

ORDINANCE NO. 2011-03

AN ORDINANCE CORRECTING A SCHRIBNER'S ERROR IN THE TITLE TO EXHIBIT B TO ORDINANCE 2011-02 WHICH ORDINANCE 2011-02 AMENDED THE ELMORE COUNTY ZONING AND DEVELOPMENT ORDINANCE ("ZONING ORDINANCE"), BY THE ADOPTION OF A NEW CHAPTER, CHAPTER 38, ENTITLED THE MAYFIELD TOWNSITE PLANNED COMMUNITY ZONING ORDINANCE, TO THE ZONING ORDINANCE. EXHIBIT B TO ORDINANCE NO 2011-02 SHOWED A TITLE INCLUDING CHAPTER 39 INSTEAD OF THE CORRECT CHAPTER OF 38.

WHEREAS, the Board on June 22, 2011 approved Ordinance 2011-02, which ordinance included Exhibit B, as an attachment to Ordinance 2011-02, and such Exhibit B contained a reference to Chapter 39 of the Zoning Ordinance. The correct reference and exhibit should have referred to Chapter 38 of the Zoning Ordinance and not Chapter 39. This ordinance and Ordinance 2011-02 pertain to that real property described herein on Exhibit A (the "Property"), which exhibit is attached hereto and made a part hereof.

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE ELMORE COUNTY BOARD OF COMMISSIONERS BY A 2-1 VOTE (SHAW DISSENTING), THE FOLLOWING:

SECTION 1. CORRECTION: Any and all references to Chapter 39 in Exhibit B to Ordinance 2011-02 shall be replaced in there entirety with the reference to Chapter 38. This correction applies to the Property.

SECTION 2. REPEAL OF CONFLICTING ORDINANCES. Any ordinance of Elmore County, Idaho in conflict with the terms of this Ordinance is hereby repealed to the extent of such conflict.

SECTION 3. EFFECTIVE DATE. This Ordinance shall take effect and be in force after its passage, approval and publication as required by law, as conditioned by the execution and recordation in the Elmore County land records of a Development Agreement between the landowner and the Board, and such other conditions as approved by the Board as part of the planned community application. In lieu of publication of the entire Ordinance, a summary thereof in compliance with Idaho Code § 31-715A may be published.

[Signatures on following page]

Dated this 8th day of August, 2011.

ELMORE COUNTY BOARD OF COMMISSIONERS

Dissenting:

By: *Arlen O. Shaw*

Arlen O. Shaw, Chairman

Approving:

By: *Albert Hofer*

Albert Hofer, Commissioner

Approving:

By: *Wesley R. Wootan*

Wesley Wootan, Commissioner



ATTEST:

Barbara Steele

Barbara Steele, Elmore County Clerk

EXHIBIT A

Mayfield Townsite Planned Community

Legal Boundary Description

A parcel of land lying in Sections 12, 13, 14, 15, 22, 23, 24, 25, 26 & 27, Twp. 1 N, Rng. 4 E, B.M. and Sections 7, 8, 17, 18, 19, 20 and 21, Twp. 1 N., Rng. 5 E., B.M., said parcel being more particularly described as follows:

