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CITY OF MERIDIAN ORDINANCE NO. 09-1396

**BY THE CITY COUNCIL: BIRD, HOAGLUN, ROUNTREE, ZAREMBA**  
**AN ORDINANCE (AZ 08-012 SHAYS COVE) FOR ANNEXATION OF A PARCEL OF LAND BEING A PORTION OF LOTS 1 AND 2 OF BLOCK 2 OF KACHINA ESTATES ON FILE IN BOOK 35, PAGE 36 IN THE OFFICE OF THE RECORDER, ADA COUNTY SITUATED IN THE SW ¼ OF THE SE ¼ OF SECTION 19, TOWNSHIP 3 NORTH, RANGE 1 EAST, 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 R-4 (LOW DENSITY RESIDENTIAL 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: *John Shay*.

**SECTION 2.** That the above-described real property is hereby annexed and re-zoned from RUT (Ada County) to R-4 (Low Density Residential 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.

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**SECTION 6.** All ordinances, resolutions, orders or parts thereof in conflict herewith are hereby repealed, rescinded and annulled.

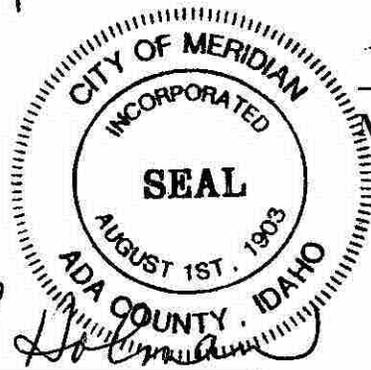
**SECTION 7.** This ordinance shall be in full force and effect from and after its passage, approval and publication, according to law.

**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.

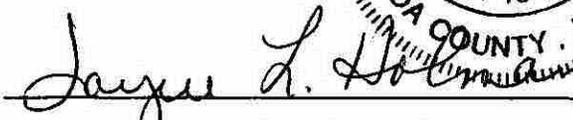
**PASSED BY THE CITY COUNCIL OF THE CITY OF MERIDIAN, IDAHO, this**  
7<sup>th</sup> day of April, 2009.

**APPROVED BY THE MAYOR OF THE CITY OF MERIDIAN, IDAHO, this**  
7<sup>th</sup> day of April, 2009.



  
MAYOR TAMMY de WEERD

ATTEST:

  
JAYCEE L. HOLMAN, CITY CLERK

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A. Legal Description



332 N. Broadmore Way  
Nampa, ID 83687  
Ph: (208) 442-6300 • Fax: (208) 466-0944

Project: C08043  
Date: June 10, 2008  
Page: 1 of 2



*Exhibit "A"*  
*(Annexation description)*

This parcel is a portion of Lot 1 and Lot 2 of Block 2 of KACHINA ESTATES on file in book 35, page 36 in the Office of the Recorder, Ada County, situated in the SW1/4 of the SE1/4 of Section 19, Township 3 North, Range 1 East of the Boise Meridian, Ada County Idaho and is more particularly described as follows:

COMMENCING at the southwest corner of said SW1/4 of the SE1/4, said point being a brass cap monument referenced in C.P.&F. Instrument No. 8023391 on file in the Office of the Recorder, Ada County; thence along the south boundary of said SW1/4 of the SE1/4,

- A) N.89°42'05"E., 535.81 feet (of record 535.78 feet) to the southwest corner of said KACHINA ESTATES, said point being the POINT OF BEGINNING; thence along the westerly boundary of said KACHINA ESTATES,
- B) N.12°24'22"W., 33.75 feet to the southwest corner of said Lot 1; thence along the westerly boundary of said Lot 1,
  - 1) N.12°24'22"W., 136.33 feet (of record 136.34 feet) to the westerly angle point of said Lot 1; thence continuing along the west boundary of said Lot 1,
  - 2) N.00°19'50"E., 360.74 feet (of record 363.00 feet) to the proportional northwest corner of said Lot 1; thence along the northerly boundary of said Lot 1,
  - 3) S.63°58'02"E., 260.36 feet; thence,
  - 4) S.00°17'41"E., 75.50 feet; thence,
  - 5) N.89°54'26"E., 153.67 feet to a point on the boundary common to said Lots 1 and 2; thence continuing.

