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CITY OF OLDTOWN
ORDINANCE NUMBER 2009-1

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FILED BY
City of Oldtown
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JTT
BONNER COUNTY RECORDER
CB
DEPUTY

AN ORDINANCE OF THE CITY OF OLDTOWN, BONNER COUNTY, IDAHO, PROVIDING FOR AUTHORITY; PROVIDING FOR ANNEXATION OF LANDS INTO THE CITY; PROVIDING FOR THE ZONING DESIGNATIONS OF THE SUBJECT LANDS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council did conduct public hearings On March 2, 2009 and May 11, 2009 regarding landowners requests for the annexation and zoning designation of lands generally located in Sections 19, 24, 25, and 30, Township 56 North, Ranges 5 and 6 West, Boise Meridian, Bonner County, Idaho; and

WHEREAS, the landowners provided a written petition requesting annexation and the City Council considered said request in accordance with §50-222, Idaho Code, specifically Category A annexations as identified at §50-222(3)(a); and

WHEREAS, the City Council concludes the requested annexation meets the requirements of Category A annexations and the annexations are appropriate;

NOW THEREFORE, THE CITY COUNCIL OF OLDTOWN, IDAHO HEREBY ORDAINS AS FOLLOWS:

SECTION 1

Land described in this Section is hereby annexed into the City of Oldtown:

All that portion of Section 24, Township 56 North, Range 6 West, Boise Meridian, Bonner County, Idaho, described as follows:

The South Half of said Section 24, lying north and east of the Pend Oreille River, less Lots 5 & 7, of the recorded plat of Albeni Falls Mill Addition; Also, Tax #29 and The South Half of the Northeast Quarter of said Section 24, less Tax 28;

Also, all that portion of Section 25, Township 56 North, Range 6 West, Boise Meridian, Bonner County, Idaho, lying north of the Pend Oreille River.

Also, all of the South Half of Section 19, Township 56 North, Range 5 West, Boise Meridian, less Tax 2, 7, 24, 25, 29, 30, 31, 33, 36, Parcel # 56N05W194201, Parcel # 56N05W197650, Parcel # 56N05W195600, less the recorded plats of Diamond Heights and Ferrous Estates and less the federal land located in the SE1/4 SE1/4 SE1/4;

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All that portion of Section 30, Township 56 North, Range 5 West, Boise Meridian, Bonner County, Idaho, lying north of the Pend Oreille River, less the federal land located in the NE1/4 NE1/4 NE1/4.

Less that portion already within the Existing City Limits of the City of Oldtown, Idaho.

SECTION 2

The Oldtown official zoning map is hereby amended to include and designate the annexed land as follows:

Single Family Residential

All that portion of the S1/2 NE1/4 of Section 24, Township 56 North, Range 6 West, Boise Meridian, Bonner County, Idaho, less Tax 28;

Also, Lots 1, 2, 3, 4 and 6 of Albeni Falls Mill Addition, in said Section 24.

All that portion of Parcel # 56N05W196776 lying south of the Burlington Northern Railroad Spur located in Section 19, Township 56 North, Range 5 West, Boise Meridian, Bonner County, Idaho, less that portion of said parcel lying in the SW1/4 SW1/4.

Less any portion already within the existing city limits of the City of Oldtown, Idaho.

Multi-Family Residential

All that portion of the SE1/4 SE1/4 of Section 19, Township 56 North, Range 5 West, Boise Meridian, lying south of State Highway 2 and north of the southerly right-of-way of the Burlington National Railroad Spur;

All that portion of the S1/2 of Section 24, Township 56 North, Range 6 West, Boise Meridian, lying east of the Pend Oreille River, including the east 900 feet of Parcel # 56N06W249003 lying north of Diamond Lumber Road, and a 300 foot wide strip running adjacent with the Ordinary High water of the Pend Oreille River and southerly of Old Diamond Mill Road, less the recorded plat of Albeni Falls Mill Addition, less Parcel # 56N06W249003 (except the east 900 feet of Parcel # 56N06W249003 lying north of Diamond Lumber Road);

Also that portion of Section 25, Township 56 North, Range 6 West, Boise Meridian, Bonner County, Idaho, lying north of the Pend Oreille River;

Also that portion of Section 30, Township 56 North, Range 5 West, Boise Meridian, Bonner County, Idaho, lying north of the Pend Oreille River, less that portion of said Section 30 lying in the NW1/4 NW1/4, and less the federal land located in the NE1/4 NE1/4 NE1/4.

