

**CITY OF MONTPELIER, STATE OF IDAHO****ORDINANCE No. 610**

**AN ORDINANCE OF THE CITY OF MONTPELIER, A MUNICIPAL CORPORATION OF IDAHO, ANNEXING AND ZONING A PARCEL OF LAND WHOSE ADDRESS IS 455 ADAMS ST, SAID LAND BEING MORE GENERALLY DESCRIBED AS SET FORTH IN ATTACHED EXHIBIT "A".**

**ALSO: PROVIDING FOR THE CITY CLERK TO FILE A CERTIFIED COPY OF THIS ORDINANCE WITH THE IDAHO STATE TAX COMMISSION AND WITH THE BEAR LAKE COUNTY AUDITOR, TREASURER, AND ASSESSOR IN ACCORDANCE WITH IDAHO CODE §§ 50-223 AND 63-215;**

**ALSO: PROVIDING FOR SAID LAND TO BE ZONED AGRICULTURAL; AND PROVIDING FOR THIS ORDINANCE TO BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW, THE RULE REQUIRING THAT AN ORDINANCE BE READ ON THREE SEPARATE OCCASIONS HAVING BEEN DISPENSED WITH.**

WHEREAS, there are certain lands lying contiguous and/or adjacent to the City of Montpelier, subject to annexation in accordance with the provisions of Idaho Code §50-222; and

WHEREAS, the owner of the said land has applied for annexation, a public hearing was held on December 11, 2008, before the Montpelier Planning and Zoning Commission, and a recommendation dated December 11, 2008, was made to the City Council to annex and zone the lands; and

WHEREAS, the City Council has determined that it is in the best interest of the City of Montpelier and the residents thereof that the said lands heretofore described in this title and hereinafter described in this ordinance be annexed to the City of Montpelier and be simultaneously zoned;

**NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF MONTPELIER, STATE OF IDAHO AS FOLLOWS:**

Section 1: That the land described in Exhibit "A" attached hereto and made a part hereof by reference, and as depicted on the map attached hereto and made a part hereof, be hereby annexed and made a part of the City of Montpelier, a municipal corporation of Idaho.

Section 2: That the land described in this ordinance described be hereby zoned Agricultural in its entirety, and that the official zoning map adopted by the City of Montpelier be hereby amended to incorporate the land annexed herein, and to depict the zone herein established upon said land.

**RECEIVED****JAN 16 2009****TECHNICAL SUPPORT****Instrument # 203457****BEAR LAKE COUNTY****1-9-2009 10:58:25 No. of Pages: 5****Recorded for : CITY OF MONTPELIER****KERRY HADDOCK****Fee: 15.00****Ex-Officio Recorder Deputy****Index to: ORDINANCE***Cindy Garner*

(2)

Section 3: That immediately after the passage, approval, and publication of this ordinance according to law, the City Clerk is hereby directed to file with the Bear Lake County Auditor, Treasurer, and Assessor, and with the Idaho State Tax Commission, a certified copy of this ordinance.

Section 4: That upon the passage, approval, and publication of this ordinance according to law, the incorporated limits of the City of Montpelier shall extend to and include the lands hereinabove described and thereafter all property and persons within the limits of the lands herein annexed shall be subject to all of the provisions of the laws of the City of Montpelier and to the police regulations thereof.

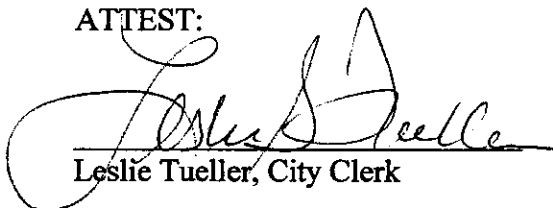
Section 5: That this Ordinance shall be in full force and effect from and after its passage, approval, and publication according to law.

Section 6: One half (1/2) plus one (1) of the members of the full council agree to dispense with the rule requiring the reading of this ordinance on three (3) separate occasions.

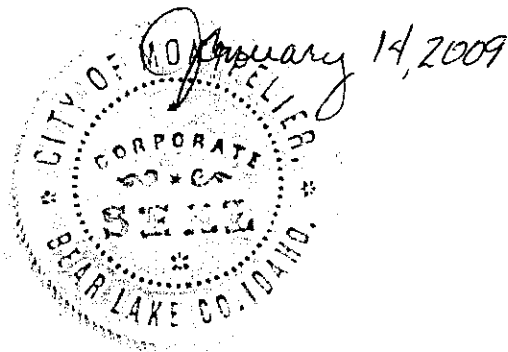
PASSED AND APPROVED by the Mayor and the City Council of the City of Montpelier, Bear Lake County, Idaho, this 7<sup>th</sup> day of January, 2009.

  
Reed Peterson, Mayor

ATTEST:

  
Leslie Tueller, City Clerk

PUBLISHED:



STATE OF IDAHO  
COUNTY OF BEAR LAKE SS

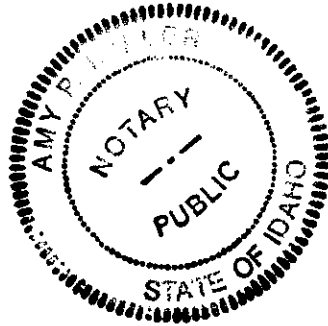
I, Leslie Tueller, Clerk and Treasurer of the City of Montpelier, do hereby certify that the within and foregoing is a full, true and correct copy of the original Ordinance #610 as the same that appears on file in my office.

