



CITY OF MERIDIAN ORDINANCE NO. 09-1408

(105)

BY THE CITY COUNCIL: BIRD, HOAGLUN, ROUNTREE, ZAREMBA AN ORDINANCE (AZ 08-013 IMPLIED CONSENT - EASTBROOK SUBDIVISION) FOR ANNEXATION OF A PARCEL OF LAND LOCATED IN GOVERNMENT LOT 4, OF SECTION 6, 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-8 (MEDIUM 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: *Dina Lynn Brink, Billy E. Ellison, Espinosa 1999 Revocable Trust, John S. Espinosa, Richard Lynn Gallion, David Guthmiller, Lonnie K. Hicks, Jennifer R. Kettle, Tony Lindenberg, Bradley J. Michaelson, and Brian Edward Sweet.*

SECTION 2. That the above-described real property is hereby annexed and re-zoned from RUT (Ada County) to R-8 (Medium 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.

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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.

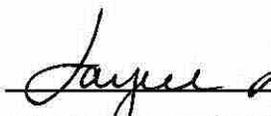
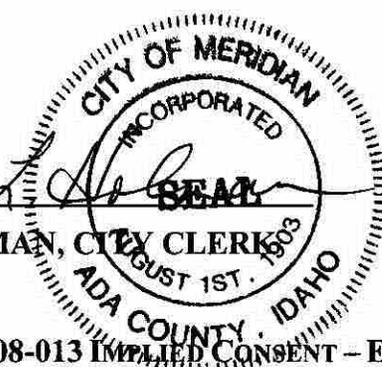
SECTION 9. That pursuant to the affirmative vote of one-half (1/2) plus one (1) of the Members of the full Council, the rule requiring two (2) separate readings by title and one (1) reading in full be, and the same is hereby, dispensed with, and accordingly, this Ordinance shall be in full force and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


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ANNEXATION DESCRIPTION
FOR
THE CITY OF MERIDIAN, ADA COUNTY, IDAHO

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EASTBROOK VILLAGE

A parcel located in Government Lot 4 of Section 6, Township 3 North, Range 1 East, Boise Meridian, and being all of *EASTBROOK VILLAGE* as shown in Book 62 of Plats at Page 6215 in the office of the Recorder, Ada County, Idaho, more particularly described as follows:

BEGINNING at a brass cap monument marking the northwesterly corner of said Government Lot 4 from which a 5/8 inch diameter iron pin marking the northeasterly corner of the NW 1/4 of said Section 6 bears S 89°35'47" E a distance of 2406.53 feet;

Thence S 89°35'47" E along the northerly boundary of said Government Lot a distance of 429.60 feet to a 5/8 inch diameter iron pin marking a point on the extension of the easterly boundary of said *EASTBROOK VILLAGE*;

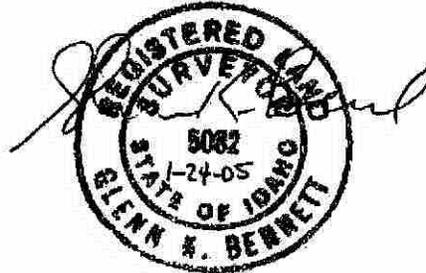
Thence leaving said northerly boundary S 0°06'23" W along said easterly extended boundary a distance of 317.80 to a 5/8 inch diameter iron pin marking the southeasterly corner of said *EASTBROOK VILLAGE*;

Thence N 89°35'47" W along the southerly boundary of said *EASTBROOK VILLAGE* a distance of 429.60 feet to a 5/8 inch diameter iron pin on the westerly boundary of said Government Lot 4;

Thence N 0°06'23" E along said westerly boundary a distance of 317.80 feet to the POINT OF BEGINNING.

This parcel contains 3.13 acres.

