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ADA COUNTY RECORDER J. DAVID NAVARRO
BOISE IDAHO 03/19/09 11:18 AM
DEPUTY Vicki Allen
RECORDED - REQUEST OF
City of Eagle

AMOUNT .00 6



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APR 01 2009

TECHNICAL SUPPORT

ORDINANCE NO. 621

AN ORDINANCE ANNEXING CERTAIN REAL PROPERTY SITUATED IN THE UNINCORPORATED AREA OF ADA COUNTY, IDAHO, AND CONTIGUOUS TO THE CORPORATE LIMITS OF THE CITY OF EAGLE, TO THE CITY OF EAGLE, IDAHO; CHANGING THE ZONING CLASSIFICATION OF SAID REAL PROPERTY DESCRIBED HEREIN FROM RUT (RURAL-URBAN TRANSITION) TO MU-DA (MIXED USE WITH A DEVELOPMENT AGREEMENT); AMENDING THE ZONING MAP OF THE CITY OF EAGLE TO REFLECT SAID CHANGE; DIRECTING THAT COPIES OF THIS ORDINANCE BE FILED AS PROVIDED BY LAW; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Eagle, Idaho is a municipal corporation organized and operating under the laws of the State of Idaho and is authorized to annex to and incorporate within the boundaries of the City contiguous real property in the manner provided by Section 50-222, Idaho Code; and

WHEREAS, the owner of the real property situated in the unincorporated area of Ada County and particularly described in Exhibit "A" of this ordinance has requested, in writing, annexation of said real property to the City of Eagle; and

WHEREAS, the owner of the real property situated within the City of Eagle and particularly described in Exhibit "A" of this ordinance has requested, in writing, a rezone from RUT to MU-DA; and

WHEREAS, the property described in Exhibit "A" consists of 8040 West Beacon Light Road and 4035 North Hartley Road and the following parcels S0334320000, S0334310000, S0334340500, and S0334438500; and

WHEREAS, the Planning and Zoning Commission of the City, pursuant to public notice as required by law, held a public hearing on November 19, 2007, as required by Section 67-6525, Idaho Code, and made a recommendation to the Mayor and Council; and

WHEREAS, the Eagle City Council, pursuant to public notice as required by law, held public hearings on October 14, 2008, and October 28, 2008, on the proposed annexation and zoning for the real property described in Exhibit "A" as required by Section 67-6525, Idaho Code, made findings and determined that the requested annexation should be granted and that a zoning classification of MU-DA for the property described in Exhibit "A" is appropriate to meet the requirements of Idaho Code, Eagle City Code and the Eagle Comprehensive Plan and should be granted.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF EAGLE, IDAHO, as follows:

Section 1: The Eagle City Council hereby finds and declares that the real property particularly described in Exhibit "A", attached hereto and incorporated herein by reference, is contiguous to the City, that said property can be reasonably assumed to be used for the orderly development of the City, and that the owner of said property has requested, in writing, annexation thereof to the City.

Section 2: The real property, all situated in Ada County, Idaho, adjacent and contiguous to the City, particularly described in Exhibit "A" and as generally shown on Exhibit "B", attached here to and included herein by reference, is hereby annexed to the incorporated territorial limits of the City of Eagle, Idaho.

Section 3: The City Council hereby finds and determines that the real property particularly described in Exhibit "A" and generally as shown on Exhibit "B", attached hereto and incorporated by reference, be removed from the RUT (Rural-Urban Transition) zoning classification and included in the MU-DA (Mixed Use with a development agreement) zoning classification pursuant to the Zoning Ordinance of the City of Eagle. The City Council further finds and determines that said zone change is in accordance with the Eagle Comprehensive Plan and relevant City Codes.

Section 4: The described real property generally as shown on Exhibit "B" and located as specifically described in the attached legal description Exhibit "A" all situated in the City of Eagle, Ada County, Idaho, is hereby removed from the RUT (Rural-Urban Transition) zoning classification and the real property described in Exhibit "A" is hereby included in the MU-DA (Mixed Use with a development agreement) zoning classification.

