

**ORDINANCE NO. 430**

252488

**Annexation of McKelvey Property**

#  
Custer County Rec. of  
*City of Mackay*  
Time *8:10 AM* Date *10/14/2015*  
Lura H. Baker, Clerk  
*Cheryl Custumy*  
Deputy

**AN ORDINANCE OF THE CITY OF MACKAY, CUSTER COUNTY, STATE OF IDAHO FINDING FACTS; ANNEXING PROPERTY DESCRIBED HEREIN AS PARCEL 'A' AND PARCEL 'B', LOCATED IN SECTION 20, AND 29, TOWNSHIP 7 NORTH, RANGE 24 EAST, BOISE MERIDIAN, CUSTER COUNTY, IDAHO; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.**

189

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF MACKAY, CUSTER COUNTY, IDAHO:

SECTION 1: The Mayor and Council find that the hereinafter described property is adjacent to the City; that the owners, McKelvey, Donald T. and Charlotte E. Revocable Living Trust, have requested that such property be annexed to the City; and, that it is in the best interests of the City that the property be annexed to, and made a part of the City of Mackay.

SECTION 2: The Mayor and Council in accordance with Idaho Code, 50-222, (3)(a)(i) classifies this type of annexation as a Category A Annexation wherein, "All private landowners have consented to annexation."

SECTION 3: The Mayor and Council has determined the proposed annexation meets Category A Annexation requirements, and the City has initiated the planning and zoning procedures, to establish the comprehensive planning policies, where necessary, and zoning classification of the lands to be annexed.

SECTION 4: The following described property is hereby annexed to, and made a part of the City of Mackay:

PARCEL 'A'

DESCRIPTION: A portion of that real property conveyed to the McKelvey living trust by the quitclaim deed recorded December 26, 2000 as instrument no. 222064, Custer County records.

Township 7 North, Range 24 East, Boise Meridian, Custer County, Idaho.

SECTION 20: A portion of the southeast quarter and

SECTION 29: A portion of the northeast quarter more particularly described as follows:

Commencing at a 2" aluminum cap marking the southeast corner of section 20 and running thence along a survey tie line North 64°11'48" west 865.96 feet to the northeast corner of the lands of James C. Krosch from which a 1/2" rebar is located south 44°00'55" west and 0.66 feet thereof; thence along the South College Street right-of-way north 46°09'51" west 150.00 feet to a 1/2" rebar and ls cap 7920 set at the true point of beginning;

Thence continuing along the South College Street right-of-way north 46°09'51" west 50.00 feet to a 1/2" rebar and ls cap 7920 at the northeast corner of the lands of Jack McKelvey;

Thence along the McKelvey east line south 44°00'55" west 150.00 feet; Thence along the south line of McKelvey north 46°09'51" west 100.00 feet to a 1/2" rebar and ls cap 7920; Thence south 44°00'55" west

REC'D OCT 25 2016

524.54 feet to a ½" rebar and ls cap 7920; Thence south 46°09'51" east 150.00 feet to a ½" rebar and ls cap 7920; Thence north 44°00'55" east 524.54 feet to a ½" rebar at the southwest corner of the lands of James C. Krosch; Thence continuing along the west line of Krosch north 44°00'55" east 150.00 feet to the true point of beginning.

252488

Parcel 'A' contains 1.98 acres, more or less, and may be subject to easements of record or those legally established.

PARCEL 'B' PARCEL LINE ADJUSTMENT

DESCRIPTION: A portion of that real property conveyed to the McKelvey living trust by the quitclaim deed recorded December 26, 2000 as instrument no. 222064, Custer County records.

Township 7 North, Range 24 East, Boise Meridian, Custer County, Idaho.

SECTION 20: A portion of the southeast quarter and

SECTION 29: A portion of the northeast quarter more particularly described as follows:

Commencing at a 2" aluminum cap marking the southeast corner of section 20 and running thence along a survey tie line north 64°11'48" west 865.96 feet to the northeast corner of the lands of James C. Krosch from which a ½" rebar is located south 44°00'55" west and 0.66 feet thereof; Thence along the west line of Krosch south 44°00'55" west 150.00 feet to a pk nail set in a wooden fence post and the true point of beginning;

Thence continuing along the west boundary of Herschel Ivie south 44°00'55" west 524.54 feet to a ½" rebar and ls cap 7920; Thence north 46°09'51" west 150.00 feet to a ½" rebar and ls cap 7920; Thence north 44°00'55" east 524.54 feet to a ½" rebar at the southwest corner of Krosch; Thence south 46°09'51" east along the south line of Krosch 150.00 feet to the true point of beginning.

