

RECEIVED

MAR 27 2009

ADA COUNTY RECORDER J. DAVID NAVARRO
BOISE IDAHO 03/18/09 12:07 PM
DEPUTY Lisa Irby
RECORDED - REQUEST OF
Meridian City

AMOUNT .00 10



TECHNICAL SUPPORT

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CITY OF MERIDIAN ORDINANCE NO. 09-1399

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

AN ORDINANCE (AZ 07-012 MERIDIAN TOWN CENTER – KLEINER FAMILY 2008 TRUST) FOR ANNEXATION OF A PARCEL FOR ANNEXATION PURPOSES SITUATED IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER AND THE WEST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 3 NORTH, RANGE 1 EAST, BOISE MERIDIAN, ADA COUNTY, IDAHO AND A PARCEL OF LAND SITUATED IN THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 5, 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 TO C-G (GENERAL RETAIL AND SERVICE 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: *David E. Kleiner, as Trustee of the 2008 Kleiner Family Trust, u/t/d March 4, 2008, and David E. Kleiner, as Trustee of the 2008 Kleiner Family Trust II, u/t/d July 29, 2008.*

SECTION 2. That the above-described real property is hereby annexed and re-zoned C-G (General Retail and Service 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.

TECHNICAL SUPPORT

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.

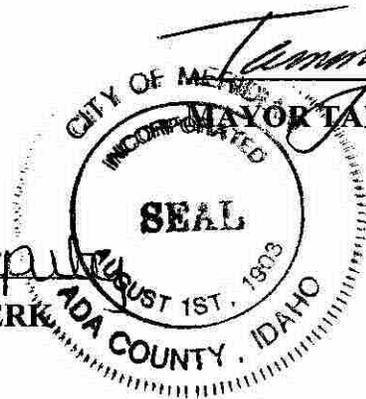
PASSED BY THE CITY COUNCIL OF THE CITY OF MERIDIAN, IDAHO, this 24th day of February, 2009.

APPROVED BY THE MAYOR OF THE CITY OF MERIDIAN, IDAHO, this 24th day of February, 2009.

Tammy de Weerd
MAYOR TAMMY de WEERD

ATTEST:

Jaycee L. Holman
JAYCEE L. HOLMAN, CITY CLERK



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

On this 24th day of February, 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.



Jaycee L. Holman
NOTARY PUBLIC FOR IDAHO
RESIDING AT: Bowle, ID
MY COMMISSION EXPIRES: 4-1-2015

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Exhibit A



Annexation Boundary Description
Kleiner Family 2008 Trust
East Side
Job No. 6098752.00

A parcel of land situated in the southeast quarter of the southwest quarter and the west half of the southwest quarter of the southeast quarter of Section 4, Township 3 North, Range 1 East, Boise Meridian, Ada County, Idaho, and being more particularly described as follows:

Commencing at a brass cap marking the southwest corner of Section 4, Township 3 North, Range 1 East, Boise Meridian;
Thence S89°46'17"E, 2659.51 feet along the south line of the southwest quarter to a 5/8 inch rebar marking the south quarter-section corner of Section 4, the POINT OF BEGINNING;

Thence N89°46'17"W, 636.07 feet along the south line of the southeast quarter of the southwest quarter of Section 4;

Thence N00°00'37"E, 52.81 feet the north right-of-way line of East Fairview Avenue;

Thence N00°00'37"E, 475.04 feet;

Thence 281.58 feet on a curve to the left having a radius 500.00 feet, a central angle of 32°15'58", a chord bearing of N16°07'22"W, and a chord length of 277.87 feet;

Thence S89°59'29"E, 1378.91 feet to the west line of Venture Subdivision, Book 27 of Plats at Pages 1704 & 1705, records of Ada County;

Thence S00°04'25"W, 741.97 feet along the west line of Venture Subdivision to a 5/8 inch rebar marking the southwest corner of Venture Subdivision on the north right-of-way line of East Fairview Avenue;

Thence S00°04'25"W, 57.74 feet to the south line of the west half of the southwest quarter of the southeast quarter of Section 4;

Thence N89°46'39"W, 664.76 feet along the south line of the west half of the southwest quarter of the southeast quarter of Section 4 to the POINT OF BEGINNING.

The above-described parcel contains 23.97 acres, more or less.



