

#17(a)

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF POCATELLO, A MUNICIPAL CORPORATION OF IDAHO, ANNEXING AND ZONING APPROXIMATELY 22.97 ACRES OF LAND LOCATED WEST OF I-15 AND SOUTH OF I-86, SAID PROPERTY MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" OF THIS ORDINANCE; PROVIDING FOR THE CITY CLERK TO FILE A CERTIFIED COPY OF THIS ORDINANCE WITH THE IDAHO STATE TAX COMMISSION AND WITH THE BANNOCK COUNTY AUDITOR, TREASURER, AND ASSESSOR IN ACCORDANCE WITH IDAHO CODE §§50-223 AND 63-215; PROVIDING FOR SAID LAND TO BE ZONED RESIDENTIAL MEDIUM DENSITY SINGLE-FAMILY (RMS) AND RESIDENTIAL MEDIUM DENSITY MULTI-FAMILY (RMM); AND PROVIDING FOR THIS ORDINANCE TO BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW.

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

WHEREAS, application was made to the City by authorized agents of the owners of the lands for annexation of these lands; a Public Hearing was held on July 13, 2022, before the Planning and Zoning Commission; and a second Public Hearing was held before the City Council on August 4, 2022, to hear testimony regarding the proposed annexation and zoning designation; and

WHEREAS, the City Council has determined that it is in the best interest of the City of Pocatello and the residents thereof that the said lands heretofore described in this title

and hereinafter described in this ordinance be annexed by the City of Pocatello and be simultaneously zoned;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF POCATELLO AS FOLLOWS:

Section 1: That the subject lands described in Exhibit "A" of this ordinance be hereby annexed and made a part of the City of Pocatello.

Section 2: That the official zoning map adopted by the City of Pocatello be hereby amended to establish the land annexed herein as Residential Medium Density Single-Family (RMS) and Residential Medium Density Multi-Family (RMM).

Section 3: A separate Comprehensive Plan Land Use Map amendment designating the parcels Residential (R) preceded this annexation.

Section 4: That immediately after the passage, approval, and publication of this ordinance according to law, the City Clerk is hereby directed to file with the Bannock County Auditor, Treasurer, and Assessor, and with the Idaho State Tax Commission, a certified copy of this ordinance.

Section 5: That upon the passage, approval, and publication of this ordinance according to law, the incorporated limits of the City of Pocatello shall extend to and include the lands described in Exhibit "A" of this ordinance 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 Pocatello and to the police regulations thereof.

Section 6: That this Ordinance shall be in full force and effect from and after its passage, approval, the execution of an Annexation Agreement, and publication according to law.

PASSED AND APPROVED this ____ day of October, 2022.

CITY OF POCA TELLO, a municipal corporation of Idaho

BRIAN C. BLAD, Mayor

ATTEST:

KONNI R. KENDELL, City Clerk

STATE OF IDAHO)
 ss:
County of Bannock)

On this _____ day of October, 2022, personally appeared Brian C. Blad and Konni R. Kendell, known to me to be the Mayor and City Clerk, respectively, of the City of Pocatello, 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.

(SEAL)

NOTARY PUBLIC FOR IDAHO
Residing in _____
Commission Expires _____

EXHIBIT A

North ½ of the Southeast ¼ of Section 11, Township 6 South, Range 34 East, Boise Meridian, Bannock County, Idaho, less that tract deeded to the State of Idaho for Interstate Highway right-of-way in Instrument No. 162-371995, records of Bannock County, Idaho.

#17(b)

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF POCATELLO, A MUNICIPAL CORPORATION OF IDAHO, ANNEXING AND ZONING APPROXIMATELY 165 ACRES OF LAND LOCATED NORTH OF HWY 91, SOUTH OF SOUTH VALLEY ROAD, EAST OF BANNOCK HWY AND WEST OF I-15, SAID PROPERTY MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" OF THIS ORDINANCE; PROVIDING FOR THE CITY CLERK TO FILE A CERTIFIED COPY OF THIS ORDINANCE WITH THE IDAHO STATE TAX COMMISSION AND WITH THE BANNOCK COUNTY AUDITOR, TREASURER, AND ASSESSOR IN ACCORDANCE WITH IDAHO CODE §§50-223 AND 63-215; PROVIDING FOR SAID LAND TO BE ZONED PUBLIC LANDS/FACILITIES (PLF) AND RESIDENTIAL MEDIUM DENSITY SINGLE-FAMILY (RMS) WITH CONCURRENT COMPREHENSIVE PLAN LAND USE MAP DESIGNATIONS OF PUBLIC (P) AND RESIDENTIAL (R), AND PROVIDING FOR THIS ORDINANCE TO BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW.

