

270 → 05-9

ADA COUNTY RECORDER J. DAVID NAVARRO
BOISE IDAHO 12/22/09 11:08 AM
DEPUTY Vicki Allen
RECORDED - REQUEST OF
City of Eagle

AMOUNT .00 5



271

RECEIVED

DEC 30 2009

TECHNICAL SUPPORT

ORDINANCE NO. 637

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 R-E-DA (RESIDENTIAL-ESTATES 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 R-E-DA; and

WHEREAS, the property described in Exhibit "A" is located at 1980 West Floating Feather Road, Parcel #S0506449750; and

WHEREAS, the Planning and Zoning Commission of the City, pursuant to public notice as required by law, held a public hearing on July 20, 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 August 25, 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 R-E-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 R-E-DA (Residential-Estates 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 R-E-DA (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"

1932001303

The land referred to in this commitment is situated in the State of Idaho, County of Ada, and is described as follows:

A tract of land situated in the Southeast corner of Section 6, Township 4 North, Range 1 East, Boise Meridian, Ada County, Idaho more particularly described as follows;

Commencing at the Southeast corner of said Section 6; thence South 89°22'23" West, 664.86 feet to the REAL POINT OF BEGINNING; thence North 0°37'37" West, 521.46 feet to a point; thence South 89°22'23" West, 417.68 feet to a point; thence South 0°37'37" East, 521.46 feet to a point; thence North 89°22'23" East, 417.68 feet to the REAL POINT OF BEGINNING.

EXCEPT ditch and road rights of way.

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TECHNICAL SUPPORT



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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

December 28, 2009

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DEC 30 2009

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

TECHNICAL SUPPORT

Dear Sir or Madame:

Enclosed herewith please find a corrected copy of Ordinance No. 634 that annexes property into the City of Eagle that was re-recorded on December 9, 2009. The enclosed copy corrects an error in the legal description that had previously existed. 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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TECHNICAL SUPPORT

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

Dear Sir or Madame:

Enclosed herewith please find a copy of Ordinance No. 637 that annexes property into the City of Eagle that was recorded on December 22, 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.



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.

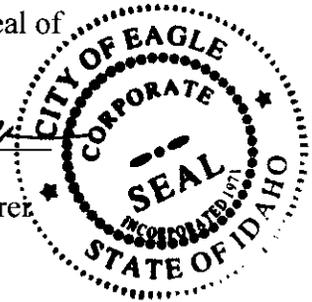
County of Ada)

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. 637, passed and approved on the 15th day of December, 2009

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Eagle, Idaho, 28th day of December, 2009.

Tracy E. Osborn

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



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TECHNICAL DEPARTMENT