Prepared by: Glenn K. Bennett, PLS
Civil Survey Consultants, Incorporated
January 24, 2005

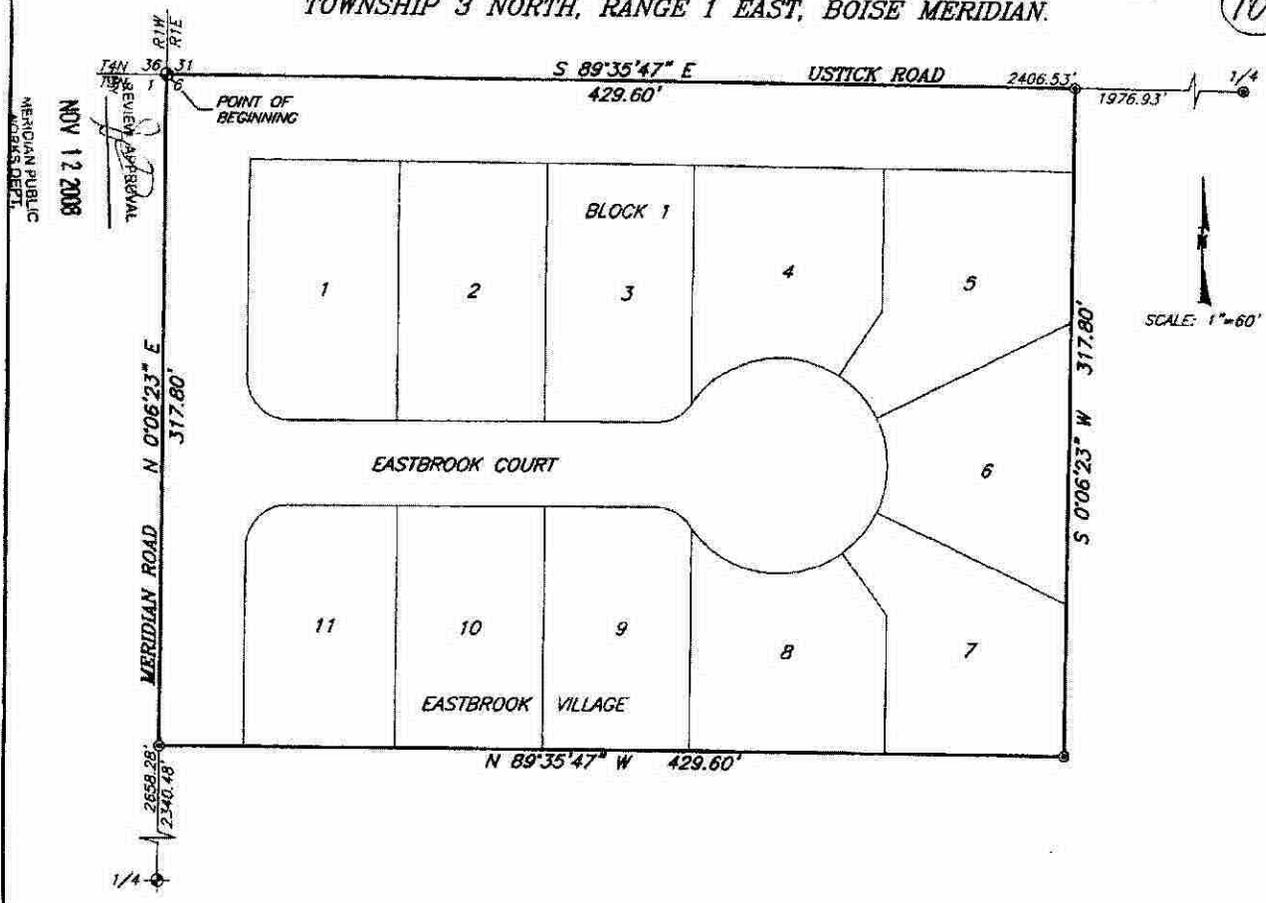


REVIEW APPROVAL
BY [Signature]
NOV 12 2008
MERIDIAN PUBLIC
WORKS DEPT.

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SKETCH TO ACCOMPANY ANNEXATION DESCRIPTION FOR THE CITY OF MERIDIAN,
 ADA COUNTY, IDAHO, LOCATED IN GOVERNMENT LOT 4 OF SECTION 6,
 TOWNSHIP 3 NORTH, RANGE 1 EAST, BOISE MERIDIAN.

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Mayor Tammy de Weerd
City Council Members:

Keith Bird
Brad Hoaglund
Charles Rountree
David Zarembo

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June 1, 2009

**Re: Implied Consent – Eastbrook Subdivision AZ 08-013
Ordinance No. 09-1408**

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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