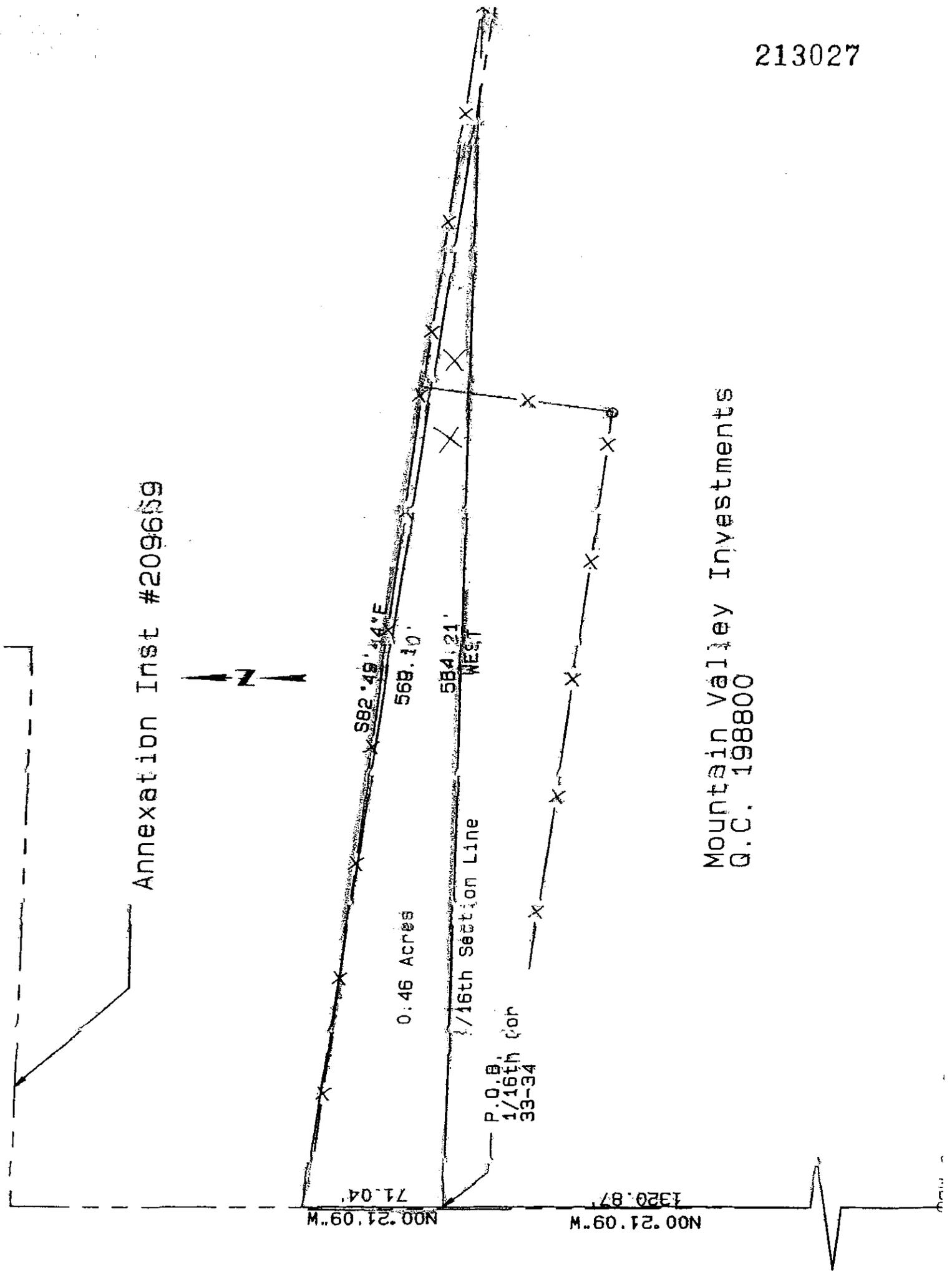


EXHIBIT "A"

Real property located in the County of Bear Lake, State of Idaho, and more particularly described as follows:

Commencing at the Southwest corner of Section 34, Township 12 South, Range 44 East of the Boise Baseline and Meridian and running thence N 00°21'09" W 1320.00 feet along the section line to the south 1/16th section corner common to Sections 33 and 34, sections, said point being the TRUE POINT OF BEGINNING, and running thence N 00°21'09" W 71.04 feet along the section line; thence S 82°49'44" E 569.10 feet to the 1/16<sup>th</sup> section line; thence West 564.21 feet along said 1/16<sup>th</sup> section line to the point of beginning containing .046 acres.

Annexation Inst #209659



0.46 Acres

1/16th Section Line

P.O.B.  
1/16th cor  
33-34

Mountain Valley Investments  
Q.C. 198800

N00°21'09"W  
71.04'

N00°21'09"W  
1320.87'



**Recommendation of Planning and Zoning Commission for:**  
**Annexation**

A Public Hearing was held on July 19, 2012, at 7:00 p.m. at the Montpelier City Hall upon the motion for Annexation requested by Jay Jensen.

Jay Jensen, owner of Red Rock Trailer Park, is requesting a 3/4 acre parcel, located NW of Red Rock Trailer Park, be annexed into the city, and rezoned from R4 to R20, to be consistent with the zoning of the parcel that is already located within the City of Montpelier.

That after discussion and findings and due consideration, the Planning and Zoning Commission unanimously approved and recommends that the Annexation to be approved as presented.

**Motion to grant the Annexation of said parcel, and rezone from R4 to R20, to Jay Jensen.**