

ORDINANCE NO. 161-93

AN ORDINANCE DECLARING AN INTENTION TO EXCHANGE CERTAIN PROPERTY OWNED BY BONNEVILLE COUNTY FOR OTHER PROPERTY OWNED BY THE CITY OF IDAHO FALLS; DESCRIBING EACH OF THE PROPERTIES TO BE EXCHANGED; SETTING A DATE AND TIME FOR A PUBLIC HEARING THEREON AND AUTHORIZING THE MAYOR TO EXECUTE DEEDS AND OTHER DOCUMENTS NECESSARY TO ACCOMPLISH SUCH EXCHANGE; PROVIDING FOR EFFECTIVE DATE OF ORDINANCE.

BE IT ORDAINED BY THE COUNTY COMMISSIONERS OF BONNEVILLE COUNTY, IDAHO THAT:

Section 1. The Commissioners of Bonneville County, Idaho, hereby declare their intent to exchange certain property owned by the County for certain other property owned by the City of Idaho Falls, Idaho.

Section 2. The property owned by the County which is proposed to be exchanged is described in Exhibit "A" attached hereto.

Section 3. The property owned by the City of Idaho Falls, Idaho, and which is to be exchanged for the property described in the preceding section, is described in Exhibit "B" attached hereto.

Section 4. The County Clerk shall cause a public hearing to consider the question of whether or not such property should be exchanged, which hearing shall be held in the County Commissioner's Chambers of Bonneville County,

Idaho, 605 North Capital Avenue, Idaho Falls, Idaho, prior to the conveyance of the property described in Section 2 hereof. The Clerk shall cause a Notice of Public Hearing to be published at least once in The Post-Register at least ten (10) days prior to the date of said public hearing.

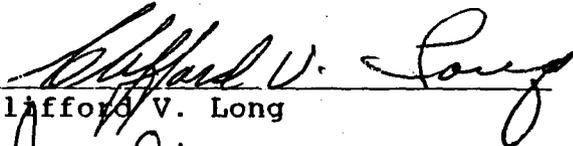
Section 5. The County Commissioners hereby find that exchange of such properties is in the best interest of the County.

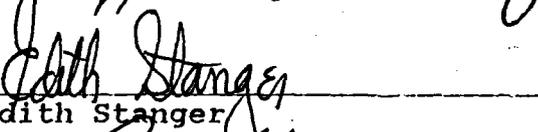
Section 6. The proposed exchange shall not occur until at least sixty (60) days have expired from the date of this Ordinance. If a petition objecting to said exchange containing the valid signatures of qualified electors of the County in a number equal to ten percent (10%) of the total votes cast for County Commissioners at the last general election is filed with the Clerk prior to the expiration of said sixty (60) days, the exchange shall not occur unless the Commissioners shall cause a special election to be held on the question of whether or not such real property shall be exchanged and a majority of the qualified electors voting on the question are in favor of said exchange.

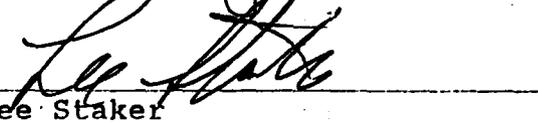
Section 7. If the requisite number of qualified electors do not object to the exchange within said time, then the Commissioners are hereby authorized to execute all necessary deeds and documents and to complete said exchange on

such terms and conditions as are in the best interests of the County.

PASSED, AND APPROVED BY THE COUNTY COMMISSIONERS
this 13 day of ~~August~~^{October}, 1993.


Clifford V. Long


Edith Stanger


Lee Staker

ATTEST:

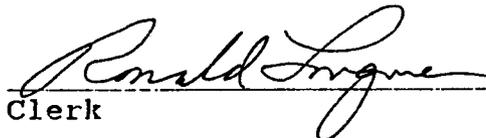

Clerk

(SEAL)

STATE OF IDAHO)
):ss
County of Bonneville)

I, RONALD LONGMORE, CLERK OF BONNEVILLE COUNTY, DO
HEREBY CERTIFY:

That the above and foregoing is a full, true and
correct copy of the Ordinance entitled, "AN ORDINANCE
DECLARING AN INTENTION TO EXCHANGE CERTAIN PROPERTY OWNED BY
BONNEVILLE COUNTY FOR OTHER PROPERTY OWNED BY THE CITY OF
IDAHO FALLS; DESCRIBING EACH OF THE PROPERTIES TO BE
EXCHANGED; SETTING A DATE AND TIME FOR A PUBLIC HEARING
THEREON AND AUTHORIZING THE MAYOR TO EXECUTE DEEDS AND OTHER
DOCUMENTS NECESSARY TO ACCOMPLISH SUCH EXCHANGE; PROVIDING FOR
EFFECTIVE DATE OF ORDINANCE."


