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238405

#238405

THIS DOCUMENT/IS BEING RE-RECORDED on 11-5-92 to to correct the legal description which has been attached.

ORDINANCE 1043

AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, ANNEXING THAT REAL PROPERTY WHICH IS DESCRIBED IN EXHIBIT A; ESTABLISHING ZONING; PROVIDING SEVERABILITY; REPEALER; EFFECTIVE DATE; ALLOWING FOR PUBLICATION BY SUMMARY;

Be it ordained and resolved by the Mayor and City Council of the City of Payette, Idaho.

Section 1: That real property which is described in Exhibit A and attached hereto and incorporated hereat as if set out in full verbatim be annexed into the City of Payette.

Section 2: Upon annexation that property shall be zoned A Residential.

Section 3: If any portion of this Ordinance is found to be unenforceable or unconstitutional for any reason, the remaining portion of this Ordinance shall remain in full force and effect.

Section 4: Any portions of any existing Ordinances which are in conflict with this Ordinance are hereby repealed insofar as the conflict exists.

Section 5: This Ordinance shall take effect and be in full force and effect after its adoption and publication as required by law.

Section 6: The Ordinance may be published by summary as provided by Idaho Code.

BE IT ORDAINED AND RESOLVED THAT THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS APPROVAL, PASSAGE, AND PUBLICATION AS REQUIRED BY LAW.

This Ordinance shall be in full force and effect on the 6th day of April, 1992.

City of Payette, Idaho

ATTEST: John P. Franks
City Clerk

Floyd L. Moyer
Mayor

State of Idaho)
County of Payette) S.S.

On this 6th day of April, 1992, before me, Kellie Donner, Notary Public, personally appeared Floyd L. Moyer, Mayor, and John P. Franks, City Clerk, personally known to me to be the persons whose names are subscribed to this instrument, and acknowledged that they executed the same.

Notary Public Kellie Donner My Commission Expires 1-97

received

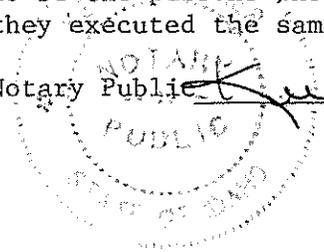


EXHIBIT A

1) Two parcels belonging to Bud McGary enlarging the Highlands Subdivision and zoning them A-Residential:

A) Land in RECORDER'S AMENDED WESTSLOPE PLAT, as per Plat in in Book 2, Page 2, Plat Records, Payette County, Idaho:

A parcel of land in Block 6 described as follows:

Beginning at the Northeast corner of the SE1/4NE1/4 of Section 3, Twp. 8 N., R. 5 W., B.M.;

Thence N. 89°48'38" W. coincident the North boundary thereof 1011.91 feet;

Thence S. 40°34'28" E. 325 feet;

Thence continue S. 40°34'28" E. along Hughes Drive to the intersection with the right of way of Iowa Avenue;

Thence Northerly along said Iowa Avenue to the Point of Beginning.

B) Land in the SE1/4NE1/4 of Section 3, Twp. 8 N., R. 5 W., B.M., Payette County, Idaho described as follows:

Commencing at the northeast corner of said NE1/4SE1/4,

Thence N. 89°48'38" W., 974.77 feet, to a point on the Easterly right of way on Hughes Drive, the TRUE POINT OF BEGINNING.

Thence S. 40°34'53" E. along the said right of way of Hughes Drive, 405.75 feet;

Thence following said right of way in a curve to the left, 199.34 feet, the long chord being 197.54 feet, a radius of 376.41 feet, and a central angle of 30°25'57";

Thence following said right of way S. 71°00'00" E. 34.54 feet;

Thence following said right of way in a curve to the left 20.83 feet, the long chord being 18.67 feet, a radius of 13.00 feet, and a central angle of 91°48'36";

Thence continuing to follow said right of way in a curve to the right, 91.08 feet, the long chord being 90.71 feet, a radius of 293.00 feet, and a central angle of 17°48'36";

Thence S. 55°00'00" E., 66.00 feet, which is the easterly right of way of Iowa Avenue;

Thence following said right of way of Iowa Avenue in a curve to the left, 206.02 feet, a long chord of 199.02 feet, a radius of 227.00 feet, and a central angle of 52°00'00";

Thence S. 73°00'00" West, 66.00 feet which is the westerly right of way of Iowa Avenue;

Thence following said right of way of a curve to the right, 42.78 feet, the long chord being 42.75 feet, a radius of 293.00 feet, and a central angle of 8°21'58";

Thence S. 50°00'00" W., 107.70 feet;

Thence N. 71°00'00" W, 25.00 feet;

Thence in a curve to the right 309.35 feet, the long chord being 305.72 feet, a radius of 582.41 feet, and a central angle of 30°25'57";

Thence N. 40°34'53" W. 105.00 feet;

Thence N. 49°25'07" E. 178.00 feet to a poing on the centerline of Hughes Drive;

Thence along the centerline of Hughes Drive, 40°34'53" W. 325.00 feet;

Thence S. 89°48'38" E., 37.14 feet to the TRUE POINT OF BEGINNING.

