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CITY OF EMMETT Office of the City Clerk

501 East Main Street
Emmett, Idaho 83617

Bill Butticci, Mayor
Chrystal Whiteley, City Clerk
Ron Bjorkman, Attorney

Councilman: Mike Williams
Eltona Henderson
John Sanuy
Stephen Frey
Mike Stout
Michelle Welch

CLERK'S CERTIFICATION OF ATTESTATION AND TRUE COPY

STATE OF IDAHO)
 :SS
County of Gem)

I, CHRYSTAL WHITELEY, being the duly appointed Clerk/Treasurer of the City of Emmett,
an Idaho municipal corporation, do hereby certify that the copy of

CITY OF EMMETT ORDINANCE #O2013-1

(De-Annexation of Certain Property)

was by me compared with the original and that it was a correct and true copy therefrom and
of the whole of such original record as the same appeared on file and of record in my office
and in my custody.

IN WITNESS WHEREOF, I have hereunto set my hand and City seal this 22nd day of May,
2013.

Chrystal Whiteley

Chrystal Whiteley, City Clerk/Treasurer
City of Emmett

SEAL:

INSTRU. NO.	292242
PAGES	1 OF 8

ORDINANCE NUMBER #O2013-1

Here recording to correct legal description

AN ORDINANCE EXCLUDING CERTAIN TERRITORY FROM THE BOUNDARIES OF THE CITY OF EMMETT, IDAHO; DIRECTING THAT COPIES OF THIS ORDINANCE BE FILED AS PROVIDED BY LAW; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Emmett, Idaho (City), is a municipal corporation organized and operating under the laws of the state of Idaho and is authorized by Idaho Code § 50-225 to exclude territory from its boundaries; and

WHEREAS, the property hereinafter described is now within the boundaries of the corporate limits of the City and the owner or owners of such property have requested in writing that the property be excluded from the boundaries of the City; and

WHEREAS, the Emmett City Council finds that it is in the best interests of the City to exclude such property from its boundaries;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF EMMETT, IDAHO, as follows:

Section 1: The real property more particularly described hereinafter is hereby excluded from the boundaries of the City of Emmett, Idaho, and such property shall no longer be a part of the City. The property is more particular described as follows:

See Exhibit A which is attached hereto and incorporated herein by reference as if set out in full. A map of the property is attached hereto as Exhibit B and is incorporated herein by reference as if set out in full.

Section 2: The property described in Exhibit A that is excluded from the limits of the City is not relieved from any liability existing on account of any outstanding bonded or other indebtedness of such City or of any bonded or other indebtedness of any improvement district of which the excluded territory is an existing part at the time of the passage of such ordinance. For the purpose of collecting any of the indebtedness specified in this section, the territory so excluded shall be and remain under the jurisdiction of the City.

Instrument # 292242

EMMETT, GEM, IDAHO

5-22-2013 10:32:49 No. of Pages: 8

Recorded for : CITY OF EMMETT

SHELLY TILTON

Ex-Officio Recorder Deputy

Index to: ORDINANCE

Fee: 0.00

Handwritten signature: Shelly Tilton

Section 3: The City Clerk is hereby directed to file, within ten (10) days of the passage and approval of this Ordinance, a certified copy of this Ordinance with the offices of the Auditor, Treasure, and Assessor of Gem County, Idaho, and with the Idaho State Tax Commission, Boise, Idaho, and to comply with Section 63-215 of the Idaho Code and with all other applicable laws.

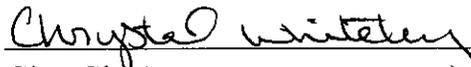
Section 4: This Ordinance shall take effect and be in force from and after its passage, approval and publication as required by law.

PASSED by the City Council this 14th day of May, 2013.

APPROVED by the Mayor on the 14th day of May, 2013.


MAYOR

ATTEST:


City Clerk

De-Annexation Legal Description

A parcel of land located in Gem County, Idaho, being a portion of the SE ¼ SE ¼ of Section 9 and a portion of the NE ¼ NE ¼, a portion of the SE ¼ NE ¼, a portion of the SW ¼ NE ¼, a portion of the NE ¼ SE ¼, and a portion of the NW ¼ SE ¼ of Section 16, Township 6 North, Range 1 West, Boise Meridian, and more particularly described as follows:

BEGINNING at the NE Corner of Section 16, currently monumented by a 3 ¼" diameter Brass Cap Monument (Corner Record, Instrument Number 103179), said Point of Beginning being South 89°07'21" East a distance of 2549.12 feet from the ¼ Corner common to Sections 9 and 16, currently monumented by a 1" I.D. Iron Pipe (Corner Record, Instrument Number 184613), and said Point of Beginning being South 01°51'24" West a distance of 2648.95 feet from the ¼ Corner common to Sections 9 and 10, currently monumented by a ½" diameter Iron Pin (Corner Record, Instrument Number 229589);

Thence South 00°55'43" East, coincident with the easterly line of the NE ¼ of Section 16, a distance of 1313.82 feet to the SE Corner of the NE ¼ NE ¼ of Section 16;

Thence continuing South 00°55'43" East, coincident with the easterly line of the NE ¼ of Section 16, a distance of 29.76 feet to a point on the northwesterly line of a parcel of land as shown on an amended Record of Survey by Tri County Surveying, Inc., recorded 03/21/2001, Instrument Number 215626, Gem County Recorder Records, said point being the beginning of a non-tangential curve;

Thence southwesterly, coincident with the northwesterly line of said parcel of land, on said non-tangential curve to the left having a radial bearing of South 44°42'03" East, an arc distance of 21.58 feet, said curve having a radius of 410.00 feet, a central angle of 3°00'57", and a chord bearing South 43°47'29" West a distance of 21.58 feet;

Thence, continuing coincident with the northwesterly line of said parcel of land, South 42°17'00" West a distance of 387.63 feet to the most westerly corner of said parcel of land;

Thence South 38°51'16" East, coincident with the southwesterly line of said parcel of land, a distance of 456.52 feet to a point on the easterly line of the NE ¼ of Section 16, said point being South 00°55'43" East, coincident with the easterly line of the NE ¼ of Section 16, a distance of 687.71 feet from the SE Corner of NE ¼ NE ¼ of Section 16;

Thence South 00°55'43" East, coincident with the easterly line of the NE ¼ of Section 16, a distance of 626.11 feet to the ¼ Corner common to Sections 15 and 16, currently monumented by a 2 ½" diameter Brass Cap Monument (Corner Record, Instrument Number 142465);

Thence North 89°56'56" West, coincident with the southerly line of the SE ¼ NE ¼ of Section 16, a distance of 939.50 feet to the NE Corner of the west 375.00 feet of the NE ¼ SE ¼ of Section 16, said corner being South 89°56'55" East a distance of 1689.58 feet from the C ¼ Corner of Section 16, currently monumented by a 3 ¼" diameter Brass Cap Monument (Corner Record, Instrument Number 200719, except marked PELS 3260);

Thence South 00°51'00" West, coincident with the easterly line of the west 375.00 feet of the NE ¼ SE ¼ of Section 16, a distance of 1314.41 feet to the southerly line of the NE ¼ SE ¼ of Section 16;

Thence South 89°49'05" West, coincident with the southerly line of the NE ¼ SE ¼ of Section 16, a distance of 375.06 feet to the SE Corner of the NW ¼ SE ¼ of Section 16;

Thence North 00°51'00" East, coincident with the easterly line of the NW ¼ SE ¼ of Section 16, a distance of 258.04 feet to the NE Corner of the South 258.00 feet of the NW ¼ SE ¼ of Section 16;

Thence South 89°49'05" West, coincident with the northerly line of the south 258.00 feet of the NW ¼ SE ¼ of Section 16, a distance of 1002.11 feet to a point the easterly Right of Way line of State Highway 16, offset 70.00 feet from the survey centerline alignment, as shown on a Record of Survey by Washington Group International for the Idaho Transportation Department, recorded 07/14/2005, Instrument Number 244565, Gem County Recorder Records, said point being the beginning of a non-tangential curve;

Thence northeasterly, coincident with said easterly Right of Way line of State Highway 16, offset 70.00 feet from the survey centerline alignment, on said non-tangential curve to the left having a radial bearing of North 83°10'30" West, an arc distance of 98.61 feet to a point of non-tangency having a radial bearing of North 85°47'55" West, said curve having a radius of 2153.48 feet, a central angle of 2°37'25", and a chord bearing North 05°30'48" East a distance of 98.60 feet;

Thence North 04°05'45" West, coincident with said easterly Right of Way line of State Highway 16, a distance of 206.67 feet to a point of non-tangency offset 50.00 feet from the survey centerline alignment;