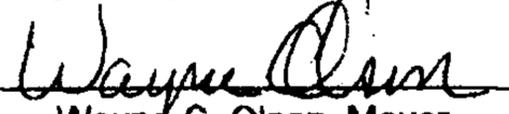
Parcel 'B' contains 1.81 acres, more or less, and may be subject to easements of record or those legally established.

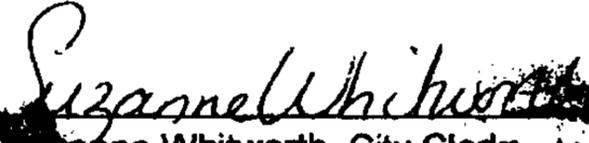
SECTION 5: The heretofore described and annexed property shall be subject to all rules, regulations, Ordinances, and Resolutions of the City of Mackay in effect the date of this Ordinance.

SECTION 6: This Ordinance shall be in full force and effect immediately upon its passage and publication according to law, the Council dispensing with the rule that ordinances must be read on three different days, all as provided by law.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MACKAY, CUSTER COUNTY, IDAHO, THIS 4th DAY OF OCTOBER 2016.

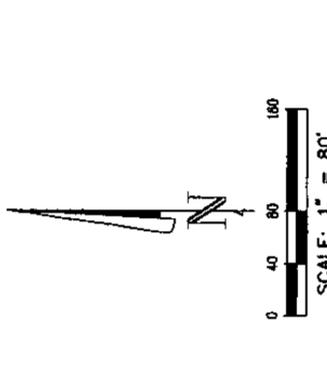
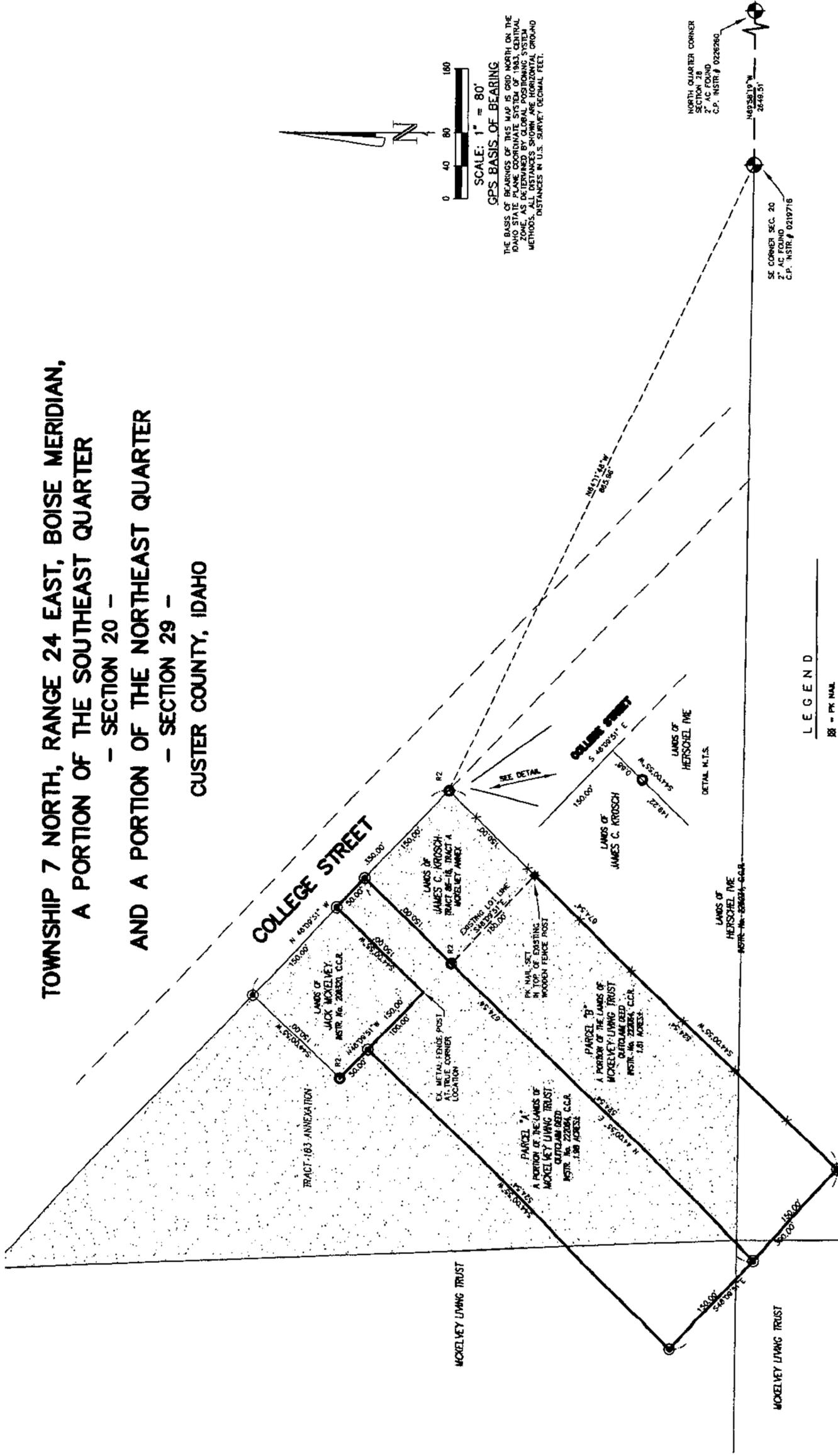
CITY COUNCIL OF THE CITY OF MACKAY, CUSTER COUNTY, IDAHO A MUNICIPAL CORPORATION OF IDAHO