LAND PLANNING



CIVIL ENGINEERING



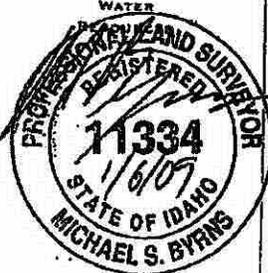
LANDSCAPE ARCHITECTURE



LAND SURVEY



WATER



1173 East Winding Creek Drive
Eagle, ID
83616

PH 208/246.8300
FX 208/246.8320

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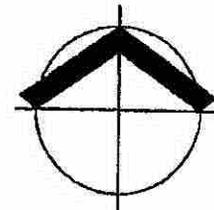
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Legend

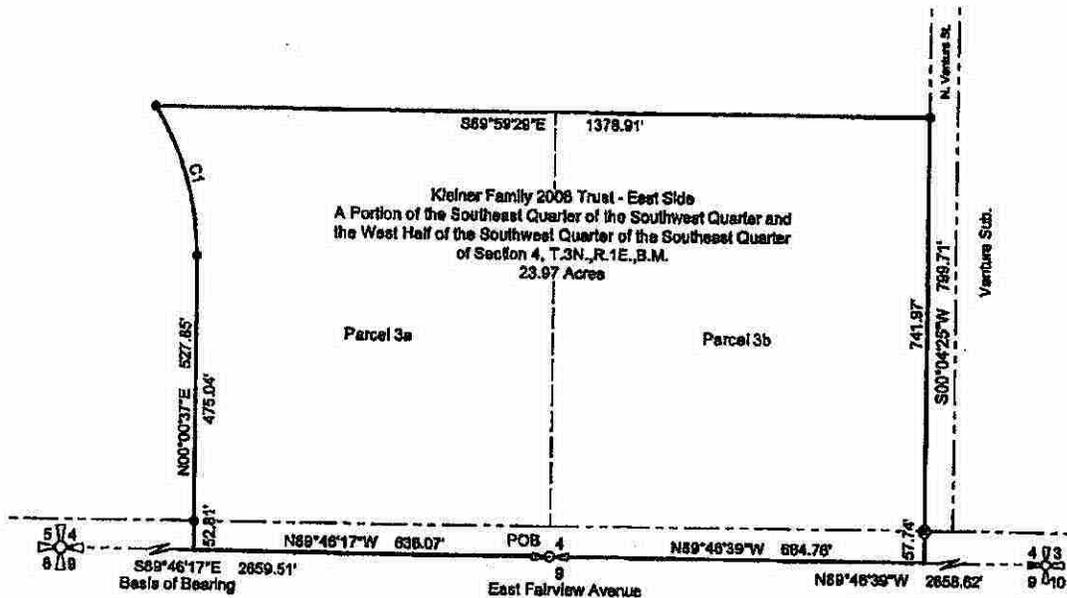
- Boundary Line
- Section Line
- Right-of-way Line
- Parcel Line
- Section Corner
- Quarter-Section Corner
- - Set 1/2"x24" Rebar
- ⊙ - Set 5/8"x30" Rebar



Scale: 1"=300'



Curve Table					
Curve	Delta	Radius	Length	Chord Bearing	Chord Length
C1	32°16'58"	500.00'	281.58'	N18°07'22"W	277.87'



W R G
DESIGN INC.

1173 E. Windy Creek Dr. Eagle, ID 83616
 Tel. 208.246.6900 Fax. 208.246.8320

PLANNING • DESIGN • LANDSCAPE ARCHITECTURE • SURVEYING

Annexation Exhibit
 Kleiner - East Side

Kleiner Family 2008 Trust
 Meridian, Idaho

PROJECT NO. 6098752.00

DATE: 01/06/09

BY: msb

SCALE: 1"=300'

SHEET NO. 1 of 1

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Closure Worksheet			
Bearing	Distance	Latitude	Departure
		0.000	0.000
N89°48'17"W	636.07	2.538	-636.065
N00°00'37"E	52.81	55.348	-636.055
N00°00'37"E	475.04	530.388	-635.970
N16°07'22"W	277.87	797.329	-713.134
S89°59'29"E	1378.91	797.122	665.776
S00°04'25"W	741.97	55.152	664.823
S00°04'25"W	57.74	-2.588	664.749
N89°48'39"W	664.76	-0.006	-0.006
Closure Error 1:	490.349	-0.006	-0.006



LAND PLANNING



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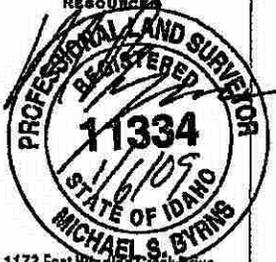
LANDSCAPE ARCHITECTURE



LAND SURVEY



WATER RESOURCES



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Eagle, ID
83616

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Annexation Boundary Description
Kleiner Family 2008 Trust
West Side
Job No. 6098752.00

A parcel of land situated in the east half of the southeast quarter of Section 5, Township 3 North, Range 1 East, Boise Meridian, Ada County, Idaho, and being more particularly described as follows:

