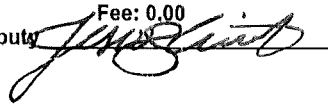


REC'D MAR 26 2024

Instrument # 543715

IDAHO COUNTY, IDAHO,  
3-18-2024 11:09:45 AM No. of Pages: 4  
Recorded for : CITY OF COTTONWOOD  
KATHY M. ACKERMAN Fee: 0.00  
Ex-Officio Recorder Deputy 

COTTONWOOD CITY ORDINANCE NO. 263

AN ORDINANCE OF THE CITY OF COTTONWOOD, IDAHO COUNTY, IDAHO, AMENDING COTTONWOOD CITY ORDINANCE NO. 262 CONCERNING ANNEXATION OF CERTAIN SCHOOL LANDS TO THE CITY OF COTTONWOOD; PROVIDING RECITALS, PROVIDING A CORRECTED LEGAL DESCRIPTION FOR THE ANNEXED SCHOOL PARCEL; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING THAT THIS ORDINANCE SHALL BE EFFECTIVE UPON ADOPTION AND PUBLICATION AS PROVIDED BY LAW.

WHEREAS

The City of Cottonwood adopted Cottonwood City Ordinance No. 262 annexing certain school lands owned by Cottonwood Joint School District No. 242 ("School District") to the City, commonly known as "Tax 195" ("School Parcel");

After adoption of Ordinance No. 262, City discovered a scrivener's error in the legal description for the School Parcel contained in Exhibit 1 to Ordinance No. 262, such that said legal description included Tax 195 to be annexed and inadvertently also included other school lands owned by the School District already situated within the City limits;

The City desires to adopt this ordinance for the purpose of correcting said scrivener's error by substitution of a corrected legal description for the School Parcel as set forth in Exhibit 1 attached hereto and incorporated herein by reference;

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF COTTONWOOD, IDAHO COUNTY, STATE OF IDAHO, AS FOLLOWS:

**SECTION 1:** Cottonwood City Ordinance No. 262 is hereby amended by substitution of Exhibit 1 attached hereto and incorporated herein by reference for and in place of Exhibit 1 contained in Cottonwood City Ordinance No. 262 as originally adopted. Exhibit 1 attached hereto shall fully replace Exhibit 1 contained in Cottonwood Ordinance No. 262 as originally adopted for all purposes under said ordinance.

**SECTION 2:** This ordinance is severable. In the event any portion of this ordinance is deemed unenforceable by a court of competent jurisdiction, the remaining portions of this ordinance not so affected shall remain in effect.

**SECTION 3:** All ordinances, and parts thereof, in conflict with this ordinance are hereby repealed.

**SECTION 4:** This ordinance shall be in effect upon its adoption and publication as provided by law.

DULY APPROVED AND ADOPTED by the Mayor and City Council of the City of Cottonwood this 11 day of March, 2024.

CITY OF COTTONWOOD

By: *Keith Holcomb*  
Mayor Keith Holcomb  
Mayor

By: *Linda Nida*  
Linda Nida  
Council Member

By: *Kristine Holthaus*  
Kristine Holthaus  
Council Member

By: *Debby O'Neill*  
Debby O'Neill  
Council Member

By: *Brett Miller*  
Brett Miller  
Council Member

ATTEST:

*Lynn Thompson*  
Lynn Thompson  
City Clerk

# EXHIBIT 1 - SCHOOL PARCEL

All portions of the following described parcel of land not situated in the city limits of the City of Cottonwood:

A parcel of land lying within the SW ¼ of NW ¼ of Section 4, T 31 N, R 1 E, B.M., Idaho County, Idaho which property is more particularly described from a survey as follows: beginning at the NW corner of Section 4, thence S 0° 15' 56" W 1325.605' along the section line to the north 1/16<sup>th</sup> corner, a brass cap monument, thence S 89° 39' 28" E 30.000' to a point on the easterly R.O.W. of East Street, which is the initial point of beginning,

thence S 89° 39' 28" E 654.921' along the north line of SW ¼ of NW ¼ to a point on the westerly R.O.W. of F.A.P. DP-FR-4113(45) dated Rev. 6/28/74,

thence along a R.O.W. curve with the following data:

