

ORDINANCE NO. 430

Annexation of McKelvey Property

AN ORDINANCE OF THE CITY OF MACKAY, CUSTER COUNTY, STATE OF IDAHO, FINDING FACTS; ANNEXING PROPERTY DESCRIBED HEREIN AS PARCEL 'A' AND PARCEL 'B', LOCATED IN SECTION 20, AND 29, TOWNSHIP 7 NORTH, RANGE 24 EAST, BOISE MERIDIAN, CUSTER COUNTY, IDAHO; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF MACKAY, CUSTER COUNTY, IDAHO:

SECTION 1: The Mayor and Council find that the hereinafter described property is adjacent to the City; that the owners, McKelvey, Donald T. and Charlotte E. Revocable Living Trust, have requested that such property be annexed to the City; and, that it is in the best interests of the City that the property be annexed to, and made a part of the City of Mackay.

SECTION 2: The Mayor and Council in accordance with Idaho Code, 50-222, (3)(a)(i) classifies this type of annexation as a Category A Annexation wherein, "*All private landowners have consented to annexation.*"

SECTION 3: The Mayor and Council has determined the proposed annexation meets Category A Annexation requirements, and the City has initiated the planning and zoning procedures, to establish the comprehensive planning policies, where necessary, and zoning classification of the lands to be annexed.

SECTION 4: The following described property is hereby annexed to, and made a part of the City of Mackay:

PARCEL 'A'

DESCRIPTION: A portion of that real property conveyed to the McKelvey living trust by the quitclaim deed recorded December 26, 2000 as instrument no. 222064, Custer County records.

Township 7 North, Range 24 East, Boise Meridian, Custer County, Idaho.

SECTION 20: A portion of the southeast quarter and

SECTION 29: A portion of the northeast quarter more particularly described as follows:

Commencing at a 2" aluminum cap marking the southeast corner of section 20 and running thence along a survey tie line North 64°11'48" west 865.96 feet to the northeast corner of the lands of James C. Krosch from which a ½" rebar is located south 44°00'55" west and 0.66 feet thereof; thence along the South College Street right-of-way north 46°09'51" west 150.00 feet to a ½" rebar and ls cap 7920 set at the true point of beginning;

Thence continuing along the South College Street right-of-way north 46°09'51" west 50.00 feet to a ½" rebar and ls cap 7920 at the northeast corner of the lands of Jack McKelvey;

Thence along the McKelvey east line south 44°00'55" west 150.00 feet; Thence along the south line of McKelvey north 46°09'51" west 100.00 feet to a ½" rebar and ls cap 7920; Thence south 44°00'55" west

524.54 feet to a 1/2" rebar and ls cap 7920; Thence south 46°09'51" east 150.00 feet to a 1/2" rebar and ls cap 7920; Thence north 44°00'55" east 524.54 feet to a 1/2" rebar at the southwest corner of the lands of James C. Krosch; Thence continuing along the west line of Krosch north 44°00'55" east 150.00 feet to the true point of beginning.

Parcel 'A' contains 1.98 acres, more or less, and may be subject to easements of record or those legally established.

PARCEL 'B' PARCEL LINE ADJUSTMENT

DESCRIPTION: A portion of that real property conveyed to the McKelvey living trust by the quitclaim deed recorded December 26, 2000 as instrument no. 222064, Custer County records.

Township 7 North, Range 24 East, Boise Meridian, Custer County, Idaho.

SECTION 20: A portion of the southeast quarter and

SECTION 29: A portion of the northeast quarter more particularly described as follows:

Commencing at a 2" aluminum cap marking the southeast corner of section 20 and running thence along a survey tie line north 64°11'48" west 865.96 feet to the northeast corner of the lands of James C. Krosch from which a 1/2" rebar is located south 44°00'55" west and 0.66 feet thereof; Thence along the west line of Krosch south 44°00'55" west 150.00 feet to a pk nail set in a wooden fence post and the true point of beginning;

Thence continuing along the west boundary of Herschel Ivie south 44°00'55" west 524.54 feet to a 1/2" rebar and ls cap 7920; Thence north 46°09'51" west 150.00 feet to a 1/2" rebar and ls cap 7920; Thence north 44°00'55" east 524.54 feet to a 1/2" rebar at the southwest corner of Krosch; Thence south 46°09'51" east along the south line of Krosch 150.00 feet to the true point of beginning.

Parcel 'B' contains 1.81 acres, more or less, and may be subject to easements of record or those legally established.

SECTION 5: The heretofore described and annexed property shall be subject to all rules, regulations, Ordinances, and Resolutions of the City of Mackay in effect the date of this Ordinance.

SECTION 6: This Ordinance shall be in full force and effect immediately upon its passage and publication according to law, the Council dispensing with the rule that ordinances must be read on three different days, all as provided by law.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MACKAY, CUSTER COUNTY, IDAHO, THIS 4th DAY OF OCTOBER 2016.

CITY COUNCIL OF THE CITY OF MACKAY, CUSTER COUNTY, IDAHO A MUNICIPAL CORPORATION OF IDAHO

By: Wayne Olsen
Wayne C. Olsen, Mayor

ATTEST: Suzanne Whitworth
Suzanne Whitworth, City Clerk