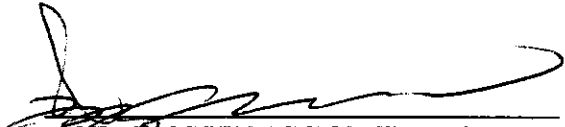
IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of this office at Montpelier, Idaho, this January 9, 2008

STATE OF IDAHO                    )  
  ) ss.  
COUNTY OF BEAR LAKE        )

On this 9<sup>th</sup> day of January, 2009, before me, the undersigned, a Notary Public for the State, personally appeared Reed Peterson and Leslie Tueller, known to me to be the Mayor and City Clerk, respectively, of the City of Montpelier, and acknowledged to me that they executed the foregoing instrument for and on behalf of said municipal corporation and that said municipal corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the date and year in this certificate first above written.



  
NOTARY PUBLIC FOR IDAHO  
Residing in Montpelier, Idaho  
My commission expires: 11-24-2012

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EXHIBIT "A"

Real property located in the County of Bear Lake, State of Idaho, and more particularly described as follows:

Township 13 South, Range 44 East of the Boise Meridian, Idaho

Section 10: Beginning at a point which is <sup>2201.1</sup>33.35 chains East and <sup>450.12</sup>6.82 chains South from the Northwest corner of said Section 10, and running thence South 40 rods; thence West 20 rods; thence North 40 rods; thence East 20 rods, to the Point of Beginning.

660 x 330

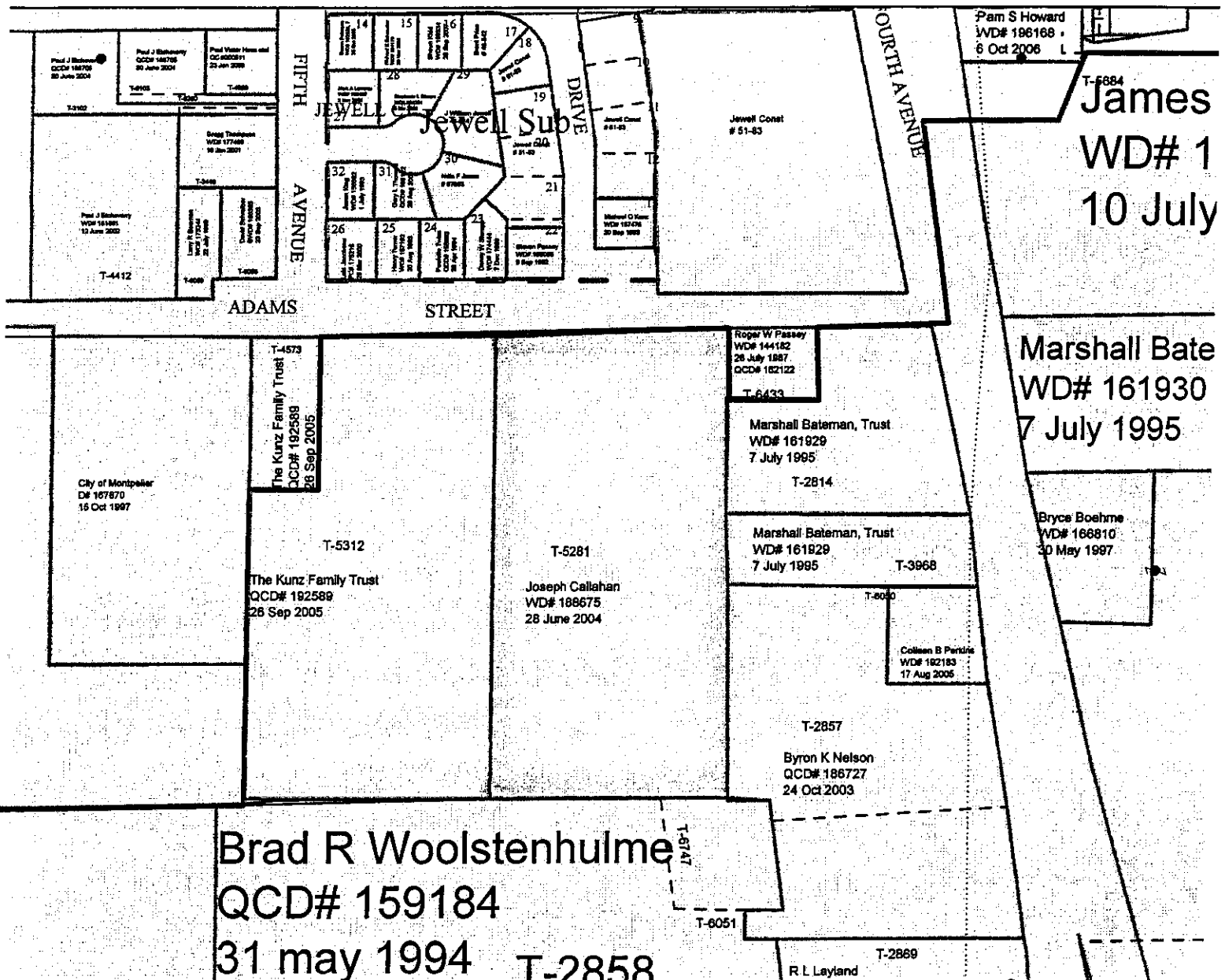
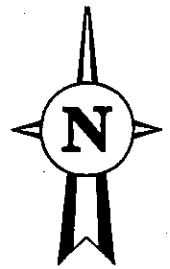
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JAN 16 2009

TECHNICAL SUPPORT

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This sketch is provided without charge for your information, it is not intended to show all matters related to the property including, but not limited to area dimensions, encroachments, or location of boundaries. It is not a part of, nor does it modify the commitment or policy to which it is attached. The Company assumes NO LIABILITY for any matter related to this sketch. References should be made to an accurate survey for further information.\*

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