Delta = 22° 15' 56" L.L.  
L = 174.134'  
R = 448.100'

T = 88.179'  
Ch. = 173.040'  
Ch. Bearing = S 9° 31' 50" W  
to P.C. Station 63+12.09

thence S 1° 36' 08" E 412.340' along said R.O.W. to P.T. Sta. 58+99.92 a point 90' westerly of center line,

thence S 26° 11' 18" E 102.550' to a point 40.00' westerly of center line,

thence along a R.O.W. curve with the following data:

Delta = 27° 54' 09" R.L.  
L = 290.548'  
R = 596.620'

T = 148.215'  
Ch. = 287.685'  
Ch. Bearing = S 21° 20' 29" W  
to P.C. Sta. 54+89.98

thence S 35° 17' 33" W 69.327' along said R.O.W. line,

thence N 89° 36' 04" W 242.948'

thence N 89° 39' 28" W 180.000'

thence N 0° 15' 56" E 150.000' along the east line of the V.F.W.,

thence N 89° 39' 28" W 120.000' to a point on the easterly R.O.W. line of East Street,

thence N 0° 15' 56" E 850.000' along said easterly R.O.W. line back to the initial point of beginning,

which parcel contains some 14.19515 acres.

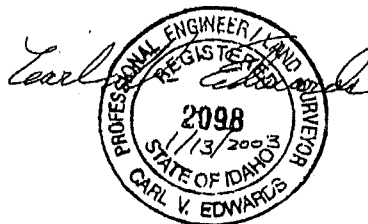
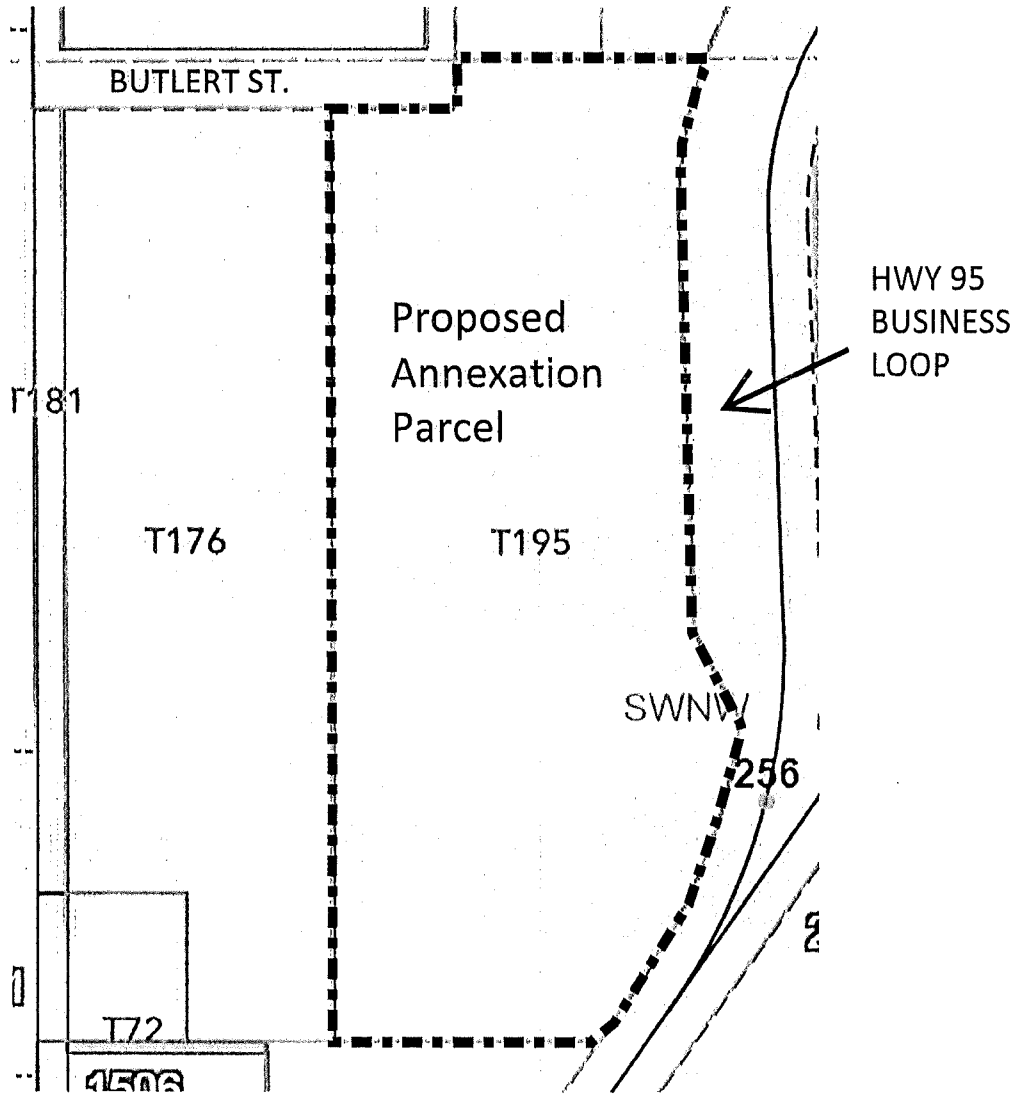


