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CITY OF MERIDIAN ORDINANCE NO. 09-1401

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.

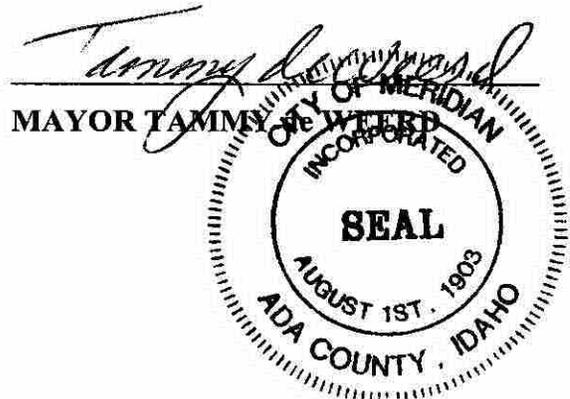
SECTION 7. This ordinance shall be in full force and effect from and after its passage, approval and publication, according to law.

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
28th day of April, 2009.

APPROVED BY THE MAYOR OF THE CITY OF MERIDIAN, IDAHO, this
28th day of April, 2009.



ATTEST:


JAYCEE L. HOLMAN, CITY CLERK

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

On this 28th day of April, 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 FOR IDAHO
RESIDING AT: Aldwell, ID
MY COMMISSION EXPIRES: 10-11-11

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A. Legal Description



DMARK
SURVEYING & PLANNING, INC.

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., 335.81 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

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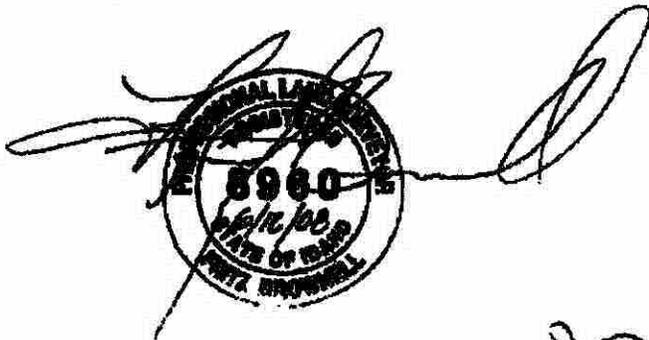
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Project: C08043
Date: June 10, 2008
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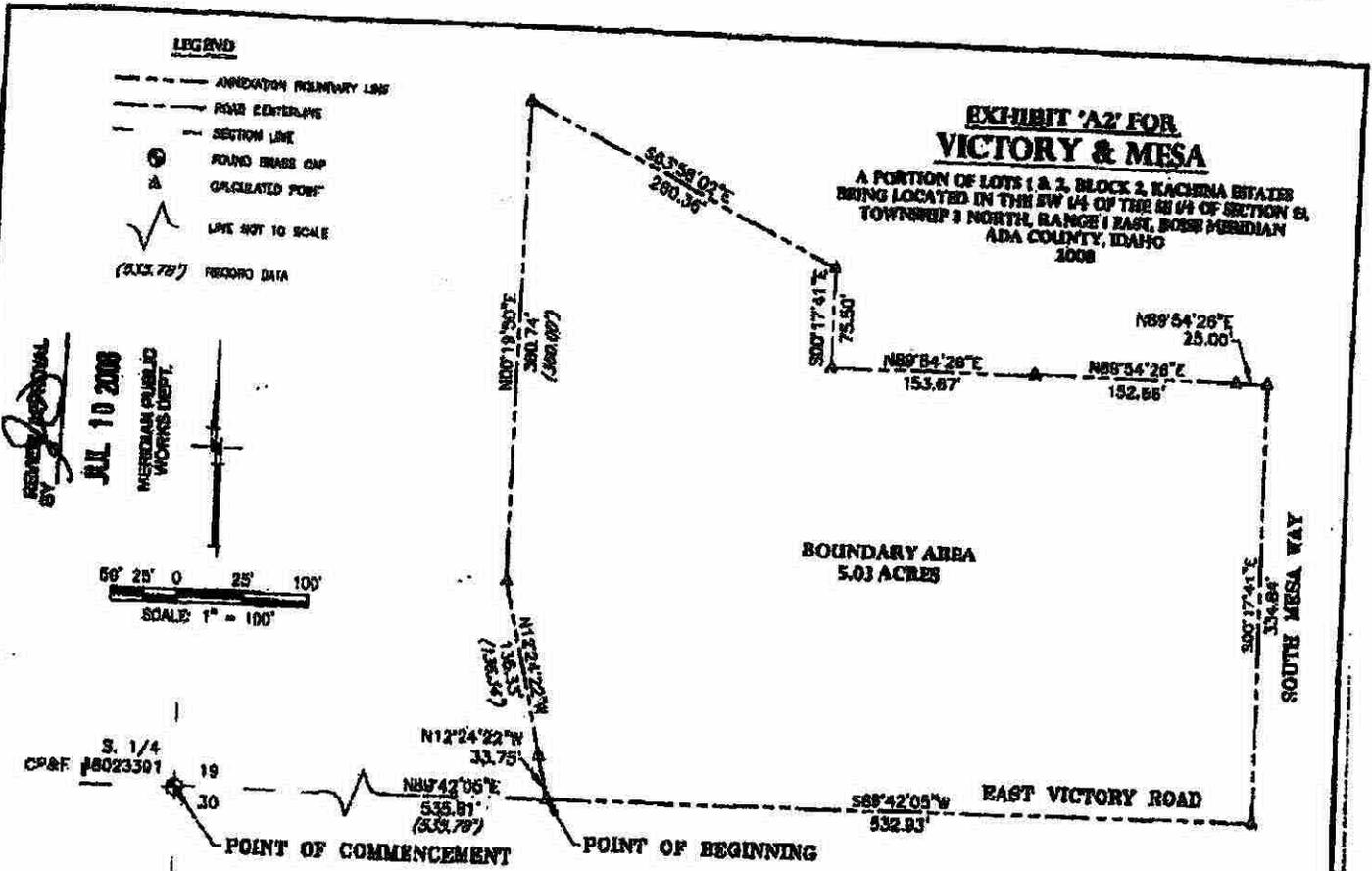
- 6) N.89°54'26"E., 152.66 feet to a point on the east boundary of said Lot 2; thence continuing.
- 7) N.89°54'26"E., 25.00 feet to a point on the centerline of Mesa Way; thence along said centerline.
- 8) S.00°17'41"E., 334.84 feet to a point on the south boundary of said SW1/4 of the SE1/4; thence 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
MERCIDIAN PUBLIC
WORKS DEPT.

