

This ordinance contains a corrected zoning designation and is being recorded to replace the previously recorded Ordinance 21-502, instrument #559795, recorded 12-18-2021.

AN ORDINANCE OF THE CITY OF RUPERT, IDAHO, ANNEXING REAL PROPERTY TO THE CITY OF RUPERT, IDAHO: DECLARING THE SAME TO BE A PART OF THE CITY OF RUPERT, IDAHO; DIRECTING THE CITY CLERK TO FILE WITH THE COUNTY RECORDER, ASSESSOR, AND TAX COLLECTOR OF MINIDOKA COUNTY, IDAHO, AND WITH THE STATE TAX COMMISSION, BOISE, IDAHO, A CERTIFIED COPY OF THIS ORDINANCE; PROVIDING THAT A MAP AND LEGAL DESCRIPTION OF SAID LANDS BE FILED AS PROVIDED BY LAW; DECLARING SAID LANDS TO BE ZONED UNDER THE RUPERT CITY ZONING ACT AS DESIGNATED HEREIN; AND PROVIDING AN EFFECTIVE DATE FOR THIS ORDINANCE.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF RUPERT, IDAHO as follows:

Section 1. The land described in Section 2 hereof is hereby annexed to and declared to be a part of the City of Rupert, Idaho pursuant to Idaho Code § 50-222, and the present boundaries of said City are hereby extended to include said described land.

Section 2: That the land referred to in Section 1 hereof is located generally at 119 South Highway 24, Rupert, Idaho, in Minidoka County, Idaho and is more particularly described in "EXHIBIT A", attached hereto.

Said land is owned by private landowner(s) who have requested annexation and otherwise consented to the same. As such, this annexation is classified as a "Category A" Annexation pursuant to Idaho Code § 50-222(3)(a).

Section 3: That the City Clerk of the City of Rupert, Idaho, shall file a copy of this Ordinance duly certified as to the correctness thereof, under the corporate seal of the City of Rupert, Idaho, with the Minidoka County Recorder and with the State Tax Commission at Boise, Idaho.

Section 4: That a legal description and map of the boundaries of the City of Rupert, as altered by this annexation shall be prepared and filed with the State Tax Commission, Boise, Idaho, and with the Minidoka County Recorder, Assessor and Tax Collector as provided by law.

Section 5: That the parcel described in Section 2 herein shall hereby be zoned as "Commercial General (CG)" as described in Rupert City Code.

Section 6: This Ordinance shall be in full force and effect after its passage, approval, and publication as provided by law.

PASSED this 26th, day of January 2021, by a vote of 4 in favor and 0 against.

CITY OF RUPERT

By: Michael D. Brown
Michael D. Brown, Mayor

ATTEST:

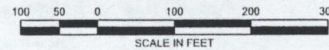
Bayley Maughan
Bayley Maughan, City Clerk