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

WHEREAS, Application was made by an authorized agent of the City for annexation of these lands; a Public Hearing was held on August 10, 2022, before the Planning and Zoning Commission; and a second Public Hearing was held before the City Council on September 1, 2022, to hear testimony regarding the proposed annexation and zoning designation; and

WHEREAS, the City Council has determined that it is in the best interest of the City of Pocatello and the residents thereof that the said lands heretofore described in this title

and hereinafter described in this ordinance be annexed by the City of Pocatello and be simultaneously zoned;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF POCATELLO AS FOLLOWS:

Section 1: That the subject lands described in Exhibit “A” of this ordinance be hereby annexed and made a part of the City of Pocatello.

Section 2: That the official zoning map adopted by the City of Pocatello be hereby amended to establish the land annexed herein as Public Lands/Facilities (PLF) and Residential Medium Density Single-Family (RMS).

Section 3: That the land described in Exhibit “A” of this ordinance be designated Public (P) and Residential (R) in the City’s Comprehensive Plan Land Use Map.

Section 4: That immediately after the passage, approval, and publication of this ordinance according to law, the City Clerk is hereby directed to file with the Bannock County Auditor, Treasurer, and Assessor, and with the Idaho State Tax Commission, a certified copy of this ordinance.

Section 5: That upon the passage, approval, and publication of this ordinance according to law, the incorporated limits of the City of Pocatello shall extend to and include the lands described in Exhibit “A” of this ordinance 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 Pocatello and to the police regulations thereof.

Section 6: That this Ordinance shall be in full force and effect from and after its passage, approval, the execution of an Annexation Agreement, and publication according to law.

PASSED AND APPROVED this ____ day of October, 2022.

CITY OF POCA TELLO, a municipal
corporation of Idaho

BRIAN C. BLAD, Mayor

ATTEST:

KONNI R. KENDELL, City Clerk

STATE OF IDAHO)
 ss:
County of Bannock)

On this _____ day of October, 2022, personally appeared Brian C. Blad and Konni R. Kendell, known to me to be the Mayor and City Clerk, respectively, of the City of Pocatello, 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.

(SEAL)

NOTARY PUBLIC FOR IDAHO

Residing in _____

Commission Expires _____

EXHIBIT A

PARCEL 1

A TRACT OF LAND LOCATED IN SECTION 17, TOWNSHIP 7 SOUTH, RANGE 35 EAST OF THE BOISE MERIDIAN, BANNOCK COUNTY, IDAHO, BEING A PORTION OF THE LAND DESCRIBED IN DEED INSTRUMENT 715916, OF THE LANDS OF THE JUNIPER HILLS COUNTRY CLUB INC., ADJOINING AND OVERLAPPING THE EXISTING CITY OF POCATELLO BOUNDARY LINE AS DESCRIBED IN CITY OF POCATELLO ORDINANCE NO. 2641, RECORDED AS INSTRUMENT 20000678, OF THE RECORDS OF BANNOCK COUNTY IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER 1/4 CORNER OF SECTION 17, TOWNSHIP 7 SOUTH, RANGE 35 EAST, BOISE MERIDIAN, BEING MARKED WITH A 2" dia. ALUMINUM CAP MONUMENT, AFFIXED TO A 5/8" dia. IRON PIN, AS DESCRIBED IN CORNER PERPETUATION AND FILING RECORD INSTRUMENT NO. 812363;

THENCE SOUTH 00°34'54" WEST (BASIS OF BEARING PER CENTRAL MERIDIAN OF THE EAST ZONE OF THE IDAHO STATE PLANE COORDINATE SYSTEM), ALONG THE MERIDIONAL CENTERLINE OF SAID SECTION 17, A DISTANCE OF 87.60 FEET TO THE TRUE POINT OF BEGINNING;