L:\C08043\Survey\Legal Descriptions\Exhibit A, Annexation desc.doc

L:\Project Files\C08043\Survey\LEGAL DESCRIPTIONS\Exhibit A, Annexation desc.doc

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Project: C08043  
Date: June 10, 2008  
Page: 2 of 2

- 6) N.89°54'26"E., 152.66 feet to a point on the east boundary of said Lot 2; thence continuing,
- 7) N.89°54'26"E., 25.00 feet to a point on the centerline of Mesa Way; thence along said centerline,
- 8) S.00°17'41"E., 334.84 feet to a point on the south boundary of said SW1/4 of the SE1/4; thence along said south boundary,
- 9) S.89°42'05"W., 532.93 feet to the **POINT OF BEGINNING.**

CONTAINING 5.03 acres, more or less.  
SUBJECT TO all Easements, Rights, Rights-of-way and all other Encumbrances of record or implied.



REVIEW/ APPROVAL  
BY 

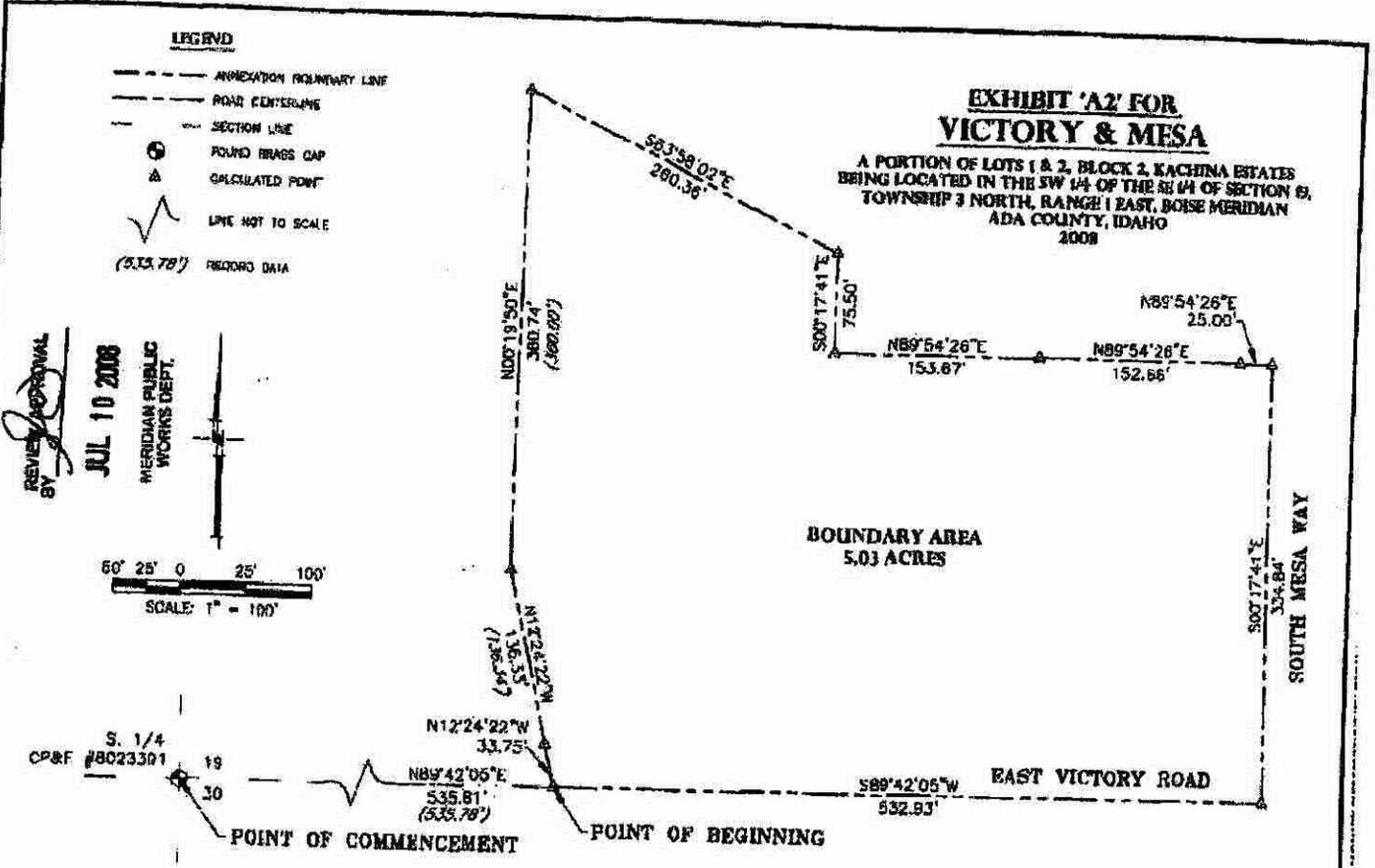
JUL 10 2008

MERIDIAN PUBLIC  
WORKS DEPT.

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B. Map

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PROJECT NO. C08043	<b>EXHIBIT 'A2' FOR VICTORY AND MESA ANNEXATION DESCRIPTION</b>	DATE: JULY 8, 2008	<b>NDMARK</b> <small>Surveying &amp; Mapping Services</small>
SHEET 1 OF 1		SCALE: 1"=100' DRAWN BY: JAMIE LANG DESIGNED BY: F. BROWNELL, PLS CHECKED BY: DOUG THOMAS	
ADA COUNTY		IDAHO	

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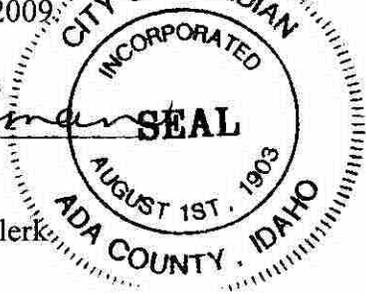
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**NOTICE AND PUBLISHED SUMMARY  
OF ORDINANCE PURSUANT TO I.C. § 50-901(A)**

**CITY OF MERIDIAN ORDINANCE NO. 09-1396  
PROVIDING FOR ANNEXATION AND ZONING ORDINANCE**

