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ORDINANCE NO. 3050

024

AN ORDINANCE ANNEXING APPROXIMATELY 79.266 ACRES DESCRIBED IN SECTION 1 OF THIS ORDINANCE AS R-1 ZONE TO THE CITY OF IDAHO FALLS DESCRIBING; AMENDING THE LEGAL DESCRIPTION OF THE CITY WITH THE APPROPRIATE COUNTY AND STATE AUTHORITIES; AND PROVIDING SEVERABILITY, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

WHEREAS, the lands described in Section 1 of this Ordinance are contiguous and adjacent to the City limits of the City of Idaho Falls, Idaho; and

WHEREAS, such lands described herein are subject to annexation to the City pursuant to the provisions of Idaho Code Section 50-222, and other laws, as amended; and

WHEREAS, the annexation of the lands described in Section 1 is reasonably necessary to assure the orderly development of the City in order to allow efficient and economically viable provision of tax-supported and fee-supported municipal services; to enable the orderly development of private lands which benefit from a cost-effective availability of City services in urbanizing areas; and to equitably allocate the costs of City/public services in management of development on the City's urban fringe; and

WHEREAS, the City has authority to annex lands into the City upon compliance with procedures required in Idaho Code Section 50-222, as amended; and

WHEREAS, any portion of a highway lying wholly or partially within the lands to be annexed are included in the lands annexed by this Ordinance; and

WHEREAS, the lands annexed by this Ordinance are not connected to the City only by a "shoestring" or a strip of land which comprises a railroad or right-of-way; and

WHEREAS, all private landowners have consented to annexation of such lands where necessary; and

WHEREAS, the lands to be annexed are contiguous to the City and the City of Idaho Falls Comprehensive Plan includes the area of annexation; and

WHEREAS, after considering the written and oral comments of property owners whose lands would be annexed and other affected persons, City Council specifically makes the following findings:

- 1) That the lands annexed meet the applicable requirements of Idaho Code Section 50-222 and does not fall within exceptions or conditional exceptions contained in Idaho Code Section 50-222;
- 2) The annexation is consistent with public purposes addressed in annexation and related plans prepared by the City; and
- 3) Annexation of the lands described in Section 1 are reasonably necessary for the orderly development of the City; and

WHEREAS, it appears to the City Council that the lands described hereinbelow in Section 1 of this Ordinance should be annexed to and become a part of the City of Idaho Falls, Idaho; and

WHEREAS, the City wishes to exercise jurisdiction over the annexed lands in a way that promotes the orderly development of such lands; and

WHEREAS, the City of Idaho Falls Comprehensive Plan sets out policies and strategies designed to promote and sustain future growth within the City; and

WHEREAS, for consistency with the Comprehensive Plan, the Council desires to designate the lands within the area of annexation as "Low Density Residential"; and

WHEREAS, such designation is consistent with policies and principles contained within the City of Idaho Falls Comprehensive Plan; and

WHEREAS, the City desires the City of Idaho Falls Comprehensive Plan Map to be amended to reflect the designation contained in this Ordinance.

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

SECTION 1. Annexation of Property. The lands described herein are hereby annexed to the City of Idaho Falls, Idaho:

A parcel of land located in Northeast Quarter of Section 12, Township 1 North, Range 37 East, Boise Meridian, Bonneville County, Idaho described as follows:

Commencing at the Northeast corner of said Section 12, thence along the North line of said Section 12, North 89°14'35" West 50.00 feet to the **Point of Beginning**; thence parallel with the East line of said Section 12, South 00°12'24" West 2653.72 feet to the South line of the Northeast Quarter of said Section 12; thence along said South line of the Northeast Quarter of Section 12, North 89°31'41" West 1276.34 feet to the Southwest corner of the East Half of the Northeast Quarter of said Section 12; thence along the West line of said East Half of the Northeast Quarter, North

00°11'25" East 2720.08 feet to the South line of Ordinance No. 2512 recorded in the ANNEXATION AGREEMENT (PRIOR TO PLATTING)-IVYWOOD

Bonneville County Records Office; thence along said South line of Ordinance No. 2512, South 89°14'35" East 556.68 feet to the Northwest corner of Ordinance No. 2802 recorded in the Bonneville County Records Office; thence along the West line of said Ordinance No. 2802, South 00°02'13" East 60.01 feet; thence along the South line of said Ordinance No. 2802, South 89°14'35" East 269.61 feet; thence along the East line of said Ordinance No. 2802, North 00°02'13" West 60.01 feet to the South line of said Ordinance No. 2512; thence along said South line of Ordinance No. 2512, South 89°14'35" East 425.26 feet; thence continuing along the South line of said Ordinance No. 2512, North 45°21'46" East 35.60 feet; thence South 00°02'34" East 85.35 feet to the **Point of Beginning**

Parcel contains 79.266 acres, more or less.