THENCE SOUTH 00°34'54" WEST, ALONG SAID MERIDIONAL CENTERLINE, A DISTANCE OF 1026.25 FEET;

THENCE SOUTH 89°25'06" EAST, A DISTANCE OF 400.00 FEET;

THENCE NORTH 00°34'54" EAST, A DISTANCE OF 1473.65 FEET;

THENCE NORTH 46°23'10" WEST, A DISTANCE OF 3437.72 FEET;

THENCE SOUTH 43°36'50" WEST, A DISTANCE OF 600.00 FEET;

THENCE SOUTH 46°23'10" EAST, A DISTANCE OF 3450.64 FEET TO THE TRUE POINT OF BEGINNING;

COMPRISING 58.92 ACRES MORE OR LESS

PARCEL 2

A TRACT OF LAND LOCATED IN THE N 1/2 OF SECTION 21, TOWNSHIP 7 SOUTH, RANGE 35 EAST OF THE BOISE MERIDIAN, BANNOCK COUNTY, IDAHO, ADJOINING THE EXISTING CITY OF POCATELLO BOUNDARY LINE AS DESCRIBED IN CITY OF POCATELLO ORDINANCE NO. 2641, RECORDED AS INSTRUMENT 20000678, OF THE RECORDS OF BANNOCK COUNTY IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 21, TOWNSHIP 7 SOUTH, RANGE 35 EAST, BOISE MERIDIAN, BEING MARKED WITH A 2" dia. ALUMINUM CAP AFFIXED TO A 5/8" dia. REBAR, AS DESCRIBED IN CORNER PERPETUATION AND FILING RECORD INSTRUMENT NO. 607514; THENCE SOUTH 89°39'50" EAST (BASIS OF BEARING PER CENTRAL MERIDIAN OF THE EAST ZONE OF THE IDAHO STATE PLANE COORDINATE SYSTEM), ALONG THE NORTH LINE OF SAID SECTION 21, A DISTANCE OF 943.29 FEET TO A POINT ON THE PRESENT CITY OF POCATELLO CITY LIMITS LINE DESCRIBED IN CITY OF POCATELLO ORDINANCE NO. 2641 AND RECORDED UNDER INSTRUMENT NO. 20000678 OF THE OFFICIAL RECORDS OF THE COUNTY OF BANNOCK, ALSO BEING A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF THE UNION PACIFIC RAIL ROAD THE TRUE POINT OF BEGINNING;

THENCE SOUTH 46°53'22" EAST ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 431.45 FEET; THENCE NORTH 45°35'51" EAST CONTINUING ALONG SAID RIGHT OF WAY LINE 49.19 FEET; THENCE SOUTH 47°04'48" EAST, ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 719.25 FEET; THENCE SOUTH 45°22'42" EAST, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 1188.62 FEET, MORE OR LESS, TO A POINT ON THE MERIDIONAL CENTERLINE OF SECTION 21; THENCE NORTH 01°12'13" WEST ALONG SAID MERIDIONAL CENTERLINE, A DISTANCE OF 141.50 FEET, TO A POINT ON AN EXISTING LAVA RIM; THENCE ALONG SAID LAVA RIM FOR THE NEXT TEN (10) COURSES:

1. SOUTH 53°08'09" EAST, A DISTANCE OF 41.44 FEET;
2. SOUTH 59°25'39" EAST, A DISTANCE OF 210.15 FEET;
3. SOUTH 40°30'25" EAST, A DISTANCE OF 148.00 FEET;
4. SOUTH 61°19'33" EAST, A DISTANCE OF 76.64 FEET;
5. SOUTH 83°53'02" EAST, A DISTANCE OF 304.32 FEET;
6. NORTH 82°56'57" EAST, A DISTANCE OF 124.99 FEET;
7. NORTH 80°55'00" EAST, A DISTANCE OF 67.34 FEET;
8. NORTH 74°29'59" EAST, A DISTANCE OF 57.24 FEET;

