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ORDINANCE NO. 637

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KIMBERLY, STATE OF IDAHO, ANNEXING CERTAIN REAL PROPERTY DESCRIBED BELOW, PROVIDING THE ZONING CLASSIFICATION THEREFOR, AND ORDERING THE NECESSARY ZONING DISTRICT / AREA OF IMPACT MAP AMENDMENTS.

WHEREAS, Michael R and Joan A Bevan applied for annexation of 7.518 +/- acres of real property more particularly described in Exhibit "A" attached hereto and depicted on Exhibit "B" attached hereto ("Annexation Parcel");

WHEREAS, the Kimberly Planning and Zoning Commission having held its public hearing as required by law on the 30th day of November , 2016 to consider the Zoning Designation and applicable Zoning District / Area of Impact Map amendments upon annexation of the Annexation Parcel;

WHEREAS, the Kimberly Planning and Zoning Commission has made recommendations known to the City Council; and

WHEREAS, the City Council for the City of Kimberly, Idaho, held a Public Hearing as required by law on the 20th day of December, 2016, to consider the Planning and Zoning Commission's recommended zoning designations and any applicable Zoning District / Area of Impact Map amendments upon annexation of the Annexation Parcel;

BE IT ORDAINED by the Mayor and City Council of the City of Kimberly, County of Twin Falls, State of Idaho, THAT THE FOLLOWING REAL PROPERTY DESCRIBED ON EXHIBIT "A" AND DEPICTED ON EXHIBIT "B" ATTACHED HERETO, INCLUDING ALL PUBLIC STREETS, HIGHWAYS, ALLEYS AND PUBLIC RIGHTS-OF-WAY ADJACENT AND WITHIN THIS DESCRIPTION ARE HEREBY ANNEXED INTO THE CITY OF KIMBERLY, IDAHO:

SECTION 1. The Annexation Parcel shall be zoned Commercial Gateway as depicted on Exhibit " B" under the provisions of Title 17 and the 2013 Kimberly Comprehensive Plan and Map.

SECTION 2. Kimberly Water and Sewer services are currently being engineered for installation adjacent to the Annexation Parcel's north boundary, near State Highway 30. Water and Sewer services will be available in a reasonable period of time. The City of Twin Falls processes Kimberly's waste water and has been provided notice of the annexation of the Annexation Parcel and applicable zoning designation for future development.

SECTION 3. From and after the effective date of this ordinance publication, the Annexation Parcel shall be and is hereby subject to the provisions of all bylaws, ordinances, rules and regulations of the City of Kimberly, Idaho.

SECTION 4. The Zoning District / Impact Area Map for the City of Kimberly, Idaho, is hereby amended to reflect the newly incorporated Annexation Parcel and zoning designation as Commercial Gateway.

REC'D JAN 05 2017

TWIN FALLS COUNTY
Recorded for:
KIMBERLY, CITY OF
9:50:34 AM 01-03-2017
2017-000012
No. Pages:5 Fee: \$ 22.00
KRISTINA GLASCOCK
County Clerk
Deputy: BHUNTER

SECTION 5. The Clerk of the City of Kimberly, Idaho, shall, within ten (10) days following the effective date of this ordinance, shall cause one (1) copy of the legal description of the Annexation Parcel and City limit boundary map as altered by this annexation, prepared in a draftsman like manner, to be filed with the Twin Falls County Recorder, the Twin Falls County Assessor and the Idaho State Tax Commission.

SECTION 6. Kimberly has determined that annexing the Annexation Parcel constitutes an orderly extension of its municipal boundaries, and that such annexation is a Category A Annexation per Idaho Code Title 50 Section 50-222 (3) (a) and is described in the Kimberly 2013 Comprehensive Plan / Map as being in City's Impact Area for future growth.