SECTION 2. Amended Map and Legal Description. The City Clerk shall file a certified copy of this Ordinance with the Bonneville County Auditor, Treasurer, and Assessor, within ten (10) days after the effective date hereof. The City Engineer shall, within ten (10) days after such effective date, file an amended legal description and map of the City, with the Bonneville County Recorder and Assessor and the Idaho State Tax Commission, all in accordance with Idaho Code Section 63-2215.

SECTION 3. Findings. That the findings contained in the recitals of this Ordinance be, and the same are hereby, adopted as the official City Council findings for this Ordinance, and that any further findings relative to this Ordinance shall be contained in the officially adopted Council minutes of the meeting in which this Ordinance was passed.

SECTION 4. Savings and Severability Clause. The provisions and parts of this Ordinance are intended to be severable. If any section, sentence, clause or phrase of this Ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

SECTION 5. Publication. This Ordinance, or a summary thereof in compliance with Idaho Code, shall be published once in the official newspaper of the City, and shall take effect immediately upon its passage, approval, and publication.

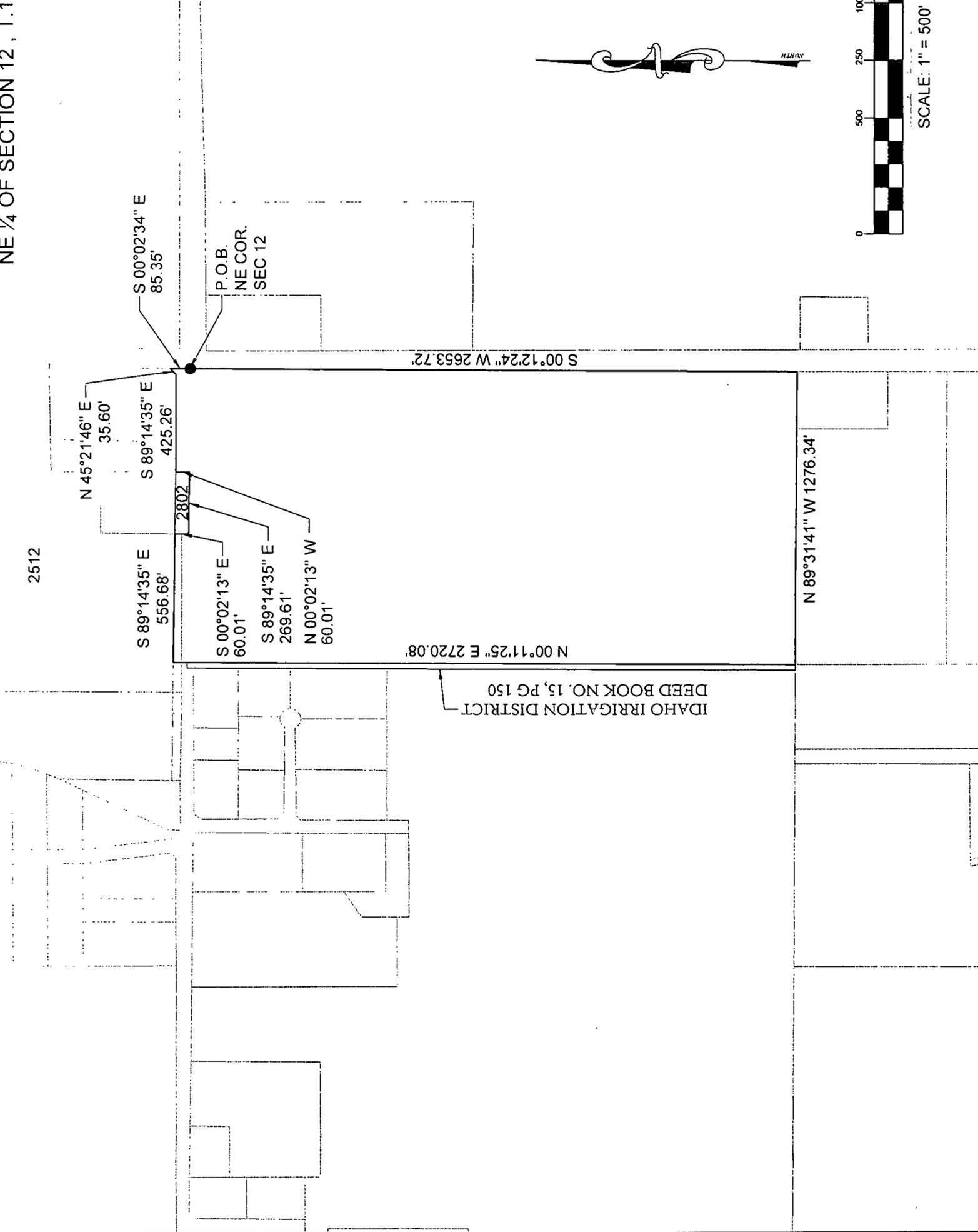
SECTION 6. Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval and publication.