9. SOUTH 85°45'20" EAST, A DISTANCE OF 25.67 FEET;

10. NORTH 54°32'14" EAST, A DISTANCE OF 21.32 FEET, TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF INTERSTATE 15 NORTH PER FEDERAL AID HIGHWAY PROJECT I-15-1(9)61-B, BEING MARKED BY A STATE OF IDAHO BRASS CAP RIGHT OF WAY MONUMENT;

THENCE NORTH 53°22'22" WEST ALONG SAID SOUTHERLY RIGHT OF WAY LINE, A DISTANCE OF 734.88 FEET, TO A POINT OF TANGENCY WITH A 7311.98 FOOT RADIUS CURVE CONCAVE TO THE NORTHEAST, BEING MARKED WITH A STATE OF IDAHO BRASS CAP RIGHT OF WAY MONUMENT;

THENCE IN A NORTHWESTERLY DIRECTION ALONG SAID RIGHT OF WAY LINE FOLLOWING SAID CURVE THROUGH A CENTRAL ANGLE OF 14°19'51", AN ARC DISTANCE OF 1828.88 FEET, (THE CHORD OF SAID CURVE BEARS NORTH 46°12'26" WEST, A DISTANCE OF 1824.12 FEET) TO A POINT ON THE NORTH LINE OF SECTION 21; THENCE NORTH 89°39'50" WEST, LEAVING SAID RIGHT OF WAY LINE AND ALONG SAID NORTH LINE, A DISTANCE OF 782.09 FEET TO THE TRUE POINT OF BEGINNING.

COMPRISING 26.26 ACRES MORE OR LESS.

PARCEL 3

A TRACT OF LAND LOCATED IN THE SE 1/4 OF SECTION 7, THE S 1/2 OF SECTION 8, AND THE N 1/2 OF SECTION 17, TOWNSHIP 7 SOUTH, RANGE 35 EAST OF THE BOISE MERIDIAN, BANNOCK COUNTY, IDAHO, BEING ALL THE LAND DESCRIBED IN DEED INSTRUMENT 20723522-3, OF THE LANDS OF THE CITY OF POCATELLO, ADJOINING THE EXISTING CITY OF POCATELLO BOUNDARY LINE AS DESCRIBED IN CITY OF POCATELLO ORDINANCE NO. 1876, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SECTION 8, TOWNSHIP 7 SOUTH, RANGE 35 EAST, BOISE MERIDIAN, BEING MARKED WITH A 3" dia. BANNOCK COUNTY BRASS CAP MONUMENT, AS DESCRIBED IN CORNER PERPETUATION AND FILING RECORD INSTRUMENT NO. 20825944; THE TRUE POINT OF BEGINNING.

THENCE NORTH 00°13'43" EAST (BASIS OF BEARING PER CENTRAL MERIDIAN OF THE EAST ZONE OF THE IDAHO STATE PLANE COORDINATE SYSTEM), ALONG THE WEST LINE OF SAID SECTION 8, A DISTANCE OF 606.24 FEET MORE OR LESS, TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF THE UNION PACIFIC RAIL ROAD;

THENCE NORTH 46°45'40" WEST, ALONG SAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 2852.70 FEET, TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF SOUTH 2ND AVENUE, BEING A POINT OF NON-TANGENCY OF A 253.73 FOOT RADIUS CURVE, CONCAVE TO THE NORTHWEST, WHOSE CENTER BEARS NORTH 45°50'44" WEST, BEING A POINT ON THE PRESENT CITY OF POCATELLO CITY LIMITS LINE DESCRIBED IN CITY OF POCATELLO ORDINANCE NO. 1876;

THENCE NORTHEASTERLY ALONG SAID CURVE TO THE LEFT, THRU A CENTRAL ANGLE OF 18°19'56", AND AN ARC DISTANCE OF 81.18 FEET, (THE CHORD BEARS NORTH 34°59'18" EAST, 80.84 FEET);
THENCE SOUTH 46°45'40" EAST, LEAVING SAID RIGHT OF WAY LINE, A DISTANCE OF 2789.67 FEET, TO A POINT ON THE EAST LINE OF SECTION 7;
THENCE NORTH 00°13'43" EAST ALONG SAID EAST LINE, A DISTANCE OF 1398.66 FEET TO A POINT ON AN EXISTING LAVA RIM;