238405

State of Idaho, County of Payette

I certify that this instrument was filed for record at the request of

Apr. 8, 1992 2:20 P.M. in Book 21, Page 238405

Laura L. Stigile, Ex-Officio Recorder by

Lottie Hanks, Deputy

John P. Franks, City Clerk.
Fee: \$6.00

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EXHIBIT A

Land in BLOCK 6 OF RECORDER'S AMENDED WESTSLOPE PLAT as per PLAT in BOOK 2, page 2, PLAT records, PAYETTE COUNTY, IDAHO:

A PORTION of said BLOCK 6 within the SE1/4NE1/4 of SECTION 3, TOWNSHIP 8 NORTH, RANGE 5 WEST, BOISE MERIDIAN.

More particularly described as follows:

BEGINNING at the northwest corner of said SE1/4NE1/4 (ON THE NORTH LINE OF SAID BLOCK 6);

THENCE S. 89°59'36" E. 299.94 feet along the north line of said SE1/4NE1/4 to the TRUE POINT OF BEGINNING, which point is on the centerline of an existing CITY STREET known as HUGHES DRIVE OF PAYETTE, IDAHO;

THENCE S. 40°44'55" E. 324.22 feet along the CENTERLINE of said Hughes Drive;

THENCE S. 49°15'05" W. 28.00 feet to a point on the southwesterly right-of-way line of said Hughes Drive;

THENCE S. 49°15'05" W. 150.00 feet;

THENCE a distance of 460.64 feet along the arc of an 823.53 foot radius curve left with a central angle of 32°02'54" and a long chord bearing S. 56°46'21" E. 454.66 feet;

THENCE N. 33°47'53" E. 92.25 feet to a point on the westerly right-of-way of a City street known as Iowa Avenue of Payette, Idaho;

THENCE N 76°09'15" E. 58.00 feet to a point on the easterly right-of-way of Iowa Avenue (25.00 foot right-of-way easterly side of Iowa Avenue);

THENCE along the easterly right-of-way of Iowa Avenue a distance of 165.62 feet along the arc of a 165.00 foot radius curve right with a central angle of 57°30'39" and a long chord bearing N. 14°54'35" E. 158.75 feet to a point of compound curvature;

THENCE along the southeasterly right-of-way of said Iowa Avenue a distance of 117.35 feet along the arc of an 845.49 foot radius curve right with a central angle of 07°57'09" and a long chord bearing N. 47°38'29" E. 117.26 feet to a point on tangent;

THENCE N. 51°37'03" E. 228.85 feet along the southeasterly right-of-way line of said Iowa Avenue to a point of curvature;

THENCE along the southeasterly right-of-way of said Iowa Avenue a distance of 157.49 feet along the arc of a 530.00 foot radius curve left with a central angle of 17°01'33" and a long chord bearing N. 43°06'16" E. 156.91 feet to a point of compound curvature;

THENCE along the southeasterly right-of-way of said Iowa Avenue a distance of 36.60 feet along the arc of a 330.00 foot radius curve left with a central angle of 06°21'15" and a long chord bearing N. 31°24'52" E. 36.58 feet to a point on the north line of said SE1/4NE1/4 (said BLOCK 6), which point bears N. 89°59'36" W. 13.63 feet from the

northeast corner of said SE1/4NE1/4 (northeast corner of said BLOCK 6);

THENCE N. 89°59'36" W. 997.92 feet along the north line of said SE1/4NE1/4 (north line of said BLOCK 6) to the TRUE POINT OF BEGINNING.

241197

State of Idaho, County of Payette

I certify that this instrument was filed for record at the request of John Franks, Payette City Clerk

Nov. 5, 1992 @ 4:02 P. M. in Book 21 Misc. Records at page 241197.

Laura L. Stigile, Ex-Officio Recorder by C. Della Pepple, Deputy

Fee: \$9.00