Clerk

OR89/IFORD

EXHIBIT A

Beginning at a point on the West line of Section Thirty (30), Township Two (2) North, Range Thirty-eight (38) East, Boise Meridian, $N00^{\circ}01'47''E$ 511.94 feet from the Southwest corner of said section; running thence $N00^{\circ}01'47''E$ 608.02 feet along said section line; thence $S89^{\circ}40'27''E$ and parallel with the section line between Sections Thirty (30) and Thirty-one (31) in said township and range, a distance of 546.04 feet along a fence line; thence $S24^{\circ}41'03''W$ 447.9 feet along the westerly boundary of Gustafson Park Addition, First Amended Plat, Division No. 1 & 2; thence $S61^{\circ}08'58''W$ 410.18 feet along the said westerly boundary of Gustafson Park Addition to the point of beginning.

LESS AND EXCEPTING:

Beginning at a point on the west line of Section 30, Township 2 North, Range 38 East, Boise Meridian, $N00^{\circ}01'47''E$ 511.94 feet from the Southwest corner of said section; running thence $N61^{\circ}08'58''E$ 410.18 feet; thence $S83^{\circ}50'03''W$ 205.22 feet to a fence corner; thence $N89^{\circ}10'29''W$ 155.16 feet to the west line of said section; thence $S00^{\circ}01'47''W$ 222.22 feet to the point of beginning.

EXHIBIT B

A PARCEL OF LAND LOCATED IN THE NORTH 1/2 OF SECTION 9, T.1N., R.38E.B.M., BONNEVILLE COUNTY, IDAHO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 9; THENCE $S00^{\circ}24'20''W$ 30.0 FEET TO THE SOUTH R/W BOUNDARY OF YORK ROAD AND BEING THE TRUE POINT OF BEGINNING; THENCE ALONG SAID R/W 298.29 FEET ALONG A 556.84 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF $30^{\circ}41'33''$ AND HAVING A CHORD BEARING $S74^{\circ}17'16''E$ 294.7 FEET; THENCE ALONG SAID R/W $S58^{\circ}53'57''E$ 31.07 FEET; THENCE ALONG SAID R/W 574.59 FEET ALONG A 755.5 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF $43^{\circ}34'33''$ WITH A CHORD BEARING $S80^{\circ}41'39''E$ 560.84 FEET; THENCE ALONG SAID R/W $N77^{\circ}30'48''E$ 304.11 FEET; THENCE ALONG SAID R/W 816.25 FEET ALONG A 920.00 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF $50^{\circ}50'04''$ WITH A CHORD BEARING $S77^{\circ}26'39''E$ 799.74 FEET; THENCE ALONG SAID R/W $S52^{\circ}20'24''E$ 254.36 FEET; THENCE ALONG SAID R/W 490.44 FEET ALONG A 1111.70 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF $25^{\circ}16'36''$; THENCE ALONG SAID R/W $S77^{\circ}37'E$ 890.8 FEET; THENCE ALONG SAID R/W 550.28 FEET ALONG A 632.53 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF $49^{\circ}50'48''$ WITH A CHORD BEARING $N77^{\circ}27'37''E$ 533.10 FEET TO A POINT ON THE EAST LINE OF THE NW1/4NE1/4 OF SAID SECTION 9; THENCE $S00^{\circ}16'19''E$ 12.18 FEET ALONG SAID EAST LINE TO A POINT ON THE NORTHWESTERLY R/W BOUNDARY OF THE JOSHEN BRANCH OF THE OREGON SHORT LINE RAILROAD; THENCE $S51^{\circ}02'49''W$ 892.81 FEET ALONG SAID NORTHWESTERLY RAILROAD R/W BOUNDARY TO A POINT ON THE SOUTH LINE OF SAID NW1/4NE1/4 OF SECTION 9; THENCE $N89^{\circ}40'23''W$ 21.68 FEET ALONG SAID SOUTH LINE AND SAID RAILROAD R/W; THENCE $S51^{\circ}00'25''W$ 2069.35 FEET TO THE INTERSECTION WITH THE SOUTH LINE OF SAID SECTION 9; THENCE $N89^{\circ}39'14''W$ 986.75 FEET TO A POINT BEING 23.47 FEET SOUTH OF THE SOUTHEAST CORNER OF A PARCEL AS DESCRIBED IN BOOK 148 AT PAGE 277 IN THE BONNEVILLE COUNTY RECORDERS OFFICE; THENCE NORTH 23.47 FEET TO THE SAID SOUTHEAST CORNER OF REFERENCED PARCEL B148P277; THENCE $N89^{\circ}W$ 660.0 FEET ALONG THE SOUTH LINE OF SAID B148P277 PARCEL TO A POINT ON THE WEST LINE OF SAID SECTION 9; THENCE $N00^{\circ}24'20''E$ 2560.37 FEET ALONG THE SAID WEST LINE OF SECTION 9 TO THE TRUE POINT OF BEGINNING. CONTAINING 147.82 ACRES, MORE OR LESS.