THENCE ALONG SAID LAVA RIM FOR THE NEXT THIRTEEN (13) COURSES:

1. NORTH 50°04'57" WEST, A DISTANCE, OF 75.04 FEET;
2. NORTH 83°41'16" WEST A DISTANCE, OF 70.47 FEET;
3. NORTH 72°07'48" WEST, A DISTANCE OF 44.99 FEET;
4. NORTH 59°04'14" WEST, A DISTANCE OF 165.06 FEET;
5. NORTH 60°35'19" WEST, A DISTANCE OF 164.24 FEET;

6. NORTH 89°41'19" WEST, A DISTANCE OF 39.50 FEET;
7. NORTH 60°16'42" WEST, A DISTANCE OF 86.43 FEET;
8. NORTH 83°29'38" WEST, A DISTANCE OF 68.25 FEET;
9. NORTH 72°34'37" WEST, A DISTANCE OF 98.00 FEET;
10. NORTH 46°09'56" WEST, A DISTANCE OF 58.19 FEET;
11. NORTH 54°15'04" WEST, A DISTANCE OF 107.08 FEET;
12. NORTH 66°45'58" WEST A DISTANCE OF 142.14 FEET;
13. NORTH 37°01'56" WEST, A DISTANCE OF 64.32 FEET, MORE OR LESS TO A POINT ON THE LATITUDINAL CENTERLINE OF SECTION 7, THE SAME BEING THE CURRENT SOUTHERLY BOUNDARY LINE OF THE CITY OF POCATELLO CITY LIMITS, AS DESCRIBED IN ORDINANCE NO. 1980;

THENCE SOUTH 89°14'50" EAST ALONG SAID BOUNDARY LINE, A DISTANCE OF 600.91 FEET MORE OR LESS TO THE SOUTHWESTERLY RIGHT OF WAY LINE OF INTERSTATE I-15, AS DEPICTED ON FEDERAL AID PROJECT No. I-15-1(9) 61-SECTION B; THENCE SOUTH 51°11'21" EAST ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 5,457.64 FEET, TO A POINT OF TANGENCY OF A 5559.02 FOOT RADIUS CURVE, CONCAVE TO THE SOUTHWEST;

THENCE SOUTHEASTERLY ALONG SAID CURVE THRU A CENTRAL ANGLE OF 08°06'20", FOR AN ARC DISTANCE OF 786.43 FEET, (THE CHORD BEARS, SOUTH 47°09'15" EAST, 785.77 FEET);

THENCE SOUTH 89°40'00" WEST, LEAVING SAID RIGHT OF WAY LINE, A DISTANCE OF 8.87 FEET, TO A POINT ON AN EXISTING LAVA RIM;

THENCE ALONG SAID LAVA RIM FOR THE NEXT SIX (6) COURSES:

1. NORTH 49°30'03" WEST, A DISTANCE OF 485.11 FEET;
2. NORTH 53°43'30" WEST, A DISTANCE OF 293.07 FEET;
3. NORTH 55°33'35" WEST, A DISTANCE OF 456.27 FEET;
4. NORTH 55°13'16" WEST, A DISTANCE OF 418.32 FEET;
5. NORTH 52°56'57" WEST, A DISTANCE 553.75 FEET; TO THE SOUTH 1/4 CORNER OF SECTION 8 BEING MARKED WITH 2" ALUMINUM CAP, AND RECORDED UNDER CORNER PERPETUATION AND FILING, INSTRUMENT NO. 812362;

6. NORTH 51°32'56" WEST, A DISTANCE OF 1,019.05 FEET, TO A POINT ON THE LINE COMMON TO DEED INSTRUMENT 20723522-3, AND DEED INSTRUMENT 21615758, OF THE RECORDS OF BANNOCK COUNTY, IDAHO.

