

CASSIA COUNTY

Recorded for:

CITY OF BURLEY

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JOSEPH W. LARSEN

County Clerk

Deputy: VIKI

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ORDINANCE NO. 1284

TECHNICAL SUPPORT

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" attached hereto and incorporated by reference. Said lands are respectively owned by private landowners, who have not objected; each respective parcel to be annexed is surrounded on all sides by land within the City of Burley and/or by the boundary of the City's area of city impact. 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 parcels described in Section 2 herein shall hereby remain zoned as currently designated; Pursuant to the Burley Zoning Act, Parcel A (Johnson's Subdivision) is designated as "C2"; Parcel B (Boise Packaging/Handy Truckline Property) is designated as "C3"; Parcel C (Lipman Property) is designated as "C3".

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

PASSED this 20th day of March, 2012, by a vote of 6 in favor and 0 against.

CITY OF BURLEY

By Terry Greenman
Terry Greenman
Mayor



Melanie Haynes
Melanie Haynes
City Clerk

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MAR 2 2012

TECHNICAL SUPPORT

PARCEL A:

Burley Annexation Ordinance 2
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TOWNSHIP 10 SOUTH, RANGE 23 EAST, BOISE MERIDIAN, CASSIA COUNTY, IDAHO.

SECTION 17: A PORTION OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER.

SECTION 20: A PORTION OF THE NORTHEAST QUARTER. ✓

THE AFORESAID ANNEXATION AREA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 17, MARKED BY AN IRON PIPE AND BRASS CAP, AND RUNNING THENCE ALONG THE SOUTH LINE THEREOF SOUTH 89°28'37" EAST 702.50 FEET TO THE SOUTHWEST CORNER OF BLOCK 4 OF JOHNSON'S SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE CASSIA COUNTY RECORDER'S OFFICE, SAID SOUTHWEST CORNER BEING THE TRUE POINT OF BEGINNING;

THENCE ALONG THE WEST LINE OF SAID BLOCK 4, BEING ALSO THE EAST LINE OF HANSEN AVENUE, NORTH 0°00'04" WEST 990.05 FEET TO THE NORTHWEST CORNER OF SAID BLOCK 4;

THENCE ALONG THE NORTH LINE THEREOF SOUTH 89°29'34" EAST 625.15 FEET TO THE NORTHEAST CORNER OF SAID BLOCK 4;

THENCE ALONG THE EAST LINE THEREOF SOUTH 0°00'11" WEST 990.22 FEET TO THE SOUTHEAST CORNER OF SAID BLOCK 4, LAST SAID CORNER BEING ALSO THE SOUTHEAST CORNER OF THE AFORESAID SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 17;

THENCE ALONG THE SOUTH LINE OF SAID SECTION 17 SOUTH 89°28'37" EAST 20.00 FEET TO THE WEST LINE OF THAT REAL PROPERTY CONVEYED FROM WILLIAM A. COUCH AND LINDA L. KEENE TO DENNIS AND MARGARET SCOTT BY THE WARRANTY DEED RECORDED MARCH 26, 2003 AS INSTRUMENT No. 287573, CASSIA COUNTY RECORDS;

THENCE ALONG LAST SAID WEST LINE SOUTH 0°00'11" WEST 28.60 FEET TO THE NORTH LINE OF THE FIFTH STREET RIGHT OF WAY AS SHOWN ON THE OFFICIAL PLAT OF THE BURLEY TOWNSITE ON FILE IN THE CASSIA COUNTY RECORDER'S OFFICE;

THENCE ALONG SAID NORTH RIGHT OF WAY LINE SOUTH 89°48'17" WEST 645.05 FEET;

THENCE LEAVING SAID RIGHT OF WAY LINE NORTH 0°00'04" WEST 36.69 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL B:

TOWNSHIP 10 SOUTH RANGE 22 EAST, BOISE MERIDIAN, CASSIA COUNTY IDAHO.

SECTION 25: A PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE4SE4).

SECTION 36: A PORTION OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER (NE4NE4).

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

SECTION 30: A PORTION OF GOVERNMENT LOT 4.

BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 30, MARKED BY AN ALUMINUM CAP, AND RUNNING THENCE ALONG THE SOUTH LINE THEREOF SOUTH 86°35'16" EAST 629.37 FEET TO THE INTERSECTION THEREOF WITH THE EAST LINE OF THAT REAL PROPERTY CONVEYED TO BOISE PACKAGING AND NEWSPRINT, L.L.C. BY THE SPECIAL WARRANTY DEED RECORDED NOVEMBER 5, 2004 AS INSTRUMENT No. 298873, CASSIA COUNTY RECORDS;

THENCE ALONG SAID EAST LINE NORTH 0°02'53" WEST 1330.58 FEET TO THE INTERSECTION THEREOF WITH THE NORTH LINE OF SAID GOVERNMENT LOT 4;

THENCE ALONG SAID NORTH LINE NORTH 86°18'19" WEST 369.77 FEET TO THE INTERSECTION THEREOF WITH THE NORTHWESTERN LINE OF OAKLEY BRANCH OF THE EASTERN IDAHO RAILROAD RIGHT OF WAY;

THENCE ALONG SAID NORTHWESTERN LINE SOUTH 21°39'58" WEST 1419.58 FEET TO THE INTERSECTION THEREOF WITH THE LINE COMMON TO SAID SECTIONS 25 AND 36;

THENCE CONTINUING ALONG SAID NORTHWESTERN RIGHT OF WAY LINE SOUTH 21°39'58" WEST 1209.07 FEET TO THE NORTHWEST CORNER OF ANNEXATION ORDINANCE 1238 RECORDED AS INSTRUMENT No. 2008-003683, CASSIA COUNTY RECORDS;

THENCE ALONG THE NORTH LINE THEREOF AND CONTINUING ALONG THE NORTH LINE OF ANNEXATION ORDINANCE 1220 RECORDED AS INSTRUMENT No. 2007-319333, CASSIA COUNTY RECORDS NORTH 89°27'30" EAST 713.30 FEET TO THE EAST LINE OF SECTION 36;

THENCE ALONG SAID EAST LINE NORTH 0°02'49" WEST 1119.25 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THOSE PORTIONS OF THE NORTH HALF OF THE 100 SOUTH COUNTY ROAD RIGHT OF WAY, AND THOSE PORTIONS OF THE WEST HALF OF THE 100 WEST COUNTY ROAD RIGHT OF WAY PREVIOUSLY ANNEXED INTO THE CITY OF BURLEY.

PARCEL C:

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

SECTION 17: A PORTION OF THE SOUTHWEST QUARTER.

SECTION 18: A PORTION OF THE SOUTHEAST QUARTER

SECTION 19: A PORTION OF THE NORTH HALF, AND A PORTION OF THE SOUTH HALF.

SECTION 20: A PORTION OF THE NORTHWEST QUARTER.

BEGINNING AT THE QUARTER CORNER COMMON TO SAID SECTIONS 19 AND 20, MARKED BY AN ALUMINUM CAP, AND RUNNING THENCE ALONG THE LINE COMMON THERETO, SOUTH 0°05'52" EAST 290.95 FEET TO A ½" REBAR AT THE SOUTHEAST CORNER OF THAT REAL PROPERTY CONVEYED TO THE AMALGAMATED SUGAR COMPANY, LLC, BY THE SPECIAL WARRANTY DEED RECORDED JANUARY 7, 1997 AS INSTRUMENT No. 246871, CASSIA COUNTY RECORDS;

THENCE ALONG THE SOUTH LINE THEREOF SOUTH 89°28'12" WEST 7.95 FEET TO A ½" REBAR AT THE SOUTHEAST CORNER OF THAT REAL PROPERTY CONVEYED TO FREEBIRD II, LLC, BY THE QUITCLAIM DEED RECORDED JUNE 27, 2008 AS INSTRUMENT No. 2008-003803, CASSIA COUNTY RECORDS;

THENCE ALONG THE SOUTHERN AND WESTERN LINES THEREOF AS FOLLOWS:

SOUTH 89°28'12" WEST 1324.37 FEET TO A ½" REBAR,

NORTH 0°06'40" WEST 404.12 FEET TO A 5/8" REBAR AT THE SOUTHEAST CORNER OF GOVERNMENT LOT 2 OF SAID SECTION 19,

NORTH 85°40'20" WEST 916.71 FEET TO A ½" REBAR, AND

NORTH 0°37'41" EAST 117.89 FEET TO A ½" REBAR SET ON THE SOUTHEASTERN LINE OF THE BEDKE BLVD. RIGHT OF WAY;