Commencing at a brass cap marking the southeast corner of Section 5, Township 3 North, Range 1 East, Boise Meridian, the POINT OF BEGINNING:

Thence S89°46'56"W, 1322.11 feet along the south line of the east half of the southeast quarter of Section 5 to the southwest corner of the east half of the southeast quarter of Section 5;

Thence N00°06'56"E, 45.28 feet along the west line of the east half of the southeast quarter of Section 5 to a 5/8 inch rebar on the north right-of-way line of East Fairview Avenue;

Thence N00°06'56"E, 1265.40 feet along the west line of the east half of the southeast quarter of Section 5 to a 5/8 inch rebar marking the southeast corner of Packard Subdivision No. 4, Book 82 of Plats at Page 9064, records of Ada County;

Thence N00°07'13"E, 976.00 feet along the east line of Packard Subdivision No. 4 and Packard Subdivision No. 3, Book 80 of Plats at Page 8687, records of Ada County, to the centerline of East Chateau Drive;

Thence N89°51'06"E, 91.43 feet along the centerline of East Chateau Drive;

Thence 70.69 feet on a curve to the left having a radius 45.00 feet, a central angle of 90°00'00", a chord bearing of N44°51'06"E, and a chord length of 63.64 feet, along the centerline of East Chateau Drive;

Thence N00°08'54"W, 289.90 feet along the centerline of East Chateau Drive to the north line of the east half of the southeast quarter of Section 5;

Thence N89°55'28"E, 746.26 feet along the north line of the east half of the southeast quarter of Section 5;

Thence S20°34'14"E, 48.04 feet;

Thence N89°55'28"E, 356.73 feet parallel with the north line of the east half of the southeast quarter of Section 5 to the west right-of-way line of North Eagle Road;



LAND PLANNING



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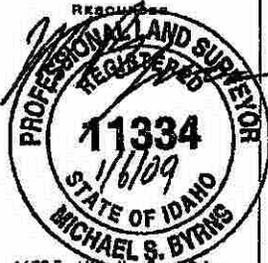
LANDSCAPE ARCHITECTURE



LAND SURVEY



WATER RESOURCES



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Kleiner Family 2008 Trust - West Side continued...

Thence N89°55'28"E, 70.00 feet parallel with the north line of the east half of the southeast quarter of Section 5 to the east line of the east half of the southeast quarter of Section 5;

Thence S00°10'43"W, 2573.49 feet along the east line of the east half of the southeast quarter to the POINT OF BEGINNING.

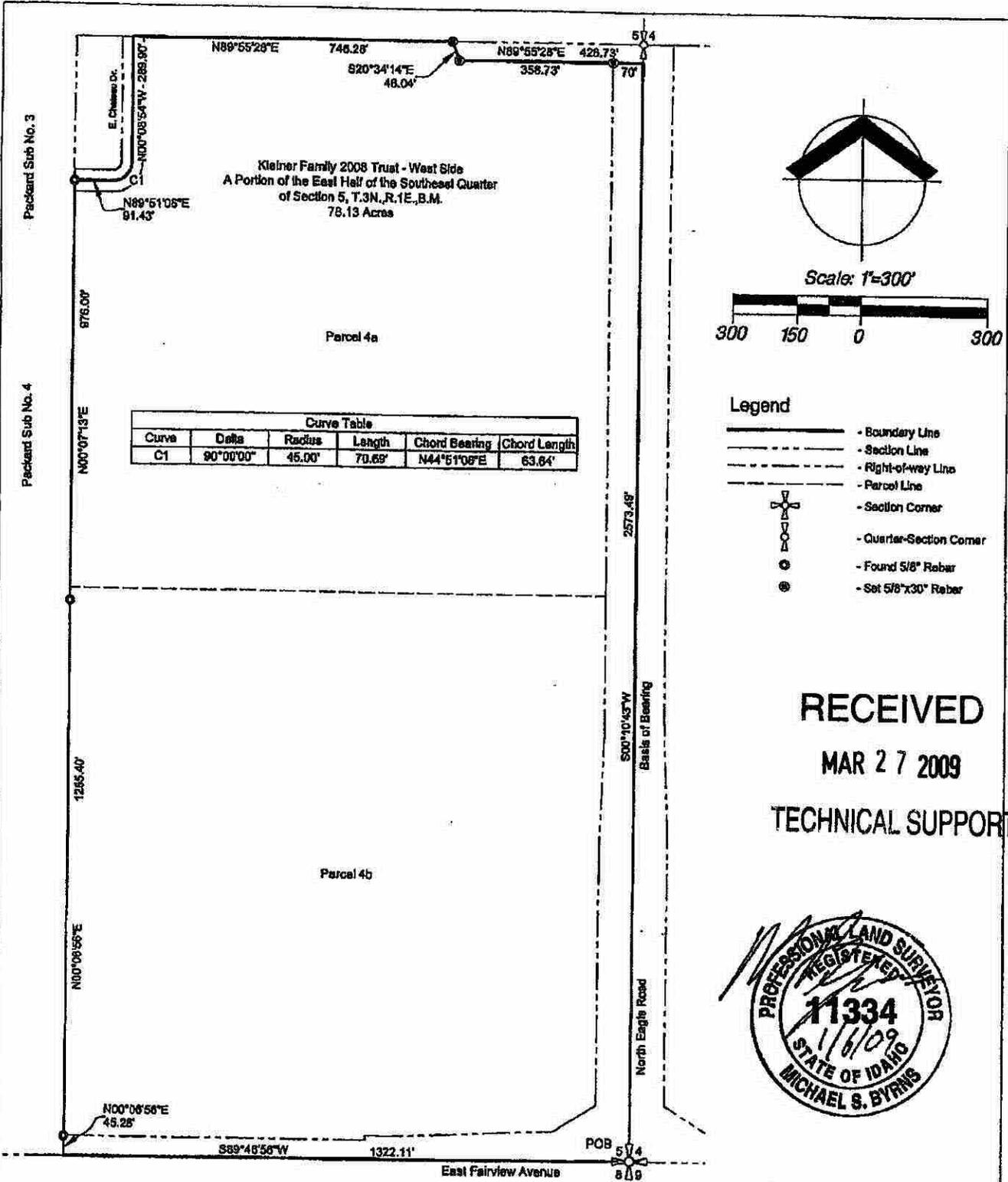
The above-described parcel contains 78.13 acres, more or less.