THENCE SOUTH 43°14'44" WEST, ALONG SAID COMMON BOUNDARY LINE, A DISTANCE OF 685.43 FEET;

THENCE SOUTH 46°45'16" EAST, ALONG SAID COMMON LINE, A DISTANCE OF 1603.56 FEET;

THENCE SOUTH 00°34'12" WEST, A DISTANCE OF 354.26 FEET, TO A POINT ON THE BOUNDARY LINE COMMON TO THE LAND DESCRIBED IN DEED INSTRUMENT 207235522-3, AND DEED INSTRUMENT 21705406;

THENCE SOUTH 89°59'34" WEST, ALONG SAID COMMON BOUNDARY LINE A DISTANCE OF 529.93 FEET, TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF THE UNION PACIFIC RAILROAD;

THENCE NORTH 46°23'10" WEST ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 2,041.98 FEET;

THENCE SOUTH 43°36'50" WEST, LEAVING SAID RIGHT OF WAY, A DISTANCE OF 145.30 FEET, MORE OR LESS, TO THE CENTERLINE OF THE PORTNEUF RIVER, ALSO BEING A POINT ON THE CURRENT CITY OF POCATELLO, BOUNDARY LINE;

THENCE NORTH 87°21'20" WEST ALONG SAID BOUNDARY LINE, A DISTANCE OF 421.89 FEET, TO THE TRUE POINT OF BEGINNING;

COMPRISING 104.88 ACRES MORE OR LESS

PARCEL 4

A TRACT OF LAND LOCATED IN THE NE 1/4 OF SECTION 7, TOWNSHIP 7 SOUTH, RANGE 35 EAST OF THE BOISE MERIDIAN, BANNOCK COUNTY, IDAHO, BEING A PORTION OF THE LAND DESCRIBED IN DEED INSTRUMENT 20723522-3, OF THE LANDS OF THE CITY OF POCATELLO, ADJOINING THE EXISTING CITY OF POCATELLO BOUNDARY LINE AS DESCRIBED IN CITY OF POCATELLO ORDINANCE NO. 1876, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH 1/16 CORNER ON THE MERIDIONAL CENTERLINE OF SECTION 7, TOWNSHIP 7 SOUTH, RANGE 35 EAST, BOISE MERIDIAN, BEING MARKED WITH A 3" dia. BRASS CAP MONUMENT, AS DESCRIBED IN CORNER PERPETUATION AND FILING RECORD INSTRUMENT NO. 21612667;

THENCE SOUTH 89°43'46" EAST, (BASIS OF BEARING PER CENTRAL MERIDIAN OF THE EAST ZONE OF THE IDAHO STATE PLANE COORDINATE SYSTEM), ALONG THE NORTH 1/16 LINE OF SECTION 7, A DISTANCE OF 220.01 FEET TO THE TRUE POINT OF BEGINNING.

THENCE SOUTH 89°43'46" EAST CONTINUING ALONG THE MERIDIONAL CENTERLINE OF SAID SECTION 7, A DISTANCE OF 652.64 FEET MORE OR LESS, TO A POINT ON THE SOUTHWESTERLY RIGHT OF WAY LINE OF INTERSTATE I-15, AS DEPICTED ON FEDERAL AID PROJECT No. I-15-1 (9) 61-SECTION-B, BEING A POINT OF NON-TANGENCY OF A 5879.58 FOOT RADIUS CURVE CONCAVE TO THE NORTHEAST, WHOSE CENTER BEARS NORTH 53°45'11" EAST;

THENCE SOUTHEASTERLY, ALONG SAID SOUTHWESTERLY RIGHT OF WAY LINE, FOR AN ARC DISTANCE OF 708.46 FEET (THE CHORD BEARS SOUTH 39°41'56" EAST, 708.03 FEET), BEING A POINT ON THE PRESENT CITY OF POCATELLO CITY LIMITS LINE DESCRIBED IN CITY OF POCATELLO ORDINANCE NO. 1980;

THENCE SOUTH 00°12'09" WEST, LEAVING SAID RIGHT OF WAY LINE, A DISTANCE OF 613.68 FEET, TO A POINT ON AN EXISTING LAVA RIM;

THENCE ALONG SAID LAVA RIM FOR THE NEXT SIX (6) COURSES:

1. NORTH 82°36'08" WEST, A DISTANCE, OF 54.14 FEET;
2. NORTH 45°27'51" WEST A DISTANCE, OF 95.03 FEET;
3. NORTH 77°03'58" WEST, A DISTANCE OF 204.57 FEET;
4. NORTH 59°08'29" WEST, A DISTANCE OF 241.48 FEET;
5. NORTH 40°30'37" WEST, A DISTANCE OF 120.40 FEET;
6. NORTH 36°53'05" WEST, A DISTANCE OF 153.97 FEET;