THENCE CONTINUING NORTH 0°37'41" EAST 158.00 FEET TO A ½" REBAR SET ON THE NORTHWESTERN LINE OF THE BEDKE BLVD. RIGHT OF WAY, AND BEING AT THE SOUTHWESTERN CORNER OF THAT REAL PROPERTY CONVEYED AS PARCEL No. 1 TO NAMPIL INVESTMENT COMPANY, LLC, BY THE SPECIAL WARRANTY DEED RECORDED FEBRUARY 5, 2001 AS INSTRUMENT No. 273152, CASSIA COUNTY RECORDS;

THENCE ALONG THE WEST LINE THEREOF NORTH 0°37'41" EAST 500.38 FEET TO A ½" REBAR;

THENCE CONTINUING ALONG SAID WEST LINE NORTH 0°37'41" EAST 17.88 FEET TO THE ORDINARY HIGH WATER LINE OF THE SOUTH BANK OF THE

SNAKE RIVER;

THENCE ALONG SAID HIGH WATER LINE AS FOLLOWS:

NORTH 52°50'27" EAST 388.37 FEET,

NORTH 71°12'28" EAST 108.22 FEET,

NORTH 31°57'38" EAST 243.74 FEET,

NORTH 64°43'22" EAST 165.54 FEET,

NORTH 38°54'37" EAST 450.65 FEET,

NORTH 27°55'56" EAST 190.41 FEET,

NORTH 45°29'14" EAST 397.82 FEET,

NORTH 48°39'03" EAST 389.31 FEET,

NORTH 60°01'31" EAST 157.71 FEET TO THE INTERSECTION THEREOF WITH
THE LINE COMMON TO SAID SECTIONS 18 AND 19,

NORTH 60°01'08" EAST 204.76 FEET,

NORTH 34°48'39" EAST 147.15 FEET,

NORTH 64°41'22" EAST 215.09 FEET TO THE INTERSECTION THEREOF WITH
THE LINE COMMON TO SAID SECTIONS 17 AND 18,

NORTH 51°22'15" EAST 138.93 FEET,

NORTH 59°50'07" EAST 288.25 FEET,

NORTH 60°36'48" EAST 227.87 FEET,

NORTH 60°39'54" EAST 368.76 FEET,

NORTH 50°46'26" EAST 191.14 FEET,

NORTH 68°12'44" EAST 95.45 FEET,

NORTH 83°47'33" EAST 154.19 FEET,

NORTH 48°47'18" EAST 80.14 FEET TO THE INTERSECTION THEREOF WITH
THE WEST LINE OF JOHNSON'S SUBDIVISION,

NORTH 22°29'14" EAST 68.41 FEET,

NORTH 78°12'07" EAST 83.56 FEET,

NORTH 48°57'53" EAST 84.02 FEET,

NORTH 54°43'09" EAST 114.36 FEET,

NORTH 81°49'23" EAST 105.33 FEET, AND

NORTH 54°13'47" EAST 32.92 FEET TO THE INTERSECTION OF SAID HIGH WATER LINE WITH THE NORTH LINE OF SAID JOHNSON'S SUBDIVISION;

THENCE ALONG LAST SAID NORTH LINE SOUTH 89°29'46" EAST 200.61 FEET TO THE INTERSECTION THEREOF WITH THE NORTHERLY PROLONGATION OF THE WEST LINE OF MILLER AVENUE AS SAID AVENUE IS SHOWN ON THE OFFICIAL PLAT OF SAID JOHNSON'S SUBDIVISION;

THENCE ALONG SAID NORTHERLY PROLONGATION, BEING ALSO THE WEST LINE OF A PERMANENT 30 FOOT WIDE UTILITY EASEMENT AS SHOWN ON THE RECORD OF SURVEY MAP RECORDED AS INSTRUMENT No. 153511, CASSIA COUNTY RECORDS, SOUTH 0°07'16" EAST 331.07 FEET TO A 2" IRON PIPE AT THE INTERSECTION OF THE NORTH LINE OF WEST 3RD STREET WITH THE AFORESAID WEST LINE OF MILLER AVENUE;

THENCE ALONG SAID WEST LINE OF MILLER AVENUE SOUTH 0°07'16" EAST 988.77 FEET TO THE INTERSECTION THEREOF WITH THE LINE COMMON TO SAID SECTIONS 17 AND 20, SAID INTERSECTION BEING THE SOUTHEAST CORNER OF LOT 6 OF BLOCK 1 OF SAID JOHNSON'S SUBDIVISION, AND A POINT ON THE EAST LINE OF THAT REAL PROPERTY CONVEYED FROM MUNIZ TO GEOSUE PROPERTIES, LLC, BY THE WARRANTY DEED RECORDED SEPTEMBER 17, 2008 AS INSTRUMENT No. 2008-005273, CASSIA COUNTY RECORDS;

