

194

ORDINANCE NO. 3083

Instrument # 1533325
IDAHO FALLS, BONNEVILLE, IDAHO
8-30-2016 11:03:11 AM No. of Pages: 5
Recorded for : CITY OF IDAHO FALLS
PENNY MANNING Fee: 0.00
Ex-Officio Recorder Deputy
Index to: ORDINANCE



AN ORDINANCE ANNEXING CERTAIN LANDS TO THE CITY OF IDAHO FALLS; DESCRIBING SUCH LANDS; AMENDING THE CITY MAP; ASSIGNING A COMPREHENSIVE PLAN MAP DESIGNATION OF LOW DENSITY RESIDENTIAL; AMENDING THE LEGAL DESCRIPTION OF THE CITY WITH THE APPROPRIATE COUNTY AND STATE AUTHORITIES; AND PROVIDING SEVERABILITY, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

EAS, the lands described in Exhibits A and B of this Ordinance are contiguous and to the City limits of the City of Idaho Falls, Idaho; and

EAS, 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

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

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

EAS, any portion of a highway lying wholly or partially within the lands to be annexed is not located in the lands annexed by this Ordinance; and

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

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

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

EAS, the lands to be annexed are shown on the Comprehensive Plan Map as "Low Density Residential" and "Estate Residential" and;

EAS, after considering the written and oral comments of property owners whose lands are to be annexed and other affected persons, City Council specifically makes the following

REC'D OCT 31 2016

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 Exhibits A and C are reasonably necessary for the orderly development of the City; and

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

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

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

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

EAS, such designation is consistent with policies and principles contained within the City o Falls Comprehensive Plan; and

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

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

DN 1. Annexation of Property. The lands described in Exhibits A and B are hereby l to the City of Idaho Falls, Idaho.

DN 2. Assigning a Comprehensive Plan Map Designation. The area being annexed is assigned a Comprehensive Plan Map Designation of "Low Density Residential."

DN 3. Amended Map and Legal Description. The City Clerk shall file a certified copy of linance with the Bonneville County Auditor, Treasurer, and Assessor, within ten (10) er the effective date hereof. The City Engineer shall, within ten (10) days after such e date, file an amended legal description and map of the City, with the Bonneville County r and Assessor and the Idaho State Tax Commission, all in accordance with Idaho Code 63-2215.

DN 4. Findings. That the findings contained in the recitals of this Ordinance be, and the e hereby, adopted as the official City Council findings for this Ordinance, and that any

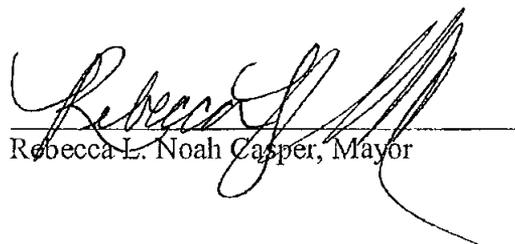
findings relative to this Ordinance shall be contained in the officially adopted Council of the meeting in which this Ordinance was passed.

ORDINANCE 5. 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 found 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.

ORDINANCE 6. 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.

ORDINANCE 7. Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval and publication.

PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR this 25th day of AUGUST, 2016.



Rebecca L. Noah Casper, Mayor

ATTEST:


Kathy Hampton, City Clerk

CITY OF IDAHO)
COUNTY OF BONNEVILLE)
: ss.

KATHY HAMPTON, CITY CLERK OF THE CITY OF IDAHO FALLS,
DO HEREBY CERTIFY:

Above and foregoing is a full, true and correct copy of the Ordinance entitled:

“AN ORDINANCE ANNEXING CERTAIN LANDS TO THE CITY OF IDAHO FALLS; DESCRIBING SUCH LANDS; AMENDING THE CITY MAP; ASSIGNING A COMPREHENSIVE PLAN MAP DESIGNATION OF LOW DENSITY RESIDENTIAL; AMENDING THE LEGAL DESCRIPTION OF THE CITY WITH THE APPROPRIATE COUNTY AND STATE AUTHORITIES; AND PROVIDING SEVERABILITY, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.”