THENCE SOUTH 40°42'47" WEST, A DISTANCE OF 313.42 FEET, MORE OR LESS TO A POINT ON THE NORTH RIGHT OF WAY LINE OF SOUTH 2ND AVENUE, THE SAME BEING THE CURRENT BOUNDARY LINE OF THE CITY OF POCATELLO CITY LIMITS, AS DESCRIBED IN ORDINANCE NO. 1876;

THENCE NORTH 11°58'18" WEST, A DISTANCE OF 962.06 FEET, ALONG SAID BOUNDARY LINE, TO THE TRUE POINT OF BEGINNING;

COMPRISING 18.96 ACRES MORE

#17(c)

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF POCATELLO, A MUNICIPAL CORPORATION OF IDAHO, REZONING APPROXIMATELY .41 ACRES OF LAND LOCATED AT 1737 NORTH HARRISON, POCATELLO, IDAHO, FROM ZONING DESIGNATION LIGHT INDUSTRIAL (LI) TO RESIDENTIAL COMMERCIAL PROFESSIONAL (RCP), SAID PROPERTY BEING MORE PARTICULARLY DESCRIBED ON THE ATTACHED EXHIBIT "A"; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING THAT THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW.

WHEREAS, Home Buyers 208, LLC made application to the City to rezone approximately .41 acres of land located at 1737 North Harrison, Pocatello, more particularly described on Exhibit "A", from Light Industrial (LI) to Residential Commercial Professional (RCP); and

WHEREAS, the Planning and Zoning Commission held a Public Hearing on August 10, 2022, to consider the rezoning request as required by law, and thereafter recommended approval of the request; and

WHEREAS, the City Council being fully advised and having held a Public Hearing on the request September 1, 2022, adopting its written decision on September 14, 2022, in compliance with the laws of the State of Idaho and of the City of Pocatello, having decided to grant the rezoning request; and

WHEREAS the proposed rezone is in compliance with the laws of the State of Idaho and of the City of Pocatello.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF POCA TELLO AS FOLLO WS:

Section 1: That the land described in Exhibit A previously zoned Light Industrial (LI) be, and the same hereby is, rezoned to Residential Commercial Professional (RCP).

Section 2: That this ordinance repeals all ordinances or parts of ordinances in conflict herewith.

Section 3: That the official zoning map adopted by the City of Pocatello and on file with the City Clerk in accordance with applicable law be amended to incorporate the change of zoning provided for in this Ordinance.

Section 4: That this ordinance shall be in full force and effect from and after its passage, approval, and publication according to law.

PASSED AND APPROVED this ____ day of October, 2022.

CITY OF POCA TELLO, a municipal corporation of Idaho

BRIAN C. BLAD, Mayor

ATTEST:

KONNI R. KENDELL, City Clerk

STATE OF IDAHO

)

ss:

County of Bannock

)

On this _____ day of October, 2022, before me, the undersigned, a Notary Public for the State, personally appeared Brian C. Blad and Konni R. Kendell, known to me to be the Mayor and City Clerk, respectively, of the City of Pocatello, 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.

(SEAL)

NOTARY PUBLIC FOR IDAHO

Residing in: _____

Commission expires: _____

EXHIBIT A

Three Parcels being located in the Northwest 1/4 of the Northeast 1/4 of Section 27, Township 6 South, Range 34 East, B.M., Bannock County, Idaho, said parcels being more particularly described as follows:

Parcel 1

The South 20 feet of Lot 2 and the North 20 feet of Lot 3, Block 416, Pocatello Townsite, Bannock County, Idaho, according to the official plat of survey of said lands by the Surveyor General.

Parcel 2

All of Lot 1 and the North 10 feet of Lot 2, Block 416, Pocatello Townsite, Bannock County, Idaho, according to the official plat of survey of said lands by the Surveyor General.

Parcel 3

The North 15 feet of Lot 19 and all of Lot 20, Block 416, Pocatello Townsite, Bannock County, Idaho, according to the official plat of the survey of said lands by the Surveyor General.