Beginning at the Northwest corner of said Section 22 and running thence S89°31'57"E 2638.11 feet along the North line of said Section 22 to the North ¼ corner thereof;
thence continuing along said North line S89°34'41"E 1320.27 feet to the E 1/16th corner thereof;
thence N00°22'51"E 1322.45 feet to the SE 1/16th corner of said Section 15;
thence S89°33'00"E 1320.02 feet to the S 1/16th corner on the Westerly line of said Section 14;
thence along the Westerly line of said Section 14 N00°22'11"E 1321.81 feet to the West ¼ corner thereof;
thence S89°53'33"E 2645.87 feet to the center ¼ corner thereof;
thence S00°34'55"W 2637.35 feet to the South ¼ corner of said Section 14;
thence along the Southerly line thereof N89°59'08"E 1333.66 feet to the E 1/16th corner thereof;
thence S00°00'14"W 1007.26 feet to a point on the Southeasterly line of Slater Creek Road;
thence along said line S27°26'48"W 49.83 feet;
thence S34°51'48"W 145.82 feet to a point of curvature;
thence along a curve to the left 152.93 feet, said curve having a radius of 315.00 feet, a central angle of 27°49'00", tangents of 78.00 feet, and a chord which bears S20°57'18"W 151.43 feet to a point of tangency;
thence S07°02'48"W 376.25 feet to a point of curvature;
thence along a curve to the left 142.10 feet, said curve having a radius of 595.00 feet, a central angle of 13°41'00", tangents of 71.39 feet, and a chord which bears S00°12'18"W 141.76 feet to a point of tangency;
thence S06°38'12"E 197.33 feet to a point of curvature;
thence along a curve to the right 230.80 feet, said curve having a radius of 355.00 feet, a central angle of 37°15'00", tangents of 119.64 feet, and a chord which bears S11°59'18"W 226.75 feet to a point of tangency;
thence S30°36'48"W 191.95 feet to a point of curvature; thence along a curve to the right 199.57 feet, said curve having a radius of 495.00 feet, a central angle of 23°06'00", tangents of 101.16 feet, and a chord which bears S42°09'48"W 198.22 feet to a point of tangency;
thence S53°42'48"W 249.74 feet;
thence S48°58'48"W 138.83 feet to a point of curvature;
thence along a curve to the left 149.60 feet, said curve having a radius of 460.00 feet, a central angle of 18°38'00", tangents of 75.47 feet, and a chord which bears S39°39'48"W 148.94 feet to a point of tangency;
thence S30°20'48"W 187.59 feet;
thence S35°24'48"W 132.24 feet to a point of curvature;

thence along a curve to the left 121.13 feet, said curve having a radius of 470.00 feet, a central angle of $14^{\circ}46'00''$, tangents of 60.90 feet, and a chord which bears $S28^{\circ}01'48''W$ 120.80 feet to a point of tangency;
thence $S20^{\circ}38'48''W$ 61.46 feet to a point of curvature;
thence along a curve to the right 158.72 feet, said curve having a radius of 360.00 feet, a central angle of $25^{\circ}15'42''$, tangents of 80.62 feet, and a chord which bears $S33^{\circ}16'39''W$ 157.44 feet to a point on the Northerly line of Indian Creek Road;
thence $S85^{\circ}01'12''E$ 487.16 feet to a point of curvature;
thence along a curve to the right 157.02 feet, said curve having a radius of 570.00 feet, a central angle of $15^{\circ}47'00''$, tangents of 79.01 feet, and a chord which bears $S77^{\circ}07'42''E$ 156.52 feet to a point of tangency;
thence $S69^{\circ}14'12''E$ 45.33 feet to a point of curvature;
thence along a curve to the left 336.86 feet, said curve having a radius of 530.00 feet, a central angle of $36^{\circ}25'00''$, tangents of 174.34 feet, and a chord which bears $S87^{\circ}26'42''E$ 331.22 feet to a point of tangency;
thence $N74^{\circ}20'48''E$ 133.26 feet to a point of curvature;
thence along a curve to the left 141.75 feet, said curve having a radius of 275.00 feet, a central angle of $29^{\circ}32'00''$, tangents of 72.49 feet, and a chord which bears $N59^{\circ}34'48''E$ 140.19 feet to a point of tangency;
thence $N44^{\circ}48'48''E$ 92.20 feet to a point of curvature;
thence along a curve to the right 137.12 feet, said curve having a radius of 490.00 feet, a central angle of $16^{\circ}02'00''$, tangents of 69.01 feet, and a chord which bears $N52^{\circ}49'48''E$ 136.67 feet to a point of tangency;
thence $N60^{\circ}50'48''E$ 162.67 feet to a point of curvature;
thence along a curve to the right 156.10 feet, said curve having a radius of 675.00 feet, a central angle of $13^{\circ}15'00''$, tangents of 78.40 feet, and a chord which bears $N67^{\circ}28'18''E$ 155.75 feet to a point of tangency;
thence $N74^{\circ}05'48''E$ 47.70 feet to a point of curvature;
thence along a curve to the left 124.35 feet, said curve having a radius of 750.00 feet, a central angle of $09^{\circ}30'00''$, tangents of 62.32 feet, and a chord which bears $N69^{\circ}20'48''E$ 124.21 feet to a point of tangency;
thence $N64^{\circ}35'48''E$ 474.31 feet to a point of curvature;
thence along a curve to the left 200.29 feet, said curve having a radius of 455.00 feet, a central angle of $25^{\circ}13'17''$, tangents of 101.79 feet, and a chord which bears $N51^{\circ}59'10''E$ 198.68 feet to a point of tangency;
thence $N39^{\circ}22'31''E$ 97.62 feet to a point on the Easterly line of said Section 23;
thence departing from said Northerly line of said Indian Creek Road along said Easterly line $N00^{\circ}02'25''E$ 117.98 feet to the East $\frac{1}{4}$ corner thereof;
thence continuing along said Easterly line $N00^{\circ}05'14''E$ 2615.05 feet to the Northwest corner of said Section 24;
thence along the Northerly line of said Section 24, $N89^{\circ}28'58''E$ 2646.84 feet to the North $\frac{1}{4}$ corner thereof;
thence $N89^{\circ}28'18''E$ 1321.42 feet to the East $\frac{1}{16}^{\text{th}}$ corner thereof;
thence $S00^{\circ}07'16''W$ 219.75 feet to a point on the centerline of Indian Creek Road; thence along said line $N64^{\circ}49'34''E$ 592.33 feet;
thence $N61^{\circ}00'06''E$ 619.24 feet;