EXHIBIT 2  
PROPOSED ANNEXATION PARCEL





# City of Cottonwood

*Idaho County, State of Idaho*

P.O. Box 571  
Cottonwood, Idaho 83522-0571  
Phone (208) 962-3231

REC'D MAR 26 2024

March 22, 2024

Idaho State Tax Commission  
Geographic Information Systems  
PO Box 36  
Boise, ID 83722

Subject: Ordinance #263 amending Annexation Ordinance #262

Enclosed is a copy of Ordinance #263 amending Ordinance #262 annexing a section of property to the City of Cottonwood. A map of the property is also included.

If you have any questions, or need any additional information, please feel free to contact me.

Sincerely,

Lynn Thompson  
City Clerk/Treasurer

USDA is an equal opportunity provider and employer.

If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at [http://www.ascr.usda.gov/complaint\\_filing\\_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html), or at any USDA office, or call (866) 632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter to us by mail at U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, by fax (202) 690-7442 or email at [program.intake@usda.gov](mailto:program.intake@usda.gov).

MM

COTTONWOOD CITY ORDINANCE NO. 262

AN ORDINANCE OF THE CITY OF COTTONWOOD, IDAHO COUNTY, IDAHO, EXTENDING THE INCORPORATED LIMITS OF THE CITY OF COTTONWOOD BY ANNEXATION OF CERTAIN SCHOOL LANDS TO THE CITY OF COTTONWOOD; PROVIDING RECITALS, FINDINGS AND STATEMENT OF AUTHORITY; PROVIDING LEGAL DESCRIPTION FOR THE ANNEXED PARCEL; ANNEXING THE ANNEXED PARCEL TO THE CITY OF COTTONWOOD; EXTENDING THE INCORPORATED LIMITS OF THE CITY OF COTTONWOOD TO INCLUDE THE ANNEXED PARCEL; PROVIDING FOR ZONING CLASSIFICATION FOR THE ANNEXED PARCEL; PROVIDING FOR AMENDMENT OF THE CITY OF COTTONWOOD ZONING MAP TO REFLECT ANNEXATION OF THE ANNEXED PARCEL; PROVIDING FOR NOTICE OF THE ANNEXATION TO OTHER GOVERNMENTAL ENTITIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING THAT THIS ORDINANCE SHALL BE EFFECTIVE UPON ADOPTION AND PUBLICATION AS PROVIDED BY LAW.