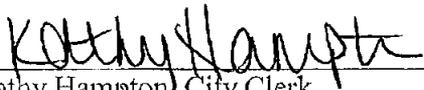

Kathy Hampton, City Clerk



EXHIBIT A

LEGAL DESCRIPTION

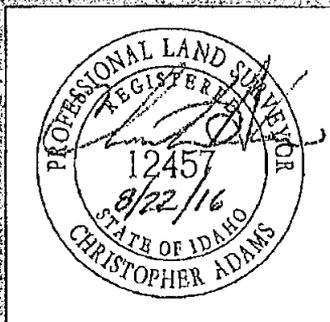
Parcel of land located in Section 32, Township 2 North, Range 38 East, Boise Meridian, Blaine County, Idaho described as follows:

Commencing at the Southwest corner of said Section 32, thence along the West line of Section 32, North 01°12'19" West 1569.77 feet; thence North 89°47'59" East 573.35 feet to a found 1/2" iron rod with a cap stamped PLS 8795 as shown on Record of Survey, Instrument No. 1346163 also being the Point of Beginning; Thence continuing along the North line of said Record of Survey, North 89°47'59" East 968.06 feet to a found 1/2" iron rod with a cap stamped PLS 8795 at the East bank of the German ditch of the Idaho Lateral, which is the West bank of the Eastburg Lateral Canal; thence along the East line of said Record of Survey, Instrument No. 1346163 and said bank, North 43°34'19" East 81.51 feet to a found 1/2" Iron rod with a cap stamped PLS 8795; thence continuing along said East line of Record of Survey, Instrument No. 1346163 and said bank, North 52°14'19" East 214.42 feet to a found 5/8" iron rod with a cap stamped PLS 8795; thence along the East line of Record of Survey, Instrument No. 1288044 and said bank, North 52°06'07" East 356.86 feet to a found 5/8" Iron rod with a cap stamped PLS 8795 at the Southeast boundary corner of the Castlerock Addition, Division No. 2, Instrument No. 1051013; thence along the South line of said Castlerock Addition, Division No. 2, South 89°59'56" East 1417.24 feet to a found 5/8" iron rod with a cap stamped PLS 8795; thence along the West line of Tract 2 on said Record of Survey, Instrument No. 1288044, South 89°11'59" East 222.73 feet to a found 5/8" iron rod with a cap stamped PLS 8795; thence along the North line of said Record of Survey, Instrument No. 1346163, South 89°49'35" East 66.82 feet to a found 1/2" iron rod with a cap stamped PLS 8795; thence along the East line of Tract 2 on said Record of Survey, Instrument No. 1346163, South 01°13'10" East 190.08 feet to a found 1/2" Iron rod with a cap stamped PLS 8795 and the Point of Beginning.

Parcel contains 11.146 acres, more or less.

Firm Name: Horrocks Engineers, Inc. / Creek Hollow & Associates, Inc.
Name: Chris Boyle, AIP® / Chris Adams, PLS
Phone: 208-622-1223 / 208-709-3113
Email: chris@horrocks.com / adams@creekhollowinc.com

