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ADA COUNTY RECORDER J. DAVID NAVARRO AMOUNT .00 5
BOISE IDAHO 05/28/09 02:00 PM
DEPUTY Bonnie Oberbillig
RECORDED-REQUEST OF
Meridian City
109061600

(102)

CITY OF MERIDIAN ORDINANCE NO. 09-1405

BY THE CITY COUNCIL: BIRD, HOAGLUN, ROUNTREE, ZAREMBA

AN ORDINANCE (AZ 08-013 IMPLIED CONSENT – BROADWAY AND MULLAN PARTNERSHIP) FOR ANNEXATION OF A PARCEL OF LAND LOCATED IN THE NE ¼ OF SECTION 13, TOWNSHIP 3 NORTH, RANGE 1 WEST, BOISE MERIDIAN, ADA COUNTY, IDAHO AS DESCRIBED IN ATTACHMENT "A" AND ANNEXING CERTAIN LANDS AND TERRITORY, SITUATED IN ADA COUNTY, IDAHO, AND ADJACENT AND CONTIGUOUS TO THE CORPORATE LIMITS OF THE CITY OF MERIDIAN AS REQUESTED BY THE CITY OF MERIDIAN; ESTABLISHING AND DETERMINING THE LAND USE ZONING CLASSIFICATION OF SAID LANDS FROM RUT (ADA COUNTY) TO C-G (GENERAL COMMERCIAL DISTRICT) IN THE MERIDIAN CITY CODE; PROVIDING THAT COPIES OF THIS ORDINANCE SHALL BE FILED WITH THE ADA COUNTY ASSESSOR, THE ADA COUNTY RECORDER, AND THE IDAHO STATE TAX COMMISSION, AS REQUIRED BY LAW; AND PROVIDING FOR A SUMMARY OF THE ORDINANCE; AND PROVIDING FOR A WAIVER OF THE READING RULES; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF MERIDIAN, COUNTY OF ADA, STATE OF IDAHO:

SECTION 1. That the following described land as evidenced by attached Legal Description herein incorporated by reference as Exhibit "A" is within the corporate limits of the City of Meridian, Idaho, and that the City of Meridian has received a written request for annexation and re-zoning by the owner of said property, to-wit: *Broadway and Mullan Partnership.*

SECTION 2. That the above-described real property is hereby annexed and re-zoned from RUT (Ada County) to C-G (General Commercial District), in the Meridian City Code.

SECTION 3. That the City has authority pursuant to the laws of the State of Idaho, and the Ordinances of the City of Meridian to annex and zone said property.

SECTION 4. That the City has complied with all the noticing requirements pursuant to the laws of the State of Idaho, and the Ordinances of the City of Meridian to annex and re-zone said property.

SECTION 5. That the City Engineer is hereby directed to alter all use and area maps as well as the official zoning maps, and all official maps depicting the boundaries and the zoning districts of the City of Meridian in accordance with this ordinance.

SECTION 6. All ordinances, resolutions, orders or parts thereof in conflict herewith are hereby repealed, rescinded and annulled.

SECTION 7. This ordinance shall be in full force and effect from and after its passage, approval and publication, according to law.

SECTION 8. The Clerk of the City of Meridian shall, within ten (10) days following the effective date of this ordinance, duly file a certified copy of this ordinance and a map prepared in a draftsman manner, including the lands herein rezoned, with the following officials of the County of Ada, State of Idaho, to-wit: the Recorder, Auditor, Treasurer and Assessor and shall also file simultaneously a certified copy of this ordinance and map with the State Tax Commission of the State of Idaho.

SECTION 9. That pursuant to the affirmative vote of one-half (1/2) plus one (1) of the Members of the full Council, the rule requiring two (2) separate readings by title and one (1) reading in full be, and the same is hereby, dispensed with, and accordingly, this Ordinance shall be in full force and effect upon its passage, approval and publication.

PASSED BY THE CITY COUNCIL OF THE CITY OF MERIDIAN, IDAHO, this 26th day of May, 2009.

APPROVED BY THE MAYOR OF THE CITY OF MERIDIAN, IDAHO, this 26th day of May, 2009.

MAYOR TAMMY de WEERD

ATTEST:

JAYCEE L. HOLMAN, CITY CLERK

CITY OF MERIDIAN INCORPORATED AUGUST 1ST. 1903 ADA COUNTY, IDAHO SEAL

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STATE OF IDAHO,)
) ss:
County of Ada)

On this 20th day of May, 2009, before me, the undersigned, a Notary Public in and for said State, personally appeared TAMMY de WEERD and JAYCEE L. HOLMAN, known to me to be the Mayor and City Clerk, respectively, of the City of Meridian, Idaho, and who executed the within instrument, and acknowledged to me that the City of Meridian executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

(SEAL)

TARA M. GREEN NOTARY PUBLIC STATE OF IDAHO

Tara M Green
NOTARY PUBLIC FOR IDAHO
RESIDING AT: Caldwell ID
MY COMMISSION EXPIRES: 10-11-11

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ANNEXATION DESCRIPTION
FOR THE
CITY OF MERIDIAN, IDAHO

BROADWAY AND MULLAN PARTNERSHIP

A parcel located in the NE ¼ of Section 13, Township 3 North, Range 1 West, Boise Meridian, Ada County, Idaho, more particularly described as follows:

Commencing at a brass cap monument marking the northwesterly corner of said NE ¼ from which an aluminum cap monument marking the northeasterly corner of said SE ¼ bears EAST a distance of 2657.30 feet;

Thence EAST along the northerly boundary of said NE ¼ a distance of 664.33 feet to the POINT OF BEGINNING;

Thence continuing EAST a distance of 302.13 feet to a point on the extended westerly boundary of *TROUTNER PARK SUBDIVISION* as shown in Book 75 of Plats at page 7763 in the office of the Recorder, Ada County, Idaho;

Thence leaving said northerly boundary S 0°08'31" W a distance of 613.80 feet to a point marking an angle point on the northerly boundary of said *TROUTNER PARK SUBDIVISION*;

Thence leaving said westerly boundary N 72°09'58" W along said northerly boundary a distance of 317.12 feet to a point on the easterly boundary of *FRANKLIN SQUARE SUBDIVISION* as shown in Book 44 at Page 3587 in the office of the Recorder, Ada County, Idaho;

Thence leaving said northerly boundary N 0°08'27" E along said easterly boundary a distance 516.68 feet to the POINT OF BEGINNING.