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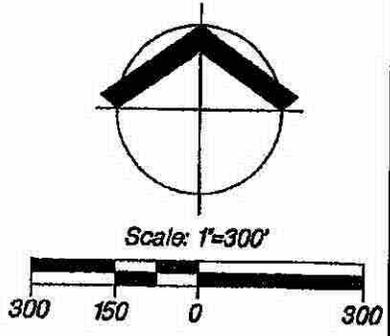
MAR 27 2009

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Curve Table					
Curve	Delta	Radius	Length	Chord Bearing	Chord Length
C1	90°00'00"	45.00'	70.69'	N44°51'08"E	63.64'



- Legend**
- Boundary Line
 - Section Line
 - Right-of-way Line
 - Parcel Line
 - Section Corner
 - Quarter-Section Corner
 - Found 5/8" Rebar
 - Set 5/8"x30" Rebar

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173 E. Windy Creek Dr. Eagle, ID 83616
Tel. 208.248.8300 Fax. 208.248.8320
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**Annexation Exhibit
Kleiner - West Side**

Kleiner Family 2008 Trust
Meridian, Idaho

PROJECT NO. 6098752.00
DATE: 01/06/09
BY: msb
SCALE: 1"=300'
SHEET NO. 1 of 1

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W R G
DESIGN INC.

Closure Worksheet			
Bearing	Distance	Latitude	Departure
		0.000	0.000
S89°46'56"W	1322.11	-5.025	-1322.100
N00°06'56"E	45.28	40.255	-1322.009
N00°06'56"E	1265.40	1305.652	-1319.457
N00°07'13"E	976.00	2281.650	-1317.408
N89°51'06"E	91.43	2281.887	-1225.978
N44°51'06"E	63.64	2327.003	-1181.095
N00°08'54"W	289.90	2616.902	-1181.845
N89°55'28"E	746.26	2617.886	-435.586
S20°34'14"E	48.04	2572.909	-418.707
N89°55'28"E	356.73	2673.380	-61.977
N89°55'28"E	70.00	2573.472	8.023
S00°10'43"W	2573.49	-0.005	0.000
Closure Error 1:	1,455,746	-0.005	0.000



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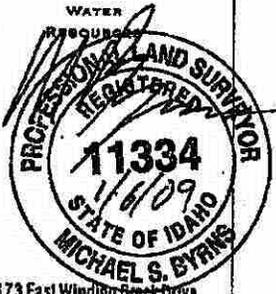
LANDSCAPE ARCHITECTURE



LAND SURVEY



WATER RESOURCES



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Mayor Tammy de Weerd

City Council Members:

Keith Bird

Joe Borton

Charles Rountree

David Zaremba

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March 26, 2009

**Re: Kleiner Family Portion of Meridian Town Center AZ 07-012
Ordinance No. 09-1399**

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.