Section 5: The official Zoning Map of the City of Eagle, Idaho, is hereby amended to reflect the foregoing change in zoning classification.

Section 6: From and after the effective date of this Ordinance, all property and persons within the boundaries and territory described above shall be subject to all ordinances, resolutions, police regulations, taxation, and other powers of the City of Eagle.

Section 7: The City Clerk is hereby directed to file, within ten (10) days of passage and approval of this Ordinance, a certified copy of this Ordinance with the offices of the Auditor, Treasurer, and Assessor of Ada County, Idaho, and with the Idaho State Tax commission, Boise, Idaho, as required by Section 50-223, Idaho Code, and to comply with the provisions of Section 63-2215, Idaho Code, with regard to the preparation and filing of a map and legal description of the real property annexed by this Ordinance.

Section 8: This Ordinance shall take effect and be in force from and after its passage, approval, and publication as required by law. In lieu of publication of the entire ordinance, a summary thereof in compliance with Section 50-901A, Idaho Code, may be published.

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DATED this 10th day of March 2009.

CITY COUNCIL OF THE CITY OF EAGLE
Ada County, Idaho

Phil Bandy
Phil Bandy, Mayor

ATTEST:

Sharon K. Bergmann
Sharon K. Bergmann, Eagle City Clerk



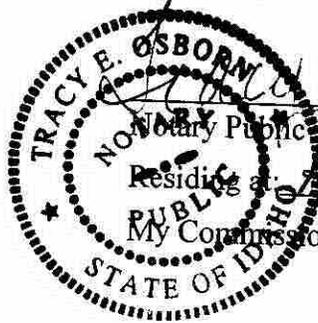
STATE OF IDAHO)

: ss.

County of Ada)

On this 13 day of March, in the year 2009, before me, the undersigned, a Notary Public in and for said State, personally appeared Phil Bandy and Sharon K. Bergmann, 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.



Tracy E. Osborn
Residing at: 7 Luna Idaho
My Commission Expires: 01/12/2015

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EXHIBIT "A"

RECEIVED & FILED
CITY OF EAGLE
OCT 24 2007
File: _____
Route to: _____

**Annexation Description
For Flack & Carlock
Job No. 6066387.01**

A parcel of land situate in the east half of the southeast quarter of Section 33 and Section 34, Township 5 North, Range 1 West, Boise Meridian, Ada County, Idaho, being more particularly described as follows;

Commencing at the southeast corner of Section 33, Township 5 North, Range 1 West, Boise Meridian, the POINT OF BEGINNING:

Thence N89°44'14"W, 1305.86 feet along the south line of Section 33 to the southwest corner of the east half of the southeast quarter of Section 33;

Thence N00°15'35"E, 2647.68 feet along the west line of the east half of the southeast quarter of Section 33 to the northwest corner of the east half of the southeast quarter of Section 33;

Thence S89°00'55"E, 1316.85 feet along the north line of the east half of the southeast quarter of Section 33 to the northwest corner of the southwest quarter of Section 34;

Thence S89°10'14"E, 2637.44 feet along the north line of the southwest quarter of Section 34 to the northeast corner of the southwest quarter of Section 34;

Thence S89°11'05"E, 736.51 feet along the north line of the northwest quarter of the southeast quarter of Section 34;

Thence N00°31'15"E, 429.00 feet;

Thence S89°11'05"E, 577.50 feet to the east line of the southwest quarter of the northeast quarter of Section 34;

Thence S00°31'15"W, 429.00 feet along the east line of the southwest quarter of the northeast quarter of Section 34 to the northeast corner of the northwest quarter of the southeast quarter of Section 34;

Thence S00°36'52"W, 328.53 feet along the east line of the northwest quarter of the southeast quarter of Section 34;

Thence S87°34'07"W, 27.44 feet;

Thence S34°49'07"W, 240.70 feet;

Thence S41°25'07"W, 101.30 feet;



LAND PLANNING



CIVIL ENGINEERING



LANDSCAPE ARCHITECTURE



LAND SURVEY



WATER RESOURCES

173 East Winding Creek Drive
Eagle, ID
83616

PH 208/246.8300
FX 208/246.8320

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Annexation Description Continued ...

