

ORDINANCE NO. 1287

059

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 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 parcel described in Section 2 herein shall hereby remain zoned as currently designated; pursuant to the Burley Zoning Act, the parcel is designated as "R-2 Limited Multiple Residence."

Burley  
Annexation  
Ordinance  
1

RECEIVED

JUL 02 2012

TECHNICAL SUPPORT

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

PASSED this 19<sup>th</sup> day of June, 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

ANNEXATION OF BURLEY 73, LLC / CLARK TRUST PROPERTY

DESCRIPTION:

AN ANNEXATION OF THE FOLLOWING DESCRIBED REAL PROPERTY:

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

SECTION 29: A PORTION OF THE EAST HALF OF THE SOUTHEAST QUARTER (E1/2SE1/4).

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 29, MARKED BY A 5/8" REBAR AND ALUMINUM CAP, AND RUNNING THENCE ALONG THE EAST LINE THEREOF NORTH 0°08'34" WEST 122.03 FEET TO THE INTERSECTION THEREOF WITH THE CENTERLINE OF THE "G" CANAL; THENCE ALONG SAID CENTERLINE NORTH 75°59'52" WEST 30.94 FEET TO THE INTERSECTION THEREOF WITH THE WEST LINE OF THE HILAND AVENUE RIGHT OF WAY, LAST SAID INTERSECTION BEING THE TRUE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID CANAL CENTERLINE AS FOLLOWS:

NORTH 75°59'52" WEST 180.62 FEET,

NORTH 83°48'23" WEST 25.07 FEET,

NORTH 83°25'38" WEST 313.30 FEET,

NORTH 71°47'42" WEST 114.06 FEET,

NORTH 58°51'14" WEST 211.81 FEET,

NORTH 62°03'24" WEST 140.53 FEET,

NORTH 81°20'48" WEST 112.66 FEET, AND

SOUTH 72°37'19" WEST 275.00 FEET TO THE INTERSECTION THEREOF WITH THE WEST LINE OF THE AFORESAID EAST HALF OF THE SOUTHEAST QUARTER (E1/2SE1/4) OF SECTION 29;

THENCE ALONG SAID WEST LINE NORTH 0°09'50" WEST 24.18 FEET TO A 1/2" REBAR;

THENCE NORTH 70°48'01" EAST 38.61 FEET TO A 1/2" REBAR SET ON THE EAST LINE OF THE ALMO AVENUE RIGHT OF WAY;

THENCE ALONG LAST SAID EAST LINE NORTH 0°09'50" WEST 947.18 FEET TO A 5/8" REBAR;

THENCE CONTINUING ALONG SAID EAST RIGHT OF WAY LINE NORTH 0°08'05" WEST 889.97 FEET TO A 5/8" REBAR;

THENCE SOUTH 87°04'15" WEST 36.54 FEET TO A 5/8" REBAR SET ON SAID WEST LINE OF THE EAST HALF OF THE SOUTHEAST QUARTER (E1/2SE1/4);

THENCE ALONG LAST SAID WEST LINE NORTH 0°08'05" WEST 43.29 FEET TO A 1/2" REBAR SET AT THE INTERSECTION THEREOF WITH THE NORTHERN LINES OF THAT REAL PROPERTY CONVEYED AS PARCEL No. 2 TO BURLEY 73, LLC / O. MERRILL CLARK TRUST BY THE WARRANTY DEED RECORDED MAY 3, 2006 AS INSTRUMENT No. 308319, CASSIA COUNTY RECORDS;

THENCE ALONG SAID NORTHERN LINES AS FOLLOWS:

NORTH 87°04'15" EAST 501.88 FEET TO A 1/2" REBAR,

NORTH 72°11'39" EAST 158.32 FEET,

SOUTH 0°10'38" EAST 20.98 FEET TO A 1/2" REBAR,

SOUTH 0°10'38" EAST 551.01 FEET TO A 1/2" REBAR, AND

SOUTH 89°18'13" EAST 251.26 FEET TO THE NORTHWEST CORNER OF ANNEXATION ORDINANCE 1277 RECORDED MARCH 16, 2001 AS INSTRUMENT No. 2011-001149, CASSIA COUNTY RECORDS,

THENCE ALONG THE WEST LINE THEREOF SOUTH 00°08'34" EAST 260.00 FEET TO THE SOUTHWEST CORNER THEREOF;

THENCE ALONG THE SOUTH LINE OF ANNEXATION ORDINANCE 1277 SOUTH 89°18'13" EAST 395.00 FEET TO THE SOUTHEAST CORNER THEREOF, SAID CORNER BEING ON THE WEST LINE OF THE HILAND AVENUE RIGHT OF WAY;

THENCE ALONG LAST SAID WEST LINE SOUTH 0°08'34" EAST 1377.79 FEET TO THE TRUE POINT OF BEGINNING.

THE ABOVE DESCRIBED ANNEXATION AREA CONTAINS 48.20 ACRES, MORE OR LESS.

TOWNSHIP 10 SOUTH, RANGE 23 EAST, BOISE MERIDIAN  
- SECTION 29 -  
CASSIA COUNTY, IDAHO

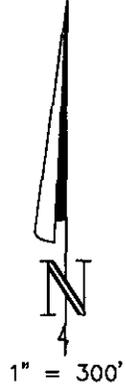
PINEVIEW ADDITION

ALMO AVE.

ANNEXATION  
ORDINANCE 1277  
2011-001149

CITY OF BURLEY  
ANNEXATION AREA

BURLEY 73, LLC/CLARK TRUST  
308319



MULLIKIN-SCOTT  
SUBDIVISION

HILAND AVE.

27TH

ST.

29 28  
32 33

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



MOON & ASSOCIATES, INC.  
ENGINEERING & LAND SURVEYING

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

EXHIBIT  
10020ClarkTrst.doc