WHEREAS

Cottonwood Joint School District No. 242 ("School District") is the owner of that certain parcel of real property situated in Idaho County, Idaho, commonly known as "Tax 195", situated in the unincorporated area of Idaho County, State of Idaho, contiguous or adjacent to the City of Cottonwood, more particularly described in Exhibit 1 attached hereto and incorporated herein by reference, ("School Parcel");

The School District has requested and consented in writing to annexation of the School Parcel to the City of Cottonwood pursuant to Idaho Code § 50-222;

The City has the authority to annex the School Parcel to the City of Cottonwood as a Category "A" annexation as provided in Idaho Code § 50-222;

The City hereby finds that a) the proposed annexation of the School Parcel meets the requirements for a Category "A" annexation pursuant to Idaho Code § 50-222, and b) annexation of the School Parcel to the City of Cottonwood is in the best interest of the City and is otherwise consistent with the City of Cottonwood Comprehensive Plan;

The City further hereby finds that it is in the best interest of the City and consistent with the City of Cottonwood Comprehensive Plan to provide for the zoning classification of the School Parcel upon its annexation, and to provide for amendment of the City of Cottonwood Zoning Map to reflect annexation of the School Parcel, all as more particularly provided in this ordinance;

The City further finds that all notices required by law regarding adoption of this ordinance have been given;

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF COTTONWOOD, IDAHO COUNTY, STATE OF IDAHO, AS FOLLOWS:

Instrument # 542823

IDAHO COUNTY, IDAHO,  
12-26-2023 12:29:45 PM No. of Pages: 5  
Recorded for : CITY OF COTTONWOOD  
KATHY M. ACKERMAN Fee: 0.00  
Ex-Officio Recorder Deputy



**SECTION 1:** The School Parcel as more particularly described in Exhibit 1 attached hereto is hereby annexed to the City of Cottonwood. The incorporated city limits of the City of Cottonwood are hereby extended so as to encompass and include the School Parcel within the incorporated city limits of the City of Cottonwood in addition to all lands currently situated within the incorporated city limits of the City of Cottonwood.

**SECTION 2:** The School Parcel is hereby zoned and declared to be situated within the following zoning district within the City: "Residence A Zone".

**SECTION 3:** The zoning map of the City of Cottonwood is hereby amended to include a) the School Parcel within the incorporated city limits of the City of Cottonwood, and b) the applicable zoning district for the School Parcel as declared above consistent Chapter 4, Title 17, Cottonwood City Code. The City Clerk is further hereby directed to cause an amended zoning map of the City to be prepared to consistent with the foregoing amendments.

**SECTION 4:** The City Clerk is further hereby directed to cause a certified copy of this ordinance to be forthwith recorded in the official real property records of the office of the Idaho County Recorder, State of Idaho, as required by law, and to cause a certified copy of this ordinance to delivered to the Idaho County Auditor, Idaho County Treasurer, Idaho County Assessor's Office and the Idaho State Tax Commission as may be required by law.

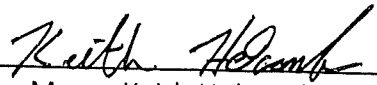
**SECTION 5:** This ordinance is severable. In the event any portion of this ordinance is deemed unenforceable by a court of competent jurisdiction, the remaining portions of this ordinance not so affected shall remain in effect.

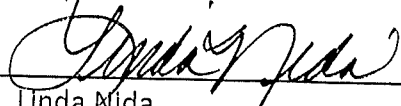
**SECTION 6:** All ordinances, and parts thereof, in conflict with this ordinance are hereby repealed.

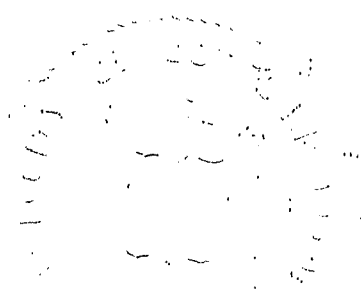
**SECTION 7:** This ordinance shall be in effect upon its adoption and publication as provided by law.

