

STATE OF IDAHO COUNTY OF LINCOLN Recorded at the request of <i>City of Dietrich Lisa La Suen</i>	178099
JAN 10 2005	
at <u>37</u> minutes past <u>4 P.</u>	
recorded by <i>Allen Jackson Dep.</i>	
Fee: <u>18.00</u> Return to <i>None By hand.</i>	

ORDINANCE NO. 61

AN ORDINANCE OF THE CITY OF DIETRICH, IDAHO, DETERMINING THAT CERTAIN LAND LIES CONTIGUOUS TO THE CITY LIMITS OF THE CITY OF DIETRICH, COUNTY OF LINCOLN, STATE OF IDAHO; AND THAT SAID LAND BE ANNEXED TO THE CITY OF DIETRICH, IDAHO, AS PART OF THE RESIDENTIAL ZONING DISTRICT; AND DECLARING SAID LAND BY PROPER LEGAL DESCRIPTION, AS DESCRIBED BELOW, TO BE A PART OF THE CITY OF DIETRICH, COUNTY OF LINCOLN, STATE OF IDAHO; REPEALING ALL ORDINANCES, RESOLUTIONS, ORDERS OR PARTS THEREOF IN CONFLICT HERewith; AND DIRECTING THE CITY CLERK TO ADD SAID PROPERTY TO THE OFFICIAL MAP OF THE CITY OF DIETRICH, IDAHO; AND TO FILE A CERTIFIED COPY OF THE ORDINANCE AND MAP OF THE AREA TO BE ANNEXED WITH LINCOLN COUNTY, STATE OF IDAHO AND THE STATE TAX COMMISSION OF THE STATE OF IDAHO.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DIETRICH, COUNTY OF LINCOLN, STATE OF IDAHO:

Section 1: That the following described land is contiguous and adjacent to the City of Dietrich, Idaho being located along the Western boundary of the City of Dietrich; and that the property to be annexed has been laid off into blocks containing not more than five (5) acres each;

That an annexation plan has been written and the Dietrich Planning and Zoning Commission held a public hearing on September 15, 2004 and the Dietrich City Council had a public hearing on October 18, 2004 for purposes of discussing the annexation and the zoning of the annexed area;

The City has complied with the notice of proceedings set forth in Idaho Code §67-6511;

That the annexed lands are within the City's area of impact;

Said annexed property is more particularly described as follows:

Part of Section 12, Township 6 South, Range 18 EBM. Lincoln County, Idaho;

Beginning at a point that is N 89° 47' 55" E, 673.94 feet from the West one quarter corner, Section 12, Township 6 South, Range 18 EBM;

THENCE, North 89° 47' 55" E, 1,574.96 feet to a point on the West line of Washington Street, Dietrich Townsite, as the same is platted in the records of Lincoln County, Idaho;

ORDINANCE NO. 61

THENCE, South 0° 04' 41" E, 2,565.58 feet along said West line;

THENCE, N 86° 43' 41" W, 1,264.78 feet to a point that is N 0° 01' 00" West; 206.07 feet and S 86° 43' 41" E, 990.57 feet from the SW corner of said Section 12; Township 6 S, Range 18 EBM;

THENCE, N 0° 01' 00"W, 1,751.01 feet;

THENCE, S 89° 59' 00" W, 315 feet;

THENCE, N 00° 01' 00" W, 736.94 feet, more or less, to The Point of Beginning,
Containing 78.511 acres more or less.

Section 2: The above-described real property be and the same is hereby annexed and made a part of the City of Dietrich, County of Lincoln, Idaho.

Section 3: That the real property herein by this ordinance annexed to the City of Dietrich, herein above described shall be zoned and made part of the residential zoning district, and the official zoning map is hereby amended accordingly.

Section 4: The City Clerk is hereby directed to alter all use and area maps as well as the official zoning maps, comprehensive plan and all official maps depicting the boundaries of the City of Dietrich, in accordance with this ordinance.

Section 5: After annexation of the above described property, any resident of the annexed area who has a drinking well and a properly functioning septic tank/drain field, will have an option to defer connection to city water and sewer service for up to three (3) years after the city provides access to water and sewer for their property, on condition that:

- A. Their existing septic tank and drain field be inspected annually by a licensed installer of septic systems;
- B. They submit the inspector's certification that the septic tank and drain field are functioning properly to the city on or before July 1st of each year;
- C. The cost of the inspection will be borne by the property owner;
- D. If the property owner fails to inspect or does not submit certification the city will pay to have the inspection done and charge the property owner, which

charge may be certified to the county and added to the property owner's property tax.

