

Instrument # 564524

HAILEY, BLAINE, IDAHO
1-30-2009 01:05:00 No. of Pages: 41
Recorded for : CITY OF BELLEVUE
JOLYNN DRAGE Fee: 0.00
Ex-Officio Recorder Deputy
Index to: ORDINANCES

JAPP

CITY OF BELLEVUE, IDAHO
ORDINANCE NO. 2009-04

AN ORDINANCE OF THE CITY OF BELLEVUE, IDAHO, ANNEXING CERTAIN ADJACENT AND CONTIGUOUS LAND INTO THE CITY OF BELLEVUE, IDAHO; PROVIDING THAT SAID REAL PROPERTY AND ALL PERSONS WITHIN THE LIMITS OF SUCH ANNEXED TRACTS OF LANDS SHALL BE SUBJECT TO THE PROVISIONS OF ALL BYLAWS AND ORDINANCES OF THE CITY OF BELLEVUE, IDAHO; PROVIDING FOR AMENDMENTS TO THE BELLEVUE COMPREHENSIVE PLAN MAP AND OFFICIAL ZONING MAP WITH REGARD TO SAID REAL PROPERTY; PROVIDING FOR THE ZONING OF SAID REAL PROPERTY UPON ANNEXATION; PROVIDING FOR THE FILING OF COPIES OF THE ORDINANCES; PROVIDING A SAVINGS CLAUSE; AND, PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY OF BELLEVUE, IDAHO:

SECTION 1. The land lying adjacent and contiguous to the City of Bellevue, Idaho, and more particularly described in Exhibit "A-1" and "A-2", to Exhibit "1", "Strahorn Annexation Agreement" and incorporated herein by this reference, is hereby declared to be a part of the City of Bellevue, Idaho and is hereby annexed into the City of Bellevue, Idaho.

SECTION 2. From and after the effective date of this ordinance, all lands described in Exhibit "A-1" and "A-2", to Exhibit "1", "Strahorn Annexation Agreement", attached hereto and incorporated herein and by this reference shall be and are hereby subject to the provisions of all charter, bylaws and ordinances, rules and regulations of the City of Bellevue, Idaho.

SECTION 3. Pursuant to Idaho Code, the Clerk of the City of Bellevue, Idaho, shall, within ten (10) days following the effective date of this ordinance, file a certified copy of this ordinance with the Blaine County Assessor and the Idaho State Tax Commission.

SECTION 4. The Clerk of the City of Bellevue, Idaho, shall, within ten (10) days following the effective date of this ordinance, cause one (1) copy of the legal description and map prepared in a draftsman like manner which shall plainly and clearly designate the boundaries of the City of Bellevue, Idaho, as altered, to be filed with the Blaine County Recorder, the Blaine County Assessor and the Idaho State Tax Commission.

SECTION 5. The above described tract of land shall be and is hereby given the Land Use Designation of "General Residential" under the provisions of the Bellevue Comprehensive Plan and the Comprehensive Land Use Map of said city is hereby amended to so designate said real property.

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SECTION 6. The above described tract of land shall be and is hereby zoned and classified "General Residential Zoning District" under the provisions of Ordinance Number 86-03, as amended, of the City of Bellevue, Idaho (the Bellevue Zoning Ordinance) and that the portions of said tract of land are located within the special flood hazard area as depicted on the official Flood Insurance Map and defined by said Floodplain-Riparian Management Flood Control Regulation ordinance #2007-07, and the Avalanche Overlay District as defined in Ordinance 2007-03.

SECTION 7. Strahorn Partners, LLC, an Oregon corporation and the City of Bellevue each acknowledge and agree that annexation of the subject property will create burdens for additional public utilities, facilities, and services which are attributable to annexation of the annexation Parcel and its proposed future development, including, but not limited to, on-site and off-site water, sewer, traffic, streets, police, fire, emergency services, recreation, and general service impacts.

SECTION 8. The City and Strahorn Partners, LLC, have entered into an annexation agreement attached hereto as Exhibit "1", "Strahorn Annexation Agreement" for the purpose of establishing certain rights and obligations of the parties with regard to the annexation of the subject annexation parcel and its future development, including, but not limited to, the nature, extent, limitations, and timing of development, provision and construction of improvements (public and private, on-site and off-site), payment of certain fees and the provision of other items set forth in the Annexation Agreement that are necessary to minimize the adverse impacts of the annexation and development upon the City, to protect and promote the general health, safety and welfare of the citizens of Bellevue and future occupants of the annexation parcel, and to provide sufficient benefits to Bellevue to warrant it annexing the annexation parcel.