DULY APPROVED AND ADOPTED by the Mayor and City Council of the City of Cottonwood this 11 day of December, 2023.

CITY OF COTTONWOOD

By:   
Mayor Keith Holcomb  
Mayor

By:   
Linda Nida  
Council Member



By: Kristine Holthaus  
Kristine Holthaus  
Council Member

By: Debby O'Neill  
Debby O'Neill  
Council Member

By: Brett Miller  
Brett Miller  
Council Member

ATTEST:

Lynn Thompson  
Lynn Thompson  
City Clerk



# EXHIBIT 1 - SCHOOL PARCEL

A parcel of land lying within the SW 1/4 of NW 1/4 of Section 4, T 31 N, R 1 E, B.M., Idaho County, Idaho which property is more particularly described from a survey as follows: beginning at the NW corner of Section 4; thence S 0° 15' 56" W 1323.605' along the section line to the north 1/16" corner, a brass cap monument, thence S 89° 39' 28" E 30,000' to a point on the easterly R.O.W. of East Street, which is the initial point of beginning,

thence S 89° 39' 28" E 654,921' along the north line of SW 1/4 of NW 1/4 to a point on the westerly R.O.W. of F.A.P. DP-FR-4113(43) dated Rev. 6/28/74,

thence along a R.O.W. curve with the following data:

Delta = 22° 15' 56" Lt  
 L = 174.134'  
 R = 448.100'

T = 88,179'  
 Ch. = 173,040'  
 Ch. Bearing = S 9° 31' 50" W  
 to P.C. Station 63+12.09

thence S 1° 36' 08" E 412,340' along said R.O.W. to P.T. Sta. 58+99.92 a point 90' westerly of center line,

thence S 26° 11' 18" E 102,550' to a point 40.00' westerly of center line,

thence along a R.O.W. curve with the following data:

Delta = 27° 54' 09" Rt.  
 L = 290,348'  
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thence S 35° 17' 33" W 69,327' along said R.O.W. line,

thence N 89° 36' 04" W 242,948'

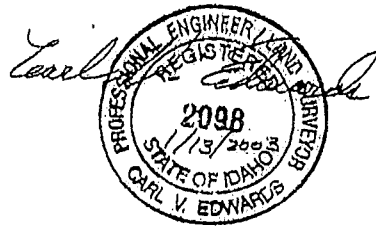
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thence N 0° 15' 56" E 150,000'

thence N 89° 39' 28" W 120,000' along the east line of the V.F.W., to a point on the easterly R.O.W. line of East Street,

thence N 0° 15' 56" E 850,000' along said easterly R.O.W. line back to the initial point of beginning,

which parcel contains some 14.19515 acres.



I certify that this a true and correct copy of Cottonwood City Ordinance #262 in my possession and made by me on December 22, 2023.

