

AN ORDINANCE OF THE CITY OF FRUITLAND, IDAHO, WITH RESPECT TO CERTAIN LANDS WITHIN THE CITY OF FRUITLAND, IDAHO, AMENDING THE COMPREHENSIVE PLAN AND MAP; AMENDING ZONING AND MAP TO GENERAL COMMERCIAL; REPEALER; SEVERABILITY; EFFECTIVE DATE.

BE IT ORDAINED By the Mayor and City Council of the City of Fruitland, Idaho:

SECTION 1. That the following described real property within the limits of the City of Fruitland, and located in the County of Payette, Idaho, addressed as 216 N. Whitley Drive, is hereby rezoned General Commercial and the comprehensive plan is amended to reflect General Commercial:

In Recorder's Plat of Sec. 22, Twp. 8 N., R. 5 W., B.M., as per Plat in Book 2, Page 8, Plat Records, Payette County, Idaho: That portion of Block 25 lying East of the right of way for U.S. Highway No. 95 and U.S. Highway No. 30, as described in Deed recorded September 19, 1978, Fee #175178, Deed Records of Payette County, Idaho. EXCEPTING the North 265 feet thereof, and FURTHER EXCEPTING the East 164.8 feet thereof.

ALSO EXCEPTING that portion conveyed to the City of Fruitland as described in Deed recorded February 26, 1992 as Instrument No. 237838.

ALSO EXCEPTING a portion of Block 25 of Recorder's Plat of Sec. 22, Twp. 8 N., R. 5 W., B.M., as per Plat in Book 2, Page 8, Plat Records, Payette County, Idaho, more particularly described as follows:

Commencing at the Southwest corner of the SW1/4SE1/4 of said Sec. 22;
Thence N. 90°00'00" E. along the South boundary of said SW1/4SE1/4, a distance of 330.48 feet to the Southwest corner of Block 29 of said Recorder's Plat;
Thence N. 0°30'22" E. along the West boundary of said Block 29, a distance of 661.40 feet to a point on the South boundary of said Block 25;
Thence S. 89°59'54" W. along the said South boundary, a distance of 52.33 feet;
Thence Northeasterly 94.51 feet along the arc of a curve to the right, having a central angle of 108°17'44", a radius of 50.00 feet and a long chord which bears N. 35°50'59" E., a distance of 81.05 feet to a point which lies on the South boundary of the North 265.00 feet of said Block 25 to the TRUE POINT OF BEGINNING;
Thence Southeasterly 94.51 feet along the arc of a curve to the right, having a central angle of 108°17'44", a radius of 50.00 feet and a long chord which bears S. 35°51'11" E., a distance of 81.05 feet to a point on the South boundary of said Block 25;
Thence N. 89°59'54" E. along the South boundary of said Block 25, a distance of 122.91 feet, more or less, to a point 164.8 feet West of the East line of said Block 25;
Thence North parallel with the East line of said Block 25, a distance of 65.70 feet, more or less, to a point which lies on the South boundary of the North 265.00 feet of said Block 25;
Thence S. 89°59'52" W. along said South boundary, a distance of 170.95 feet to the TRUE POINT OF BEGINNING.

SECTION 2. The comprehensive plan map is hereby amended to reflect the above-described real property is General Commercial.

Instrument # 394053

STATE OF IDAHO, PAYETTE COUNTY
1-20-2015 01:14:39 PM No. of Pages: 3
Recorded for: CITY OF FRUITLAND
BETTY J DRESSEN Fee: 0.00
Ex-Officio Recorder Deputy
Index to: ORDINANCE - MISC

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SECTION 3. The zoning map is hereby amended to reflect the above-described real property is General Commercial.

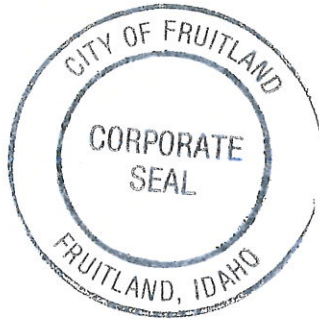
SECTION 4. If any portion of this Ordinance is found to be unenforceable or unconstitutional for any reason, the remaining portion of this Ordinance shall remain in full force and effect.

SECTION 5. Any portions of any existing Ordinances, which are in direct conflict with this Ordinance are hereby repealed insofar as the conflict exists.

SECTION 6. That this Ordinance shall take effect and be in full force from and after its passage, approval and publication.

PASSED this 12th day of January, 2015 by the City Council

APPROVED this 12th day of January, 2015 by the Mayor.



CITY OF FRUITLAND


Ken Bishop, Mayor

ATTEST:


Rick S. Watkins, City Clerk

STATE OF IDAHO)
 : ss.
County of Payette)

On this 12th day of January, in the year of 2015, before me, the undersigned, a Notary Public in and for said State, personally appeared KEN BISHOP and RICK S. WATKINS, known to me to be the MAYOR and CITY CLERK of said municipal corporation that executed this instrument and the persons who executed the said instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

In witness whereof, I have hereunto set my hand and affixed my official seal the day and year first written.

SUZANNE PEARCY
NOTARY PUBLIC
STATE OF IDAHO



Notary Public
Residing in Fruitland, Idaho
My commission expires: 6-17-2017