

ORDINANCE NO. _304-06_

AN ORDINANCE RE-ANNEXING TWO PARCELS OF LAND; ZONING PARCEL 1 AS RESIDENTIAL-1 (R-1) AND PARCEL 2 AS RESIDENTIAL-2 (R-2); PROVIDING FOR THE FILING OF A CERTIFIED COPY OF THIS ORDINANCE WITH THE COUNTY RECORDER.

WHEREAS, the City of New Meadows has discovered that the Ordinance purporting to annex certain parcels of land into the corporate boundaries of the City recited an incorrect legal description for one of the parcels; and

WHEREAS, the City of New Meadows must correct such legal description; and

WHEREAS, the previous Ordinance No. 292-05 did not contain a severability clause; and

WHEREAS, in order for the annexation to be corrected, the process must be repeated and the previous annexation ordinance be repealed; and

WHEREAS, a subsequent ordinance, Ordinance No. 296-05, must also be repealed as it purported to rezone the incorrectly annexed property.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NEW MEADOWS, ADAMS COUNTY, IDAHO:

Section 1. REPEALING ORDINANCE NO. 292-05. This ordinance hereby repeals Ordinance No. 292-05, which was passed by the City Council of the City of New Meadows on August 8, 2005.

Section 2. REPEALING ORDINANCE NO. 296-05. This ordinance also hereby repeals Ordinance No. 296-05, which was passed by the City Council of the City of New Meadows on September 12, 2005.

Section 3. ANNEXATION PROCESS REPEATED. The annexation process is hereby repeated and corrected regarding the parcels described within Ordinance No. 292-05, and said parcels are correctly described more particularly on Exhibits A and B attached hereto.

Section 4. PARCELS ANNEXED. That from the date of filing of a certified copy of this ordinance with the County Recorder of Adams County, Idaho, all of the property situated within said annexed territory shall be subject to the same rules and regulations and shall have the same status as other property within the corporate limits of the City of New Meadows, Idaho.

Section 5. ZONING CLASSIFICATION FOR PARCEL 1. The zoning classification of Parcel 1 is hereby designated as Residential-1 (R-1).

Section 6. ZONING CLASSIFICATION FOR PARCEL 2. The zoning classification of Parcel 2 is hereby designated as Residential-2 (R-2).

Section 7. FILING. The City Clerk is hereby authorized and directed upon the passage and publication of this Ordinance to file with the County Recorder of Adams County, Idaho, a copy of this ordinance duly certified as to the correctness thereof under the corporate seal of the City of New Meadows, Idaho.

Section 8. SEVERABILITY. The provisions of this Ordinance are hereby declared to be severable and if any provisions of this Ordinance or the application of such provision to any person or circumstance is declared invalid for any reason, such declaration shall not affect the validity of the remaining portions of this Ordinance.

Section 9. EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after the passage, approval and publication thereof as provided by law.

DATED this 11th day of September, 2006.

CITY OF NEW MEADOWS
Adams County, Idaho

BY: /s/ Gale Stillman
Mayor

ATTEST:

/s/ Jacob Qualls
City Clerk

Annexation Description -- Parcel 1

Exhibit A

A parcel located in the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 24, Township 19 North, Range 1 East, Boise Meridian, Adams County, Idaho, more particularly described as follows:

BEGINNING at a 5/8 inch diameter iron pin marking the southwesterly corner of said SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ from which a 5/8 inch diameter iron pin marking the northwesterly corner of said SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ bears N 0°02'47" E a distance of 1325.18 feet;

Thence N 0°02'47" E along the westerly boundary of said SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ a distance of 1177.94 feet to a point on the boundary of the revised Corporate Limits as described in Ordinance No. 101;

Thence leaving said westerly boundary N 89°09'00" E and along said Corporate Limits a distance of 579.80 feet to a point;

Thence continuing along said Corporate Limits S 4°12'51" E a distance of 1168.12 feet to a point on the southerly boundary of said SW $\frac{1}{4}$ of the SW $\frac{1}{4}$;

Thence leaving said Corporate Limits S 88°08'45" W a distance of 666.88 feet to the POINT OF BEGINNING.

This parcel contains 16.77 acres and is subject to any easements existing or in use. Said parcel is intended to be contiguous with the Corporate Limits of the City of New Meadows as originally platted and revised by Ordinance No. 101.

Annexation Description -- Parcel 2

Exhibit B

A parcel located in the SW 1/4 of Section 24, Township 19 North, Range 1 East, Boise Meridian, Adams County, Idaho, more particularly described as follows:

Commencing at a 5/8 inch diameter iron pin marking the southeasterly corner of said SW 1/4 from which a 5/8 inch diameter iron pin marking the southwesterly corner of said SW 1/4 bears S 88°08'45" W a distance of 2734.33 feet;

Thence S 88°08'45" W along the southerly boundary of said SW 1/4 a distance of 180.00 feet to a point marking the intersection with the extension of the westerly right-of-way of Norris Avenue and being the POINT OF BEGINNING;

Thence continuing S 88°08'45" W a distance of 795.74 feet to a point marking the intersection with the extension of the westerly right-of-way of Heigho Avenue, said point being on the boundary of the existing Corporate Limits;

Thence leaving said southerly boundary and along said corporate limits the following described courses:

Thence N 0°45'58" W along said Heigho Avenue extended right-of-way a distance of 912.48 feet to a point;

Thence leaving said extended right-of-way N 89°09'00" E a distance of 257.12 feet to a point;

Thence N 0°45'58" W a distance of 384.50 feet to a point on the southerly right-of-way of Wiley Street;

Thence N 89°09'00" E along said southerly right-of-way a distance of 65.88 feet to a point;

Thence leaving said southerly right-of-way S 0°51'00" E a distance of 150.00 feet to a point;

Thence N 89°09'00" E a distance of 180.00 feet to a point;

Thence N 0°51'00" W a distance of 150.00 feet to a point on said southerly right-of-way of Wiley Street;

Thence N 89°09'00" E along said southerly right-of-way a distance of 294.28 feet to a point on the westerly right-of-way of said Norris Avenue;

Thence leaving said Corporate Limits S 0°41'27" E along said westerly right-of-way a distance of 1283.04 feet to the POINT OF BEGINNING.

This parcel contains 20.70 acres and is subject to any easements existing or in use. Said parcel is intended to be contiguous with the Corporate Limits of the City of New Meadows as originally platted and revised by Ordinance No. 101 and Ordinance No. 123.