Signed

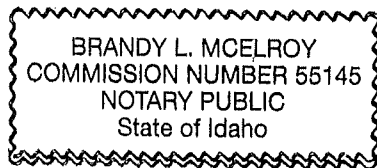
Lynn Thompson

State of Idaho

County of Idaho

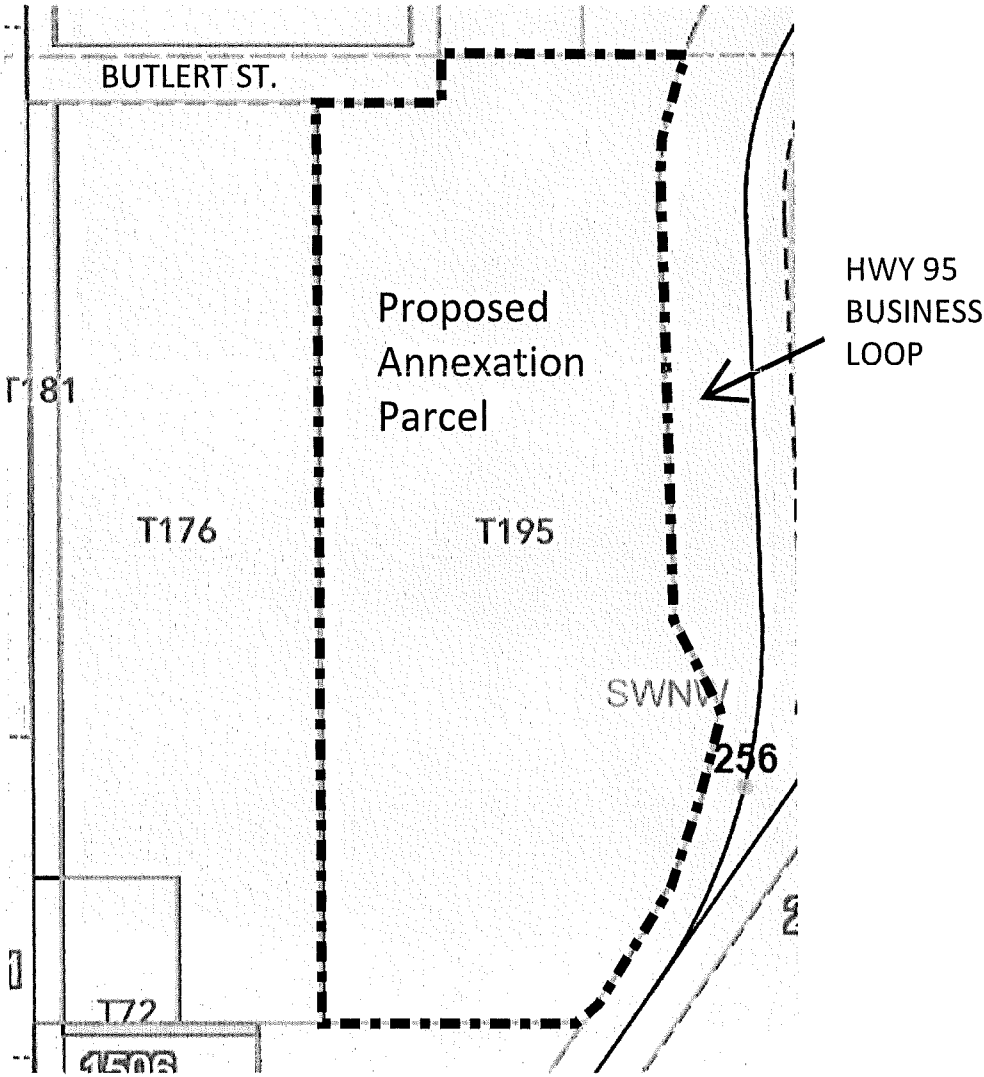
This record was signed and sworn before me on 12-22-2023 by

Lynn Thompson.



Brandy L McElroy  
Notary Signature

EXHIBIT 2  
PROPOSED ANNEXATION PARCEL





# City of Cottonwood

*Idaho County, State of Idaho*

P.O. Box 571  
Cottonwood, Idaho 83522-0571  
Phone (208) 962-3231

January 5, 2024

Idaho State Tax Commission  
Geographic Information Systems  
PO Box 36  
Boise, ID 83722

Subject: Annexation Ordinance #262

Enclosed is a copy of Ordinance #262 to annex a section of property to the City of Cottonwood. A map of the property is also included.

If you have any questions, or need any additional information, please feel free to contact me.

Sincerely,

Lynn Thompson  
City Clerk/Treasurer

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If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at [http://www.ascr.usda.gov/complaint\\_filing\\_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html), or at any USDA office, or call (866) 632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter to us by mail at U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, by fax (202) 690-7442 or email at [program.intake@usda.gov](mailto:program.intake@usda.gov).