All, less that portion already within the Existing City Limits of the City of Oldtown, Idaho.

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Commercial

All that portion of the S1/2 of Section 24, Township 56 North, Range 6 West, Boise Meridian, lying east of the Pend Oreille River, less the east 900 feet of Parcel # 56N06W249003 lying north of Diamond Lumber Road, less the recorded plat of Albeni Falls Mill Addition, and less a 300 foot wide strip running adjacent with the Ordinary High water of the Pend Oreille River and southerly of Old Diamond Mill Road.

Also, all of the South Half of Section 19, Township 56 North, Range 5 West, Boise Meridian, less, Tax 2, 4, 5, 6, 7, 8, 11, 16, 20, 23, 24, 25, 29, 30, 31, 33, 36, Parcel # 56N05W194201, Parcel # 56N05W195600, Parcel # 56N05W196725, Parcel # 56N05W196290, Parcel # 56N05W197650, less the recorded plat of Diamond Heights, less the recorded plat of Ferrous Estates, less Parcel # 56N05W196776 lying southerly of the Burlington National Railroad Spur, less Parcel # 56N05W196776 lying in the SE1/4 SE1/4, less Parcel # 56N05W196776 lying in the SW1/4 SW1/4, and less the federal land located in the SE1/4 SE1/4 SE1/4;

All, less that portion already within the Existing City Limits of the City of Oldtown, Idaho.

Light Industrial

All that portion of the SW1/4 SW1/4 of Section 19, Township 56 North, Range 5 West, Boise Meridian, less Tax 3;

Also that portion of the NW1/4 SW1/4 of Section 19, Township 56 North, Range 5 West, Boise Meridian, less Tax 2, 7, 10, 18, 22, 29, 30, 31 and Parcel # 56N05W194201;

Also that portion of the SE1/4 SW1/4 of Section 19, Township 56 North, Range 5 West, Boise Meridian, less Tax 12, Parcel # 56N05W198226 and Parcel # 56N05W196776;

Also that portion of the NW1/4 NW1/4 of Section 30, Township 56 North, Range 5 West, Boise Meridian, Bonner County, Idaho, lying north of the Pend Oreille River.

SECTION 3

The provisions of this ordinance are hereby declared to be individually severable. Should any provisions of this ordinance be declared invalid by a court of competent jurisdiction, such declaration shall not affect the validity of the remaining provisions.

SECTION 4

This ordinance shall be in full force and effective upon passage, approval, recording with the Bonner County Clerk and publication according to law.

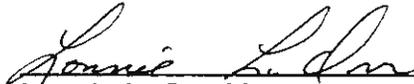
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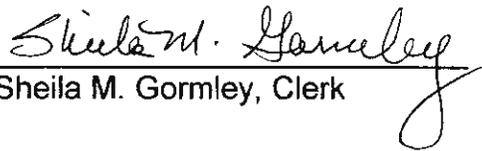
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Regularly considered, passed and approved under suspension of the rules by the City Council and Mayor of the City of Oldtown, Bonner County, Idaho on this 8th day of June, 2009.



Lonnie L. Orr, Mayor

ATTEST:



Sheila M. Gormley, Clerk

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CITY OF OLDTOWN

Bryan M. Quayle, Planning and Zoning Administrator
215 North Washington Avenue
Oldtown, ID 83822

Telephone 208-448-2123
Fax 208-448-2232

July 29, 2009

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AUG 03 2009

TECHNICAL SUPPORT

Craig Johnson
Idaho State Tax Commission
800 Park Blvd, Plaza IV
PO Box 36
Boise, ID 83722

Dear Craig,

Enclosed please find a copy of City of Oldtown Ordinance 2009-1 annexing properties into the city. The ordinance has been recorded and will be published next week. A full size map of the subject area as well as an 11x17 size copy are also enclosed.

If you have any questions or require additional information please contact me at (208) 263-4720.

Sincerely,

Bryan M. Quayle
Planning & Zoning Administrator

Cc: City Clerk w/o enclosures