SECTION 9. Bellevue has determined that annexing the subject annexation parcel constitutes an orderly extension of its municipal boundaries, and that such annexation is not in conflict with the Bellevue Comprehensive Plan and, subject to the attached Annexation Agreement it is in the best interests of Bellevue to provide for orderly annexation and development of the underlying property.

SECTION 10. It has been determined that it is in the best interests of Bellevue and Strahorn Partners, LLC, that the annexation parcel be annexed into Bellevue and together with an adjoining parcel owned by Strahorn Partners, LLC, located in the Bellevue City limits as depicted in Exhibit "B-1" & "B-2" to Exhibit "1", "Strahorn Annexation Agreement" and incorporated herein by this reference to be developed in accordance with the Strahorn Annexation Agreement attached hereto as Exhibit "1".

SECTION 11. If any section or portion of this ordinance is for any reason held to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

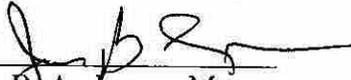
SECTION 12. This ordinance shall be in full force and effect from and after its passage, approval and publication according to law.

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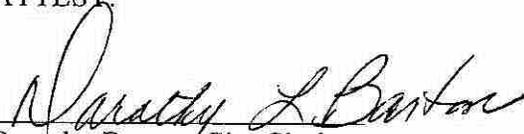
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PASSED BY THE COMMON COUNCIL AND APPROVED BY THE MAYOR
OF THE CITY OF BELLEVUE, IDAHO this 22 day of JAN, 2009.


Jon B. Anderson, Mayor

ATTEST:


Dorothy Barton, City Clerk



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EXHIBIT A2
LEGAL DESCRIPTION
OF
ANNEXATION PARCEL
SEPTEMBER 5, 2008

A parcel of land located within Section 25, Township 2 North, Range 18 East and Section 30, Township 2 North, Range 19 East, Boise Meridian, Blaine County, Idaho, being more particularly described as follows:

Commencing at a Brass Cap marking the Southeast corner of said Section 25, thence North 89°09'57" West, 856.93 feet; thence North 33°14'37" East, 1147.05 feet to the TRUE POINT OF BEGINNING;

- thence North 33°14'37" East, 417.60 feet;
- thence North 34°06'16" East, 529.84 feet;
- thence North 36°19'48" East, 877.52 feet;
- thence North 36°44'56" East, 212.31 feet;
- thence South 89°33'18" East, 361.86 feet;
- thence North 00°06'22" West, 487.92 feet;
- thence North 36°17'30" East, 972.37 feet;
- thence North 44°34'19" East, 337.09 feet;
- thence North 27°56'37" East, 771.67 feet;
- thence South 84°42'44" East, 578.87 feet;
- thence South 01°06'20" West, 559.93 feet;
- thence South 28°43'12" West, 323.12 feet;
- thence North 89°35'51" West, 264.13 feet;
- thence South 00°12'08" East, 437.53 feet;
- thence South 31°32'27" West, 952.44 feet;
- thence South 40°08'58" West, 437.85 feet;
- thence South 55°17'10" West, 690.03 feet;
- thence South 24°17'11" West, 367.59 feet;
- thence South 21°51'25" West, 1435.61 feet;
- thence South 08°40'24" West, 295.99 feet;
- thence North 89°34'10" West, 454.47 feet;

thence North 18°21'51" West, 1024.70 feet to the TRUE POINT OF BEGINNING, containing 99.44 acres, more or less.

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website:bellevueidaho.us

CITY OF BELLEVUE

115 East Pine, P.O. Box 825; Bellevue, ID 83313
208-788-5351 • 208-788-2128 • Fax 208-788-2092

February 4, 2009

Idaho State Tax Commission
Property Appraisal Bureau
PO Box 36
Boise, ID 83722-0410

Re: City of Bellevue, ID Annexation

Gentlemen:

Enclosed are Bellevue Ordinance 2009-04 and the legal description and map of property recently annexed into the City of Bellevue. Please verify receipt of the documents and their correctness.

Thank you,


Dorothy Barton
Bellevue City Clerk/Treasurer

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