SECTION 7. It has been determined that it is in the best interests of the City of Kimberly and Michael R and Joan A Bevan that the Annexation Parcel be annexed into the City of Kimberly and be developed in accordance with the Commercial Gateway zoning regulations.

SECTION 8. If any section or portion of this ordinance is for any reason held to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 9. This ordinance shall be in full force and effect from and after its passage, approval and publication according to law.

PASSED by the City Council of the City of Kimberly, County of Twin Falls, State of Idaho, this 20th day of December, 2016.

Signed by the Mayor, this 20th day of December, 2016.



Burke Davidson, Mayor

ATTEST:



Roxanne Bymun, City Clerk



Exhibit "A"

QUITCLAIM DEED

FOR VALUE RECEIVED G. RICHARD BEVAN and PAMELA J. BEVAN hereby convey, release, remise and forever quit claim unto MICHAEL R. BEVAN and JOAN A. BEVAN whose address is: 22329 Kimberly Road, Kimberly, Idaho 83341, the following described premises situated in Twin Falls County, Idaho:

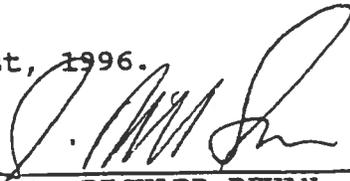
Township 10 South, Range 18 East of the Boise Meridian, Twin Falls County, Idaho.

Section 20: A tract of land located in the N $\frac{1}{2}$ NE $\frac{1}{4}$, more particularly described as follows:

BEGINNING at the Northeast corner of said Section 20;
THENCE North 89°23'53" West 1,371.03 feet along the Northerly boundary of said Section 20 to the Northeast corner of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 20;
THENCE South 0°09'00" West 50.00 feet to the Southerly boundary of U.S. Highway 30 Project F-2361 (14) and the TRUE POINT OF BEGINNING;
THENCE South 0°09'00" West 270.00 feet;
THENCE South 89°23'58" East 41.00 feet;
THENCE South 42°58'08" East 110.25 feet;
THENCE South 70°50'39" East 149.25 feet;
THENCE South 47°40'44" East 208.27 feet;
THENCE South 0°02'13" East 147.80 feet to the bank of a canal lateral;
THENCE North 78°31'30" West 420.50 feet along said canal lateral bank to the Easterly boundary of said NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 20;
THENCE South 0°09'00" West 17.55 feet along said Easterly boundary to the center of said canal lateral;
THENCE North 79°17'58" West 88.60 feet along said canal lateral;
THENCE North 85°06'58" West 145.80 feet along said canal lateral;
THENCE South 84°18'02" West 87.20 feet along said canal lateral;
THENCE South 74°16'02" West 49.70 feet along said canal lateral;
THENCE leaving said canal lateral North 0°09'00" East 609.12 feet to the Southerly boundary of said Highway Project F-2361 (14);
THENCE South 89°23'58" East 79.89 feet along said highway boundary;
THENCE North 0°36'02" East 10.00 feet along said highway boundary;
THENCE South 89°23'58" East 287.00 feet along said highway boundary to the TRUE POINT OF BEGINNING.

together with their appurtenances.

DATED this 20 day of August, 1996.



G. RICHARD BEVAN

1-3-17 City Limit Boundary Map incorporating ORD #637 - Bevan Annexation



T10S R18E

ZONING (CITY LIMITS)

- R1 SUPER
- R2 LIMITED
- R3 GENERAL
- LIGHT INDUSTRY
- M-H
- COMMERCIAL BUSINESS
- SCHOOL
- PARKS
- RESIDENTIAL PROFESSIONAL
- COMMERCIAL GATEWAY
- VACATED RIGHT OF WAY
- CITY LIMITS

NOTE:
KIMBERLY MEADOWS SUBDIVISION IS ZONED R3
WITH A DEED RESTRICTION (SINGLE FAMILY ONLY)

ZONING (IMPACT AREA)