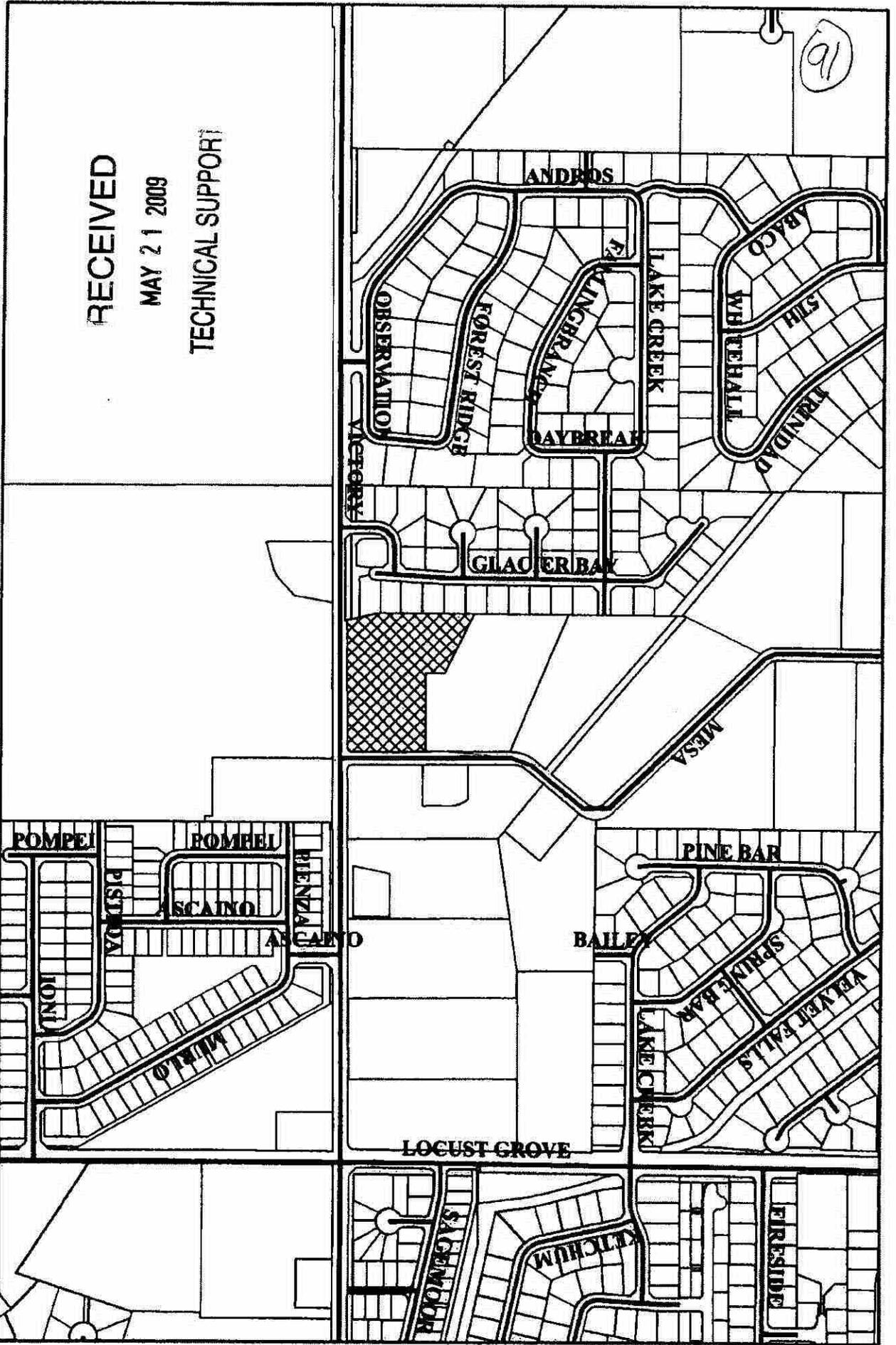
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| | | | |
|-----------------------|---|--------------------|---|
| PROJECT NO. CORD43 | EXHIBIT 'A2' FOR VICTORY AND MESA ANNEXATION DESCRIPTION | DATE: JULY 8, 2008 |  |
| SHEET 1 OF 1 | | SCALE: 1"=100' | |

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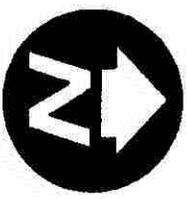
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**Shays Cove Subdivision
Vicinity Map**

1 inch equals 500 feet





Mayor Tammy de Weerd
City Council Members:



Keith Bird
Brad Hoaglund
Charles Rountree
David Zaremba

May 18, 2009

**Re: Shays Cove AZ 08-012
Ordinance No. 09-1401**

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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