This parcel contains 3.92 acres, more or less.

This description was prepared from record information and no field survey was performed. Civil Survey Consultants, Incorporated is not liable or responsible for any discrepancies that a field survey might disclose.

Prepared by: Glenn K. Bennett, PLS
Civil Survey Consultants, Incorporated
November 7, 2008

REVIEW APPROVAL
BY _____

NOV 13 2008

MERIDIAN PUBLIC
WORKS DEPT.

REGISTERED PROFESSIONAL ENGINEER
5082
11/7/08
STATE OF IDAHO
GLENN K. BENNETT

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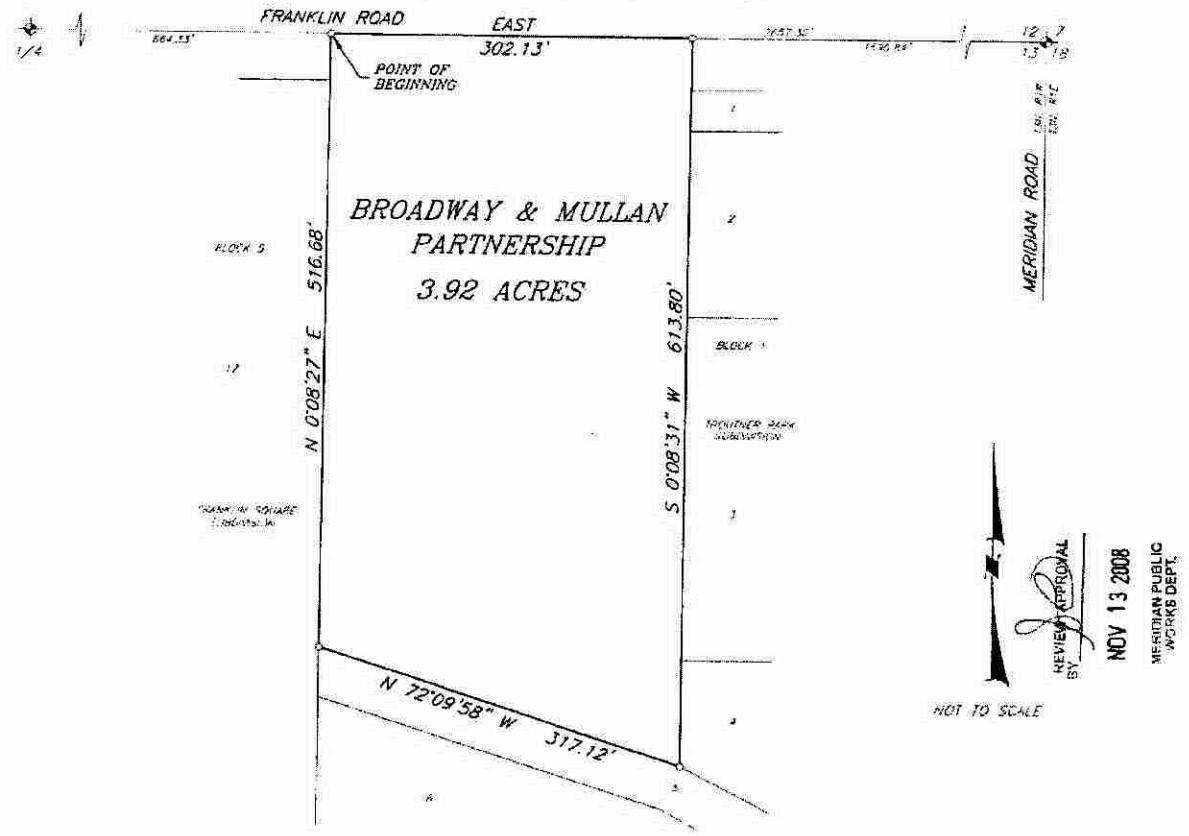
SKETCH TO ACCOMPANY ANNEXATION DESCRIPTION FOR THE CITY OF MERIDIAN LOCATED IN THE NE 1/4 OF SECTION 13, TOWNSHIP 3 NORTH, RANGE 1 WEST, BOISE MERIDIAN, ADA COUNTY, IDAHO.

(102)



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MERIDIAN
IDAHO

Mayor Tammy de Weerd
City Council Members:
Keith Bird
Brad Hoaglun
Charles Rountree
David Zaremba

102

June 1, 2009

Re: Implied Consent – Broadway & Mullan AZ 08-013
Ordinance No. 09-1405

Dear Applicant or Agency,

Enclosed you will find a copy of the recorded ordinance as noted above. Please feel free to contact our office at 208-888-4433 if you have any questions.

Sincerely,

Tara Green
Deputy City Clerk

Enc.

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City Clerk's Office ~ 33 East Broadway Avenue, Meridian, ID 83642
Phone 208-888-4433 ~ Fax 208-888-4218 ~ www.meridiancity.org