Thence S31°38'53"W, 213.32 feet;

Thence S20°37'07"W, 116.40 feet;

Thence S38°24'07"W, 168.00 feet;

Thence S13°24'07"W, 126.00 feet;

Thence S18°25'13"E, 173.42 feet to the south line of the northwest quarter of the southeast quarter of Section 34;

Thence S09°50'25"E, 116.14 feet;

Thence S26°40'35"W, 77.40 feet;

Thence S49°56'35"W, 199.58 feet;

Thence S40°17'35"W, 264.35 feet;

Thence S46°39'35"W, 218.18 feet;

Thence S66°55'35"W, 129.16 feet;

Thence S28°30'35"W, 77.80 feet;

Thence S29°33'35"W, 105.37 feet;

Thence S15°37'35"W, 96.98 feet;

Thence S26°51'35"W, 377.85 feet to the south line of the southeast quarter of the southwest quarter of Section 34;

Thence N89°03'19"W, 1286.03 feet along the south line of the southeast quarter of the southwest quarter of Section 34

Thence N89°03'19"W, 1319.03 feet along the south line of the southwest quarter of the southwest quarter of Section 34 to the POINT OF BEGINNING.

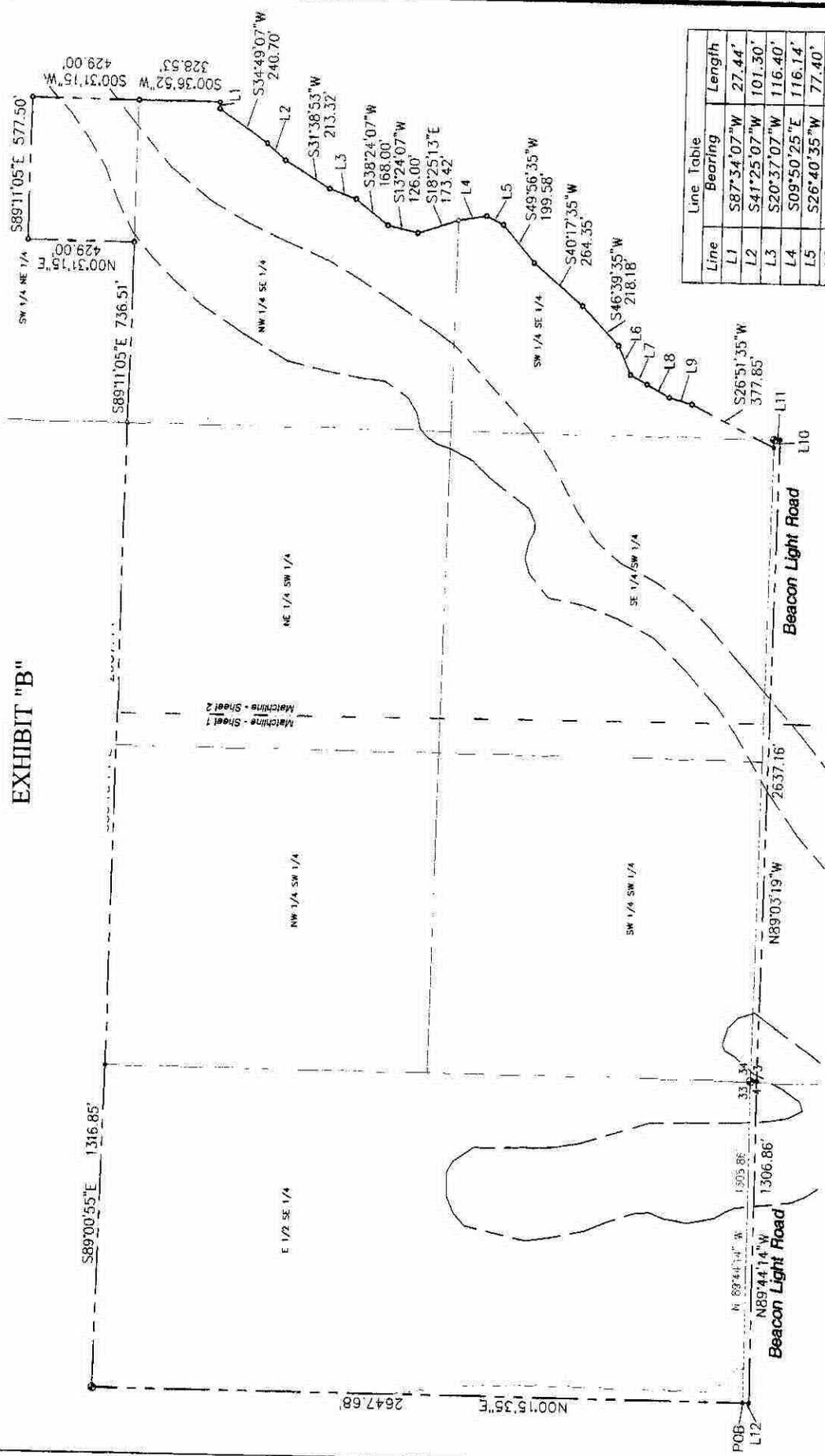
The above described parcel contains 289.17 acres more or less.