An Ordinance of the City of Meridian granting annexation and zoning for a tract of land being in a portion of Lot 1 and Lot 2 of Block 2 of Kachina Estates on file in book 35, page 36 in the Office of the Recorder, Ada County, situated in the SW ¼ of the SE ¼ of Section 19, Township 3 North, Range 1 East, Boise Meridian, Ada County, Idaho, more particularly described in Attachment "A". Also, this parcel is SUBJECT TO all easements and rights-of-way of record or implied. As surveyed in attached exhibit "B" and is not based on an actual field survey. A full text of this ordinance is available for inspection at City Hall, City of Meridian, 33 East Broadway Avenue, Meridian, Idaho. This ordinance shall become effective on the 7<sup>th</sup> day of April, 2009.

Jaycee L. Holman  
City of Meridian  
Mayor and City Council  
By: Jaycee L. Holman, City Clerk



First Reading: 4-7-09  
Adopted after first reading by suspension of the Rule as allowed pursuant to Idaho Code 50-902:  
YES X NO —  
Second Reading:                       
Third Reading:                     

**STATEMENT OF MERIDIAN CITY ATTORNEY AS TO ADEQUACY OF SUMMARY  
OF ORDINANCE NO. 09-1396**

The undersigned, William L.M. Nary, City Attorney of the City of Meridian, Idaho, hereby certifies that he is the legal advisor of the City and has reviewed a copy of the attached Ordinance No. 09- 1396 of the City of Meridian, Idaho, and has found the same to be true and complete and provides adequate notice to the public pursuant to Idaho Code § 50-901A (3).

DATED this 9 day of April, 2009.

William L.M. Nary  
William L.M. Nary  
City Attorney

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Mayor Tammy de Weerd  
**City Council Members:**

Keith Bird  
Brad Hoaglund  
Charles Rountree  
David Zarembo

(62)

April 13, 2009

**Re: Shays Cove AZ 08-012  
Ordinance No. 09-1396**

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,

A handwritten signature in cursive script that reads "Tara Green".

Tara Green  
Deputy City Clerk

Enc.

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