RECORD OF SURVEY SHOWING TAX LOTS 15, 16, 19, & 37, LESS TAX LOT 27

LOCATED WITHIN SECTION 31, T.9 S., R.24 E., B.M., CITY OF RUPERT, MINIDOKA COUNTY, IDAHO

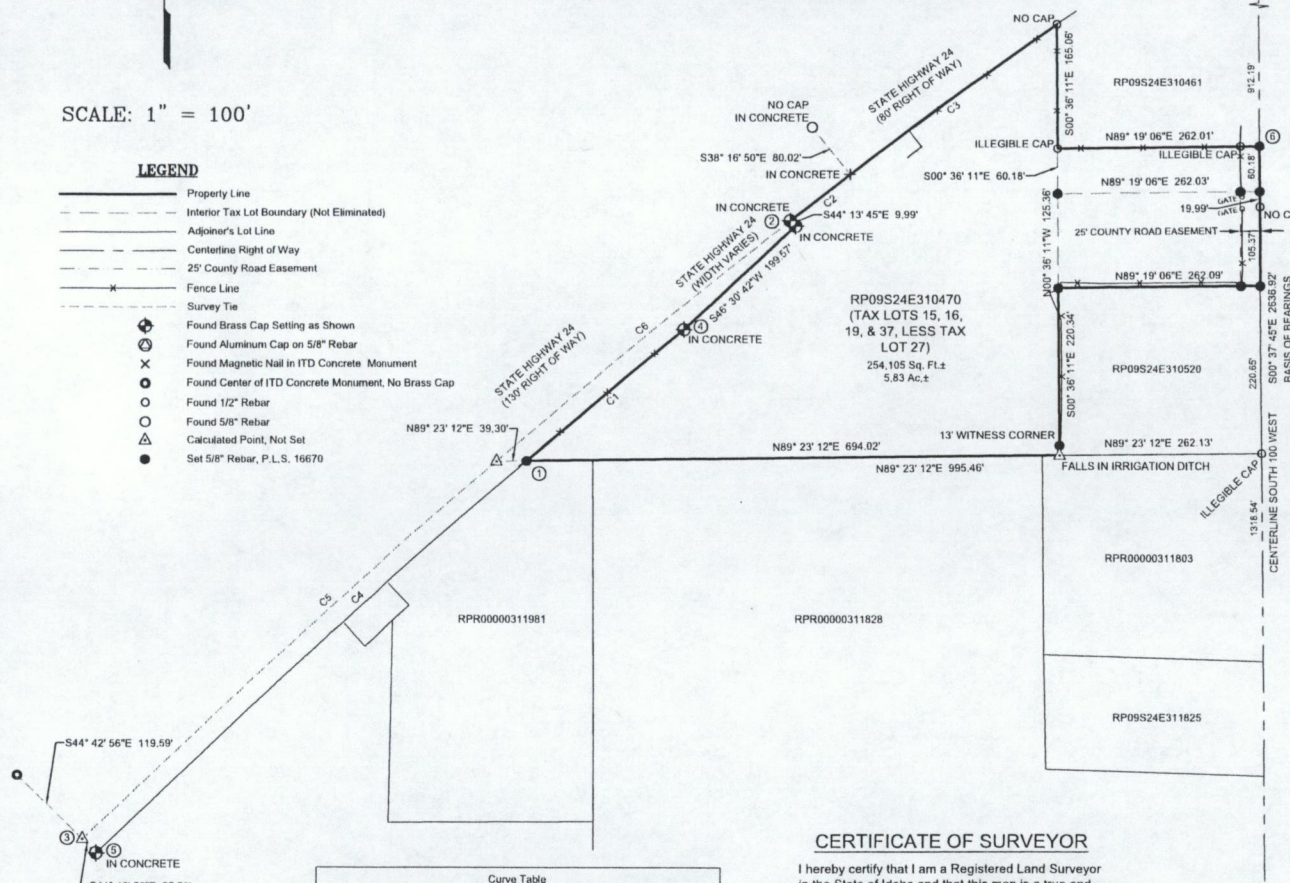
JANUARY 2021



SCALE: 1" = 100'

LEGEND

- Property Line
- - - Interior Tax Lot Boundary (Not Eliminated)
- - - Adjoiner's Lot Line
- - - Centerline Right of Way
- - - 25' County Road Easement
- - - Fence Line
- - - Survey Tie
- ⊙ Found Brass Cap Setting as Shown
- ⊙ Found Aluminum Cap on 5/8" Rebar
- ⊙ Found Magnetic Nail in ITD Concrete Monument
- ⊙ Found Center of ITD Concrete Monument, No Brass Cap
- ⊙ Found 1/2" Rebar
- ⊙ Found 5/8" Rebar
- △ Calculated Point, Not Set
- Set 5/8" Rebar, P.L.S. 16670

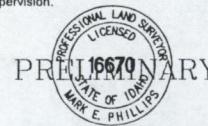


SURVEY NARRATIVE & NOTES

- The purpose of this survey is to show the monuments found and set during the boundary retracement of Tax Lots 15, 16, 19, & 37, Less Tax Lot 27. The boundary shown is based on found lot corner monuments and Personal Representative Quidclaim Deed, Instrument Number 548652, records of Minidoka County, Idaho. All found monuments have been accepted. The missing property corner at point ① was reset by using the record curve distance from point ②, between points ② and ③, to establish a calculated point. Said calculated point was used to establish the southerly boundary of the subject property. Then the record curve radius was used between points ④ and ⑤ to establish the Southwest property corner of the subject property. The missing property corner at point ⑥, was set by extending the line between found monuments to the Easterly Boundary of Section 31. Other missing monuments were reset by proportioning record distances between found monuments. The additional documents used in the course of this survey include the Record of Survey for Cameron Sales Inc., Instrument Number 309680, Warranty Deed, Instrument Number 539723, Special Warranty Deed, Instrument Number 548223, and Warranty Deed, Instrument Number 554647, all records of Minidoka County, Idaho.
- The distances shown are measured. Refer to the above referenced documents for the previous record data.
- This survey does not purport to reflect any of the following which may be applicable to subject real property: natural hazards, encroachments, wetlands, ditches, easements, building setbacks, restrictive covenants, subdivision restrictions, zoning or any other land-use regulations.
- A Lot Book Guarantee for the subject property, has been issued by TitleOne, File Number 20393636, with an Effective Date of November 17, 2020. Certain information contained in said title policy may not appear on this map or may affect items shown hereon. It is the responsibility of the owner or agent to review said title policy. Some of the encumbrances and easements listed in the title report are NOT plotted hereon. Review of specific documents is required, if further information is desired.