Subject to any easements or rights-of-way of record or apparent.

Prepared from information of record.

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EXHIBIT "B"



Line	Bearing	Length
L1	S87°34'07"W	27.44'
L2	S41°25'07"W	101.30'
L3	S20°37'07"W	116.40'
L4	S09°50'25"E	116.14'
L5	S26°40'35"W	77.40'
L6	S66°55'35"W	129.71'
L7	S28°30'35"W	77.80'
L8	S29°33'35"W	105.37'
L9	S15°37'35"W	96.98'
L10	S89°03'19"E	33.01'
L11	S00°46'56"W	25.00'
L12	N00°59'40"E	25.00'

- Legend**
- Found 5/8" Iron Pin
 - Found 1/2" Iron Pin
 - Dimension Point
 - Found Brass Cap
 - Found Aluminum Cap
 - Right-of-Way Line
 - New Boundary Line
 - Flood Line
 - Quarter Section Line



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Mayor Phil Bandy

CITY OF EAGLE

P.O. Box 1520
Eagle, Idaho 83616
939-6813

Council: Steve Guerber
Michael Huffaker
Norm Semanko
Al Shoushtarian

CLERK'S CERTIFICATION

STATE OF IDAHO)

: ss.

County of Ada)

I, Tracy E. Osborn, the duly appointed, qualified and acting Sr. Deputy City Clerk/Treasurer of the City of Eagle, County of Ada, State of Idaho, do hereby certify that the attached is a full, true and complete copy of Ordinance No. 621, passed and approved on the 10th day of March, 2009

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Eagle, Idaho, 30th day of March, 2009.

Tracy E. Osborn

Tracy E. Osborn,
Sr. Deputy City Clerk/Treasurer



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Mayor Phil Bandy

CITY OF EAGLE

P.O. Box 1520
Eagle, Idaho 83616
939-6813

Council: Steve Guerber
Michael Huffaker
Norm Semanko
Al Shoushtarian

March 30, 2009

Idaho State Tax Commission
P.O. Box 36
Boise, Id 83722

Dear Sir or Madame:

Enclosed herewith please find a copy of Ordinance No. 621 which annexes property into the City of Eagle recorded on March 19, 2009. Also enclosed is the Clerk Certification for the ordinance.

If you have any questions I can be reached at Eagle City Hall, 489-8781.

Sincerely,

Tracy E. Osborn, CMC
Sr. Deputy City Clerk/Treasurer

Encl.

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