By:   
Wayne C. Olsen, Mayor

ATTEST:   
Suzanne Whitworth, City Clerk



**TOWNSHIP 7 NORTH, RANGE 24 EAST, BOISE MERIDIAN,  
A PORTION OF THE SOUTHEAST QUARTER  
- SECTION 20 -  
AND A PORTION OF THE NORTHEAST QUARTER  
- SECTION 29 -  
CUSTER COUNTY, IDAHO**



**GPS BASIS OF BEARING**  
THE BASIS OF BEARINGS OF THIS MAP IS GRID NORTH ON THE IDAHO STATE PLANE COORDINATE SYSTEM OF 1983, CENTRAL ZONE, AS DETERMINED BY GLOBAL POSITIONING SYSTEM METHODS. ALL DISTANCES SHOWN ARE HORIZONTAL GROUND DISTANCES IN U.S. SURVEY DECIMAL FEET.

**LEGEND**

- ⊗ - PK NAIL
- ⊙ - 1/2" REBAR WITH U.S. CAP SET
- ⊖ - 1/2" REBAR FOUND
- ⊕ - SECTION CORNER FOUND OR CALCULATED
- CC.R. - CUSTER COUNTY RECORDS
- — — — — SUBJECT PROPERTY LINE
- — — — — EXISTING COLLEGE STREET ROW
- — — — — ADJUTANT
- — — — — SURVEY TIE LINE
- x - x - x - EXISTING FENCE LINE

**SURVEYOR'S CERTIFICATION**

I, DAVID W. MOON, A REGISTERED PROFESSIONAL ENGINEER AND LAND SURVEYOR, IN THE STATE OF IDAHO, HAVE PERSONALLY AND INDEPENDENTLY CONDUCTED A SURVEY OF THE LANDS HEREIN AND CORRECT REPRESENTATION THEREOF. THIS SURVEY COMPLETED UPON REQUEST OF MELVIN MCKELVEY.



**MOON & ASSOCIATES, INC.**  
ENGINEERING & LAND SURVEYING  
400 EAST MAIN AVE., CHALLIS, IDAHO 83226  
PHONE (208) 879-3714

**RECORD OF SURVEY & LOT LINE ADJUSTMENT**  
OF THE LANDS OF  
**THE DONALD T. MCKELVEY AND CHARLOTTE E. MCKELVEY REVOCABLE LIVING TRUST**  
OF RECORD  
QUITCLAIM DEED 222064, C.C.R.

**AND THAT REAL PROPERTY OF**  
**JAMES C. KROSCH**  
OF RECORD  
TRACT 86-16, TRACT A MCKELVEY ANNEX

DRAWN BY: D.E.M. DATE: 2-4-2014  
CHECKED BY: D.E.M. JOB NO: 14020  
DRAWING: 14020S.DWG

**REFERENCES**

- R-1: RECORD OF SURVEY FOR HERSCHEL IVE RECORDED SEPT. 9, 1981.
- R-2: RECORD OF SURVEY FOR JAMES KROSCH.
- R-3: WARRANTY DEED MCKELVEY TO KROSCH RECORDED 18JUN85 AS INSTR. No. 174144, C.C.R.
- R-4: REVOCABLE TRUST HERSCHEL AND KATHRYN IVE, RECORDED 23JUL02 AS INSTR. No. 225224, C.C.R.
- R-5: QUITCLAIM DEED JACK MCKELVEY TO JACK AND MARGARET MCKELVEY, RECORDED 02MAY94 AS INSTR. No. 224000, C.C.R.
- R-6: MCKELVEY TO MCKELVEY REVOCABLE LIVING TRUST RECORDED 26OCT00 AS INSTR. No. 222064, C.C.R.

285880