CITY OF IDAHO FALLS

BONNEVILLE COUNTY

NE 1/4 OF SECTION 12, T.1N., R.37E., B.M.,

ANNEXATION
ORDINANCE
3050



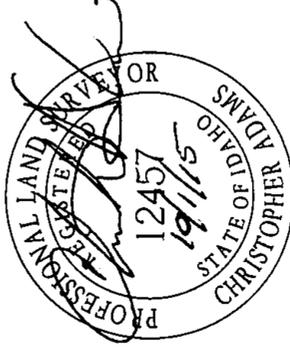
LEGAL DESCRIPTION
ANNEXATION
IVYWOOD SUBDIVISION

A PARCEL OF LAND LOCATED IN NORTHEAST QUARTER OF SECTION 12, TOWNSHIP 1 NORTH, RANGE 37 EAST, BOISE MERIDIAN, BONNEVILLE COUNTY, IDAHO DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 12, THENCE ALONG THE NORTH LINE OF SAID SECTION 12, NORTH 89°14'35" WEST 50.00 FEET TO THE POINT OF BEGINNING; THENCE PARALLEL WITH THE EAST LINE OF SAID SECTION 12, SOUTH 00°12'24" WEST 2653.72 FEET TO THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 12; THENCE ALONG SAID SOUTH LINE OF THE NORTHEAST QUARTER OF SECTION 12, NORTH 89°31'41" WEST 1276.34 FEET TO THE SOUTHWEST CORNER OF THE EAST HALF OF THE NORTHEAST QUARTER OF SAID SECTION 12; THENCE ALONG THE WEST LINE OF SAID EAST HALF OF THE NORTHEAST QUARTER, NORTH 00°11'25" EAST 2720.08 FEET TO THE SOUTH LINE OF ORDINANCE NO. 2512 RECORDED IN THE BONNEVILLE COUNTY RECORDS OFFICE; THENCE ALONG SAID SOUTH LINE OF ORDINANCE NO. 2512, SOUTH 89°14'35" EAST 556.68 FEET TO THE NORTHWEST CORNER OF ORDINANCE NO. 2802 RECORDED IN THE BONNEVILLE COUNTY RECORDS OFFICE; THENCE ALONG THE WEST LINE OF SAID ORDINANCE NO. 2802, SOUTH 00°02'13" EAST 60.01 FEET; THENCE ALONG THE SOUTH LINE OF SAID ORDINANCE NO. 2802, SOUTH 89°14'35" EAST 269.61 FEET; THENCE ALONG THE EAST LINE OF SAID ORDINANCE NO. 2802, NORTH 00°02'13" WEST 60.01 FEET TO THE SOUTH LINE OF SAID ORDINANCE NO. 2512; THENCE ALONG SAID SOUTH LINE OF SAID ORDINANCE NO. 2512, SOUTH 89°14'35" EAST 425.26 FEET; THENCE CONTINUING ALONG THE SOUTH LINE OF SAID ORDINANCE NO. 2512, NORTH 45°21'46" EAST 35.60 FEET; THENCE SOUTH 00°02'34" EAST 85.35 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 79.266 ACRES, MORE OR LESS.

RECORDED WITH THE BONNEVILLE COUNTY RECORDERS OFFICE AS INSTRUMENT NO. **151449A**



PRELIMINARY
NOT FOR CONSTRUCTION

SCALE
HORIZONTAL 1" = 500'
VERTICAL N/A

WARNING
1/2
IF THIS BAR DOES NOT MEASURE 1" THEN DRAWING IS NOT TO SCALE

HORROCKS
ENGINEERS

901 Pier View Dr.
Suite 205
Idaho Falls, ID 83402
(208) 522-1223

IVYWOOD SUBDIVISION
ANNEXATION EXHIBIT

DESIGNED	DATE	PROJECT NO
DRAWN	DATE	IF-779-1507
CHECKED	DATE	SHEET NO
MDK	09/30/2015	1 OF 1
CB	09/30/2015	DRAWING NO
		1