Thence northwesterly, coincident with said easterly Right of Way line of State Highway 16, offset 50.00 feet from the survey centerline alignment, on curve to the left having a radial bearing of South 88°42'04" West, an arc distance of 778.27 feet to a point on the southerly line of the SW ¼ NE ¼ of Section 16, said point having a radial bearing of South 67°48'01" West, said curve having a radius of 2133.48 feet, a central angle of 20°54'03", and a chord bearing North 11°44'58" West a distance of 773.96 feet, said point being South 89°56'55" East a distance of 133.84 feet from the C ¼ Corner of Section 16, currently monumented by a 3 ¼" diameter Brass Cap Monument (Corner Record, Instrument Number 200719, except marked PELS 3260);

Thence South 89°56'55" East, coincident with the southerly line of the SW ¼ NE ¼ of Section 16, a distance of 146.92 feet to the SE Corner of a parcel of land as shown on a Record of Survey by Fischer Land Surveying, recorded 02/27/1985, Instrument Number 149849, Gem County Recorder Records;

Thence North 00°45'39" East, coincident with the easterly line of said parcel of land, a distance of 924.05 feet to the NE Corner of said parcel of land;

Thence South 63°44'54" West, coincident with the northerly line of said parcel of land, a distance of 104.69 feet;

Thence South 70°50'48" West, continuing coincident with the northerly line of said parcel of land, a distance of 125.77 feet;

Thence South 88°08'40" West, continuing coincident with the northerly line of said parcel of land, a distance of 68.58 feet to a point on the westerly line of the SW ¼ NE ¼ of Section 16, said point being North 00°48'37" East a distance of 834.01 feet from the C ¼ Corner of Section 16, currently monumented by a 3 ¼" diameter Brass Cap Monument (Corner Record, Instrument Number 200719, except marked PELS 3260), and said point being South 00°48'37" West a distance of 1830.22 feet from the ¼ Corner common to Sections 9 and 16, currently monumented by a 1" I.D. Iron Pipe (Corner Record, Instrument Number 184613);

Thence continuing South 88°08'40" West, continuing coincident with the northerly line of said parcel of land, a distance of 100.85 feet to a point on the southeasterly line of the U. S. Bureau of Reclamation Canal (Black Canyon Canal) Right of Way, as described in a Final Order of Condemnation, dated and filed December 13, 1938, recorded January 9, 1939, Instrument Number 40305, Book 5 of Miscellaneous, Page 127, Gem County Recorder Records;

Thence coincident with said southwesterly Right of Way line, offset 45.00 feet from the survey centerline alignment of said U. S. Bureau of Reclamation Canal (Black Canyon Canal) Right of Way, the following courses:

North 39°36'39" East, a distance of 42.78 feet;

Northeasterly, on curve to the right, an arc distance of 49.56 feet, said curve having a radius of 555.00 feet, a central angle of 5°07'00", and a chord bearing North 42°10'09" East a distance of 49.55 feet;

North 44°43'39" East a distance of 151.20 feet;

Northeasterly, on curve to the right, an arc distance of 46.49 feet, said curve having a radius of 155.00 feet, a central angle of 17°11'00", and a chord bearing North 53°19'09" East a distance of 46.31 feet;

North 61°54'39" East a distance of 130.00 feet;

Northeasterly, on curve to the left, an arc distance of 53.28 feet, said curve having a radius of 645.00 feet, a central angle of 4°44'00", and a chord bearing North 59°32'39" East a distance of 53.27 feet;

North 57°10'39" East a distance of 276.60 feet;

Northeasterly, on curve to the right, an arc distance of 90.27 feet, said curve having a radius of 155.00 feet, a central angle of 33°22'00", and a chord bearing North 73°51'39" East a distance of 89.00 feet;

South 89°27'21" East a distance of 487.60 feet;

Southeasterly, on curve to the right, an arc distance of 73.49 feet, said curve having a radius of 155.00 feet, a central angle of 27°10'00", and a chord bearing South 75°52'21" East a distance of 72.81 feet;

South 62°17'21" East a distance of 38.40 feet;

Southeasterly, on curve to the left, an arc distance of 131.27 feet, said curve having a radius of 245.00 feet, a central angle of 30°42'00", and a chord bearing South 77°38'21" East a distance of 129.71 feet;

North 87°00'39" East a distance of 197.20 feet;

Northeasterly, on curve to the left, an arc distance of 283.18 feet, said curve having a radius of 295.00 feet, a central angle of 55°00'00", and a chord bearing North 59°30'39" East a distance of 272.43 feet;

North 32°00'39" East a distance of 116.90 feet;

Thence South 57°59'21" East, continuing coincident with said southeasterly Right of Way Line, a distance of 40.00 feet, to a point offset 85.00 feet from the survey centerline alignment of said U. S. Bureau of Reclamation Canal (Black Canyon Canal) Right of Way;