thence departing from said centerline S25°20'50"E 327.87 feet;
 thence S02°19'36"E 878.76 feet;
 thence N68°59'52"E 291.08 feet;
 thence N69°36'01"E 440.36 feet;
 thence N59°19'19"E 728.33 feet;
 thence N05°00'38"W 995.38 feet;
 thence N15°48'54"W 484.15 feet;
 thence N30°59'37"W 157.74 feet;
 thence N34°19'21"W 227.24 feet to a point on first said centerline of said Indian Creek Road;
 thence along said centerline N38°05'11"E 604.13 feet to a point on the centerline of Mayfield Road;
 thence along said centerline N37°49'52"W 1114.85 feet to a point of curvature;
 thence along a curve to the left 74.80 feet, said curve having a radius of 500.00 feet, a central angle of 08°34'15", tangents of 37.47 feet, and a chord which bears N42°07'00"W 74.73 feet to a point of tangency;
 thence N46°24'08"W 615.45 feet to a point on the East line of said Section 13;
 thence along said East line N00°06'42"E 583.04 feet to the N 1/16th corner of said Section 13;
 thence S89°10'04"W 175.84 feet to a point on first said centerline of said Mayfield Road; thence N06°58'04"W 142.61 feet to a point of curvature;
 thence along a curve to the left 374.57 feet, said curve having a radius of 500.00 feet, a central angle of 42°55'20", tangents of 196.56 feet, and a chord which bears N28°25'44"W 365.87 feet to a point of tangency;
 thence N49°53'24"W 406.95 feet;
 thence N51°05'22"W 608.30 feet to a point of curvature;
 thence along a curve to the right 161.34 feet, said curve having a radius of 120.00 feet, a central angle of 77°02'08", tangents of 95.51 feet, and a chord which bears N12°34'18"W 149.46 feet to a point of tangency;
 thence N25°56'46"E 253.08 feet to a point of curvature;
 thence along a curve to the left 552.19 feet, said curve having a radius of 530.00 feet, a central angle of 59°41'39", tangents of 304.11 feet, and a chord which bears N03°54'04"W 527.55 feet to a point of tangency;
 thence N33°44'54"W 357.19 feet;
 thence departing from said centerline of Mayfield Road N00°26'14"E 1648.05 feet to the Center-East 1/16th corner of said Section 12;
 thence N89°08'19"E 1302.06 feet to the East ¼ corner of said Section 12;
 thence S88°35'52"E 2694.56 feet to the Center of said Section 7;
 thence S88°35'52"E 1326.35 feet to the Center-East 1/16th corner of said Section 7; thence S00°12'07"W 1314.23 feet to the S-E 1/16th of said Section 7;
 thence N88°43'44"W 1325.93 feet to the C-S 1/16th corner of said Section 7;
 thence S00°11'10"W 1317.28 feet to the North ¼ corner of said Section 18;
 thence along the Northerly line of said Section 18, S88°51'37"E 1325.51 feet to the E 1/16th corner thereof;
 thence S00°07'54"W 1319.01 feet to the N-E 1/16th corner thereof;
 thence N88°54'27"W 1324.94 feet to the C-N 1/16th corner thereof;
 thence S00°06'29"W 1320.12 feet to the Center ¼ of said Section 18;
 thence S88°57'18"E 2648.75 feet to the West ¼ corner of said Section 17;