PLS Seal

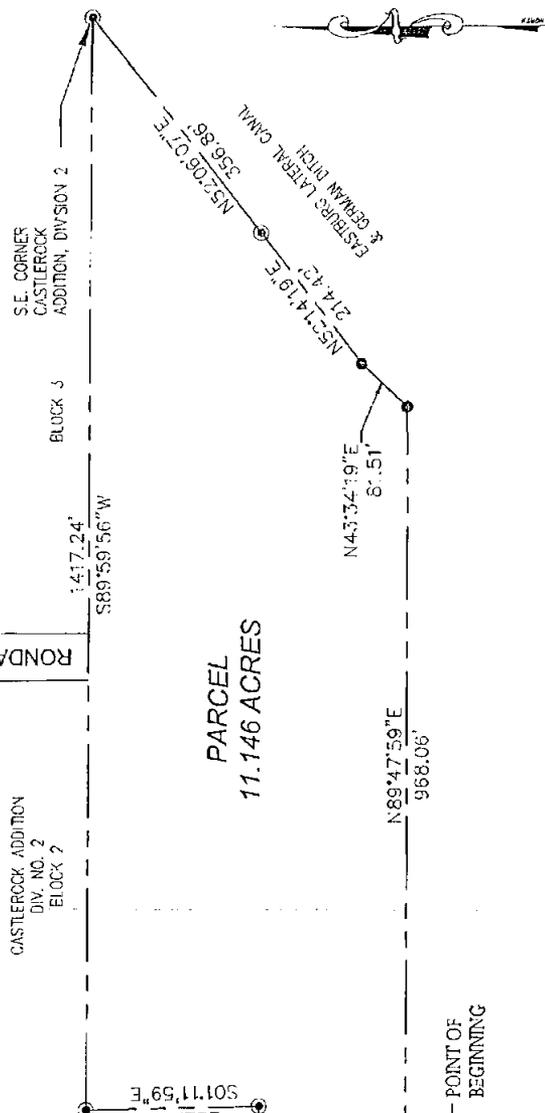


A PORTION OF SECTION 32, T. 2 N., R. 38 E., B.M., CITY OF IDAHO FALLS, BONNEVILLE COUNTY, IDAHO

FOUND 1/2" IRON ROD WITH A CAP STAMPED PLS 8795 AS SHOWN ON RECORD OF SURVEY, INSTRUMENT NO. 1246163 ALSO BEING THE POINT OF BEGINNING, THENCE CONTINUING ALONG THE SOUTH LINE OF SAID RECORD OF SURVEY, NORTH 89°47'59" EAST 968.06 FEET TO A FOUND 1/2" IRON ROD WITH A CAP STAMPED PLS 8795 AT THE EAST BANK OF THE GERMAN DITCH OF THE IDAHO CANAL, WHICH IS THE WEST BANK OF THE EASTBURG LATERAL CANAL, THENCE ALONG THE EAST LINE OF SAID RECORD OF SURVEY, INSTRUMENT NO. 1246163 AND SAID BANK, NORTH 43°34'10" EAST 81.51 FEET TO A FOUND 1/2" IRON ROD WITH A CAP STAMPED PLS 8795, THENCE CONTINUING ALONG SAID EAST LINE OF RECORD OF SURVEY, INSTRUMENT NO. 1246163 AND SAID BANK, NORTH 52°08'07" EAST 274.42 FEET TO A FOUND 1/2" IRON ROD WITH A CAP STAMPED PLS 8795, THENCE ALONG THE EAST LINE OF RECORD OF SURVEY, INSTRUMENT NO. 1246163 AND SAID BANK, NORTH 52°14'19" EAST 356.86 FEET TO A FOUND 1/2" IRON ROD WITH A CAP STAMPED PLS 8795 AT THE SOUTHEAST BOUNDARY CORNER OF THE CASTLEROCK ADDITION, DIVISION NO. 2, INSTRUMENT NO. 1051013, THENCE ALONG THE SOUTH LINE OF SAID CASTLEROCK ADDITION, DIVISION NO. 2, SOUTH 89°52'59" WEST 1417.24 FEET TO A FOUND 3/4" IRON ROD WITH A CAP STAMPED PLS 8795, THENCE ALONG THE WEST LINE OF TRACT 2 ON SAID RECORD OF SURVEY, INSTRUMENT NO. 1288044, SOUTH 01°11'59" EAST 222.73 FEET TO A FOUND 3/4" IRON ROD WITH A CAP STAMPED PLS 8795, THENCE ALONG THE NORTH LINE OF SAID RECORD OF SURVEY, INSTRUMENT NO. 1246163, SOUTH 89°49'35" WEST 66.82 FEET TO A FOUND 3/4" IRON ROD WITH A CAP STAMPED PLS 8795, THENCE ALONG THE WEST LINE OF TRACT 2 ON SAID RECORD OF SURVEY, INSTRUMENT NO. 1246163, SOUTH 01°11'51" EAST 190.08 FEET TO A FOUND 3/4" IRON ROD WITH A CAP STAMPED PLS 8795 AND THE POINT OF BEGINNING.

PARCEL CONTAINS 11.146 ACRES, MORE OR LESS.

RECORDED WITH THE BONNEVILLE COUNTY RECORDERS OFFICE AS INSTRUMENT NO. _____

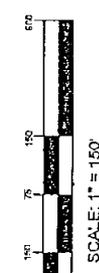


LEGEND & NOTES

- ▲ CALCULATED POINT
- FOUND 5/8" REBAR LS # 8795
- FOUND 1/2" REBAR LS # 8795
- ⊕ SECTION CORNER
- BOUNDARY LINE
- - - SECTION LINE

REFERENCE SURVEYS

RECORD OF SURVEY INSTRUMENT # 1246163, BONNEVILLE COUNTY
 RECORD OF SURVEY INSTRUMENT # 1288044, BONNEVILLE COUNTY
 CASTLEROCK ADD. DIV. NO. 2, INSTRUMENT # 1051013, BONNEVILLE COUNTY



HOLMES AVE
 N01°12'19" W
 1569.77'

31 # 32
 6 # 5
 C.P. & F. # 502080
 FND. AL. CAP

WARNING
 IF THIS BAR DOES NOT MEASURE TO THE DIMENSIONS SHOWN THEREON IT SHALL BE CONSIDERED AS NOT TO SCALE

HORROCKS ENGINEERS
 2102 West Grove Parkway
 Suite 400
 Pocatello, Idaho, 83430
 (208) 763-0310

GHG CASTLEROCK
 LEGAL DESCRIPTION EXHIBIT

| | | |
|-------------|----------|----------|
| PREPARED BY | DATE | REVISION |
| GHG | 12/23/18 | 1 OF 1 |
| DATE | DATE | DATE |
| RECORDED | RECORDED | RECORDED |