THENCE ALONG LAST SAID EAST LINE SOUTH 0°07'16" EAST 53.76 FEET TO THE NORTHERN RIGHT OF WAY LINE OF BEDKE BLVD. AS SHOWN ON THE STATE OF IDAHO HIGHWAY RIGHT OF WAY PLANS FEDERAL AID PROJECT No. M-RRP-7632(003);

THENCE ALONG SAID NORTHERN RIGHT OF WAY LINE AS FOLLOWS:

SOUTH 89°51'12" WEST 398.77 FEET,

NORTH 0°38'10" WEST 15.00 FEET,

SOUTH 89°52'01" WEST 453.26 FEET,

NORTH 0°08'12" WEST 10.00 FEET,

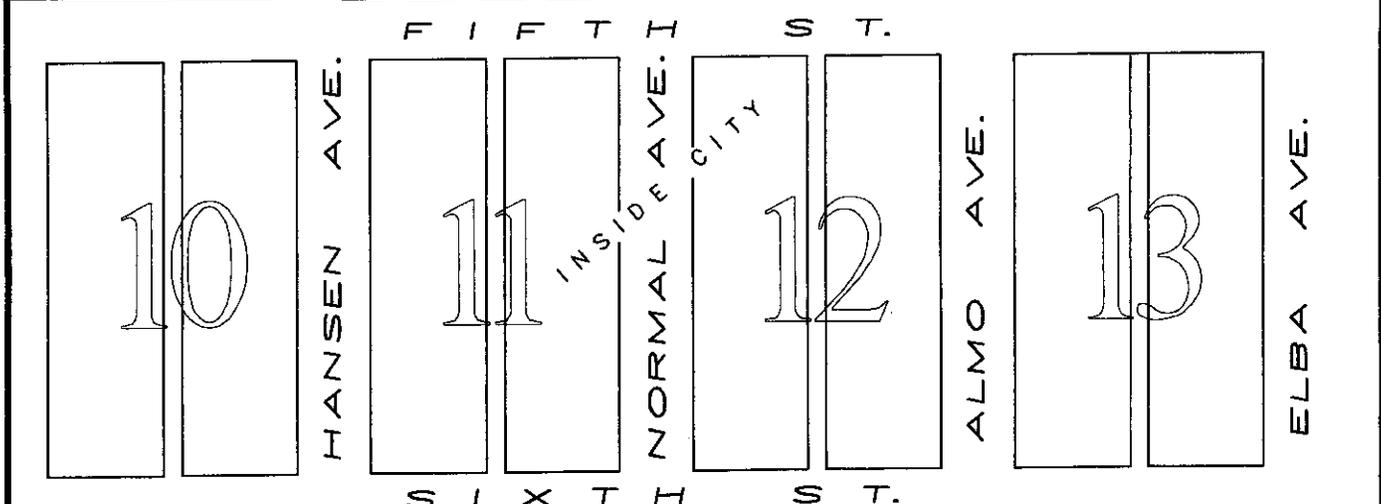
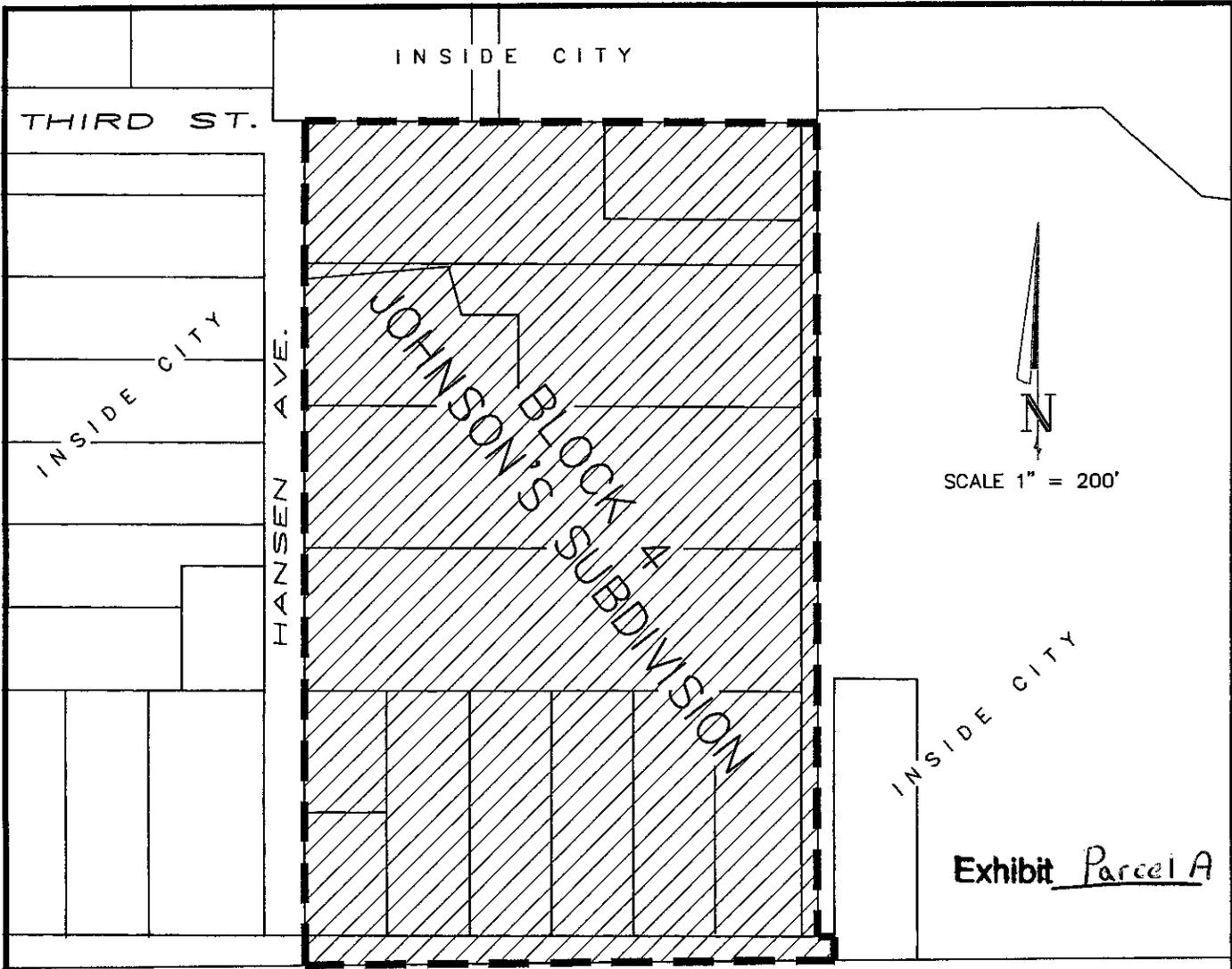
SOUTH 89°51'48" WEST 657.76 FEET,