thence N00°09'20"E 2635.83 feet along said West line to the Northwest corner thereof;
thence N00°13'05"E 2622.36 feet to the East ¼ corner of said Section 8;
thence S89°43'55"E 1318.12 feet to the C-W 1/16th corner thereof;
thence S56°16'09"E 4767.43 feet to the Northeast corner of said Section 17;
thence along the East line of said Section S00°09'47"W 2648.67 feet to the East ¼ corner thereof;
thence S00°07'02"W 2644.71 feet to the Northwest corner of said Section 21;
thence along the northerly line of said Section S89°57'33"E 1317.70 feet to the W 1/16th corner thereof;
thence S00°07'44"E 2657.82 feet to the C-W 1/16th corner thereof;
thence N89°34'53"W 1331.55 feet to the West ¼ corner of said Section 20;
thence N89°17'03"W 2642.88 feet to the center thereof;
thence N89°17'03"W 1320.25 feet to the C-W 1/16th corner thereof;
thence N00°00'11"E 2640.07 feet to the W 1/16th corner thereof;
thence N89°28'03"W 1323.84 feet to the Northwest corner thereof;
thence S00°04'34"E 2635.88 feet to the East ¼ corner of said Section 19;
thence N89°16'41"W 1321.62 feet to the E 1/16th corner thereof;
thence S00°07'31"E 2638.48 feet to the E 1/16th corner on the South line thereof; thence N89°24'54"W 1318.72 feet to the South ¼ corner thereof;
thence N89°24'54"W 2722.52 feet to the Northeast corner of said Section 25;
thence S89°49'28"W 1320.17 feet to the E 1/16th corner thereof;
thence S00°02'32"W 1322.36 feet to the N-E 1/16th corner thereof;
thence N89°55'02"E 1320.06 feet to the N 1/16th corner thereof;
thence S00°02'48"W 1324.50 feet to the East ¼ corner thereof;
thence N89°59'24"W 1319.96 feet to the C-E 1/16th corner thereof;
thence S00°06'16"E 2640.97 feet to the E 1/16th corner on the South line thereof;
thence along said South line N89°53'15"W 1326.51 feet to the South ¼ corner thereof;
thence continuing along said South line N89°51'20"W 2655.58 feet to the Southeast corner of said Section 26;
thence S89°48'52"W 2649.60 feet to the South ¼ corner thereof;
thence N00°10'33"E 1315.30 feet to the C-S 1/16th corner thereof;
thence S89°46'07"W 1324.65 feet to the S-W 1/16th corner thereof, said point being on the Easterly line of "Danskin Properties" recorded on Instrument No. 258976, records of Elmore County, Idaho;
thence along said Easterly line N00°08'58"E 1315.47 feet;
thence continuing along said line N00°10'24"E 1048.90 feet to the Northeast corner thereof;
thence along the Northerly line thereof S58°44'08"W 3108.58 feet;
thence N00°00'54"E 1884.89 feet to the N-E 1/16th corner in said Section 27;
thence S89°33'04"E 1331.56 feet to the N 1/16th corner thereof;
thence N00°08'33"E 1315.21 feet to the Northeast corner thereof;
thence N00°25'40"E 1320.17 feet to the S 1/16th corner thereof;
thence N89°32'33"W 2669.73 feet to the C-S 1/16th corner thereof;
thence N89°28'51"W 2629.90 feet to the S 1/16th corner thereof;
thence N00°17'24"E 1320.40 feet to the West ¼ corner of said Section 22;
thence N00°17'00"E 2640.76 feet to the point of beginning, all in Elmore County, Idaho.

This parcel contains 5,376.93 acres, more or less, based on calculations using the double meridian distance method. Bearings hereon used are based on NAD88, Idaho State Plane West Zone, WGS84 GPS using Opus solutions for control points, per survey data provided by John Austin, recorded instrument No. 379861, records of Elmore County, Idaho. The above parcel is subject to easements of record or use.