Section 6: All ordinances, resolutions, orders or parts thereof in conflict herewith are hereby repealed, rescinded and annulled.

Section 7: This ordinance shall be in full force and effect from and after its passage, approval and publication, according to law.

Section 8: The Clerk of the City of Dietrich shall, within ten (10) days following the effective date of this ordinance, duly file a certified copy of this ordinance and a map prepared in a draftsman manner plainly and clearly designating the boundaries of the City of Dietrich, including the lands herein annexed, with the following officials of the County of Lincoln, State of Idaho, to-wit: Recorder, Auditor, Treasurer and Assessor; the Clerk shall also file a certified copy of this ordinance with the State Tax Commission of the State of Idaho.

Passed by the Council of the City of Dietrich, Idaho, this 3rd day of January, 2005.

Approved by the Mayor of the City of Dietrich, Idaho, this 3rd day of January, 2005.

CITY OF DIETRICH

By: Jeanetta R. Knowles
Jeanetta R. Knowles
Mayor

ATTEST:

Iva Lee Green
Iva Lee Green
Clerk

ORDINANCE NO. 61

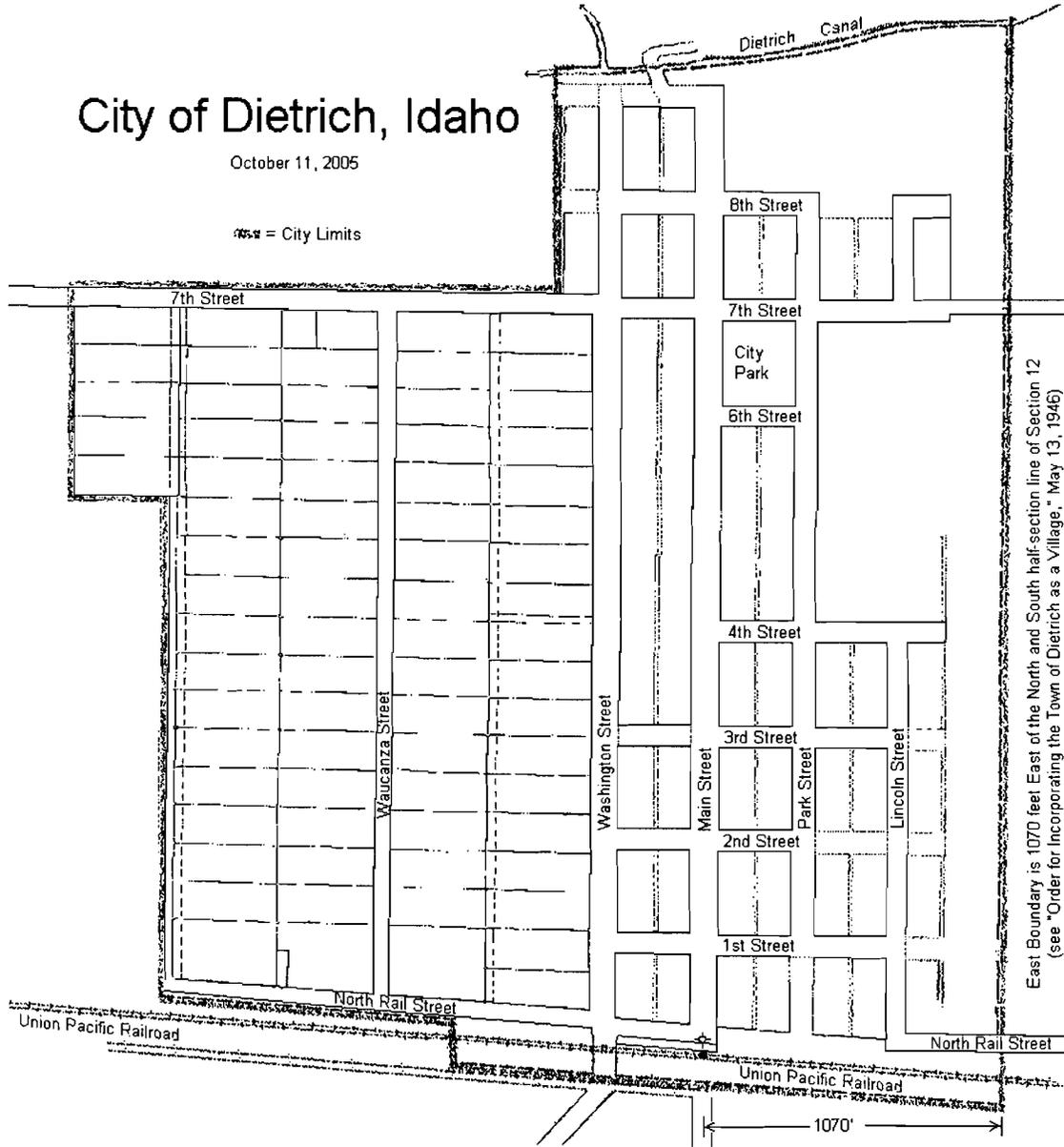
Page 3 of 3

City of Dietrich after Annexation of Dietrich West Subdivision

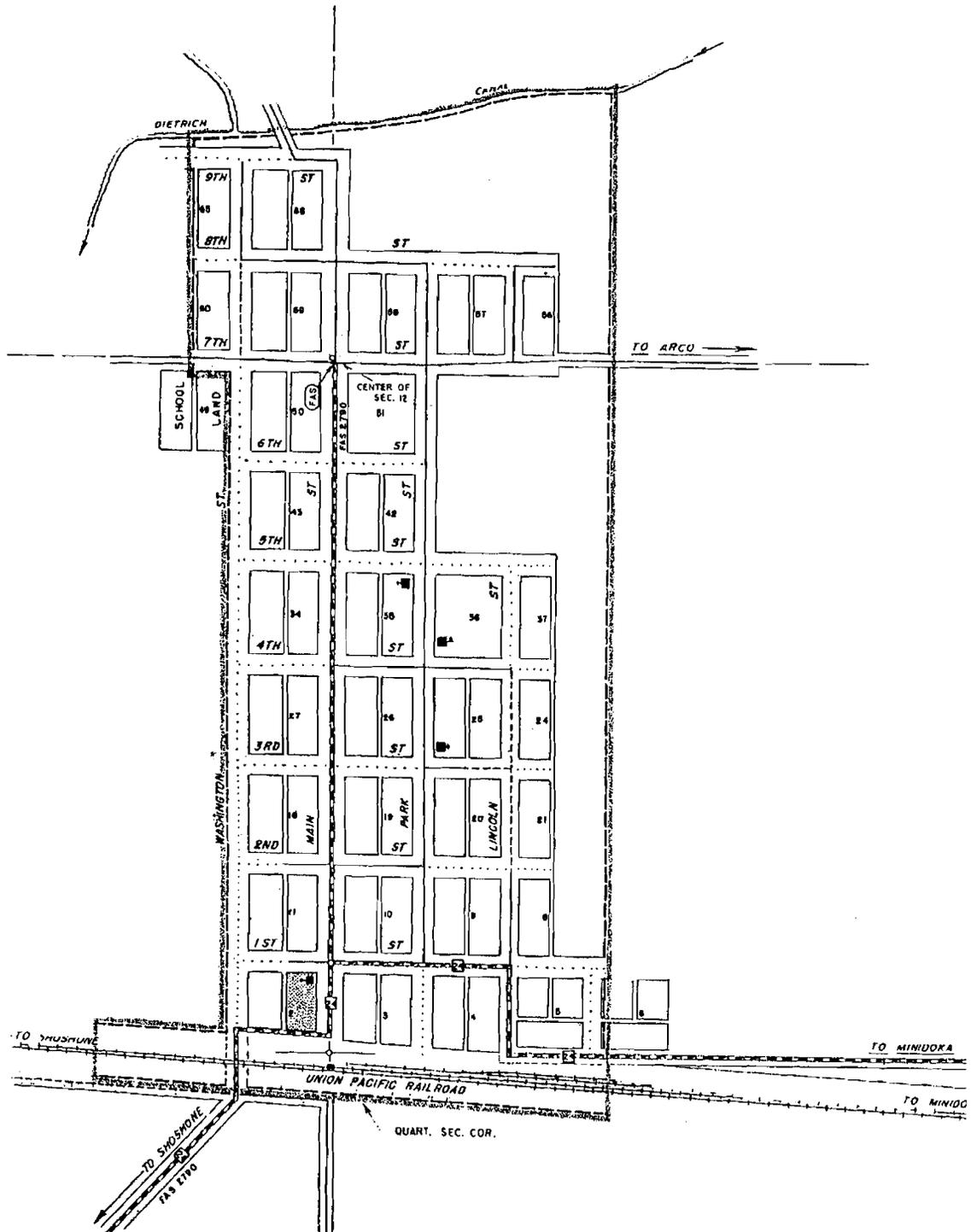
City of Dietrich, Idaho

October 11, 2005

--- = City Limits

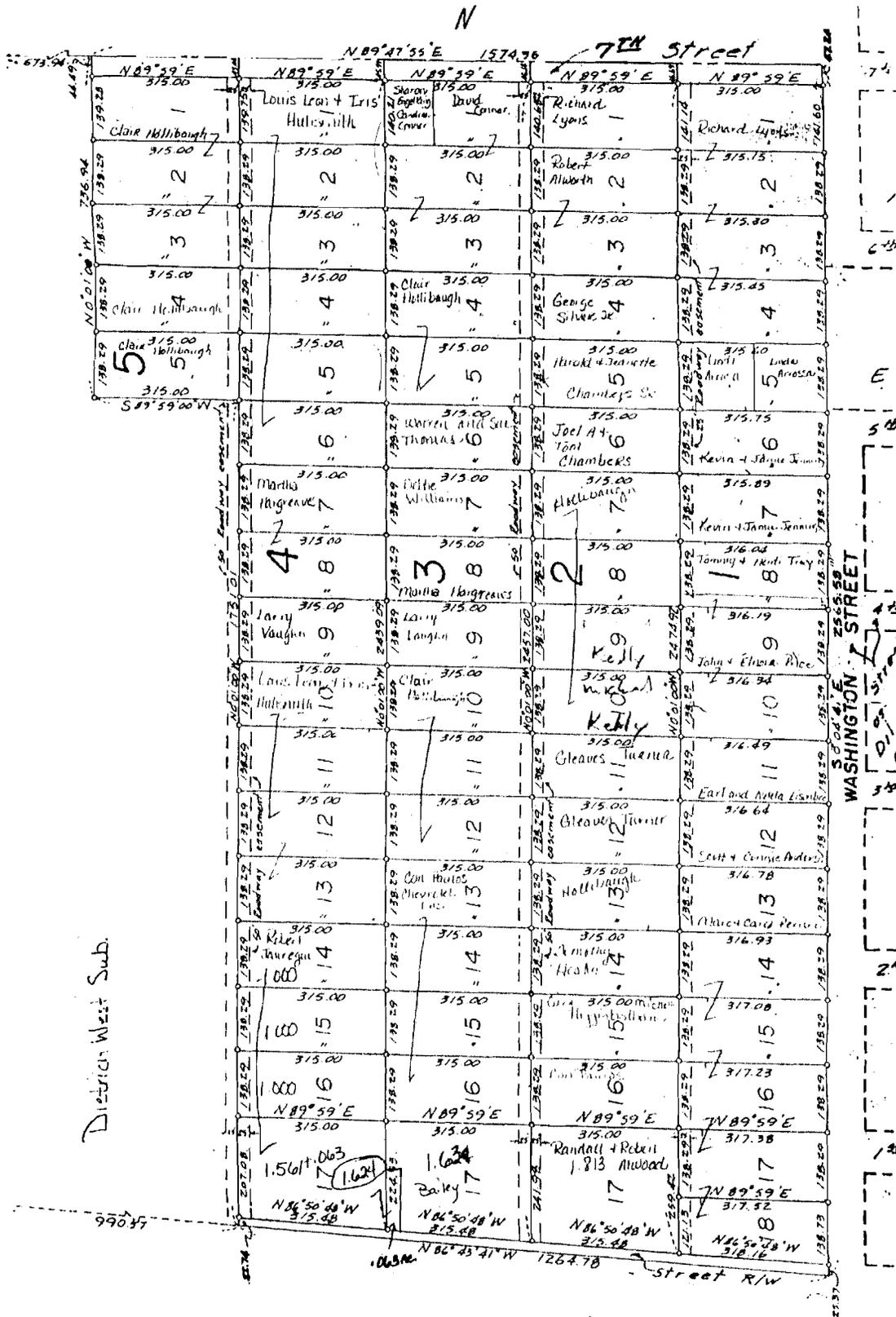


City of Dietrich before Annexation of Dietrich West Subdivision



(City limits on this map match those used by the Lincoln County Assessor)

Dietrich West Subdivision



(Plat was filed with Lincoln County on May 12, 1975)