SOUTHWESTERLY ALONG A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 5°41'17", A RADIUS OF 1492.39 FEET, AN ARC LENGTH OF 148.16 FEET, A CHORD BEARING OF SOUTH 87°01'10" WEST, AND A CHORD LENGTH OF 148.10 FEET,

NORTH 5°49'29" WEST 10.00 FEET, AND

SOUTHWESTERLY ALONG A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 10°24'11", A RADIUS OF 1502.39 FEET, AN ARC LENGTH OF 272.78 FEET, A CHORD BEARING OF SOUTH 78°58'25" WEST, AND A CHORD LENGTH OF 272.41 FEET TO THE INTERSECTION THEREOF WITH THE AFORESAID LINE COMMON TO SECTIONS 19 AND 20;

THENCE ALONG SAID COMMON LINE SOUTH 0°07'44" EAST 2541.63 FEET TO THE POINT OF BEGINNING.



 CITY/COUNTY BOUNDARY
 COUNTY AREA TO BE ANNEXED



**PLAT OF ANNEXATION AREA
CITY OF BURLEY, IDAHO**

MOON & ASSOCIATES
ENGINEERING & LAND SURVEYING
 525 F. STREET RUPERT, IDAHO 83350
 PHONE (208) 436-3714
 JN 04126

TOWNSHIP 10 SOUTH, RANGE 22 AND 23 EAST, BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

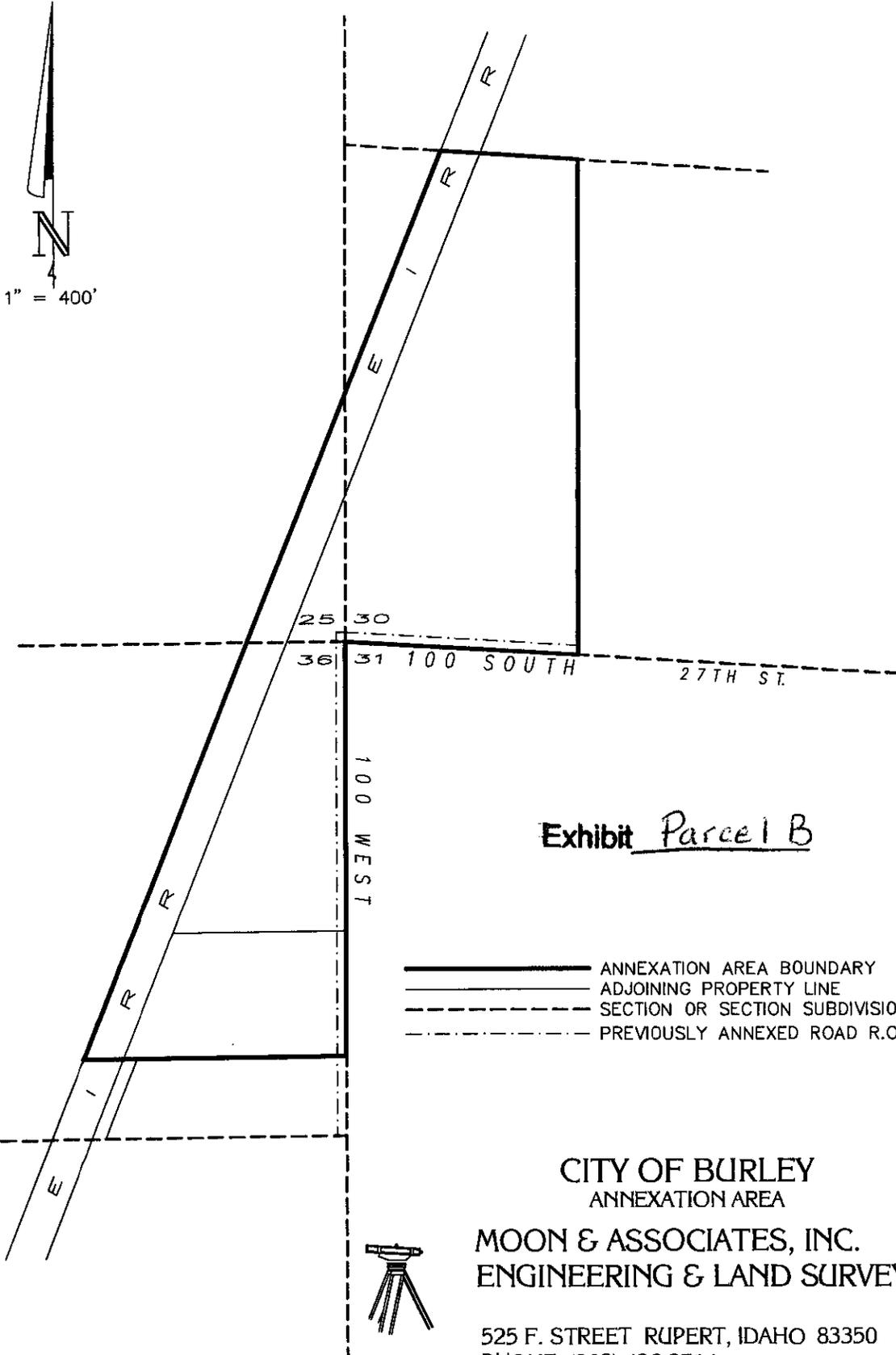


Exhibit Parcel B

- ANNEXATION AREA BOUNDARY
- ADJOINING PROPERTY LINE
- - - SECTION OR SECTION SUBDIVISION LINE
- · - · PREVIOUSLY ANNEXED ROAD R.O.W.

