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ADA COUNTY RECORDER J. DAVID NAVARRO
BOISE IDAHO 07/30/09 01:07 PM
DEPUTY Bonnie Oberbillig
RECORDED - REQUEST OF
Eagle City

AMOUNT .00 6



ORDINANCE NO. 628

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 A-R-DA (AGRICULTURAL-RESIDENTIAL 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 A-R-DA; and

WHEREAS, the property described in Exhibit "A" consists of Pembroke Subdivision in its entirety and property located at 702 West Beacon Light Road; and

WHEREAS, the Planning and Zoning Commission of the City, pursuant to public notice as required by law, held a public hearing on April 6, 2009, 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 a public hearing on May 12, 2009, 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 A-R-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.

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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 A-R-DA (Agricultural-Residential 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 A-R-DA (Agricultural-Residential 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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EXHIBIT "A"

THE LAND GROUP, INC.

July 13, 2009
Project No. 109089
Pembroke Subdivision/Moffat Property
Annexation Legal Description
39.61 Acres

A tract of land situated in a portion of the Southwest One Quarter of the Northeast One Quarter of Section 32 and a portion of the Southeast One Quarter of Section 32, Township 5 North, Range 1 East, Boise Meridian, Ada County, Idaho, described as follows:

Commencing at a found brass cap monumenting the Southeast Corner of said Section 32 on the centerline of West Beacon Light Road, thence following said centerline and the southerly line of said Section 32, South 89°39'58" West a distance of 2,003.65 feet to the POINT OF BEGINNING.

Thence following said centerline and said southerly line, South 89°39'58" West a distance of 173.76 feet to a point;
Thence leaving said centerline and said southerly line, North 00°18'52" West a distance of 202.96 feet to a found 5/8-inch steel pin;
Thence South 80°25'06" West a distance of 240.23 feet to a found 5/8-inch steel pin;
Thence South 00°20'03" East a distance of 164.36 feet to a point on the centerline of West Beacon Light Road and the southerly line of Section 32;
Thence following said centerline and said southerly line, South 89°39'58" West a distance of 257.04 feet to a found 5/8-inch steel pin monumenting the South One Quarter Corner of said Section 32;
Thence leaving said centerline and said southerly line, North 00°27'20" West a distance of 2,641.25 feet to a found brass cap monumenting the Center One Quarter Corner of said Section 32;
Thence following the northerly line of the Southeast One Quarter of said Section 32, North 89°35'28 East a distance of 332.32 feet to a point on the right-of-way line of Valli-Hi Road;
Thence leaving said northerly line and following said right-of-way line, 49.96 feet along the arc of a non-tangent curve to the right, said curve having a radius of 45.00 feet, a central angle of 63°36'44", a chord bearing of North 58°36'10" West and a chord distance of 47.43 feet to a point on the centerline of Valli-Hi Road;
Thence leaving said right-of-way line and following said centerline, North 89°35'28" East a distance of 372.39 feet to a point;
Thence leaving said northerly line, South 00°31'45" East a distance of 2,667.13 feet to the POINT OF BEGINNING.

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THE LAND GROUP, INC.

The above-described tract of land contains 39.61 acres, more or less, subject to all existing easements and rights-of-way.

Attached hereto is Exhibit "B", and by this reference is made a part hereof.

Prepared By: THE LAND GROUP, INC.
462 E. SHORE DRIVE, SUITE 100
EAGLE, IDAHO 83616
208-939-4041
208-939-4445 (FAX)