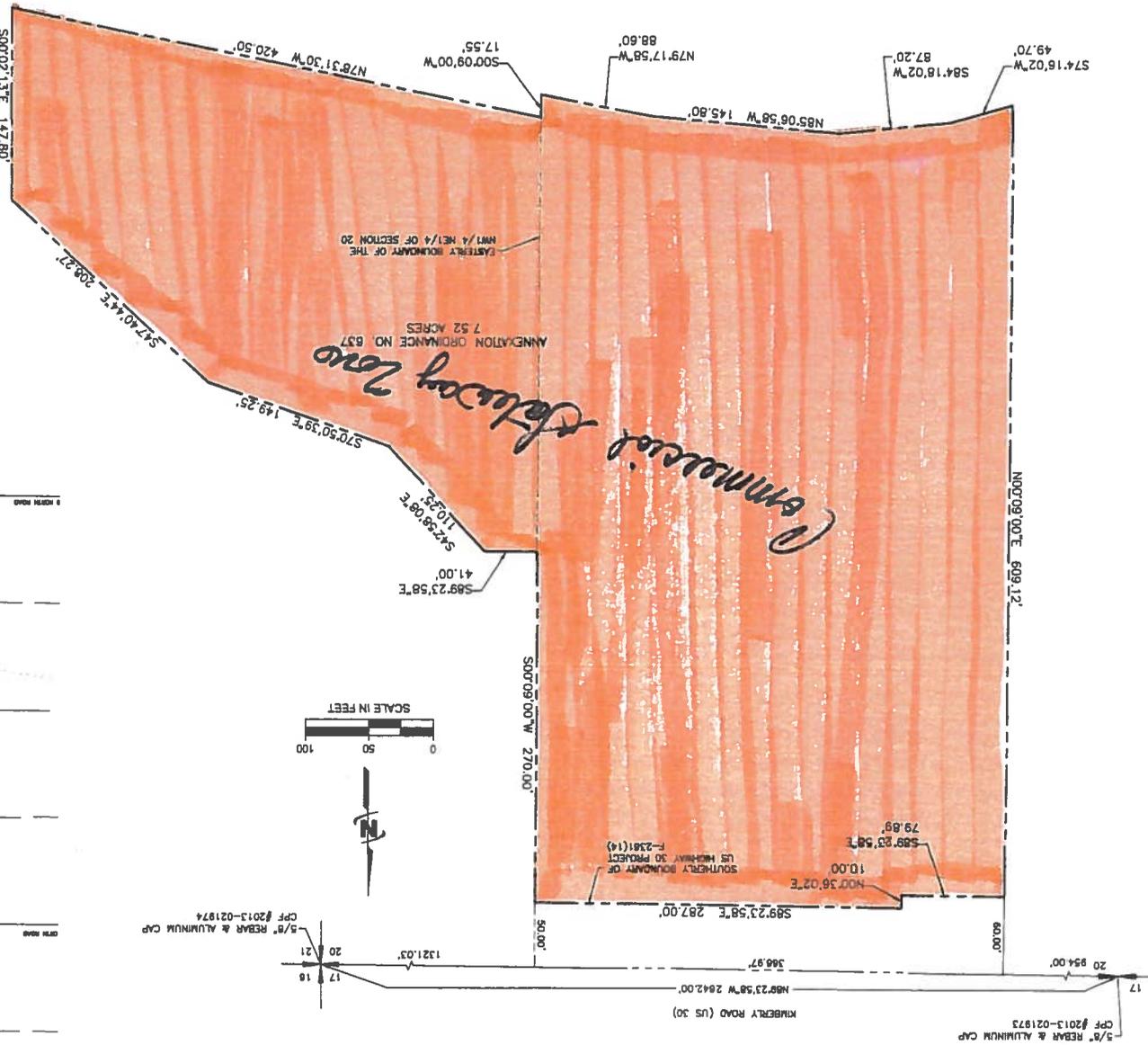
- COMMERCIAL GATEWAY
- LIGHT INDUSTRY
- RESIDENTIAL AGRICULTURE
- RESIDENTIAL LIMITED (R2)
- AGRICULTURE



