

BILL NO. 21
ORDINANCE NO. 2803

AN ORDINANCE PURSUANT TO IDAHO CODE § 50-225 DETERMINING THAT CERTAIN LAND HAS BEEN INCORPORATED INTO THE LIMITS OF CALDWELL, IDAHO AND THAT SAID LAND SHOULD BE EXCLUDED FROM THE CORPORATE LIMITS OF THE CITY OF CALDWELL, IDAHO; DECLARING SAID LAND BY PROPER LEGAL DESCRIPTION AS DESCRIBED BELOW TO BE EXCLUDED FROM CALDWELL, IDAHO; DIRECTING THE CITY ENGINEER AND PLANNING AND ZONING DIRECTOR TO REMOVE SAID PROPERTY FROM THE OFFICIAL MAPS OF THE CITY OF CALDWELL, IDAHO; REPEALING ALL ORDINANCES, RESOLUTIONS, ORDERS OR PARTS THEREOF IN CONFLICT HEREWITH; AND DIRECTING THE CLERK OF THE CITY TO FILE A CERTIFIED COPY OF THE ORDINANCE AND MAP OF THE AREA TO BE EXCLUDED WITH CANYON COUNTY, STATE OF IDAHO AND THE IDAHO STATE TAX COMMISSION, PURSUANT TO IDAHO CODE § 63-215.

BE IT ORDAINED, BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CALDWELL, COUNTY OF CANYON, STATE OF IDAHO:

Section 1. That the Caldwell City Council, following the public notice and hearing procedures set forth in Section 10-01-07, Zoning Ordinance No. 1451, approved Case No. DAN-04-09 (Town Ranch) at a public hearing held September 8, 2009.

Section 2. That it appears that the subject property described herein was annexed in error by the City of Caldwell pursuant to Ordinance 2665 and the parcel owner has requested that the following described property should be excluded from the corporate city limits pursuant to Idaho Code § 50-225:

A strip of land 100.00 feet in width, located in the SE 1/4 NW 1/4 and the SW 1/4 NE 1/4 of Section 20, Township 4 North, Range 2 West, Boise Meridian, Canyon County Idaho, more particularly described as follows:

Commencing at the SE corner of the SE 1/4 SE 1/4 (section corner common to Sections 20, 21, 28 and 29); thence N 89° 36' 31" W a distance of 1253.10 feet along the southerly boundary of said SE 1/4 SE 1/4 to a point that bears S 89° 36' 31" E a distance of 68.15 feet from the SW corner of said SE 1/4 SE 1/4 (E 1/16 corner common to Sections 20 and 29); thence N 18° 47' 16" W a distance of 3518.72 feet to a point on the southerly right of way of Five Mile Drain, said point being the **POINT OF BEGINNING**; thence S 71° 12' 44" W a distance of 100.00 feet; thence N 18° 47' 16" W a distance of 152.30 feet to a point on the northerly right of way of Five Mile Drain; thence N 18° 47' 16" W a distance of 549.25 feet to a point on the northerly boundary of the SE 1/4 NW 1/4; thence S 89° 21' 45" E a distance of 106.04 feet along said northerly boundary of the SE 1/4 NW 1/4 to a point that bears N 89° 21' 45" W a distance of 5.10 feet from the NE corner of the SE 1/4 NW 1/4, (center north 1/16 corner section 20); thence S 18° 47' 16" E a distance of 666.29 feet to the **POINT OF BEGINNING**. This parcel contains 1.57 acres, more or less.

Section 3. That the subject property described herein is by this ordinance excluded and de-annexed from the City of Caldwell, Idaho.

Section 4. All ordinances, resolutions, orders or parts thereof in conflict herewith are hereby repealed, rescinded and annulled. Provided, however, that Ordinance 2665 is only modified to the extent that the property described herein is excluded from the city limits of Caldwell, Idaho.

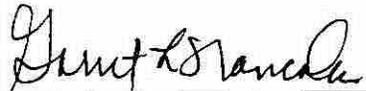
Section 5. This ordinance shall be in full force and in effect from and after its passage, approval and publication, according to law.

Section 6. The City Engineer and Planning and Zoning Director are hereby instructed to remove the above-described property from the official maps of the City of Caldwell, Idaho.

Section 7. The Clerk of the City of Caldwell, Idaho shall, within 10 days following the effective date of this ordinance, duly file a certified copy of this ordinance and a map prepared in a draftsman-like manner plainly and clearly designating the boundaries of the City of Caldwell, including the land herein being excluded, with the following officials of the County of Canyon, State of Idaho, to-wit: the Recorder, Auditor, Treasurer and Assessor and shall file simultaneously a certified copy of this ordinance with the State Tax Commission of the State of Idaho, all in compliance with Idaho Code 63-215.