CERTIFICATE OF SURVEYOR

I hereby certify that I am a Registered Land Surveyor in the State of Idaho and that this map is a true and accurate representation of a survey done under my direct supervision.



MARK E. PHILLIPS, P.L.S. 16670

| Curve Table | | | | | | |
|-------------|---------|-----------|------------|---------|---------|-----------------|
| Curve | Length | Radius | Delta | Tangent | Chord | Chord Direction |
| C1 | 268.12' | 11393.66' | 1° 20' 54" | 134.07' | 268.12' | S49° 47' 03"W |
| C2 | 98.84' | 11419.16' | 0° 29' 45" | 49.42' | 98.84' | S51° 42' 20"W |
| C3 | 333.97' | 7599.44' | 2° 31' 05" | 167.01' | 333.95' | S53° 19' 24"W |
| C4 | 766.53' | 11393.66' | 3° 51' 17" | 383.41' | 766.38' | S47° 10' 58"W |
| C5 | 738.24' | 11419.16' | 3° 42' 15" | 369.25' | 738.12' | S47° 06' 42"W |
| C6 | 497.00' | 11419.16' | 2° 29' 37" | 248.54' | 496.96' | S50° 12' 38"W |

A RECORD OF SURVEY SHOWING
TAX LOTS 15, 16, 19, & 37, LESS
TAX LOT 27

GALENA ENGINEERING, INC.
HAILEY, IDAHO

SHEET 1 OF 1
Job No. 8039

EXHIBIT A

Legal Description of Tax Lots 15, 16, 19, & 37, Less Tax Lot 27

**Section 31, Township 9 South, Range 24 East
Boise Meridian, City of Rupert, Minidoka County, Idaho**

A legal description for a parcel of land located within Section 31, Township 9 South, Range 24 East, Boise Meridian, Minidoka County, Idaho, and being more particularly described as follows:

Commencing at an Aluminum Cap on 5/8" rebar marking the Northeast corner of Section 31, from which a 5/8" rebar with No Cap, marking the East Quarter Corner of Section 31, lies S00°37'45"E, 2636.92 feet distant; Thence Proceeding S00°37'45"E, 912.19 feet, along the Easterly boundary of Section 31, to a 5/8" Rebar by LS16670, being the Northerly Property corner along the Easterly boundary of Section 31, and said point being the TRUE POINT OF BEGINNING:

Thence continuing along the Easterly boundary of Section 31, S00°37'45"E, 185.54 feet, to a 5/8" rebar by LS16670;

Thence S89°19'06"W, 262.09 feet, to a 5/8" rebar by LS16670;

Thence S00°36'11"E, 220.34 feet, to a point in the center of an existing irrigation canal, witnessed by a 5/8" rebar that lies N00°36'11"W, 13.00 feet distant;

Thence S89°23'12"W, 694.02 feet, to the Southerly Right of Way of State Highway 24, marked by a 5/8" rebar by LS16670;

Thence continuing along the Southerly Right of Way of State Highway 24 the following courses;

Thence 268.12 feet along a non-tangential curve to the right, with a radius of 11,393.66 feet, a delta of 1°20'54", a tangent length of 134.07 feet, and a chord length of 268.12 feet that bears N49°47'03"E, to a Brass Cap in concrete;

Thence N46°30'42"E, 199.57 feet, to a Brass Cap in concrete;

Thence N44°13'45"W, 9.99 feet, to a Brass Cap in concrete;

Thence 98.84 feet along a non-tangential curve to the right, with a radius of 11,419.16 feet, a delta of 0°29'45", a tangent length of 49.42 feet, and a chord length of 98.84 feet that bears N51°42'20"E, to a Magnetic nail in Concrete;

Thence 333.97 feet along a compound curve to the right, with a radius of 7599.44 feet, a delta of 2°31'05", a tangent length of 167.01 feet, and a chord length of 333.95 feet that bears

N53°19'24"E, to a 1/2" rebar with No Cap;

Thence leaving said southerly Right of Way of State Highway 24, S00°36'11"E, 165.06 feet, to a 1/2" rebar with Illegible Cap;

Thence N89°19'06"E, 262.01 feet, to the TRUE POINT OF BEGINNING. Containing 254,105 Sq. Ft. (5.83 Ac.), more or less, as determined by computer methods.