Thence continuing coincident with said southeasterly Right of Way line, offset 85.00 feet from the survey centerline alignment of said U. S. Bureau of Reclamation Canal (Black Canyon Canal) Right of Way, the following courses:

North 32°00'39" East a distance of 247.10 feet;

Northeasterly, on curve to the left, an arc distance of 67.93 feet, said curve having a radius of 385.00 feet, a central angle of 10°06'35", and a chord bearing North 26°57'21" East a distance of 67.84 feet;

Thence North 68°05'56" West, continuing coincident with said southeasterly Right of Way line, a distance of 35.00 feet, to a point offset 50.00 feet from the survey centerline alignment of said U. S. Bureau of Reclamation Canal (Black Canyon Canal) Right of Way;

Thence continuing coincident with said southeasterly Right of Way line, offset 50.00 feet from the survey centerline alignment of said U. S. Bureau of Reclamation Canal (Black Canyon Canal) Right of Way, the following courses:

Northwesterly on a non-tangential curve to the left having a radial bearing of North 68°05'56" West, an arc distance of 326.55 feet, said curve having a radius of 350.00 feet, a central angle of 53°27'25", and a chord bearing North 04°49'39" West a distance of 314.83 feet;

North 31°33'21" West a distance of 133.10 feet;

Northwesterly, on curve to the right, an arc distance of 59.34 feet, said curve having a radius of 150.00 feet, a central angle of 22°40'00", and a chord bearing North 20°13'21" West a distance of 58.96 feet;

North 08°53'21" West a distance of 108.80 feet;

Northeasterly, on curve to the right, an arc distance of 183.99 feet, said curve having a radius of 250.00 feet, a central angle of 42°10'00", and a chord bearing North 12°11'39" East a distance of 179.86 feet;

North 33°16'39" East a distance of 154.33 feet to a point on the northerly line of the NE ¼ NE ¼ of Section 16 and the southerly line of the SE ¼ SE ¼ of Section 9, said point being South 89°07'21" East a distance of 59.22 feet from the intersection point of the survey centerline alignment of said U. S. Bureau of Reclamation Canal (Black Canyon Canal) Right of Way and the northerly line of the NE ¼ NE ¼ of Section 16, said intersection point being South 89°07'21" East a distance of 1862.00 feet from the ¼ Corner common to Sections 9 and 16, currently monumented by a 1" I.D. Iron Pipe (Corner Record, Instrument Number 184613);

Thence coincident with the southeasterly Right of Way line of the U. S. Bureau of Reclamation Canal (Black Canyon Canal) Right of Way offset 50.00 feet from the survey centerline alignment of said U. S. Bureau of Reclamation Canal (Black Canyon Canal) Right of Way, as shown on a Record of Survey by J-U-B Engineers, Inc., recorded 07/15/1998, Instrument Number 201148, Gem County Recorder Records, and on a Record of Survey by Fischer Land Surveying, Inc., recorded 09/16/1997, Instrument Number 196599 (further reference is made to Instrument Numbers 175188, 177983, & 191720), Gem County Recorder Records; the following courses:

Continuing North 33°16'39" East, a distance of 91.57 feet;

Northeasterly, on curve to the right, an arc distance of 83.78 feet, said curve having a radius of 150.00 feet, a central angle of 32°00'00", and a chord bearing North 49°16'39" East a distance of 82.69 feet;

North 65°16'39" East, a distance of 222.60 feet;

Northeasterly, on curve to the left, an arc distance of 258.45 feet, said curve having a radius of 250.00 feet, a central angle of 59°14'00", and a chord bearing North 35°39'39" East a distance of 247.10 feet;

North 06°02'39" East, a distance of 121.10 feet;

Northeasterly, on curve to the right, an arc distance of 110.57 feet, said curve having a radius of 150.00 feet, a central angle of 42°14'00", and a chord bearing North 27°09'39" East a distance of 108.08 feet;

North 48°16'39" East a distance of 176.14 feet to a point on the easterly line of the SE ¼ SE ¼ of Section 9, said point being South 01°51'24" West a distance of 1880.76 feet from the ¼ Corner common to Sections 9 and 10, currently monumented by a ½" diameter Iron Pin (Corner Record, Instrument Number 229589);

Thence South 01°51'24" West, coincident with the easterly line of the SE ¼ SE ¼ of Section 9, a distance of 768.19 feet to the **POINT OF BEGINNING**.

The area described above contains approximately 130.74 Acres.

Basis of bearings is **GRID NORTH**, Idaho State Plane Coordinate System, West Zone.