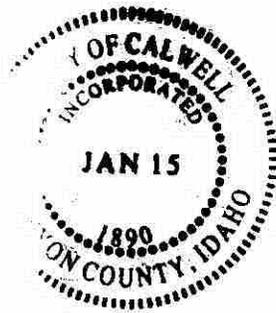
PASSED BY THE COUNCIL OF THE CITY OF CALDWELL, IDAHO, this 21st day of September, 2009.

APPROVED BY THE MAYOR OF THE CITY OF CALDWELL, IDAHO, this 21st day of September, 2009.


Mayor Garret L. Nancolas

ATTEST:


City Clerk



REQUEST CALDWELL CITY AT
TYPE Ordinance FEE C

2009 SEP 30 PM 3 38
WILLIAM H. HURST
CANYON CNTY RECORDER
BY Ma Brown

RECORDED

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OCT 02 2009
TECHNICAL SUPPORT

ORDINANCES OF THE CITY OF CALDWELL
NOTICE OF ADOPTION AND SUMMARY OF
ORDINANCE NO. 2803
REGARDING EXCLUSION OF CERTAIN
PROPERTY FROM THE CORPORATE LIMITS OF CALDWELL

This ordinance provides for exclusion of a parcel of land to be de-annexed from the City of Caldwell, Canyon County, Idaho.

A strip of land 100.00 feet in width, located in the SE 1/4 NW 1/4 and the SW 1/4 NE 1/4 of Section 20, Township 4 North, Range 2 West, Boise Meridian, Canyon County Idaho, more particularly described as follows:

Commencing at the SE corner of the SE 1/4 SE 1/4 (section corner common to Sections 20, 21, 28 and 29); thence N 89° 36' 31" W a distance of 1253.10 feet along the southerly boundary of said SE 1/4 SE 1/4 to a point that bears S 89° 36' 31" E a distance of 68.15 feet from the SW corner of said SE 1/4 SE 1/4 (E 1/16 corner common to Sections 20 and 29); thence N 18° 47' 16" W a distance of 3518.72 feet to a point on the southerly right of way of Five Mile Drain, said point being the **POINT OF BEGINNING**; thence S 71° 12' 44" W a distance of 100.00 feet; thence N 18° 47' 16" W a distance of 152.30 feet to a point on the northerly right of way of Five Mile Drain; thence N 18° 47' 16" W a distance of 549.25 feet to a point on the northerly boundary of the SE 1/4 NW 1/4; thence S 89° 21' 45" E a distance of 106.04 feet along said northerly boundary of the SE 1/4 NW 1/4 to a point that bears N 89° 21' 45" W a distance of 5.10 feet from the NE corner of the SE 1/4 NW 1/4, (center north 1/16 corner section 20); thence S 18° 47' 16" E a distance of 666.29 feet to the **POINT OF BEGINNING**. This parcel contains 1.57 acres, more or less.

The Ordinance includes a provision to amend the official maps of the City by designating the above-described property as excluded from the corporate city limits and providing an effective date, which shall be when published in the Idaho Press Tribune on the 28th day of September 2009. Ordinance No. 2803 was passed by the Council and approved by the Mayor on the 21st day of September 2009. The full text of the Ordinance is available at Caldwell City Hall, 411 Blaine Street, Caldwell, Idaho. The Mayor and City Council approved the foregoing summary for publication pursuant to Idaho Code 50-901A on the 21st day of September 2009.