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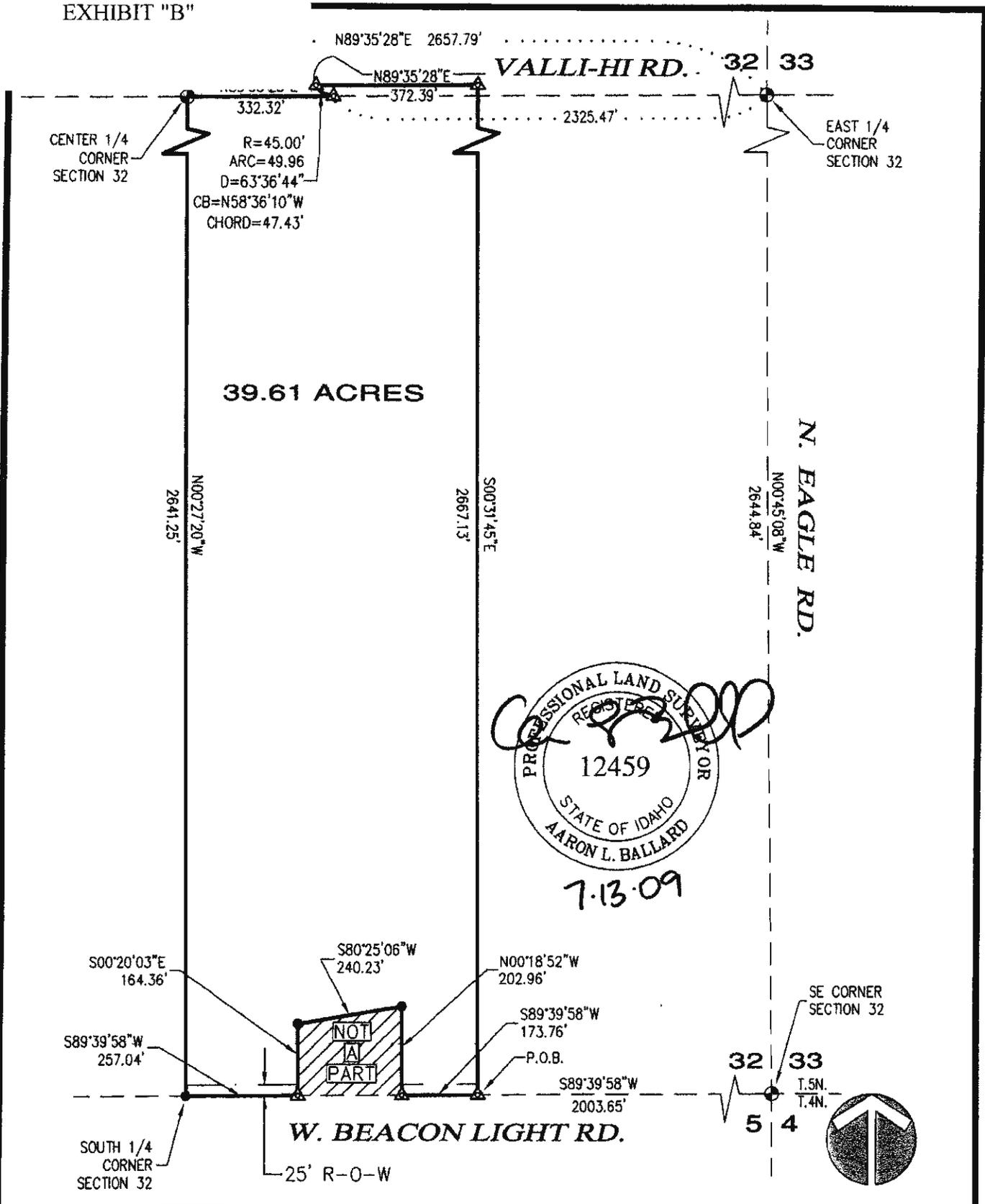
Landscape Architecture • Site Planning • Civil Engineering • Golf Course Irrigation & Engineering • Graphic Communication

140 River Vista Place, Twin Falls, Idaho P208.733.4041 F 208.733.4045 • www.thelandgroupinc.com

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EXHIBIT "B"



Plotted on Meridian, July 13, 2009

Exhibit "B"	PROJECT INFORMATION	1"=300'
 <p>THE LAND GROUP, INC. - Landscape Architecture - Civil Engineering - Site Planning - Golf Course Irrigation & Engineering - Graphic Communication - Land Surveying 462 E. Shore Dr., Eagle ID. 83618 Phone (208) 939-4041 Fax (208) 939-4445 www.thelandgroupinc.com</p>	<p>Exhibit "B" - Annexation Pembroke Subdivision/ Moffat Property</p>	<p>7-13-09</p> <p>109089</p> <p>1 of 1</p>

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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

August 5, 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. 625 and 628 which annexes property into the City of Eagle recorded on July 30, 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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