CITY OF BURLEY
ANNEXATION AREA

MOON & ASSOCIATES, INC.
ENGINEERING & LAND SURVEYING

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

EXHIBIT
10020-Hndy-BoiCas.doc

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

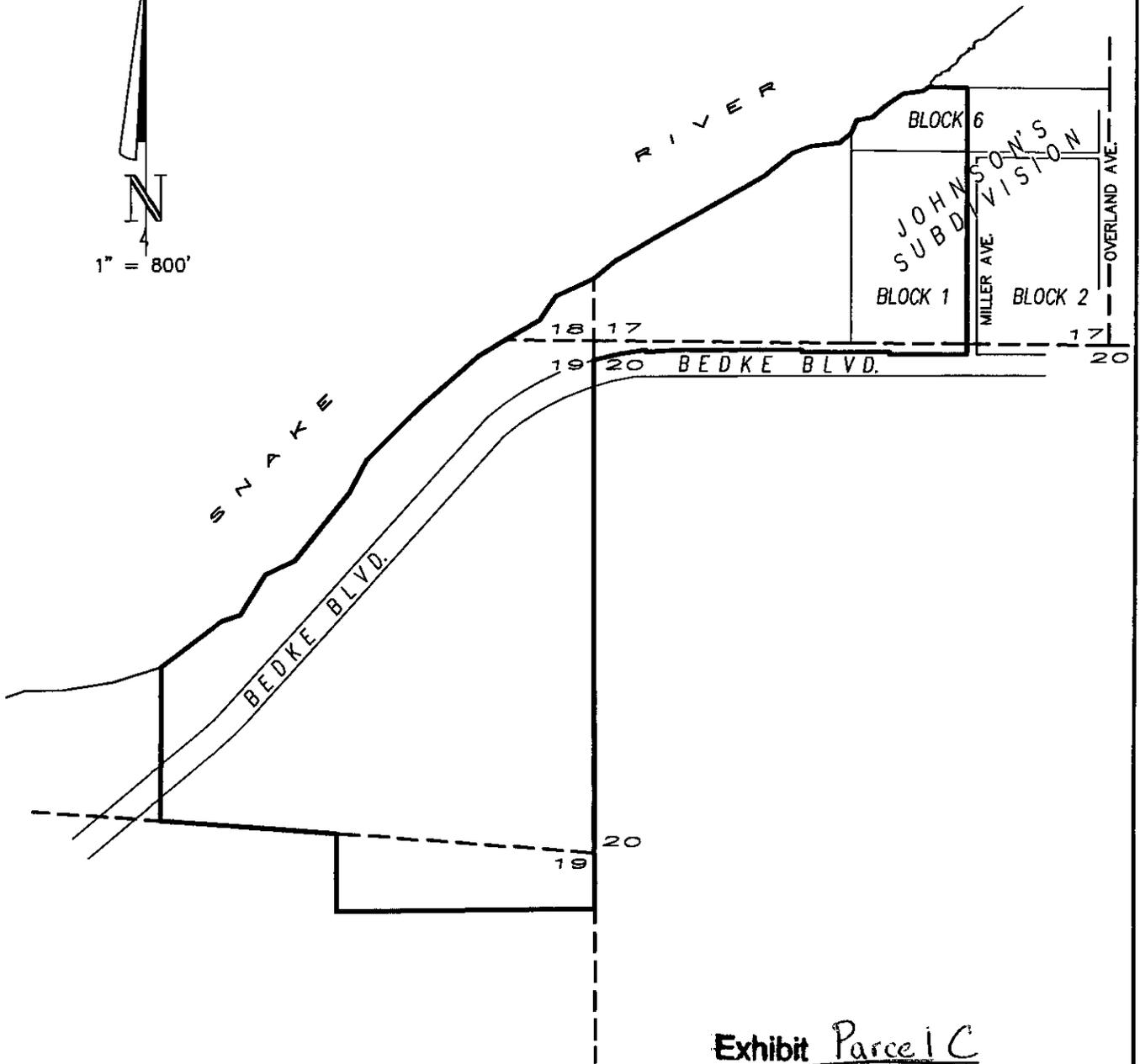
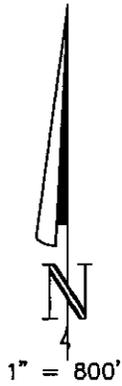


Exhibit Parcel C

- ANNEXATION AREA BOUNDARY
- ==== ADJOINING PROPERTY LINE
- - - - SECTION OR SECTION SUBDIVISION LINE

CITY OF BURLEY
ANNEXATION AREA

MOON & ASSOCIATES, INC.
ENGINEERING & LAND SURVEYING



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