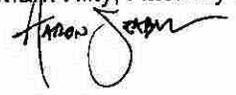
Mayor Garret L. Nancolas

ATTEST: Debbie Geyer, City Clerk

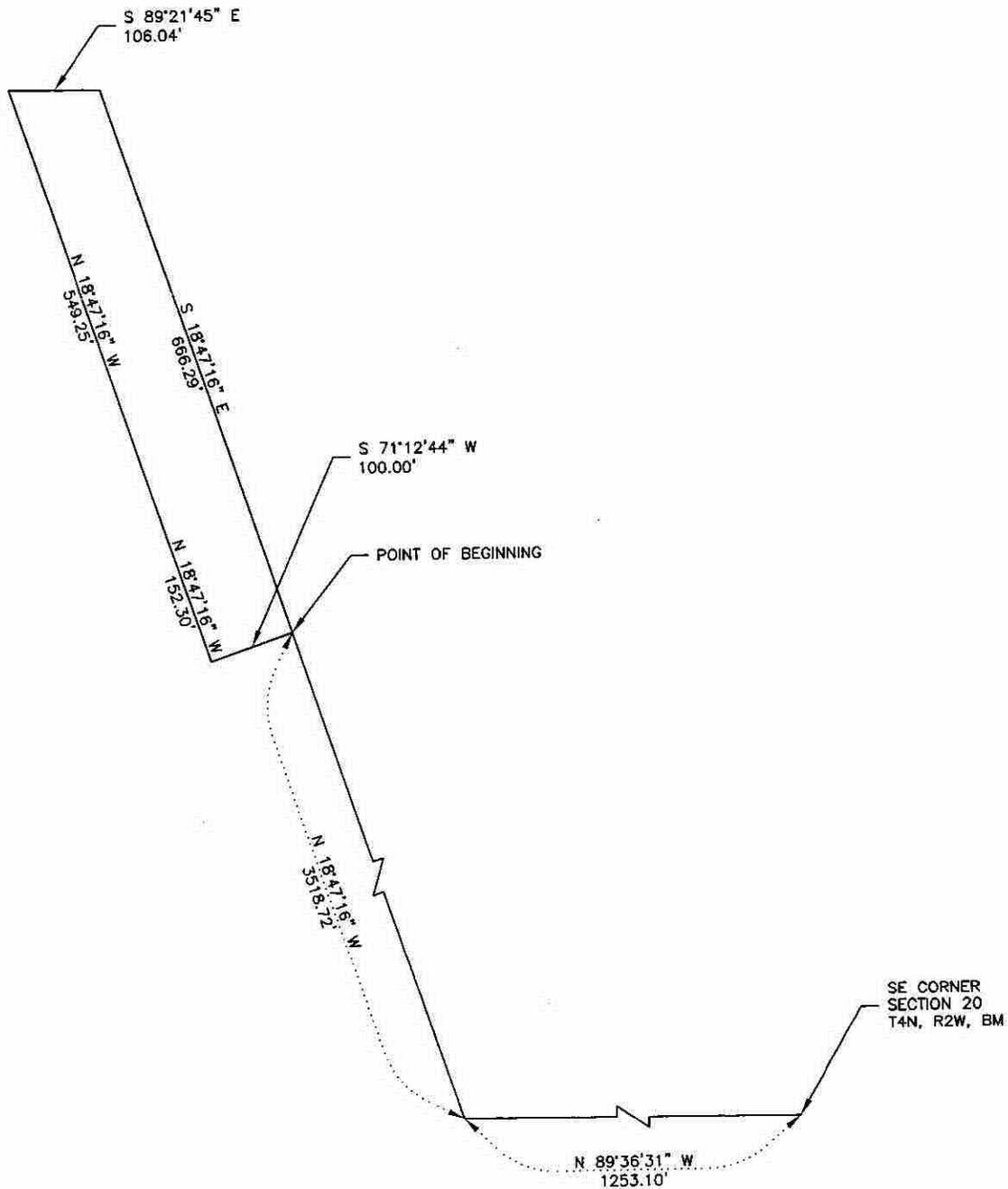
STATEMENT OF LEGAL ADVISOR

I have reviewed the foregoing summary and believe that it provides a true and complete summary of Ordinance No. 2803 and provides adequate notice to the public as to the contents of such ordinance.

DATED this 21st day of September 2009.
Mark Hilty, Attorney for City of Caldwell



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DRAWN:	DGM
DATE:	21 SEP 2009
SCALE:	1" = 200'
ACAD FILE:	D-2803