CITY OF KIMBERLY ZONING MAP

NO	DATE	DESCRIPTION
1	10/14/16	ANNEX - MUNSEE - S.E. RED CAP CORNER 36.88 AC
2	12/20/16	ANNEX - BEVAN PROPERTY
3		
4		
5		

ORD. #637 Bevan Annx

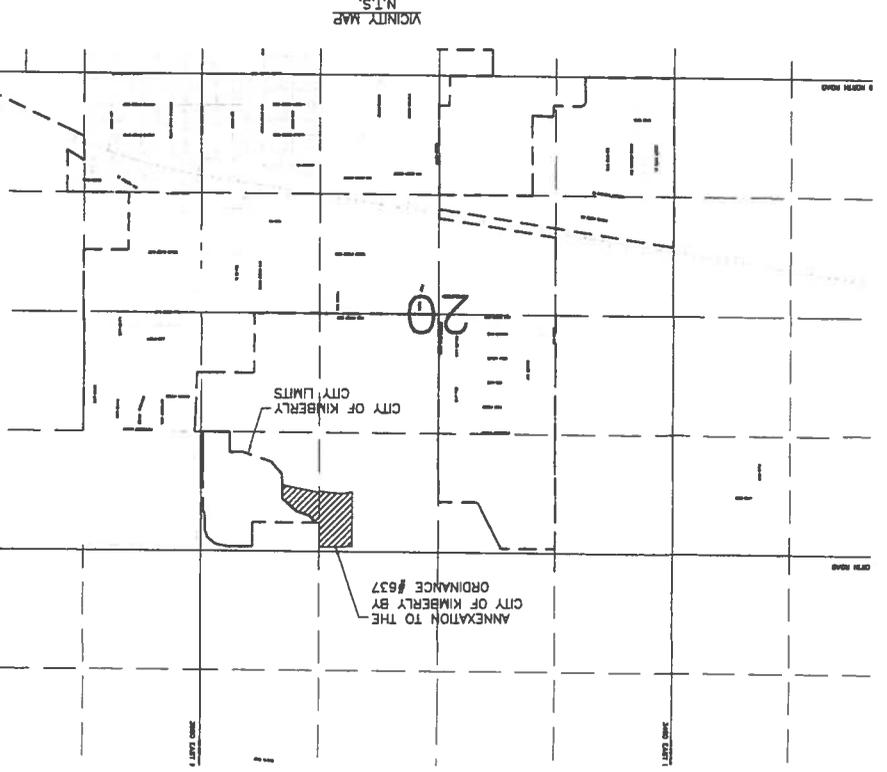
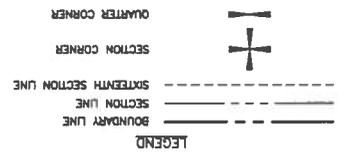


Commercial Storage Zone

Exhibit "B"

I DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR LICENSED BY THE STATE OF IDAHO, AND THAT THIS MAP HAS BEEN PREPARED FROM A RECORD OF SURVEY PLAT FOR DAN BEARD INST. NO. 915081 IN 1987 AND REFLECTS A FIELD SURVEY MADE ON THE GROUND.

CERTIFICATE OF SURVEYOR



ANNEXATION MAP FOR CITY OF KIMBERLY

LOCATED IN NE 1/4 OF SECTION 20 TOWNSHIP 10 SOUTH RANGE 18 EAST, BOISE MERIDIAN TWIN FALLS COUNTY, IDAHO

SHEET NUMBER: 1

DESIGNED BY: JUB
CHECKED BY: JUB
DRAWN BY: JUB
DATE: 08-28-13
PROJECT: 2013-021873

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