CITY OF
 CALDWELL

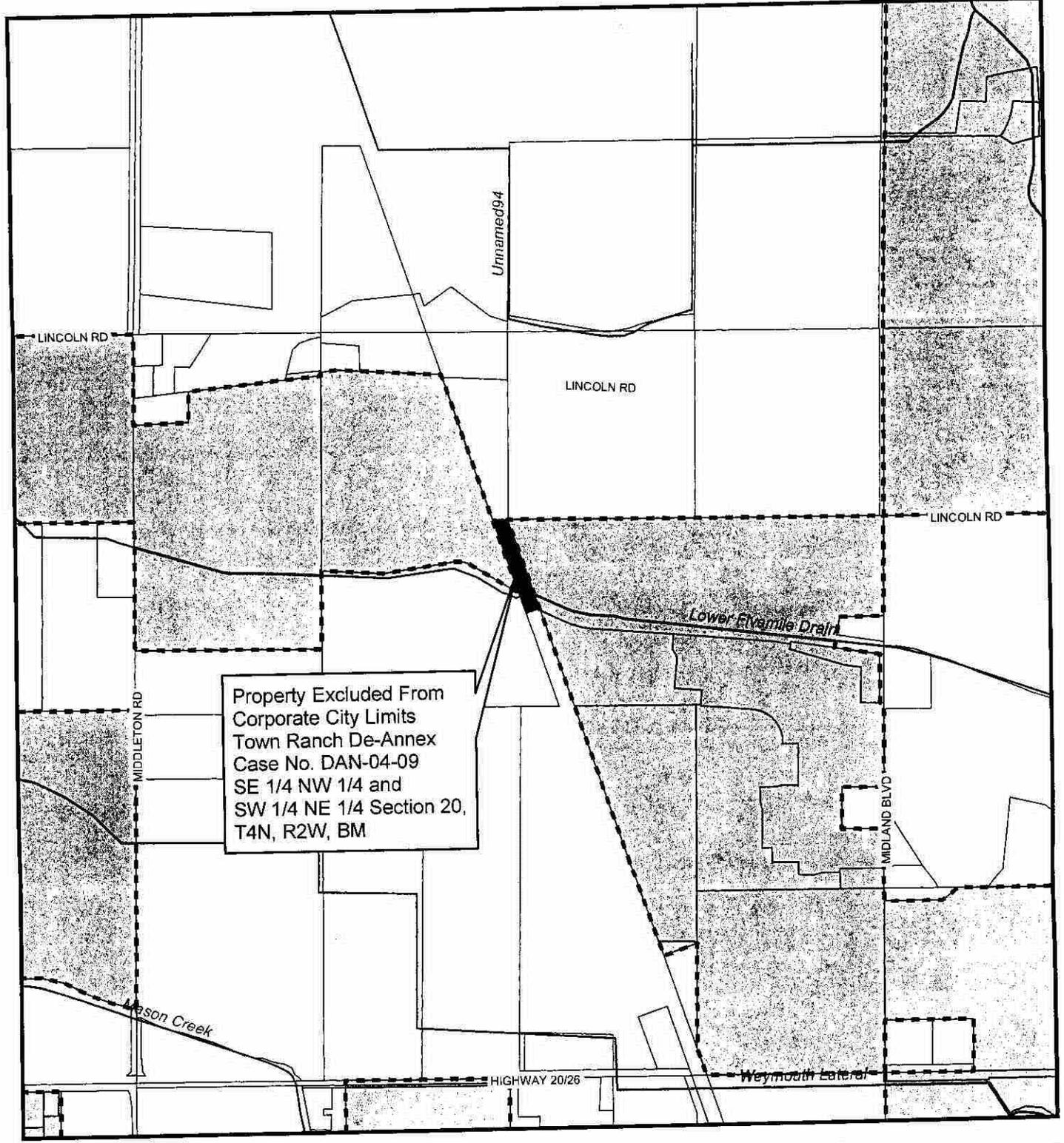


DE-ANNEXATION ORDINANCE NO. 2803
*A portion of the SE 1/4 NW 1/4 and the SW 1/4 NE 1/4 of
 Section 20 Township 4 North, Range 2 West,
 of the Boise Meridian, Canyon County, Idaho*

CITY OF CALDWELL
De-Annexation Ordinance No. 2803

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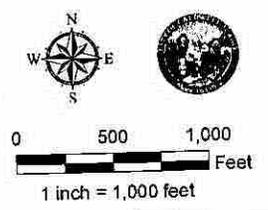
TECHNICAL SUPPORT



Property Excluded From
Corporate City Limits
Town Ranch De-Annex
Case No. DAN-04-09
SE 1/4 NW 1/4 and
SW 1/4 NE 1/4 Section 20,
T4N, R2W, BM

City
of
Caldwell

- Legend**
-  Ordinance 2803
 -  Caldwell
 -  Parcels
 -  Canals, Ditches



Caldwell, Idaho

The Treasure of the Valley

190



CALDWELL MAYOR

Garret Nancolas

CITY CLERK

Debbie Geyer

COUNCIL MEMBERS

Dennis Callsen

Rob Oates

Bob Sobba

Jim Dakon

Rob Hopper

Jim Blacker

September 30, 2009

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OCT 02 2009

TECHNICAL SUPPORT

Idaho Tax Commission
800 Park Blvd.
Boise, Idaho 83722

To Whom It May Concern:

Attached is a certified copy of Ordinance No. 2803 concerning annexing property into the City of Caldwell. As required by State Code, I am forwarding you a copy of the ordinance that was passed by City Council along with a map designating the annexed property.

Please contact me at 455-4656 if you have additional questions or comments.

Thank you,

Debbie Geyer
City Clerk
City of Caldwell

